



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

MINUTES

26 APRIL 2016

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Confidential attachment to Item 9.9
under s89(2)(a) "personnel" relating to Transport Committee Membership

Confidential attachment to Item 9.10
under s89(2)(a) "personnel" relating to the appointment of Community
Representative roles on the Environment Advisory Committee.

- 12.1 under s89 (2)(d) "contractual" which relates to the awarding of the contract for
Tender 2016.038 Lancaster Street Stage 1 Drainage works, Bentleigh East.

Number of tenders received	Six (6)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	More than \$930,000.00

- 12.2 under s89 (2)(d) "contractual" which relates to the awarding of the contract for
Tender No. 2016.030 Booran Road Reserve, Civil & Landscape Works
Architectural Lighting & Associated Works

Number of tenders received	Two (3)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$4,001,000 including GST

- 12.3 under s89(2)(d) of the Local Government Act 1989 "contractual and financial
data" which relates to the Yarra Yarra Golf Club.

- 12.4 under s89 (2) (d) "contractual" which relates to a contract with the VEC for the
provision of electoral services.

13. CLOSURE OF MEETING



**MINUTES of the ORDINARY MEETING OF THE
GLEN EIRA CITY COUNCIL held on TUESDAY, 26 APRIL 2016**

The meeting opened at 7.30 pm in the presence of:

**His Worship the Mayor, Councillor Neil Pilling
Councillor Mary Delahunty
Councillor Margaret Esakoff
Councillor Kelvin Ho
Councillor Jamie Hyams
Councillor Michael Lipshutz
Councillor Oscar Lobo
Councillor Jim Magee
Councillor Thomas Sounness**

1. ACKNOWLEDGEMENT

On behalf of Council the Mayor read the following acknowledgement.

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

2. APOLOGIES - Nil

3. OATH OF OFFICE AND DISCLOSURES OF INTERESTS

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

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

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

4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

Copies of Minutes previously circulated.

Crs Lipshutz/Delahunty

- a. That the minutes of the Ordinary Council Meeting held on 5 April 2016 be confirmed.**
- b. That the minutes of the Special Council Meeting held on 12 April 2016 be confirmed.**
- c. That the minutes of the Special Council Meeting held on 19 April 2016 be confirmed.**

The MOTION was put and CARRIED unanimously.

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

6. DOCUMENTS FOR SEALING – Nil

7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS – Nil

8. REPORTS FROM COMMITTEES

a. Advisory Committees

- i. Community Grants Committee, 19 April 2016.

Crs Magee/Esakoff

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

That the recommendations of the Committees be adopted.

The MOTION was put and CARRIED unanimously.

b. Records of Assembly

- i. 29 March 2016
- ii. 5 April 2016
- iii. 12 April 2016

Crs Hyams/Delahunty

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

The MOTION was put and CARRIED unanimously.



**Minutes
COMMUNITY GRANTS COMMITTEE MEETING
19 April 2016**

Purpose:

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

Aims:

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

Assembly of Councillors Record

Meeting commenced at 5:10 pm

1. Present and Apologies

Present

Cr Jim Magee (Chair)
Cr Margaret Esakoff
Cr Thomas Sounness
Peter Jones – Director Community Services
Gaye Stewart – Manager Community Development

Apologies

n/a

2. Matters considered

- i. Royal Flying Doctor Services – Bayside Auxiliary
- ii. Victorian Association of WW2 Veterans from former Soviet Union
- iii. Glenhuntly Athletic Club Inc.
- iv. St Aloysius Primary School

3. 2015-2016 Facilities Hire ONLY Grant application

- *Royal Flying Doctor Services – Bayside Auxiliary*

Royal Flying Doctor Services has applied for a Facility Hire Only Grant of \$128.50 to hire the Rotunda located at Centre Road, Bentleigh on Friday 6 May. The Bayside Auxiliary intends to hold a fundraising event on the day to raise funds for the Royal Flying Doctor Service.

Recommendation:

The Committee recommend funding a facility hire grant of \$128.50 for the Royal Flying Doctor Services – Bayside Auxiliary to use the Centre Road Rotunda on Friday 6 May 2016.

Moved: Cr Esakoff
Seconded: Cr Magee
Motion passed unanimously

- *Victorian Association of WW2 Veterans from former Soviet Union.*

The Victorian Association of WW2 Veterans from former Soviet Union has applied for a Facility Hire Only Grant of \$752.00 to hire the Town Hall Auditorium for a celebration of 71st anniversary of the end of World War 2 on 12 May 2016, 3pm to 8pm. The group intends to hold an event to commemorate the 70th anniversary of the end of World War 2.

Recommendation: **The Committee recommends funding a facility hire grant of \$752.00 for the Victorian Association of WW2 Veterans from former Soviet Union to use the Auditorium on 12 May 2016.**

Moved: Cr Esakoff
Seconded: Cr Magee
Motion passed unanimously

- *Glenhuntly Athletic Club Inc.*

Glenhuntly Athletic Club Inc. has applied for a Facility Hire Only Grant of \$399 to stage their annual Cross Country Athletic Carnival at Duncan Mackinnon Reserve for students from special schools on Friday 20th May 2016. The Club intends to conduct a cross country athletic carnival for students from special schools - mainly schools located in the southern and eastern suburbs of Melbourne.

Recommendation: **The Committee recommend funding a facility hire grant of \$399 for the Glenhuntly Athletic Club Inc. to use Duncan Mackinnon Reserve on Friday 20 May 2016.**

Moved: Cr Magee
Seconded: Cr Esakoff
Motion passed unanimously

Cr Sounness entered the room at 5:21 pm

- *St Aloysius Primary School*

The St Aloysius Primary School has applied for a Facilities and Venue Hire Grants for Schools of \$41.00 for the cost of Caulfield Park, Oval 7, to hold a Football Interschool Sports on 6 May, 13 May and 27 May 2016 with two other local primary schools, St Joseph's and St Mary's. Approximately 40 students will be attending, who are primarily residents of Glen Eira.

Recommendation: **The Committee recommend funding a Facilities and Venue Hire Grants for Schools of \$41.00 for the St Aloysius Primary School to use the Caulfield Park - Oval 7 on 6 May, 13 May and 27 May 2016.**

Moved: Cr Sounness
Seconded: Cr Esakoff
Motion passed unanimously

Next Meeting – 26 April 2016

Meeting closed at 5.40pm

Assembly of Councillors

29 March 2016

Record under S 80 A (2)

Meeting commenced at 6.52PM following a site visit to Booran Reserve.

A. Present

Cr Neil Pilling, Mayor
Cr Michael Lipshutz
Cr Mary Delahunty
Cr Jim Magee (Arr. 7.17PM)
Cr Margaret Esakoff
Cr Oscar Lobo
Cr Thomas Sounness
Cr Jamie Hyams

Rebecca McKenzie
Peter Jones
Peter Swabey
John Vastianos
John Bordignon
Rocky Camera
Mark Collins
Mark Judge

Apologies

Cr Karina Okotel

B. Matters considered.

- (i) Draft Budget 2016-2017 – resumption of discussion.

7.17pm Cr Magee entered the briefing room

8.30pm the meeting adjourned

8.45pm the meeting resumed in the presence of
Cr Pilling, Mayor
Cr Delahunty
Cr Esakoff
Cr Hyams
Cr Lipshutz
Cr Lobo
Cr Magee
Cr Sounness

Draft budget discussions continued

DECLARATIONS OF INTEREST

Cr Esakoff declared a conflict of interest when an item relating to Hopetoun Gardens was discussed

9.13pm Cr Esakoff left the briefing room

9.21pm Cr Esakoff returned to the briefing room

- (ii) Council papers for the 5 April 2016 Council Meeting comprising eight officer reports together with standing items on the Agenda

- (a) Agenda Item 9.1 249 Glen Eira Road and 1A Morrice Street

DECLARATIONS OF INTEREST

Cr Delahunty declared a conflict of interest in this matter

9.30pm Cr Delahunty left the briefing room

9.35pm Cr Delahunty returned to the briefing room

- (b) Agenda Item 9.2 Planning Scheme Review

- (c) Agenda Item 9.3 VCAT Watch

- (e) Agenda Item 9.4 Eco Buy Program

- (f) Agenda Item 9.5 Public Parks and Private Memorials

- (g) Agenda Item 11.1 - Requests for report - Cr Sounness - Public Art

- (iii) Records of Assembly

- (a) Cr Hyams - 8 March 2016 – should refer to the “policy” regarding notification to remove trees

- (iv) General Business raised by Councillors

- (a) Cr Magee - 6 Bevis Street Planning application

- (b) Cr Sounness – Pre-lodgment process

- (c) Cr Delahunty - hard and dumped rubbish, changes to collection timing

- (d) Cr Hyams - Conduct of junior art competition in 2016/17

- (e) Cr Hyams - Booran Road Reservoir plans available on Council website
- (f) Cr Esakoff - Sky Rail announcement
- (g) Cr Lipshutz - customer service centre return call processes
- (h) Cr Pilling - Glen Eira Adult Learning Centre request for funding

DECLARATIONS OF INTEREST

Cr Hyams declared a conflict of interest in this matter

10.15pm Cr Hyams left the briefing room

10.17pm Cr Hyams returned to the briefing room

- (iv) General Business raised by CEO
 - (i) Advocacy priorities for Federal Election.
 - (ii) Election countback process and swearing-in timing and meeting requirements.
 - (iii) LXRA submission regarding heritage buildings.
 - (iv) Local Government Compliance Audit.
- (v) Update from the CEO and early reflections on the organisation

Fin 10.42 PM

Council Pre-Meeting

5 April 2016

Record under S 80 A (2)

Meeting commenced at 6.46PM

A. Present

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

Rebecca McKenzie, CEO
Peter Jones
Peter Swabey
Mark Judge
Rachel Ollivier
John Bordignon
Paul Burke

Apologies

Cr Mary Delahunty

B. Matters considered.

- (i) Council Papers for 5 April 2016 consisting of eight Officer reports together with standing items on the Agenda.
 - (a) Agenda Item 5 – Reception and reading of Petitions – Cr Esakoff.
- (ii) General Business.
 - (a) Level Crossing Removal Authority (LXRA) – proposed changes to the Planning Scheme for level crossing removals.
- (iii) Council Papers for 5 April 2016 consisting of eight Officer reports together with standing items on the Agenda.
 - (a) Agenda Item 9.1 - 249 Glen Eira Road and 1A Morrice Street Caulfield North.
 - (b) Agenda Item 11.4 – Public Questions

Fin 7.15PM

Assembly of Councillors

12 April 2016

Record under S 80 A (2)

Meeting commenced at 7.24PM at the conclusion of the Special Council Meeting.

A. Present

Cr Neil Pilling, Mayor
Cr Mary Delahunty
Cr Margaret Esakoff
Cr Kelvin Ho
Cr Jamie Hyams
Cr Oscar Lobo
Cr Jim Magee
Cr Thomas Sounness

Rebecca McKenzie, CEO
Peter Jones
Peter Swabey
Ron Torres
Rachel Ollivier
Paul Burke

Apologies

Cr Michael Lipshutz

B. Matters considered.

(i) EE Gunn Reserve, Oval 1.

(ii) Strategic Resource Plan.

7.45PM the meeting adjourned.

8.00PM the meeting resumed in the presence of:

Cr Pilling, Mayor
Cr Delahunty
Cr Esakoff
Cr Ho
Cr Hyams
Cr Lobo
Cr Magee
Cr Sounness

(iii) Strategic Resource Plan – discussion resumed.

(iv) General Business raised by Officers.

- (a) Acting DAF – Grade Separation project, vegetation issue in the Ormond area.
- (v) General Business raised by Councillors.
 - (a) Cr Delahunty – community concerns about safety around adult entertainment venues in Glen Eira.
 - (b) Cr Hyams – Minutes of the last Council Meeting.
 - (c) Cr Hyams – VCAT decision in relation to an 8 storey building on Centre Road, Bentleigh and the need to write to the Minister for Planning.
 - (d) Cr Hyams – Council response to an LXRA's Planning Scheme Amendment.
 - (e) Cr Hyams – claims about the Planning Scheme by David Davis MP.
 - (f) Cr Hyams – previous advice circulated to Councillors in relation to proposed changes to the Local Government Electoral Regulations.
- (vi) General Business raised by Officers.
 - (a) CEO – Advised of changes to the ANZAC Day program.
 - (b) CEO – Advised of leave arrangements.
- (vii) General Business raised by Councillors.
 - (a) Cr Lobo – GESAC windows.
 - (b) Cr Sounness – Princes Park, tensions between sports users and dog owners.
 - (c) Cr Sounness – Music events held at Caulfield Racecourse. Feedback from residents following the EPA involvement.
 - (d) Cr Sounness – previous advice on Open Space projects.

9.22PM the meeting adjourned.

9.36PM the meeting resumed in the presence of:

Cr Pilling, Mayor

Cr Delahunty

Cr Esakoff

Cr Ho

Cr Hyams

Cr Lobo

Cr Magee

Cr Sounness

and the CEO.

(viii) An update from the CEO.

Fin 10.37PM

9. PRESENTATION OF OFFICERS REPORTS

- 9.1 305 Kooyong Road Elsternwick
- 9.2 1032 Dandenong Road, Carnegie
- 9.3 Transport Strategy Action Plan
- 9.4 VCAT Watch 26 April 2016
- 9.5 Koornang Road Laneways - Options for Closure at School Times
- 9.6 Amendment to Local Law 2009
- 9.7 Health Records Policy
- 9.8 Royal Commission into Family Violence
- 9.9 External Transport Committee Membership
- 9.10 External Membership to Environment Advisory Committee
- 9.11 Clayton South Regional Landfill 2016-2017 Budget and Business Plan
- 9.12 Financial Report for the Period Ending 31 March 2016

Item 9.1

305 Kooyong Road ELSTERNWICK
APPLICATION NO. GE/PP-21234/2008/C

Enquiries: Rocky Camera
Manager Statutory Planning



APPLICATION SUMMARY

PROPOSAL	Increase the hours of operation for the existing medical centre (dental)
RECOMMENDATION	Notice of Refusal to Grant an Amended Planning Permit
KEY ISSUES	<ul style="list-style-type: none"> Impact to the amenity of the adjoining residential area.
MUNICIPAL STRATEGIC STATEMENT	<ul style="list-style-type: none"> Institutional and Non Residential Uses in Residential Areas Non Residential Uses in Residential Zones Policy
APPLICANT	Colin Bowden
PLANNING SCHEME CONTROLS	<ul style="list-style-type: none"> Neighbourhood Residential Zone
EXISTING LAND USE	Medical Centre (Dental)
PUBLIC NOTICE	<ul style="list-style-type: none"> 13 properties notified 26 notices sent (owners and occupiers) 2 signs erected on site 4 objections received
Application fee payable (fee increased by the State Government in 2009)	\$502

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

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

2. Recommendation

That Council:

- Issues a Notice of Refusal for Amended Planning Permit Application No. GE/PP-21234/2008/C for a variation to the wording of Condition 4 in accordance with the grounds of refusal contained in the Appendix.

3. Applicable Policies and CodesGlen Eira City Council

- Municipal Strategic Statement – Adopted by Council on 17 May 1999 and approved by the Minister on 5 August 1999.
- Non-Residential Uses in Residential Zones Policy – Adopted by Council on 2 September 2014 and amended by the Minister on 23 April 2015.

4. Reasons For Recommendation

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

- All written objections and matters raised at the planning conference
- Council's MSS
- Council's Non-Residential Uses in Residential Zones Policy
- Other relevant considerations of the Planning Scheme

The key issues influencing the recommendation are as follows:

Background

A Planning Permit was approved by Council on 4 May 2009 that allowed for the construction of a two storey building and rear car parking for the purposes of a medical centre (dental).

Condition 4 of the planning permit required that the medical centre could only operate between the following times:

- Monday to Friday: 8am to 6pm; and
- Saturday: 8am to 1pm.

An application for an amended planning permit seeking an increase to the hours of operation from 8am to 6pm Monday to Friday, to 8am to 8pm Tuesday, Wednesday and Friday was refused by Council on the 15 September 2015.

Item 9.1 (cont'd)**Compliance with Council's Non-Residential Uses in Residential Zones Policy**

The Neighbourhood Residential Zone enables the consideration of proposals for a range of non-residential uses serving local community needs in appropriate locations.

Council's Non-Residential Uses in Residential Zones Policy aims to integrate these uses into residential areas, whilst minimising their impacts on the amenity of adjoining and nearby dwellings and protecting neighbourhood character.

Car parking, vehicle access, car park layout and traffic

- No changes are proposed to the approved layout of the car park to the rear.

General Amenity

- The proposed increase to the hours of operation from 8am to 6pm Monday to Friday, to 8am to 8pm Monday to Friday exceeds the finishing time prescribed in Council's Non-Residential Uses in Residential Zones Policy (which suggests a 6.30pm finish time for Monday to Friday).
- The access to the rear car park runs directly between two neighbouring residential properties, and the car park itself directly abuts the rear of residential properties to the north. Neighbours have previously raised concerns about noise impacts from the car park.
- The permit applicant offered the following at the Planning Conference:
 - Appointment sessions only between the hours of 6pm to 8pm;
 - No more than one practitioner and two support staff would be present between the hours of 6pm to 8pm; and
 - Only the ground floor would be used between the hours of 6pm to 8pm.
- It is considered that the proposed extension to the hours of operation is not appropriate for this location. The use of the carpark beyond 6pm would result in unreasonable amenity impacts onto the surrounding residential area. The further restrictions offered by the applicant do not resolve these impacts. The current finish time of 6.00pm is considered to be appropriate, given the location of the existing car park for the medical centre.

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

ADDRESS: 305 KOOYONG ROAD, ELSTERNWICK
APPLICATION NO: GE/PP-21234/2008/C

1. Proposal

(Refer to attached plans)

The amendment to the existing planning permit seeks:

- Increase the hours of operation from 8am to 6pm, Monday to Friday to 8am to 8pm, Monday to Friday by varying the wording of Condition 4.

2. Public Notice

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

The objectors' concerns are summarised as follows:

- Neighbourhood character;
- Amenity impacts;
- Parking and traffic;
- Overlooking from the existing first floor;
- Use of the laneway to access the car park;
- Non compliance with the Non Residential Uses in Residential Zones policy;
- Compliance with conditions of the planning permit; and
- Creep of commercial uses into residential areas.

3. Planning Conference

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:

- Neighbourhood character;
- Amenity impacts;
- Overlooking from the existing first floor;
- Use of the laneway to access the car park;
- Non compliance with the Non Residential Uses in Residential Zones policy;
- Non-compliance with conditions of the planning permit;
- Previous enforcement history; and
- Creep of commercial uses into residential areas.

Item 9.1 (cont'd)**Undertakings by the Applicant**

- Ensure that patients are seen 'by appointment only' between the hours of 6pm to 8pm.
- Allow no more than one practitioner and two support staff between the hours of 6pm to 8pm.
- Use the ground floor only between the hours of 6pm to 8pm.

4. Grounds of Refusal

1. The proposed increase to the hours of operation for the existing medical centre does not comply with the Non Residential Uses in Residential Zones Policy at Clause 22.02 of the Glen Eira Planning Scheme.
2. The proposed increase to the hours of operation for the existing medical centre will result in unreasonable amenity impacts onto the surrounding residential area.

Crs Sounness/Delahunty**That Council:**

Issues a Notice of Decision to Grant Amended Planning Permit Application No. GE/PP-21234/2008/C for a variation to the wording of Conditions 4, 5 & 6 and adding conditions 16 & 17 in accordance with the following Conditions;

Conditions

This Permit was amended pursuant to Section 75 of the Planning and Environment Act 1987 by modifying the wording of Conditions 4, 5 & 6 and adding conditions 16 & 17.

1. **Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as Job No. 462 Dwg. No's 3, 4 & 6, dated July 08, drawn by Selwyn Blackstone Architect) but modified to show:**
 - (i) **The first floor terrace deleted or relocated to the rear of the building. If relocated, the terrace must be located on the southern side of the ridgeline and have a maximum width of 2m.**
 - (ii) **All first floor north facing windows and the northern side of any terrace to have fixed screening or fixed obscure glazing to 1.7m above floor level.**
 - (iii) **Car spaces 1 – 5 moved 500mm to the south.**
 - (iv) **Notations regarding an increase in height to boundary fencing deleted.**

Item 9.1 (cont'd)

- (v) A freestanding trellis (maximum 25% openings) must be erected above the existing fence to a maximum height of 2.3m above natural ground level along the northern boundary of the site adjacent to all ground floor windows to the satisfaction of the Responsible Authority.

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

2. A sign is to be erected and maintained at the front of the site advising patients of the location of the car parking area and how it can be accessed. The sign is to have a maximum area of 0.5m² and positioned to be easily visible from Kooyong Road to the satisfaction of the Responsible Authority.
3. A sign is to be erected and maintained in the waiting room of the surgery alerting patients to the rear car parking area and how to access it. The sign is to be erected in a location easily visible to patients and maintained to the satisfaction of the Responsible Authority.
4. The medical centre must only operate within the following hours unless otherwise extended with the prior written consent of the Responsible Authority.
Monday to Friday – 8am to 6.30pm
Saturday – 8am to 1pm
5. No more than 3 medical practitioners may operate from the premises between the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturday.
No more than one medical practitioner may operate from the premises between the hours of 6pm to 6.30pm Monday to Friday.
6. No more than 4 staff members (other than practitioners) may be present on the site between the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturday. No more than 2 staff members (other than practitioners) may be present on site between the hours of 6pm to 6.30pm Monday to Friday, unless increased with the prior written consent of the Responsible Authority.
7. 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.

Item 9.1 (cont'd)**8. 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 times referred to if a request is made in writing before this Permit expires or within three (3) months after the expiry date.

9. The development must not commence until a Development Contribution Fee has been paid to the Responsible Authority. The fee payable must be calculated in accordance with the Schedule to the Development Contributions Plan Overlay of the Glen Eira Planning Scheme

Note: A \$40.00 administration fee will also be charged.

10. 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.

11. 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) A survey, including botanical names, of all existing vegetation to be retained.**
- (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.**
- (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.**
- (d) Landscaping and planting within all open space areas of the site.**
- (e) Advanced canopy trees (minimum 2.0 metres tall when planted) in the following areas:**
 - (i) 1 x front setback****or one (1) tree in a location to the satisfaction of the Responsible Authority.**

Item 9.1 (cont'd)

Trees are not to be sited over easements.

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

- 12. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.**
- 13. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.**
- 14. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:**
 - (a) constructed;**
 - (b) properly formed to such levels that they can be used in accordance with the plans;**
 - (c) surfaced with an all weather sealcoat;**
 - (d) drained;**
 - (e) line-marked to indicate each car space and all access lanes;**

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used to any other purpose.
- 15. This permit will expire on the date of gazettal of Amendment C117.**
- 16. Patients must be seen by appointment only between the hours of 6pm to 6.30pm.**
- 17. Only the ground floor of the building must be used between the hours of 6pm to 6.30pm.**

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.**

Item 9.1 (cont'd)

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 a different criteria to that adopted for the approval of this Planning Permit.

DIVISION

Cr Lobo called for a DIVISION on the voting of the Motion.

FOR

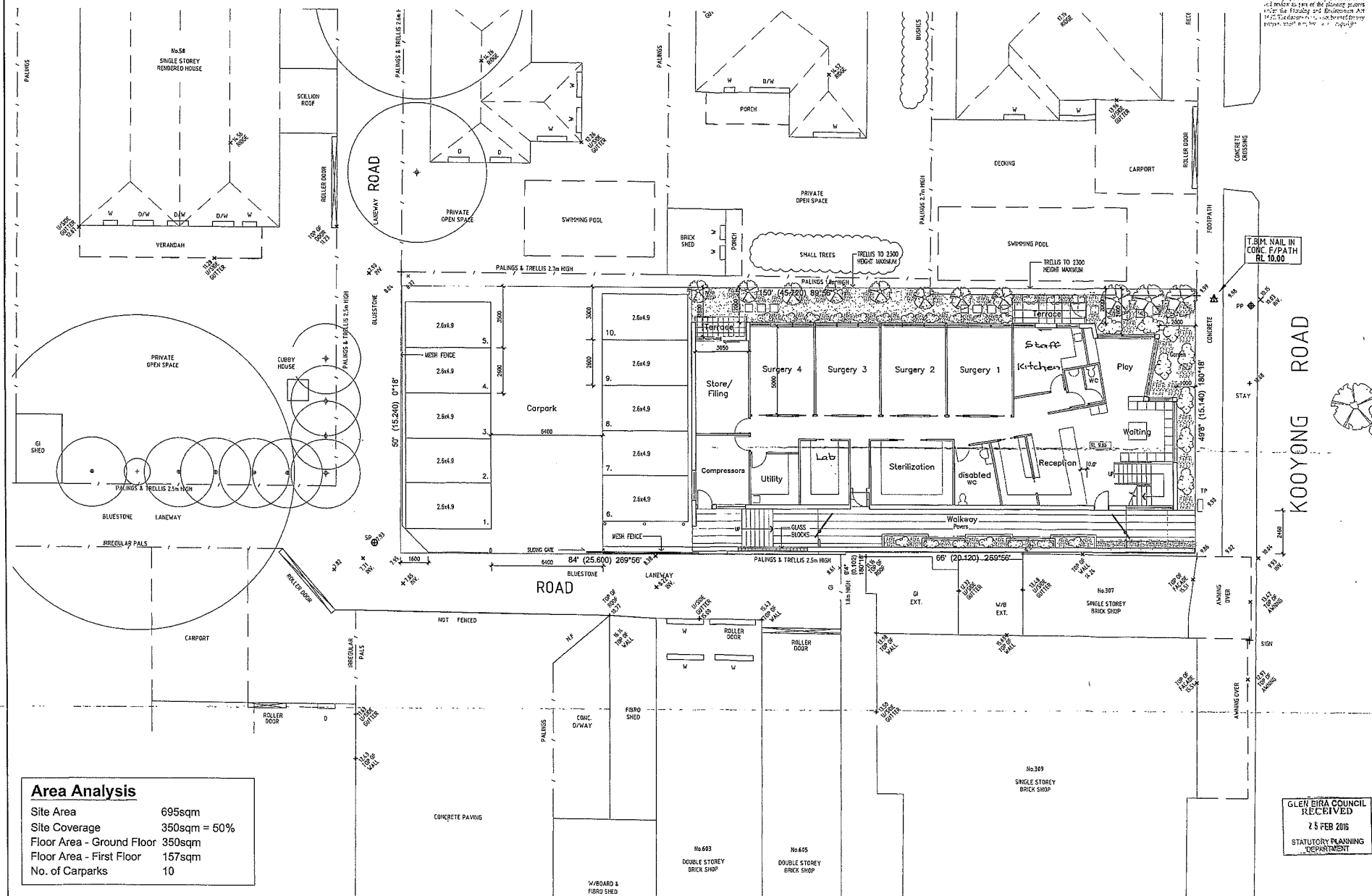
Cr Sounness
Cr Delahunty
Cr Esakoff
Cr Hyams
Cr Lipshutz
Cr Magee
Cr Ho
Cr Pilling

AGAINST

Cr Lobo

On the basis of the DIVISION the Chairperson declared the Motion CARRIED.

All capital documents are made available for public inspection in accordance with the provisions of the Planning and Development Act 1977. The documents are made available for public inspection in accordance with the provisions of the Planning and Development Act 1977.



Area Analysis

Site Area	695sqm
Site Coverage	350sqm = 50%
Floor Area - Ground Floor	350sqm
Floor Area - First Floor	157sqm
No. of Carparks	10

Ground Floor and Site Plan

GLEN EIRA COUNCIL
RECEIVED
25 FEB 2016
STATUTORY PLANNING
DEPARTMENT

SELWYN BLACKSTONE
ARCHITECT

PO BOX 8070
ARMADALE 3143

PH 03 9363 6148
FX 03 9363 6376

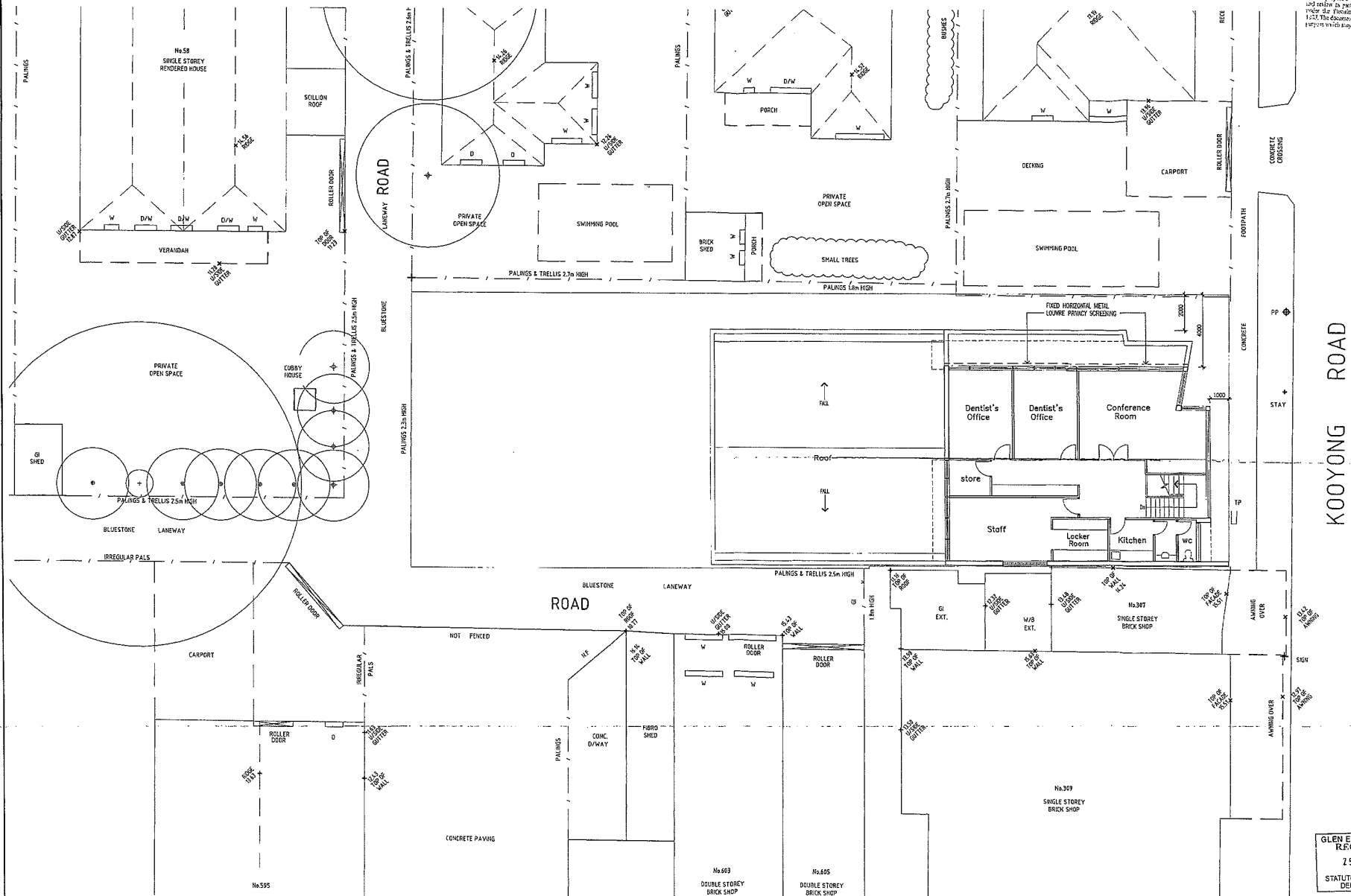
DRAWING
TOWN PLANNING
PROJECT
Proposed Surgery & Offices
305 Kooyong Rd
Caulfield Sth

SCALE 1:100
DATE July 08
CADD No. 192
CHECKED S.B.
JOB No. 462
DWG NUMBER 3
SHEET 5
PLOT DATE 24.08.08

ADVERTISED PLAN

6 OF 7

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First Floor Plan

SELWYN BLACKSTONE
ARCHITECT

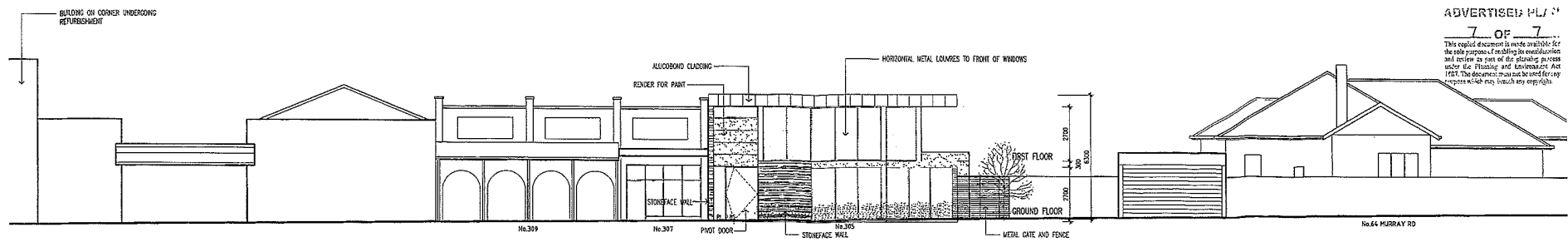
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ARMADALE 3143

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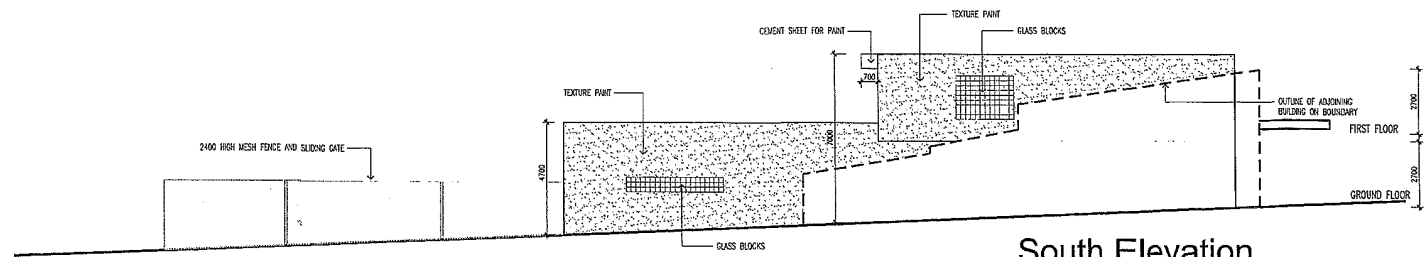
DRAWING
TOWN PLANNING
PROJECT
Proposed Surgery & Offices
305 Kooyong Rd
Caulfield Sth

SCALE 1:100
DATE July 08
SHEET NO 102
CHECKED S.B.
JOB NO 482
DWG NUMBER 102/A
FILE NO. 102/A

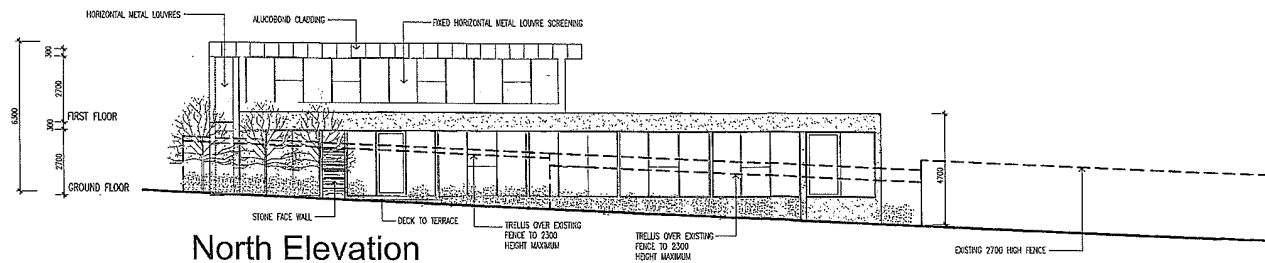




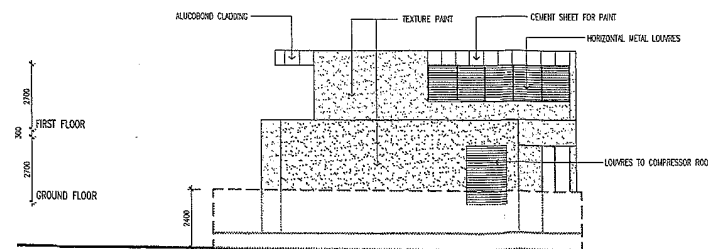
East Elevation (Kooyong Rd Streetscape)



South Elevation



North Elevation



West Elevation

GLEN EIRA COUNCIL
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STATUTORY PLANNING
DEPARTMENT

SELWYN BLACKSTONE
ARCHITECT

PD BOX 8879
ARMADALE 3143

SHAW
TOWN PLANNING
PROJECT
Proposed Surgery & Offices
305 Kooyong Rd
Caulfield Sth

SCALE 1:100 DATE July 08
SAB R12 CHECKED S.B.
JOB NO 462
ENG NUMBER ISSUE
6 A
PLOT DATE 14/08/09



PLANNING PERMIT

GLEN EIRA PLANNING SCHEME

RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL

ADVERTISED PLAN

4 OF 7

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PLANNING PERMIT NUMBER:	GE/PP-21234/2008/A
ADDRESS OF THE LAND:	305 Kooyong Road ELSTERNWICK VIC 3185
APPLICANT:	Bowden Planning
THE PERMIT ALLOWS:	Construction of a two storey building and rear car parking for the purpose of a medical centre (dental) and a reduction in the standard car parking requirement in accordance with the endorsed plans.

This Permit was amended pursuant to Section 74 of the Planning and Environment Act 1987 by Glen Eira City Council on 11 December 2014 by adding Condition 15. As a result this planning permit will expire on the date of gazettal of Amendment C117 to the Glen Eira Planning Scheme.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as Job No. 462 Dwg. No's 3, 4 & 6, dated July 08, drawn by Selwyn Blackstone Architect) but modified to show:
 - The first floor terrace deleted or relocated to the rear of the building. If relocated, the terrace must be located on the southern side of the ridgeline and have a maximum width of 2m.
 - All first floor north facing windows and the northern side of any terrace to have fixed screening or fixed obscure glazing to 1.7m above floor level.
 - Car spaces 1 – 5 moved 500mm to the south.
 - Notations regarding an increase in height to boundary fencing deleted.
 - A freestanding trellis (maximum 25% openings) must be erected above the existing fence to a maximum height of 2.3m above natural ground level along the northern boundary of the site adjacent to all ground floor windows to the satisfaction of the Responsible Authority.

When approved, the plans will be endorsed and will then form part of this Permit.
- A sign is to be erected and maintained at the front of the site advising patients of the location of the car parking area and how it can be accessed. The sign is to have a maximum area of 0.5m² and positioned to be easily visible from Kooyong Road to the satisfaction of the Responsible Authority.

DATE ISSUED: 4 MAY 2009

SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY

IMPORTANT – REFER TO
NOTES ON LAST PAGE

PAGE 1 OF 5



PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-21234/2008/A

Conditions Continued -

3. A sign is to be erected and maintained in the waiting room of the surgery alerting patients to the rear car parking area and how to access it. The sign is to be erected in a location easily visible to patients and maintained to the satisfaction of the Responsible Authority.
4. The medical centre must only operate within the following hours unless otherwise extended with the prior written consent of the Responsible Authority.
Monday to Friday – 8am to 6pm
Saturday – 8am to 1pm
5. No more than 3 medical practitioners may operate from the premises at any one time.
6. No more than 4 staff members (other than practitioners) may be present on the site at any one time, unless increased with the prior written consent of the Responsible Authority.
7. 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.

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

9. The development must not commence until a Development Contribution Fee has been paid to the Responsible Authority. The fee payable must be calculated in accordance with the Schedule to the Development Contributions Plan Overlay of the Glen Eira Planning Scheme

Note: A \$40.00 administration fee will also be charged.

10. 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.

DATE ISSUED: 4 MAY 2009

**SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY**

**IMPORTANT – REFER TO
NOTES ON LAST PAGE**

PAGE 2 OF 5



PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-21234/2008/A

Conditions Continued -

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.

11. 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) A survey, including botanical names, of all existing vegetation to be retained.
 - (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
 - (d) Landscaping and planting within all open space areas of the site.
 - (e) Advanced canopy trees (minimum 2.0 metres tall when planted) in the following areas:
 - (i) 1 x front setbackor one (1) tree in a location 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.
12. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
13. 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.
14. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all weather sealcoat;
 - (d) drained;
 - (e) line-marked to indicate each car space and all access lanes;
- to the satisfaction of the Responsible Authority.

DATE ISSUED: 4 MAY 2009	SIGNATURE FOR THE RESPONSIBLE AUTHORITY 
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**IMPORTANT – REFER TO
NOTES ON LAST PAGE**

PAGE 3 OF 5



PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL
PLANNING PERMIT NUMBER: GE/PP-21234/2008/A

Conditions Continued -

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

15. This permit will expire on the date of gazettal of Amendment C117.

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 a different criteria to that adopted for the approval of this Planning Permit.

DATE ISSUED: 4 MAY 2009

**SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY**

**IMPORTANT - REFER TO
NOTES ON LAST PAGE**

PAGE 4 OF 5

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT APPEALS?

- * The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil & Administrative Tribunal, in which case no right of review exists.
- * An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- * An application for review is lodged with the Victorian Civil & Administrative Tribunal.
- * An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil & Administrative Tribunal, and be accompanied by the applicable fee.
- * An application for review must state the grounds upon which it is based.
- * An application for review must also be served on the Responsible Authority.
- * Details about applications for review and the fees payable can be obtained from the Victorian Civil & Administrative Tribunal.
- * Application for review forms and guides are available at www.vcat.vic.gov.au, Ground Floor 55 King Street Melbourne or by contacting VCAT customer service on (03) 9628-9777.

(LAST PAGE OF PERMIT)

Item 9.2

1032 DANDENONG ROAD CARNEGIE
APPLICATION NO. GE/PP-28864/2015

Enquiries: Rocky Camera
Manager Statutory Planning



APPLICATION SUMMARY	
---------------------	--

PROPOSAL	Construction of a nine-storey residential hotel (comprising 49 lodging rooms) and a food and drink premises
RECOMMENDATION	Notice of Refusal to Grant a Planning Permit
KEY ISSUES	<ul style="list-style-type: none"> • Car parking and traffic • Height, mass and scale • Design detailing • Internal amenity
MUNICIPAL STRATEGIC STATEMENT	Urban Villages Policy
APPLICANT	Planning & Property Partners Pty Ltd
PLANNING SCHEME CONTROLS	<ul style="list-style-type: none"> • Commercial 1 Zone • Environmental Audit Overlay
EXISTING LAND USE	Three-storey commercial property
PUBLIC NOTICE	11 properties notified 79 notices sent (owners and occupiers) 2 signs erected on site 6 objections received
Application fee payable (fee increased by the State Government in 2009)	\$5,088

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

Town Planning and Development: to manage the rate and extent of change to the built environment consistent with state and local planning policies to achieve a diversity of housing as sympathetic as possible to neighbourhood character.

2. Recommendation

That Council:

- Issues a Notice of Refusal for Planning Application No. GE/PP-28864/2015 for the construction of a nine-storey residential hotel (comprising 49 lodging rooms), waiver of loading bay associated with a food and drink premises, reduction in the associated car parking requirements and alteration of access to a Road in a Road Zone Category 1 in accordance with the grounds of refusal contained in the Appendix.

3. Applicable Policies and CodesState Government

- Plan Melbourne
- Guidelines for Higher Density Residential Development

Glen Eira City Council

- Municipal Strategic Statement – Adopted by Council on 17th May 1999 and approved by the Minister on 5th August 1999.
- Urban Villages Policy

4. Reasons For Recommendation

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

- All written objections and matters raised at the planning conference
- Council's MSS
- Guidelines for Higher Density Residential Development
- Other relevant considerations of the planning scheme

Planning Policy and Zoning

State and Local Planning Policies broadly support intensification of development in this location, including mixed-use development.

However, these objectives are tempered by other policy objectives that seek to ensure that development enhances the public realm and delivers high quality architecture.

Council's Urban Villages Policy at Clause 22.05 of the Glen Eira Planning Scheme seeks the following:

- *To ensure future development is appropriate to the constraints of infrastructure and vehicular traffic movement (including parking).*
- *To create pleasant and safe public spaces.*

Item 9.2 (cont'd)

It is considered that the proposal does not adequately respond to the above policy requirements as safe and convenient vehicle access is not provided to the development.

Height, scale and massing

The subject site consists of one irregular shaped allotment, yielding a total site area of approximately 443 square metres.

The application proposes a nine-storey building which will have a maximum building height of 29.4 metres (or nine storeys). The adjoining properties along Dandenong Road currently have building heights that vary between 2-3 storeys in height.

The height, scale and massing of the proposal is compounded by the sheer construction of its elevations and lack of transition imposed across each elevation. Further, the design response and architectural detailing is not considered appropriate and fails to deliver a high quality urban design response.

The proposal also fails to satisfy the Guidelines for Higher Density Residential Development due to its failure to respond to the site's context, lack of transition, architectural detailing and layout.

Furthermore, the proposed development fails to afford equitable development opportunities for adjoining properties due to the proposed height, scale and walls on boundaries.

Internal amenity

The application proposes 49 lodging rooms (including a manager's room), which incorporate a combination of one and two bedroom rooms. Each room varies in floor area from 22.5 to 54.5 square metres.

However, the internal amenity afforded to the lodging rooms for future occupants is considered poor. Only the manager's room is provided with any private open space, while no common areas are proposed for the occupants. Furthermore, the layout and daylight access is considered poor, with a number of rooms relying on narrow corridors providing light and ventilation.

The proposal has failed to implement appropriate acoustic treatments to ensure that the noise from the railway adjacent the site is mitigated to allow for a suitable level of internal amenity.

Parking and traffic

The State Government guidelines require a minimum 50 car spaces be provided for the proposed development. This is based on:

- 48 car spaces for hotel customers;
- 1 car space for hotel staff; &
- 1 car space for the food and drink premises staff.

Item 9.2 (cont'd)

A total of twelve car spaces are proposed within two levels of basement car parking, which is accessed via a car lift from Dandenong Road. Out of the twelve car parking spaces proposed, 1 space will be allocated to staff of the food and drink premises, 1 to hotel staff and 10 to the hotel guests.

Therefore, the application seeks a reduction of 38 car spaces. Council's Transport Planning Department do not support the provision of car parking proposed. Further, the access and layout arrangements are not supported.

Item 9.2 (cont'd)

APPENDIX

ADDRESS: 1032 Dandenong Road, Carnegie
APPLICATION NO: GE/PP-28864/2015

1. Proposal

(Refer to attached plans)

Features of the proposal include:

- Demolition of the existing building
- Construction of a nine-storey residential hotel comprising 49 lodging rooms and a food and drink premises
- Two levels of basement car parking comprising of 12 car spaces
- Vehicle access via Dandenong Road (service lane)

2. Public Notice

- 11 properties notified
- 79 notices sent (owners and occupiers)
- 2 signs erected on site
- 6 objections received

The objectors' concerns are summarised as follows:

- Reduction in car parking requirements
- Building height and mass
- Use of the land as a hotel
- Residential amenity
- Precedent
- Loading/unloading of vehicles
- Lack of open space
- Impact on elevated rail
- Inappropriate design response

3. Referrals

The application has been referred to various departments and individuals within Council for advice on particular issues. The following is a summary of relevant advice:

Transport Planning

- Inadequate number of parking spaces propose
- Car park access and layout not supported

Urban Design

- Overdevelopment of the site
- Inappropriate height
- Inappropriate location for a residential hotel

Item 9.2 (cont'd)**4. Planning Conference**

The Conference, chaired by Cr Sounness, 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:

- Building height, mass and scale
- Inappropriate design response
- Reduction in the car parking requirements
- Use of the land as a residential hotel
- The proposal will set a precedent
- Loading/unloading of vehicles
- Lack of open space
- Impact on elevated rail
- Overshadowing

5. Grounds of Refusal

1. The proposal is not consistent with State Planning Policies for Urban Design and Housing Diversity and the Local Planning Policy for Housing and Residential Development as stated in Clauses 15 and 21.04 of the Glen Eira Planning Scheme as:
 - The development fails to enhance the public realm; &
 - The development fails to provide a satisfactory standard of urban design and architectural quality.
2. The design and built form of the proposal does not accord with the Design Guidelines for Higher Density Residential Development having regard to:
 - Element 1 – Urban context;
 - Element 2 – Building envelope;
 - Element 3 – Street pattern and street-edge quality ;
 - Element 4 – Circulation and services;
 - Element 5 – Building layout and design; &
 - Element 6 – Open space and landscape design.
3. The proposed development does not satisfy the intent and objectives of Clause 22.05 of the Glen Eira Planning Scheme (Urban Villages Policy) with respect to creating pleasant and safe public spaces due to the proposed vehicle access arrangement.
4. The internal amenity afforded to the lodging rooms/occupants is inadequate due to the poor layout, poor daylight access, lack of open space, absence of common areas and lack of acoustic measures (having regard to the proximity of the railway line).
5. The application fails to provide for an adequate number of car spaces in accordance with Clause 52.06 (Car Parking) of the Glen Eira Planning Scheme.

Item 9.2 (cont'd)

6. The car park access and layout fails to ensure vehicles can safely manoeuvre within the site and egress from the site in accordance with Clause 52.06 (car parking) of the Glen Eira Planning Scheme.
7. The proposed loading facilities fail to accord with the requirements of Clause 52.07 (loading and unloading of vehicles) of the Glen Eira Planning Scheme.
8. The development fails to deliver a high level of architectural urban design.
9. The application is considered to be an overdevelopment of the site.
10. The development fails to ensure equitable development opportunities for adjoining properties.

Crs Sounness/Esakoff**That Council:**

Issues a Notice of Refusal for Planning Application No. GE/PP-28864/2015 for the construction of a nine-storey residential hotel (comprising 49 lodging rooms), waiver of loading bay associated with a food and drink premises, reduction in the associated car parking requirements and alteration of access to a Road in a Road Zone Category 1 in accordance with the following grounds of refusal:

Grounds of Refusal

1. **The proposal is not consistent with State Planning Policies for Urban Design and Housing Diversity and the Local Planning Policy for Housing and Residential Development as stated in Clauses 15 and 21.04 of the Glen Eira Planning Scheme as:**
 - The development fails to enhance the public realm; &
 - The development fails to provide a satisfactory standard of urban design and architectural quality.
2. **The design and built form of the proposal does not accord with the Design Guidelines for Higher Density Residential Development having regard to:**
 - Element 1 – Urban context;
 - Element 2 – Building envelope;
 - Element 3 – Street pattern and street-edge quality ;
 - Element 4 – Circulation and services;
 - Element 5 – Building layout and design; &
 - Element 6 – Open space and landscape design.
3. **The proposed development does not satisfy the intent and objectives of Clause 22.05 of the Glen Eira Planning Scheme (Urban Villages Policy) with respect to creating pleasant and safe public spaces due to the proposed vehicle access arrangement.**

Item 9.2 (cont'd)

- 4. The internal amenity afforded to the lodging rooms/occupants is inadequate due to the poor layout, poor daylight access, lack of open space, absence of common areas and lack of acoustic measures (having regard to the proximity of the railway line).**
- 5. The application fails to provide for an adequate number of car spaces in accordance with Clause 52.06 (Car Parking) of the Glen Eira Planning Scheme.**
- 6. The car park access and layout fails to ensure vehicles can safely manoeuvre within the site and egress from the site in accordance with Clause 52.06 (car parking) of the Glen Eira Planning Scheme.**
- 7. The proposed loading facilities fail to accord with the requirements of Clause 52.07 (loading and unloading of vehicles) of the Glen Eira Planning Scheme.**
- 8. The development fails to deliver a high level of architectural urban design.**
- 9. The application is considered to be an overdevelopment of the site.**
- 10. The development fails to ensure equitable development opportunities for adjoining properties.**
- 11. The proposal fails to satisfy the Urban Villages Policy objective which seeks to “Encourage new buildings that contribute to an attractive, pedestrian scale frontage along Dandenong Road with articulation and detailing near street level, as well as addressing the viewpoint of travellers along the highway.”**

The MOTION was put and CARRIED unanimously.



**GLEN EIRA COUNCIL
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- 8 MAR 2016
STATUTORY PLANNING
TOWN PLANNING

CHT ARCHITECTS
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44 Oxford Street
Cambridge VIC 3060
Post Office Box 1332
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Project **SERVICE APARTMENTS**
1032 DANDENONG ROAD, CARNEGIE

Client **YONG WU**

No.	Date	Notes
1	2016/04	Issue for Planning Review
2		
3		
4		
5		
6		
7		
8		
9		
10		

Title **FLOOR PLANS**

Sheet **PRELIMINARY**
NOT FOR CONSTRUCTION

Sheet No. **TP04**

Scale **1:100**
Date **27/01/2016**

Revision **A**

Scale **1:100**
Date **27/01/2016**

14183



**GLEN EIRA COUNCIL
RECEIVED**
- 8 MAR 2016
STATUTORY PLANNING
TOWN PLANNING

CHT ARCHITECTS
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At Oxford Street
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SERVICE APARTMENTS
1032 DANDENONG ROAD, CARNEGIE
YONG WU

No.	Date	Notes
1.	27/01/2016	Issue for Council
2.		
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10.		

FLOOR PLANS
TP05
A
PRELIMINARY
NOT FOR CONSTRUCTION

Scale
1:100 @ A1
Date
27/01/2016



14183



1 LEVEL 04
SCALE 1:100



2 LEVEL 05
SCALE 1:100

**GLEN EIRA COUNCIL
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- 8 MAR 2016
STATUTORY PLANNING
DEPARTMENT
TOWN PLANNING

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Project
SERVICE APARTMENTS
1032 DANDENONG ROAD, CARNEGIE
Client
YONG WU

Amendments		
No.	Date	Notes
1.	27/01/2016	Issue for Council

Title
FLOOR PLANS
Sheet
**PRELIMINARY
NOT FOR CONSTRUCTION**

Sheet No.
TP06
Revision
A
Scale
1:100 (A1)
Date
27/01/2016

14183



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DEPARTMENT

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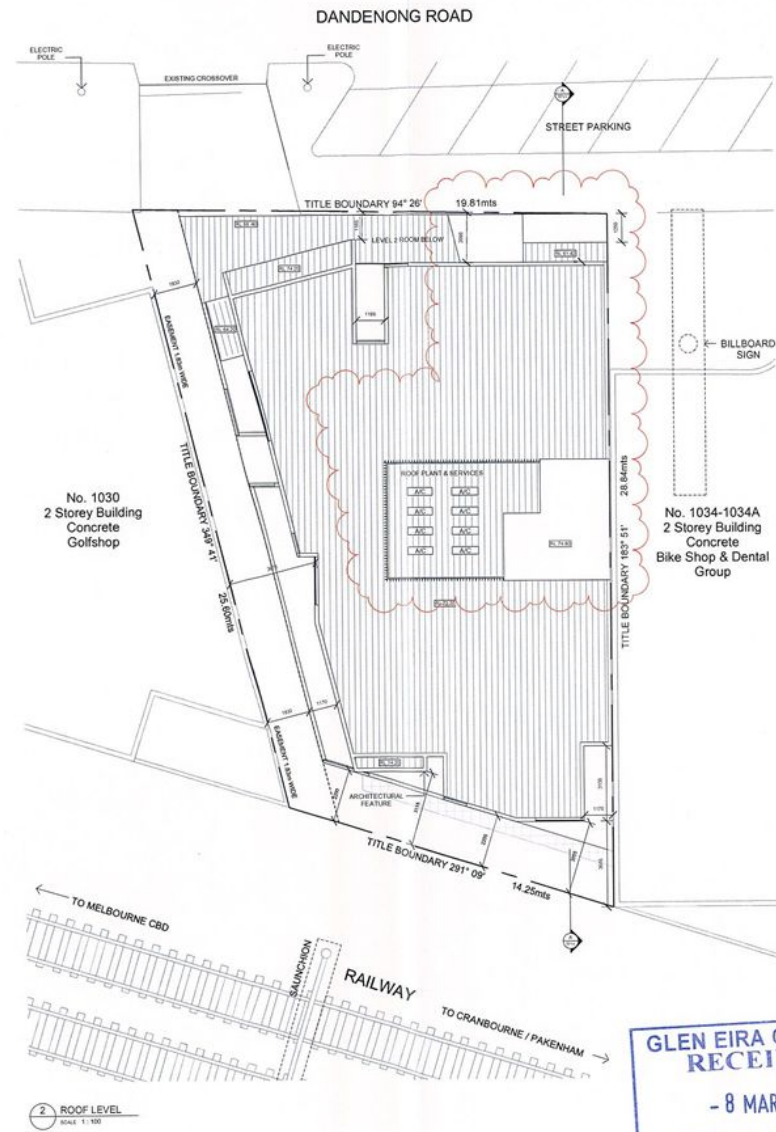
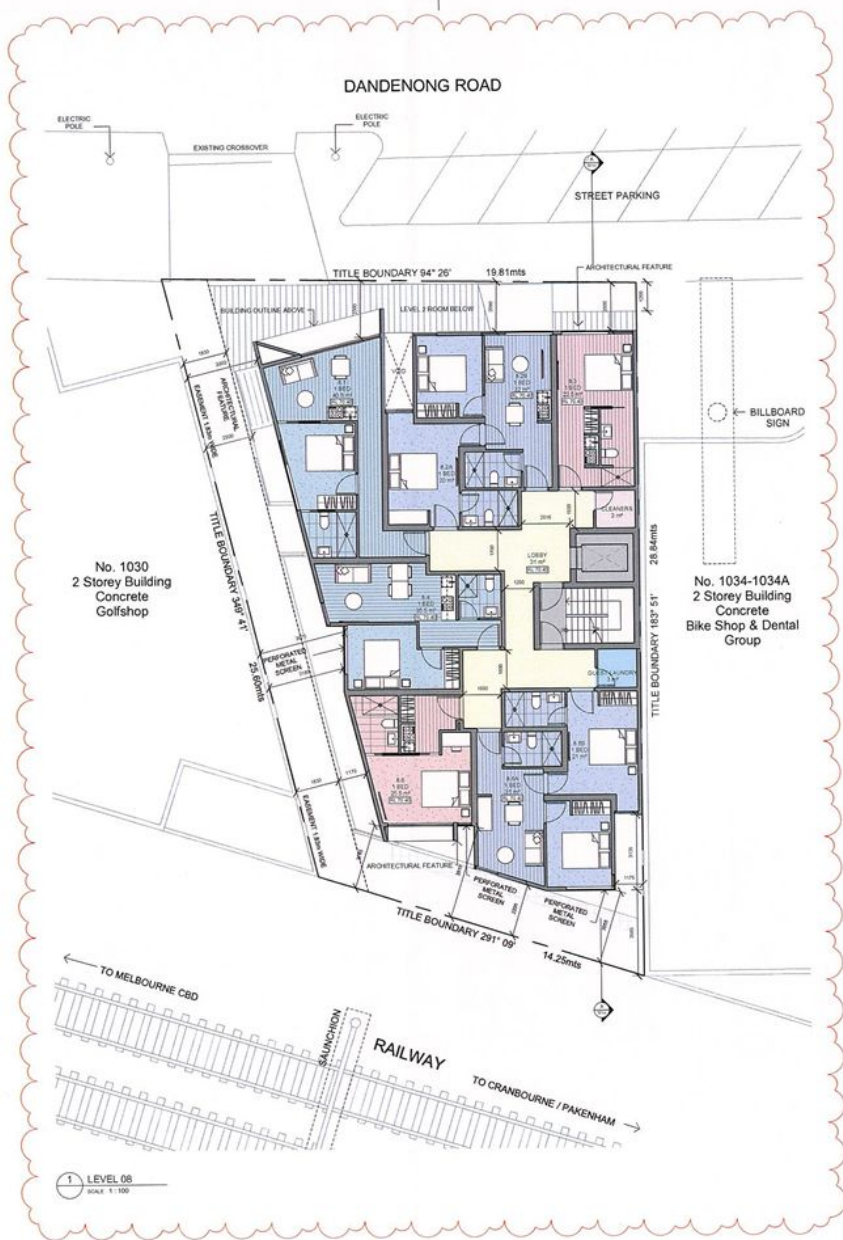
Project **SERVICE APARTMENTS**
1032 DANDENONG ROAD, CARNEGIE
Client **YONG WU**

Amendments		Notes	
No.	Date	No.	Date
1	20/01/2016	1	20/01/2016

Title **FLOOR PLANS**
Sheet **PRELIMINARY**
NOT FOR CONSTRUCTION

Sheet No. **TP07**
Revision **A**
Scale **1:150 @ A1**
Date **27/01/2016**

14183



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TOWN PLANNING



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Project: **SERVICE APARTMENTS**
1032 DANDENONG ROAD, CARNEGIE
Client: **YONG WU**

Amendments	No.	Date	Notes
	1	2016/01/16	Issue for Planning Review
	2		
	3		
	4		
	5		
	6		
	7		
	8		
	9		
	10		

Title: **FLOOR PLANS**
Sheet: **PRELIMINARY**
NOT FOR CONSTRUCTION

Sheet No.: **TP08**
Revision: **A**
Scale: **1:500 (A1)**
Date: **27/01/2016**



14183



LEGEND:

GL01	CLEAR GLASS
PC01	POWDER COATED PAINT
PM01	PREFORATED METAL SCREEN
CON01	CONCRETE
TC01	TIMBER CLADDING
MC01	METAL ROOF CLADDING
PV01	BASALT TILE BLUESTONE



GL01



PC01



PMO



CON



TC01



MCO



PV01



2 WEST E
SCALE 1:100

**GLEN EIRA COUNCIL
RECEIVED**
- 8 MAR 2016
STATUTORY PLANNING
DEPARTMENT

TOWN PLANNING

TP10 A

A

Scale
1 : 100 @ A1

Date
27/01/2016

27/01/2016

14183

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Project

SERVICE APARTMENTS
1032 DANDENONG ROAD, CARNEGIE

Clark
1992

YONG WU

Amendments	
No.	Date
1	27-01-2024
2	
3	
4	
5	
6	
7	
8	
9	

	Total
Number of respondents	60
Male	37
Female	23
Age group	
< 18 years	19
18-24 years	16
25-34 years	10
35-44 years	10
45-54 years	10
55-64 years	10
65+ years	5
Ethnicity	
White British	30
Black African	1
Black Caribbean	1
Indian	1
Pakistani/Bangladeshi	1
South Asian	1
Other Asian	1
Other European	1
Other	1
Marital status	
Single	19
Married	16
Divorced	10
Widowed	10
Partnered	5
Unpartnered	1
Employment status	
Employed full-time	19
Employed part-time	16
Unemployed	10
Retired	10
On sick leave	10
On parental leave	5
On maternity leave	1
On other leave	1
Education level	
No qualifications	19
GCSE or equivalent	16
A-level or equivalent	10
Bachelor's degree or equivalent	10
Masters degree or equivalent	10
PhD or equivalent	5
Other	1

ELEVATIONS

516

PRELIMINARY
NOT FOR CONSTRUCTION

Item 9.3**TRANSPORT STRATEGY
ACTION PLAN 2015-2017**

Nicola Belcher
Manager Strategic Transport

1. Proposal

To report the outcomes of the public consultation process for the Transport Strategy Draft Action Plan 2015-2017 and to present the updated Action Plan for adoption.

2. Community Plan

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.

3. Background

On 04 November 2015, and Council resolved to proceed with community and stakeholder consultation on the Transport Strategy Draft Action Plan.

The Towards Sustainable Transport Strategy has helped to move community focus from the private car to sustainable transport options.

It complemented other Council strategies/plans such as:

- Community Plan;
- Glen Eira Bicycle Strategy 2010;
- Disability Action Plan 2008-2012;
- Municipal Public Health Plan 2009-2012;
- Road Safety Strategy; and
- Environmental Sustainability Strategy 2010.

The principles underpinning the current Strategy are equally as important today as they were in 2011.

1. Environmental Sustainability;
2. Social Inclusion;
3. Integration of Transport and Land Use Planning;
4. Safety; and
5. Local Leadership.

A key objective of the Strategy was advocacy for improved public transport, including road-rail grade separation. Glen Eira's seven level crossing removals will shift the way we approach sustainable transport. The effects of the grade separations will be far reaching. These locations will also be more attractive for developers.

Once the full implications of these projects are realised, a comprehensive review of the sustainable transport strategy and action plan can commence.

Item 9.3 (cont'd)

In the interim, updated draft actions have been produced. The attached draft Strategy Actions applies throughout 2017, which coincides with the completion of the grade separation projects.

In the mean-time, an Action Plan has been developed to continue the work of the Transport Strategy.

4. Public Consultation

Community and stakeholder consultation for the Transport Strategy Draft Action Plan 2015-2017 was undertaken from 01 December 2015 to 26 February 2016. Consultation involved circulating information about the Draft Action Plan 2015-2017 and inviting comments and input from the community. Information was provided in the Glen Eira News, in local Leader Newspapers, in Council's Libraries, on Council's webpage and the "Have Your Say" page (online forum) and through community e-newsletters.

Letters were also sent to the number of key stakeholders, including relevant Government Departments, municipalities adjacent to Glen Eira, Victoria Police, Primary and Secondary Schools in Glen Eira, Trader Associations, Monash University (Caulfield), local Community Health Services, local Bicycle User Groups and bicycle interest groups, and local pedestrian interest groups.

A brief survey of attendees of the Party In the Park at Princes Park was also undertaken by Transport Planning staff on Sunday 21 February 2016. Thirty two people completed the survey.

5. Comments Received

Feedback to the Transport Strategy Draft Action Plan consultation was provided by a mixture of seven interested organisations, and nine residents. Thirty Two attendees at the Party in the Park on 21 February 2016 also completed the survey to provide feedback. The feedback received as part of the consultation period is summarised in the table in Attachment 1.

Many of the submissions received related to action items and initiatives that are already covered in existing Council Strategies related to Transport; including the Bicycle Strategy, the Walking Strategy and the Road Safety Strategy. Other ideas and suggestions may be explored as part of the Transport Planning team ongoing operations, and do not require a specific action item.

6. Action Plan Changes

As a result of the feedback received, a number of changes have been made to the Transport Strategy Draft Action Plan. The revisions to the plan are included in red on the revised plan at Attachment 2.

Item 9.3 (cont'd)

The most significant change is to list the development of an integrated transport strategy as a separate action item. Many of the actions listed are also likely to inform the development of this Strategy or to carry forward into the action plan for the new strategy.

7. Recommendation

That Council:

- i. Notes the feedback received from the community and stakeholders
- ii. Adopts the updated Action Plan

Crs Sounness/Delahunty

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

ATTACHMENT 1

Summary of Community Consultation Feedback

Submission from:	Summary of Feedback
Bentleigh Bayside Community Health	<p>Include reference to resource sharing models of sustainable transport, such as the BBCH Bus Share Register and community transport program – TransAccess. Council should promote and support existing community transport organisations.</p> <p>Consider the introduction of a shuttle service to link older residents to Council amenities and facilities, hospitals, libraries, train stations etc. as well as shopping strips (instead of just shopping trips) – similar to City of Port Phillip model.</p> <p>Planning for increased use of mobility scooters in the future, including additional scooter recharge facilities.</p> <p>Planning for more continuous accessible paths of travel for older and disabled people, including path condition, lighting and crossing points.</p>
Bicycle Network	<p>Participate in Active Paths initiative through Bicycle Network's Ride2School program.</p> <p>Develop a new bike strategy with action plan which acknowledges uncompleted actions from the previous strategy.</p> <p>Advocate for and co-fund Parkiteer cages at train stations.</p> <p>Develop a strategy on reducing speed limits on local roads to 40km/h and reducing speed limits on council managed PBN routes where inadequate bicycle infrastructure exists.</p> <p>Provide guidelines to operational teams/contractors at GE to ensure that re-sheets and re-line-marking exercises result in gains to bike infrastructure.</p> <p>Provide guidance to traffic engineering teams on bike friendly local area traffic management options.</p> <p>There is significant potential in GE for the growth of bike riding and encourage council to seek Bicycle Network advice and support.</p>
City of Monash	<p>Monash is commencing the development of its own Integrated Transport Strategy in 2016 and has invited GECC to be involved in the development as a stakeholder.</p> <p>Monash has offered to meet regularly with Council to discuss specific items in the Strategy from a regional perspective.</p> <p>Monash supports the provision of on-road bicycle lanes on arterial roads.</p> <p>Monash suggests a joint review of parking in the vicinity of Hughesdale station.</p>
Elsternwick Traders Association	<p>Recognise that their centre thrives due to the transport connectivity.</p> <p>Does not support the removal of on-street parking, as this would be detrimental to their traders.</p>
Glen Eira Bicycle Users Group	<p>Need to include targets or measurements of progress.</p> <p>Need to collect data on travel patterns in GE for sustainable transport modes.</p>

	<p>ITP is highest priority.</p> <p>Set targets for use of sustainable transport modes.</p> <p>Set targets for key infrastructure to support sustainable transport.</p> <p>Apply the action plan to all road and reserve projects – including speed humps and roundabouts.</p> <p>Complete bicycle and walking networks missing links, and remove barriers and conflict points.</p> <p>Update the Council's Bicycle Strategy. More emphasis is required on off-road or separated paths, and supporting cycling and scooting to school. Need to increase the annual budget for cycling infrastructure.</p> <p>Bicycle safety on Glen Huntly Road needs to be addressed.</p> <p>Undertake more targeted advocacy for bicycle facilities.</p> <p>Actively apply for grants to improve cycling.</p> <p>Integrate walking and cycling strategy – particularly with respect to walking and riding to school.</p> <p>Actively support secondary and primary schools with improved walking and cycling infrastructure and promotion of active travel. Support for bicycle education (Bike Ed) programs.</p> <p>Consider how planning could be used to reduce front fence height to increase passive surveillance and decrease blind driveways.</p> <p>Consider proximity to public transport and access for walking and riding to public facilities in planning for new or upgraded facilities.</p> <p>Increase the amount of bike parking at stations and shops.</p> <p>Consider employment of a sustainable transport officer.</p> <p>Manage the bicycle strategy as part of the Transport team, not recreation.</p> <p>Increase capital works spending so that it is consistent with comparable Councils, to ensure that there is adequate funding for sustainable transport.</p>
Ormond and McKinnon Walks	<p>Promote walking to replace car trips (for transport).</p> <p>Be more proactive in engaging the community and groups to encourage walking for recreation, health and travel.</p> <p>Encourage more travel behaviour change.</p> <p>Provide better lighting for pedestrians.</p> <p>Identify and promote preferred walking routes for transport.</p> <p>Identify and address barriers to walking, such as insufficient crossing points, incomplete footpaths, lack of surveillance, lighting, vehicle speeds, shade, seating, water.</p> <p>Better enforcement of TMP at work sites where footpaths are impacted.</p> <p>More use of crossing points at kerb outstands, pedestrian refuges and chicanes to assist crossing and calm traffic.</p> <p>Remove the slip lanes at the Wheatley Rd/McKinnon Rd roundabout.</p> <p>Frankston rail line is a barrier to walking – more crossing points, such as at Murray Rd are needed.</p>

	<p>Consideration of separation of pathways for bike riders and pedestrians is needed.</p> <p>Discourage high fences and inactive street frontages that do not provide passive surveillance opportunity.</p> <p>Improve pedestrian safety in the vicinity of public transport facilities.</p>
Share the Drive, Melbourne based social enterprise.	<p>Include "<i>travel as a passenger in cars</i>" as a sustainable transport mode in the action plan. This sustainable travel mode is significant but is in substantial decline. The most recent census showed only around 7% of Victorians driving to work took a passenger with them.</p> <p>Undertake a physical count on major thoroughfares and large car-parks to determine rate of passengers in GE.</p> <p>Promote travel as a car passenger.</p> <p>Support and promote car pooling systems and applications.</p> <p>Work with organisations like Share the Drive to increase the number of people travelling in Glen Eira as passengers in cars.</p>
AE, local resident	<p>Advocating for rail under solution instead of rail over for Dandenong Railway line. Requesting Council advocate and consult on behalf of the community.</p>
Anon, local resident from Caulfield	<p>Provide consistent parking regulations in local streets around train stations to assist commuters. Collaborate with adjoining Councils, such as Stonnington to devise better parking opportunities for shared train stations.</p>
CM, local resident from Ormond and member of GE BUG	<p>Council should install a seat at each bus stop in Glen Eira to assist residents accessing public transport and to have a rest while walking around Glen Eira.</p> <p>Council should proactively install bus shelters at key locations too – such as outside retirement villages and nursing homes, to encourage older people to catch public transport.</p>
KB, local resident	<p>Develop a Council policy on Car Share, including models like 'Car Next Door', to provide medium-term clarity for the Car Share providers and reason to plan for / invest in more spaces in Glen Eira, especially in higher density neighbourhoods near railway stations.</p> <p>'Develop an Integrated Transport Strategy' could be a theme itself within the strategy.</p> <p>Consider advocating for and providing separated pedestrian and cycling paths, instead of SUP for Dandenong Rail corridor.</p> <p>Work with local groups to improve cycling routes and intersections e.g. GE Bicycle Users Group and local schools, community groups. Advocacy is much more powerful if community is involved.</p> <p>An updated list of intersections, blackspots or blacklengths should be provided each year of the Action Plan.</p>

	<p>Develop Green Travel Plan and Car Share strategy for Caulfield Village developments and any near major train stations like Elsternwick.</p> <p>Integrate reviewing census data into the studies for the Integrated Transport Strategy, to inform actions.</p> <p>Working with community, businesses, schools etc. to use innovative technology to support and promote sustainable transport would be more beneficial than attending workshops.</p> <p>Include new Transport Advisory Committee as an action.</p> <p>Consider including action with respect to 'Understanding the impacts of SkyRail'.</p> <p>Council should make a submission to LXRA with respect to the proposed 'Skyrail'.</p>
MP, local resident from Caulfield	<p>Council should advocate for more accessible tram services in Hawthorn Road (Tram 64) - long and low floor trams should be used. Current trams are also old and dirty.</p>
RM, local resident and member of GE BUG	<p>Council should aim to broaden Council department co-operation and increase the range of council officers who hold responsible roles in the Sustainable transport arena. Transport Planning, Urban Design. Recreation +Parks, Arts and Culture, Sustainability, and general service officers to be involved rather than one department.</p> <p>E.g. Arts & Culture could ensure all events publicity has greater links to sustainable transport options, and see that maps about local public transport, walking and cycling options are available at council functions; Sustainability could continue with bike maintenance courses or even workshop to the public how to get around locally with sustainable methods; Council staff generally could participate in the Ride2Work day etc.</p> <p>Council should conduct research into Sustainable Transport, by counting pedestrians and cyclists – such as the Super Tuesday count.</p> <p>Council officers should attend Bikes Futures Conference and similar events.</p> <p>Council officers should liaise more with VICBUG and GE Bicycle Users Group, and seek local user feedback.</p> <p>Renewal of the Bicycle Strategies needs to be more regular i.e. 5 years maximum, in order to keep in touch with the rapidly changing infrastructure developments e.g. Level Crossing Removal Project.</p>
SD, local resident from Carnegie	<p>Improve quality of paths in Carnegie area to improve walkability eg. McLaurin Rd.</p> <p>Provide more shade trees to improve walkability, especially on key arterial and collector roads. Trees also provide other benefits to community and environment.</p>

	<p>Advocate to improve the amenities around the level crossing removals, such as at Murrumbeena Station.</p> <p>Improve streetscapes to attract people to walk there eg. At Murrumbeena shopping village.</p>
SN, local resident from Caulfield	<p>Advocates for separated paths or for cyclists to be given priority over pedestrians on the sections of shared pathways through the proposed new open spaces under or alongside the railway lines.</p> <p>Mark bicycle lanes through signalised and roundabout intersections to advise drivers of the presence of cyclists.</p> <p>Encourage road users, including cyclists and pedestrians, to report incidents to Council, so that they can plan and prioritise works.</p> <p>Informing community and seeking feedback from users about new road signage, such as the 'sharrows' cyclist merging symbol.</p> <p>More cyclists using the roads encourages less confident riders and makes drivers more aware of their responsibilities towards respectful sharing of our roads.</p> <p>Investigate and trial innovative ways to use technology to support and encourage the use of sustainable transport.</p> <p>Provide more green surface treatment in bike lanes to give cyclists confidence and send the message that cycling is important in Glen Eira.</p> <p>Providing more, convenient bicycle parking at shopping centres, public car-parks and in parks, on the same basis that disability parking is allocated.</p>
SR, local Glen Huntly resident	<p>Council should advocate to State Government to reduce the noise and incidence of train horn blasting near stations and level crossings as this impacts local residents and may be redundant with current technology.</p>
Feedback from 32 surveys undertaken at the Party in the park 21 Feb 16.	<ul style="list-style-type: none"> - Only 5 of 32 knew that GE had a Transport Strategy - Only 16 of 32 knew what Sustainable Transport was - Only 9 of 32 people worked in GE – all others worked outside GE - 16 of 32 indicated that they would use alternative transport if they had to pay for parking (9 of those said it would only take \$5 per day for parking to make them reconsider this). - 19 of 32 people had children who went to school in GE, 11 of 32 had children who went to school outside of GE - 18 of 32 indicated that they regularly walk, ride or catch public transport to school (some may have answered regularly to more than one mode) - Those that regularly caught public transport, also regularly walked - 13 of 32 said that they never rode to school or work, and most of these also did not ride for recreation either.

Action Plan 2015-2017

1. To increase the focus on Sustainable Transport

Council will maintain sustainable transport as a high priority strategic issue, and will continue to look for opportunities to prioritise and advocate for sustainable transport.

<ul style="list-style-type: none"> - Undertake actions to encourage increased use of sustainable transport modes - Develop a hierarchy in which different modes of transport are integrated and prioritised 				
Action ID	Strategic Activity	Action	Measures	Responsibility
1.1	Create a Transport Committee with Council and Community Members	To create a new Transport Committee of Council with three Council members and four community members.	Create new committee by 01 Jul 16. Committee to meet at least four times per year.	Transport Planning
1.2	Consider creation of Sustainable Transport Officer Position	Consider creation of a Sustainable Transport Officer Position or provide this role when the Transport Planning contract is reviewed.	To be progressed in conjunction with new Transport Planning Contract by 30 Nov 17.	Transport Planning
1.3	Review the feasibility of Car Share arrangements and develop an appropriate Policy.	Complete a review of public car share arrangements. Develop a Car Share Policy for adoption by Council.	Report findings by 01 Jul 16. Create a Car Share Policy for adoption by Council by 01 Jul 16.	Transport Planning
1.4	Undertake a review of the motorcycles/scooters as a more efficient mode of motorised transport and review parking demand in shopping centres.	Commission motorcycle parking surveys in Bentleigh, Elsternwick and Carnegie activity centres in conjunction with parking surveys.	Complete parking survey in Bentleigh by 1 Mar 17. Complete parking survey in Carnegie by 31 Dec 17. Complete parking survey in Elsternwick by 31 Dec 17.	Transport Planning
1.5	Undertake a review of passengers travelling in cars and investigate ways to increase passenger numbers as a means of reducing single occupant vehicles.	Undertake passenger number surveys at one train station car park and on one main road.	Undertake passenger number surveys at one train station car park by 01 Jul 17. Undertake passenger number surveys at on one main road by 01 Jul 17.	Transport Planning

Attachment

1.6	Undertake a review of car-pooling models and opportunities, such as lift share.	Investigate and identify local car-pooling models and programs.	Undertake review by 30 Nov 16.	Transport Planning
1.7	Undertake review of local resource sharing models and opportunities, such as TransAccess.	Identify local transport resources available for sharing. Investigate TransAccess model.	Undertake review by 30 Nov 16.	Transport Planning & Community Services
1.8	Undertake review of Council's local community bus service. Consider modifying service to include shuttle to local services and Council facilities.	Investigate other community transport models and review current service.	Undertake review by 30 Nov 17.	Transport Planning & Community Services

2. To Advocate for an improved Transport System

Road network and public transport improvements are vital in order to improve transport connections and increase productivity. The balance of road transport, public transport and alternative transport modes such as walking and cycling relies on an integrated and effective transport network.

<ul style="list-style-type: none"> - work with the State Government and other agencies to develop the efficient and effective integrated transport system. - promote road network and public transport improvements to improve transport connections and increase productivity. 				
Action ID	Strategic Activity	Action	Measures	Responsibility
2.1	Advocate State Government bodies for improved public transport:	Research and develop information to prepare submissions to relevant transport authorities.	Make two submissions annually to the State Government, Public Transport Victoria, Department of Transport or relevant public transport operator, about service delivery.	Transport Planning
2.2	Increased and standardised frequencies; Coordinated interchanges with trains, trams and buses to ensure integrated timetabling; Additional or altered bus routes provided to connect local facilities and desired destinations; Filling in the gaps particularly for those residents who do not have public transport within 400m; Improving accessibility at train, tram and bus stops, for the disabled and ageing population.		Present draft advocacy document to Council for rerouting of 822 bus service past GESAC by 1 Jun 16.	Transport Planning
2.3	Advocate and look for opportunities to work with PTV to provide seats and shelters at bus and tram stops.	Research and develop information to prepare submissions to PTV.	Make one submission annually to the State Government and Public Transport Victoria about infrastructure at bus and tram stops.	Transport Planning
2.4	Advocate for accessible tram services, super stops and low floor trams on tram routes in Glen Eira.	Research and develop information to prepare submissions to PTV.	Make one submission annually to the State Government and Public Transport Victoria about improved accessibility to tram services.	Transport Planning

Attachment

2.5	Reassess transport priorities in light of grade separation projects and develop new priorities for public transport advocacy.	Develop draft list of priorities for public transport advocacy.	Complete list of draft priorities by 30 Jun 16.	Transport Planning
2.6	Work with local transport authorities to develop, promote and advocate for regional public transport service improvements.	Meet with VicRoads, PTV and adjoining municipalities to discuss priorities.	At least one annual meeting with VicRoads, PTV and adjoining municipalities to discuss priorities.	Transport Planning
2.7	Advocate to VicTrack to complete missing links and to seek the best outcome for Shared User Paths (SUP) in railway alignments in conjunction with grade separation projects. Include consideration of need for separated pedestrian and bicycle pathways.	Attend meetings and provide comment/feedback with respect to SUP issues associated with the project and during works.	Inform internal Council departments monthly about SUP issues and progress.	Transport Planning & Recreation Planning
2.8	Participate in the Metropolitan Transport Forum (MTF)	Attend monthly meetings.	Attend at least eight meetings in 2015/16.	Transport Planning
2.9	Work with VicRoads and adjoining municipalities to consider how current works, including Dingley Bypass and grade separations may impact the road network in Glen Eira and how freight movements may change.	Meet with VicRoads and adjoining municipalities to discuss freight routes and priorities.	At least one annual meeting with VicRoads and adjoining municipalities to discuss freight routes and priorities.	Transport Planning
2.10	Advocate for improved cycling opportunities and safety through extending on-road bicycle lane provisions incorporating intersection improvements for roads under VicRoads control.	Develop a program or list of works to discuss with VicRoads and/or use to seek funding for works.	Provide list of priorities for works at VicRoads intersections to VicRoads by 01 July each year.	Transport Planning & Recreation Planning
2.11	Advocate for improved pedestrian access opportunities and safety at intersections for roads under VicRoads control.	Develop a program or list of works to discuss with VicRoads and/or use to seek funding for works.	Provide list of priorities for works at VicRoads intersections to VicRoads by 01 July each year.	Transport Planning

3. To Plan for the future

Land use and transport are intertwined and the way we develop our land in Glen Eira will have long-lasting effects on how we travel in and through the municipality in the future. An appropriate balance of transport modes is needed to support new developments.

<ul style="list-style-type: none"> - Develop strategic precinct plans for transport (including infrastructure, parking, road and traffic management) - Review existing parking policies - Look for opportunities to incorporate new conditions in planning permits 				
Action ID	Strategic Activity	Action	Measures	Responsibility
3.1	Conduct research into Sustainable Transport.	Complete an annual literature review of current sustainable transport studies.	Report annually on the findings and how the latest sustainable transport principles could be applied to the local context.	Transport Planning
3.2	Review and update current parking policies.	Complete review by 1 Jun16.	Report updated policies by 30 Oct 16.	Transport Planning
3.3	Undertake parking studies and assessment, and review parking management in the vicinity of grade separation project areas in Bentleigh, McKinnon and Ormond.	Conduct parking studies in Bentleigh, McKinnon and Ormond.	Complete Parking Study by 1 Dec 17.	Transport Planning
3.4	Undertake parking studies and assessment, and review parking management in the vicinity of Dandenong train line grade separations at Carnegie and Murrumbeena.	Conduct parking studies in Carnegie and Murrumbeena.	Complete Parking Study by 1 Dec 17.	Transport Planning
3.5	Undertake parking studies and assessment, and review parking management in the vicinity of Caulfield Station	Complete parking study in the vicinity of Caulfield Station.	Complete Parking Study by 30 Jun 17.	Transport Planning
3.6	Undertake studies to assess an appropriate level of parking provision for new developments. Specifically, parking provisions for single-bedroom apartments, visitor parking and shop parking should be assessed.	Undertake surveys and assess ABS data to determine existing parking trends within newly constructed developments.	Report findings by 30 Jun 17.	Transport Planning and Strategic Town Planning.

Attachment

3.7	Use the findings of the studies to assess the potential for parking overlays within activity areas in Glen Eira to determine if statutory parking requirements are appropriate	Work with the Strategic Planning department to determine the potential for implementing Parking Overlays by 31 Dec 17.	Report findings by 28 Feb 18.	Transport Planning and Strategic Town Planning.
3.8	Assess the viability of private communal car share facilities for new developments. Review examples of similar arrangements within Melbourne.	Determine how feasible the arrangement could be and develop town planning permit conditions.	Report findings and draft procedure by 30 Jun 16.	Transport Planning and Strategic Planning.
3.9	Require Green Travel Plans (GTP's) to be provided and implemented for developments that provide less than the statutory parking requirements and include: Office space over 500m ² ; Residential accommodation with 20 or more dwellings; and Shop space over 1,000m ² .	Work with the Statutory Planning department to coordinate how GTPs can be incorporated into Planning Permits and how they can be managed to ensure the actions in the GTP are implemented.	Report findings and draft procedure by 30 Jun 16.	Transport Planning and Statutory Planning.

4. To provide high quality, safe infrastructure and facilities to support sustainable transport

Safety for all transport users is paramount, particularly for vulnerable road users, such as pedestrians and cyclists. The provision of high quality, safe and accessible transport infrastructure will allow sustainable modes of transport to be a feasible choice for the community. Inadequate infrastructure can be a significant barrier to community members when considering the use of sustainable modes of transport.

<ul style="list-style-type: none"> - Investigate opportunities to improve infrastructure and services for public transport stops and at key intersections - Look for opportunity to seek Federal and State Government funding for improvements 				
Action ID	Strategic Activity	Action	Measures	Responsibility
4.1	Continue to implement the Glen Eira Road Safety Strategy.	Review Crash Stats annually, considering cyclist and pedestrian crashes.	Update Road Safety Strategy Data by 30 Jun each year.	Transport Planning
4.2		Analyse crash statistics and develop blackspot applications based on crash data.	Submit at least one blackspot application each year.	Transport Planning
4.3		Consider speed limit reductions to support vulnerable road users in high activity areas and on designated bicycle routes.	Review speed limits in conjunction with school and shopping centre investigations.	Transport Planning
4.4	Implement the Glen Eira Walking Strategy	Plan, program and deliver capital works program.	Completion of budgeted works and programs by 30 Jun each year	Transport Planning
4.5	Seek State and Federal Government and other funding to construct or upgrade sustainable transport infrastructure, including seats and shelters at bus and tram stops, and parkiteers at train stations and transport interchanges.	Develop at least one funding submission per year.	Lodge one funding submission annually.	Transport Planning
4.6	Review capital works program in terms of Sustainable Transport outcomes.	Review business case to determine if Sustainable Transport outcomes can be added as part of capital works project assessment for each	Review business case by 30 Oct 16.	Transport Planning & Asset Management

Attachment

		project.		
4.7	Consider developing suite of documented standards for bike friendly LATM treatments.	Investigate feasibility of developing standard plans for bike friendly infrastructure.	Review current plans and determine if there are gaps by 30 Oct 16.	Transport Planning

5. To increase the use of sustainable transport

Council will work with local schools, businesses and the broader community to inform, educate and encourage people to consider and use sustainable transport options for more trips and more often. In order to change the travelling culture of community members, Council can provide information about the benefits of sustainable transport.

<ul style="list-style-type: none"> - Promote and market sustainable transport methods and modes - Educate the community in the availability and use of sustainable transport - Engage the community in programs to increase their knowledge and use of sustainable transport - Increase the frequency of sustainable transport use to travel to local places, school and work 				
Action ID	Strategic Activity	Action	Measures	Responsibility
5.1	Work with local Primary schools to increase the use of sustainable transport options by promoting sustainable transport initiatives.	Identify and promote walk and ride to school routes, 'part way is OK', park and stride etc.	Work with at least two primary schools per year.	Transport Planning
5.2	Work with local businesses to discuss travel plans, end of trip facilities and promotion of sustainable transport to staff.	Prepare information on lessons learnt, mapping information and promotional ideas for distribution to local businesses.	Provide information to at least five local businesses annually.	Transport Planning and Business Development
5.3		Review alternative parking locations, access to public transport and walk and ride routes.	Provide information to at least one Traders Group and/or traders in one shopping centre annually.	Transport Planning and Business Development
5.4	Promote Walk and Ride to School Days and active travel programs.	Support initiatives to encourage more children to walk and ride to school	Work with at least one primary school annually.	Transport Planning, Recreation and Youth Services.
5.5	Provide central locations and methods to distribute information regarding sustainable modes of transport in Glen Eira to the community.	Publish articles in Glen Eira News and on Council website which promote and encourage sustainable transport options.	Publish three articles in Glen Eira News annually.	Transport Planning
5.6	Seek State and Federal Government and other	Develop at least one funding	Develop one funding	Transport Planning

Attachment

	funding to work with local community to promote and market the use of sustainable transport.	submission per year.	submission annually.	
5.7	Review 2016 census data and compare with previous data. Review data regarding modes of travel for Glen Eira residents who commute.	Develop scorecard report to communicate 2016 census data results to Council and Community.	Report results by 30 Jun 17.	Transport Planning
5.8	Gather data on current levels of walking and cycling.	Consider surveying key routes to determine how many people walk and cycle for transport.	Develop plan for collecting data at key sites by 30 Nov 16.	Transport Planning

6. Local Leadership

Lead by example in developing and adopting sustainable transport options, plans and innovation. Use Council experience to contribute to reduction in greenhouse gas emissions, to demonstrate environmentally sustainable behaviour and to communicate with other businesses and organisations about their opportunity to seek and promote sustainable solutions. Work to develop a template for a Green Travel plan, for Council, schools and businesses to use to educate the community and demonstrate how sustainable transport modes can be used to access their premises.

<ul style="list-style-type: none"> - Demonstrate the use of sustainable transport options - Promote the use of sustainable transport to access Council facilities and places - Investigate and trial innovative ways to promote sustainable transport - Investigate and trial innovative ways to use technology to support and encourage the use of sustainable transport 				
Action ID	Strategic Activity	Action	Measures	Responsibility
6.1	Develop Green Travel Plans to access Council facilities and places.	Develop a Green Travel Plan for Glen Eira Town Hall.	Launch Green Travel Plan by 30 Nov 16.	Transport Planning and Community Relations
6.2		Develop a Green Travel Plan for a community facility, such as GESAC.	Launch Green Travel Plan by 30 Jun 17.	Transport Planning and Community Relations
6.3	Support preparation and implementation of Green Travel Plans by schools and major employers in Glen Eira.	Develop a Green Travel Plan with a local Primary School.	Launch Green Travel Plan for a school each year.	Transport Planning and Youth Services.
6.4		Develop a Green Travel Plan with a local Secondary School.	Launch Green Travel Plan for a school each year.	Transport Planning and Youth Services.
6.5		Develop a Green Travel Plan with a local business employing more than 100 people.	Launch Green Travel Plan for a local business each year.	Transport Planning and Business Development
6.6		Develop a Green Travel Plan with a local Traders association for an Activity Centre.	Launch Green Travel Plan for a local Traders association each year.	Transport Planning and Business Development

Attachment

6.7	Investigate innovative ways of promoting the use of sustainable transport.	Attend and participate in at least one transport planning workshop, forum or conference to stay abreast of innovations.	Attend at least one event each year.	Transport Planning
6.8	Investigate the use of technology to support and promote sustainable transport.	Attend and participate in at least one transport planning workshop, forum or conference to stay abreast of relevant technology.	Attend at least one event each year.	Transport Planning

7. Integrated Transport Strategy

Develop an Integrated Transport Strategy for Glen Eira City Council to incorporate Sustainable Transport initiatives and actions.

- Develop a strategic and holistic Transport Strategy to assist in planning and advocating for integrated transport outcomes related to sustainable transport, public transport, parking, land use planning and development.				
Action ID	Strategic Activity	Action	Measures	Responsibility
7.1	Develop Integrated Transport Strategy	Develop integrated transport strategy.	Present draft strategy to Council by 30 Nov 17.	Transport Planning
		Set Targets for sustainable transport modes.	To be included in Integrated Transport Strategy.	Transport Planning
		Incorporate 2016 Census data.	To be included in Integrated Transport Strategy.	Transport Planning

Item 9.4

VCAT WATCH
26 April 2016

Enquiries: Michael Henderson
Supervising Planner (VCAT)

1. Purpose

To report to Council recent VCAT decisions.

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

2. Decisions

ADDRESS	322-328A CENTRE ROAD, BENTLEIGH
PROPOSAL	CONSTRUCTION OF A NINE-STOREY BUILDING COMPRISING 47 DWELLINGS
COUNCIL DECISION	NOT SUPPORT (RESOLUTION)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS AMENDED BY THE APPLICANT PRIOR TO THE VCAT HEARING BY THE SUBSTITUTION OF DIFFERENT PLANS TO THAT ORIGINALLY CONSIDERED BY COUNCIL. THE KEY CHANGES TO THE PROPOSAL WERE AS FOLLOWS: <ul style="list-style-type: none"> • DELETION OF THE UPPERMOST LEVEL (EIGHT-STOREY BUILDING) • REDUCTION IN THE NUMBER OF DWELLINGS FROM 47 TO 39 • REDUCTION IN THE NUMBER OF CAR SPACES FROM 62 TO 51 • MODIFICATION TO THE CAR PARK LAYOUT • INTERNAL ALTERATIONS TO THE LAYOUT OF DWELLINGS • INCREASED SOUTHERN BOUNDARY SETBACKS
VCAT DECISION	PERMIT
APPELLANT	KAI MOU PTY LTD

“Significantly, there are no height controls applying to the Bentleigh urban village, or to any of the other urban villages.”

“The achievement of the Council’s urban village and housing diversity objectives will almost inevitably involve the introduction of buildings into the urban village that have a greater height than the buildings that currently comprise the Bentleigh Centre.”

Item 9.4 (cont'd)

“In the absence of more detailed built form controls or guidelines than those currently in the planning scheme, our finding that higher buildings can be contemplated where the Commercial 1 Zone abuts the RGZ, does not greatly assist us in forming a view about the acceptability of an eight storey building on a site that has an abuttal to the GRZ and the NRZ”.

“We acknowledge that the building will be viewed from the wider residential hinterland to the south. The visibility of the building is not however an impact that is beyond the reasonable expectations that emanate from the Council’s designation of this locality as an urban village and a housing diversity area. VCAT Members – Laurie Hewet & Gary Chase

- The subject site is located within the Commercial 1 Zone and the Bentleigh Urban Village.
- Council determined not to support the proposal as it represented an overdevelopment of the site due to the development’s bulk, mass, scale and non-compliance with Council Policy. Council also determined not support the proposal due to inadequate provision of car parking, poor car park layout and poor internal amenity afforded to the dwellings.
- In determining the application, the Tribunal found that due to the absence of built form controls and guidelines, the height and scale of the building was appropriate for the Bentleigh urban village.
- Furthermore, the Tribunal held that the overshadowing and overlooking impacts of the development had been appropriately addressed and did not warrant a reduction in the height of the building.
- The Tribunal held that the provision of car parking was acceptable, and subject to conditions the layout was acceptable. The Tribunal held that the layout of the dwellings was functional and afforded an appropriate level of internal amenity for occupants.
- On that basis, the Tribunal directed a permit be granted subject to conditions to provide increased screening requirements and improve internal amenity for future occupants.

Item 9.4 (cont'd)

ADDRESS	12-14 QUINNS ROAD, BENTLEIGH EAST
PROPOSAL	A THREE-STOREY BUILDING COMPRISING 30 DWELLINGS
COUNCIL DECISION	REFUSAL (MANAGER)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS AMENDED BY THE APPLICANT PRIOR TO THE VCAT HEARING BY THE SUBSTITUTION OF DIFFERENT PLANS TO THAT ORIGINALLY CONSIDERED BY COUNCIL. THE KEY CHANGES TO THE PROPOSAL WERE AS FOLLOWS: <ul style="list-style-type: none"> • REDUCTION IN THE NUMBER OF DWELLINGS FROM 30 TO 22 • REDUCTION IN THE NUMBER OF CAR SPACES FROM 36 TO 27 • MODIFICATION TO THE BASEMENT ENVELOPE AND LAYOUT • INCREASED SETBACKS TO ALL BOUNDARIES
VCAT DECISION	PERMIT
APPELLANT	BKMA DEVELOPMENTS PTY LTD

“For this site the zoning is General Residential Zone which among other things is to provide diversity of housing types and moderate growth in locations with good access to service and transport. This combination of policy and zoning will over time lead to change in character into the future and given the high percentage of the cities land zoned for minimal change, areas such as Neighbourhood Centres must increase the number of dwellings developed. From my site inspection and the list of the number of approved and constructed three storey complexes in the locality provided by Mr Bastone in his planning evidence it is clear this change is well under way.” VCAT Member – E A Benz

- The subject site is located within the General Residential Zone and the Bentleigh East Neighbourhood Centre.
- The application was refused on grounds relating to neighbourhood character, due to the visual dominance of the proposal when viewed from the street and adjoining properties. The application also failed to satisfy a number of ResCode requirements (including side and rear setback requirements) and car park layout requirements.
- In determining the application, the Tribunal held that appropriate regard must be given to policy direction that encourages moderate housing growth when assessing neighbourhood character.

Item 9.4 (cont'd)

- As such, the Tribunal held that having regard to recent approvals in the area, the built form and setbacks as detailed on the amended plans are an acceptable outcome for the site.
- The Tribunal held that car parking complied with the requirements of the Planning Scheme, while the revised layout of the car park area as a result of the amended plans was acceptable.
- On that basis, the Tribunal directed a permit be granted subject to conditions.

ADDRESS	3 AND 4 BEATTY CRESCENT, ORMOND
PROPOSAL	THE DEMOLITION OF THE EXISTING DWELLING AND CONSTRUCTION OF A DOUBLE STOREY DWELLING ON LAND AFFECTED BY A HERITAGE OVERLAY
COUNCIL DECISION	REFUSAL (RESOLUTION)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS NOT AMENDED PRIOR TO THE VCAT HEARING
VCAT DECISION	PERMIT
APPELLANT	CHRISTINE GEORGESCU

“It is noted that the application had planning officer support and heritage officer support, however with a large number of objections from adjoining property owners and others in the wider area, Council refused both applications on a range of identical grounds.”

“I conclude, that the building is small and unremarkable and not of sufficient merit to warrant its retention, this being confirmed by my inspection and can be demolished without detriment to the area.” VCAT Member – E A Bensz

- The subject site is located within the Neighbourhood Residential Zone. The land is also affected by a Heritage Overlay (Ormond Precinct).
- The application was refused on grounds relating to the heritage value of the existing building, with the demolition of the building not supported. Council also determined that the proposed dwellings would not enhance the heritage character of the area.
- The Tribunal determined that the demolition of the buildings was acceptable.
- The Tribunal determined the replacement building was appropriate in terms of form, mass, scale and had an appropriate mix of external materials.
- On that basis, the Tribunal directed a permit be granted subject to conditions

Item 9.4 (cont'd)

ADDRESS	3 ALDER STREET, CAULFIELD SOUTH
PROPOSAL	A THREE-STOREY BUILDING COMPRISING 3 DWELLINGS
COUNCIL DECISION	PERMIT (DPC)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS NOT AMENDED PRIOR TO THE VCAT HEARING
VCAT DECISION	PERMIT
APPELLANT	HARRY AND SALLY ZELMAN

“Whilst understanding the Council’s position, and its desire to see development which reflects a respect for the neighbourhood’s character, I agree with the Applicant’s submissions. The Planning Scheme’s Housing Diversity Area policy and the provisions of the GRZ1 contemplate the form of development proposed here. The mandatory height limit of 10.5 metres (or 11.5 metres where the land has a slope of at least 2.5 degrees) allows for a development that is three storeys in height. This is not a circumstance where the provisions of the zone, or policy, reflect an expectation that development will not exceed two storeys.”

- The subject site is located within the General Residential Zone and the Caulfield South Neighbourhood Centre.
- The application was supported by Council, but subject to a number of conditions that sought to temper the bulk and mass of the building in response to the neighbourhood character. This included the deletion of the uppermost floor and increased setbacks to Alder Street (resulting in a reduction in the number of dwellings from four to three).
- The Tribunal held that in its original form the third level was far too prominent. However, the Tribunal determined that with increased setbacks, the third level could achieve an appropriate transition to adjoining single storey development.
- On that basis, the Tribunal varied Council’s conditions to allow a third level.

3. Recommendation

That Council note:

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

Crs Hyams/Lipshutz

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

VCAT WATCH**NEW APPEALS LODGED*****MAJOR CASES***

COMPULSORY CONFERENCE	FULL HEARING	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
18 May 2016	23 June 2016	P385/2016	670-672 Centre Road and 51 Browns Road, Bentleigh East	Construction of a five storey building comprising one convenience restaurant, five shops, sixty-seven (67) dwellings	C1Z	Permit (Resolution)	Conditions (Applicant)

PLANNING AND ENVIRONMENT LIST

HEARING DATE	APPEAL NO.	PROPERTY	PROPOSAL	ZONE	COUNCIL DECISION	APPEAL AGAINST
16 May 2016	P190/2016	36 Loch Avenue, St Kilda East	Construction of two double storey dwellings	NRZ1	Refusal (Manager)	Refusal (Applicant)
16 May 2016	P200/2016	16 Marquis Road, Bentleigh	Two lot subdivision	NRZ1	Refusal (Manager)	Refusal (Applicant)
23 May 2016	P374/2016	76 Moylan Street, Bentleigh East	Construction of two double storey dwellings	NRZ1	Refusal (DPC)	Refusal (Applicant)
31 May 2016	P393/2016	7 Rosanna Street, Carnegie	Construction of two double storey dwellings	NRZ1	Permit (Manager)	Conditions (Applicant)
31 May 2016	P317/2016	22 Leary Avenue, Bentleigh East	Construction of a front fence	NRZ1	Refusal (Manager)	Refusal (Applicant)
14 June 2016	P473/2016	35 Kinlock Avenue , Murrumbeena	Construction of two double storey dwellings	NRZ1	Refusal (Manager)	Refusal (Applicant)
16 June 2016	P2616/2015	6 Kinnoul Avenue, Caulfield North	Construction of a three storey building comprising six dwellings	GRZ1	NOD (DPC)	NOD (Objector)
3 August 2016	P355/2016	7 Seathorpe Avenue, Bentleigh East	Alterations to the existing dwelling and construction of a single-storey dwelling to the rear	NRZ1	Refusal (Manager)	Refusal (Applicant)

4 August 2016	P349/2016	2 Eskdale Road, Caulfield North	Construction of a three storey building comprising five dwellings	GRZ1	Refusal (DPC)	Refusal (Applicant)
11 August 2016	P439/2016	1 Heatherbrae Avenue, Caulfield	Construction of two double storey dwellings	NRZ1	Refusal (Manager)	Refusal (Applicant)
11 August 2016	P431/2016	43-47 Elizabeth Street, Bentleigh East	Construction of nine double storey dwellings	GRZ1	NOD (DPC)	NOD (Objector)
17 August 2016	P423/2016	7 Quinns Road, Bentleigh East	Construction of five double storey dwellings	GRZ1	NOD (DPC)	NOD (Objector)
18 August 2016	P475/2016	203 McKinnon Road, McKinnon	Construction of a four storey building comprising two dwellings and ground floor office	C1Z	Refusal (Council)	Refusal (Applicant)
19 August 2016	P454/2016	20 Durban Street, Bentleigh	Construction of two double storey dwellings	NRZ1	Permit (Manager)	Conditions (Applicant)
22 August 2016	P487/2016	483 Neerim Road, Murrumbeena	Demolition of the existing dwelling and construction of five double storey dwellings	GRZ1	Refusal (Manager)	Refusal (Applicant)
25 August 2016	P499/2016	10 Tyrone Street, Ormond	Construction of two double storey dwellings	NRZ1	Refusal (Manager)	Refusal (Applicant)

Item 9.5**KOORNANG ROAD LANEWAYS
OPTIONS FOR CLOSURE AT SCHOOL TIMES****Enquiries: Nicola Belcher
Manager Strategic Transport****1. Introduction**

At the Ordinary Council Meeting of 15 March 2016, Council resolved:

“That a report be prepared on what if any action can be taken to implement the closure of the laneway between Koornang Road and Graceburn Avenue and Koornang Road and Shepparson Avenue Carnegie on school days from 8-9.30am and 2.30-4pm.”

2. Community Plan

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.

3. The Laneways

The laneway between Koornang Road and Shepparson Avenue allows motor vehicles, cyclists and pedestrians to travel through in either direction between Koornang Road and Shepparson Avenue. It is approximately 80m long and three meters wide. There is currently no property access off this laneway. There is no separate footpath in the laneway, so pedestrians must share the road space with vehicles. This is a similar arrangement to many other laneways throughout the municipality.

Traffic survey data collected in 2014 indicated that very few vehicles use the laneway each day. The data revealed an average of three vehicle movements through the laneway at high pedestrian, school times. The data also indicated that the motorists travelling along the laneway were travelling at an appropriate speed, to allow them to stop and/or give way to pedestrians, as required.

It is likely that most of the vehicles using the laneway are local residents who are aware of the use of the laneway by pedestrians and cyclists, and take care when doing so. Although these motorists are using the laneway as the shortest available route, they are not likely coming from further afield and using the route as a ‘rat run’.

Some motorists may already be deterred from using the lane way at high pedestrians times or if they observe pedestrians already in the laneway. The data and on-site observations indicate that due to the low traffic volumes all road users are able to adequately share the use of the laneway. Pedestrians and motorists should still exercise caution in the laneway, as with any other laneway in the municipality.

Council has previously not been supportive of permanently closing the laneway. Similarly, Council has indicated that making the laneway as a designated “shared space” is also unlikely to have any meaningful impact on the use or operation of the laneway.

Council is currently proposing to install speed humps in this section of laneway in FY16/17. This will help maintain low vehicle speeds in the laneway.

Item 9.5 (cont'd)

The laneway between Koornang Road and Graceburn Avenue is a similar length and width to the other laneway. However, it has a sharp bend at the western end that is not trafficable by vehicles. As such, this laneway is only accessible for vehicles at the eastern end. There is no through traffic and there is only limited access to the laneway for vehicles to access rear garages to three properties at 189, 191 and 193 Koornang Road. This laneway is predominantly used by pedestrians and cyclists. Council has not previously considered altering the operation or providing treatments for this laneway.

4. Options for Restriction of Traffic or Closure of Laneways

The following options can be considered with respect to the restriction of traffic or closure of the laneways between Koornang Road and Graceburn Avenue and Koornang Road and Shepparson Avenue, Carnegie, at school times (8am – 9.30am and 2.30pm to 4pm on school days).

- a. Restriction of access to the laneways, by way of erecting a barrier, such as a gate or bollard(s), in accordance with the Local Government Act. This would be a permanent arrangement that applies at all times. The process does not enable the bollards to be put in place only at specific times or days. However, given that the laneway between Koornang Road and Graceburn Avenue is currently used by adjoining property owners, this approach would affect access to their properties.
- b. Restriction of direction of travel in the laneway by allowing one-way vehicle travel only, and having a “No Entry” sign at one end. This could act to reduce the amount of vehicular traffic using the laneway and provide more certainty for pedestrians. This is not necessary for the laneway between Koornang Road and Graceburn Avenue as it is not fully trafficable by motor vehicles.
- c. Making the laneway a shared zone. A shared zone would also apply at all times. This signage requires approval for use from VicRoads. This signage is unlikely to change the current operation of the laneway, as pedestrians, cyclists and motorists already have to share the road and travel at low speeds.
- d. Restriction of turning movements in and out of the laneway. This could restrict the access to left turn entry and exit only for instance; or could restrict both left and right turns. Turns into the laneway could be restricted for different times throughout the day, such as at school times, by use of a supplementary sign. This type of restriction has been used in other streets in the municipality, such as at the intersection of Murrumbeena Road and Frogmore Road in Murrumbeena.

5. Preferred Option

For the laneway between Koornang Road and Shepparson Avenue, Council's Transport Planning team considers Option 'd' as the most feasible, with both left and right turns into the laneway banned during school times.

For the laneway between Koornang Avenue and Graceburn Avenue, Council's Transport Planning team is not supportive of making any changes to the current laneway operation. No changes are currently considered warranted in this laneway.

Item 9.5 (cont'd)**6. Recommendation**

That Council:

- i. Notes this report.
- ii. Resolves to proceed with option 'd' to ban vehicles from turning into the laneway between Koornang Road and Shepparson Avenue from either direction during school times (8-9.30am and 2.30-4pm).
- iii. Does not make any changes to the laneway between Koornang Road and Graceburn Avenue.

Crs Magee/Esakoff

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Item 9.6**AMENDMENT TO LOCAL LAW 2009**

File No:
Enquiries: Robyn Taft
Corporate Counsel

1. Purpose

The purpose of this item is to consider an amendment to the Local Law 2009 ('Local Law').

2. Community Plan

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

3. Background

The Local Laws Advisory Committee has considered numerous aspects of the Local Law and identified the need for amendments in the below areas:

- Public questions;
- Right to make a statement;
- Urgent business; and
- Including drones in the definition of model aeroplane.

4. Discussion

The proposed changes to the existing Local Law 2009 are shown in Word Track Changes at Attachment 1.

5. Consultation and Process

If the recommendation in this report is adopted by Council, Council will need to resolve to commence the statutory process under the *Local Government Act 1989*. Public notices will be published in the Caulfield Glen Eira Leader, the Moorabin Glen Eira Leader and the Victorian Government Gazette outlining the purpose of the proposed changes to the Local Law, calling for submissions to be made under section 223 of the *Local Government Act 1989*, providing the date by which submissions can be received, advising that a copy of the proposed local law and any explanatory document can be obtained from the Council office and stating that a person making a submission is entitled to request to appear in person, or to be represented by a person, at a meeting to be heard in support of the submission (at least 28 days following the date of the latter of the notices being published).

A further report to Council will be required to consider whether to amend the Local Law and to consider any submissions received under section 223 of the *Local Government Act 1989*.

Item 9.6 (cont'd)

Council should note that this process will need to be commenced as soon as possible to ensure that the process is completed prior to the commencement of the election period (21 September 2016).

Council should also be aware that the Local Law 2009 will cease to operate on 24 November 2019, and a comprehensive review will be required before a new local law is promulgated.

6. Recommendation

That:

- (a) Council acting in accordance with sections 119(2) and 223 of the *Local Government Act 1989* resolves to commence the statutory process in Part 5 of the *Local Government Act 1989* and give notice of its intention to make amendments to the existing Local Law.
- (b) Council endorse the proposed amendments to the Local Law (Attachment 1) for the purposes of community consultation under section 223 of the *Local Government Act 1989*.
- (c) The submission period specified in the public notices to be the closest business day to 30 days from the publication date of the latter of the notices.
- (d) Council notes that a further report will be presented to Council to consider whether to make the amendments to the Local Law in accordance with the proposal after consideration of any submissions received pursuant to section 223 of the *Local Government Act 1989*.

Crs Lipshutz/Hyams

That the recommendation in the report be adopted.

AMENDMENT**Crs Delahunty/Lobo**

- (a) **As printed in the Agenda Papers**
- (b) **As printed in the Agenda Papers**
- (c) **Council also ask the public to consider the following amendments which will alter**
 - i) **section 228 Order of Business to read:**
1-8 Unchanged
9 Insert
Questions without Notice
Public Questions to Council
Notices of Motion
Numbering to change as needed.
 - ii) **Section 230 to read as follows:**

Item 9.6 (cont'd)**PUBLIC PARTICIPATION AND QUESTIONS WITHOUT NOTICE**

At all Ordinary Council meetings and special committee meetings at which members of the public are present, there must be an opportunity for members of the public to address questions to the Ordinary Council meeting or Committee meeting in accordance with clause <numbered below>

Further, members of the public may address Council and Committee meetings:

- (1) at the discretion of, and under direction of, the Chairperson; or
- (2) as provided in section 223(1)(b) of the *Local Government Act 1989*,

in accordance with any guidelines for public participation in Council and Committee Meetings adopted by Council from time to time.

Procedure for questions without notice

The Mayor or Chairperson can determine the time allowed for public question time and the time allowed for questions from individuals at Ordinary Council meetings or special committee meetings. This shall not contravene the rules for questions on notice in section <Numbered above>

A person proposing a question will be requested to clearly state their name.

A question must not:

- i) relate to a matter beyond the powers or functions of Council;
- ii) be defamatory, indecent, abusive or objectionable in language or substance; and
- iii) raise any matter which will or would likely to be considered by Council under s.89(2) of the Act (confidential matter).

The Ordinary Council meeting or special committee meeting may defer consideration of, or response to, any question and may seek the address of any questioner so that a written response may be given.

The Chairperson may decide to either:

- (i) personally answer the question; or
- (ii) refer the question to the appropriate Councillor; or
- (iii) refer the question to the appropriate officer; or
- (iv) advise that the question is taken on notice and that a written response will be sent.

Responses provided under clause <numbered> above shall be given within a reasonable time (usually in less than ten working days).

(d) All questions and answers shall be as brief as possible and, subject to clause <numbered below> below, no discussion on the questions and answers will be allowed.

(e) Where a question is asked about an individual Councillor in their capacity as a Councillor, the question may be redirected to the Councillor concerned.

Item 9.6 (cont'd)

(f) Where a Councillor disagrees with, or is aggrieved by, the response provided by a fellow Councillor appointed by the Chairperson to answer the question, they may seek leave of the Chairperson to make an appropriate brief explanatory statement as provided for under the provisions of Clause <numbered> of the Local Law (Right to make a statement).

Answers to questions taken on notice will be made available to the public.

Answers not taken on notice will be minuted in accordance with Section 93 of the Local Government Act 1989.

- iii) New section 235 to be added (all other sections re-numbered accordingly) to read:**

Notices of Motion

Councillors may submit notices of motion in accordance with clause <numbered below>

Notices of Motion must be in writing and given to the Chief Executive Officer by 12noon 6 business days before the council meeting to which it relates.

If a notice of motion is received after that time, it must, unless withdrawn, be included in the agenda for the following Council meeting.

Motions must be so worded that the meaning is clear and unambiguous and shall not be defamatory or objectionable in language and nature.

A notice of motion may be withdrawn by a request from the original submitter, in writing received prior to the publication of the agenda for which the notice of motion was intended.

Otherwise, the item must be dealt with at a Council meeting.

The Chief Executive Officer may reject any notice of motion which is vague or unclear in intention but must:

**give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
notify the Councillor who lodged it of the rejection and reasons for the rejection.**

The full text of any such notice of motion must be included in the material accompanying the agenda.

Except by leave of Council, each notice of motion before any meeting must be considered in the order in which they were received and accepted by the Chief Executive Officer

If a Councillor who has given a notice of motion is absent from the meeting or fails to move the motion when called upon by the Chairperson, any other Councillor may move the motion.

If a notice of motion is not moved in accordance with clause <above numbered>, the notice of motion shall be deemed to have lapsed for want of a mover.

Item 9.6 (cont'd)

If a Notice of Motion, whether amended or not, is lost, a similar motion cannot again be put before the Council for 90 days from the date it was lost unless a notice signed by a majority of councillors is submitted to the Chief Executive Officer.

C and D as printed in the Agenda Papers.

The AMENDMENT was put and LOST.

The SUBSTANTIVE MOTION was put and CARRIED unanimously.

Business of ordinary Council meetings

LOCAL LAW – MEETING PROCEDURE

225. No business shall be considered at an ordinary meeting of the Council unless it appears in the notice paper or in a report accompanying the notice paper except:-
- (1) if a matter of an urgent nature has arisen since ~~circulation of the notice paper and the most recent Ordinary Council Meeting and~~ the Council resolves to consider the matter as urgent business;
 - (2) if a Member requests that a report be prepared by a member of Council staff, in which case a formal resolution of Council in relation to preparation of that report must be passed in order for the report to be prepared; or
 - (3) if a Member asks a question to a member of Council's staff on a matter which has not been included on the notice paper, in which case the question may be taken on notice for answer at a future ordinary meeting of Council.

Public questions to Council

232 (1) Members of the public may submit written questions to ordinary meetings of the Council in accordance with any guidelines adopted by Council from time to time and the following procedure:

(a) Questions must be received not later than 12 noon on the business day preceding the day of the ordinary Council meeting. Questions should be clearly headed "Public Question" and may be submitted to the Council by email (publicquestions@gleneira.vic.gov.au), fax (9524 3358), mail, or personal delivery or Internet [<http://www.gleneira.vic.gov.au/>];

(b) Questions must bear the questioner's printed name and address, the date, and a telephone number at which the questioner may be contacted for verification. Questions should must be less than 150 words. Questions exceeding 150 words will not be accepted.

~~(b)(c)~~ Each person may submit up to a maximum of two questions to any one Ordinary Council Meeting. If more than two questions are received from any one person, only the first two will be processed in accordance with this Local Law.

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(2) Questions will be considered by Council, under the direction of the Chairperson, as follows:

(a) The Chief Executive Officer or another officer designated by him/her shall:

- (i) examine the questions;
- (ii) recommend to the Chairperson for the Chairperson's decision any questions deemed to be inappropriate having regard to clause 232(2)(j) below; ~~and~~

~~(x)~~ If the person asking the question is present, the Chief Executive Officer or nominee shall read the question to the Meeting. If the person submitting the question is not present, the question will not be read to the Meeting but will be answered in the mode that it was received (eg mail or email).

~~(iii) subject to clause 232(2)(i), read the questions to the meeting.~~

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(b) After a question has been read, ~~the~~ Chairperson may decide to either:

- (i) personally answer the question; or
- (ii) refer the question to the appropriate Councillor; or
- (iii) refer the question to the appropriate officer; or

- (iv) advise that the question is taken on notice and that a written response will be sent.
- (c) Responses provided under clause 232(2)(b)(iv) above shall be given within a reasonable time (usually in less than ten working days).
- (d) All questions and answers shall be as brief as possible and, subject to clause 232(2)(f) below, no discussion on the questions and answers will be allowed.
- (e) Where a question is asked about an individual Councillor in their capacity as a Councillor, the question may be redirected to the Councillor concerned.
- (f) Where a Councillor disagrees with, or is aggrieved by, the response provided by a fellow Councillor appointed by the Chairperson to answer the question, he or she may seek leave of the Chairperson to make an appropriate brief explanatory statement as provided for under the provisions of Clause 238 of the Local Law (Right to make a statement).
- (g) The time for public question time shall be no longer than fifteen minutes unless determined otherwise by the Chairperson having regard to the other business on the agenda. In the event of questions not being dealt with during the time allowed, all such questions shall be taken on notice in accordance with as per clause 232(2)(b)(iv) for separate reply.
- (h) The minutes shall record questions read (unless ruled inappropriate under sub-clause 232(2)(j)). They shall also record any answers which are given at the meeting. Where a question is read at the Meeting, taken on notice and an answer is given later in writing, the question shall be re-submitted to the meeting at which the answer is available and both the question and the answer shall be recorded in the minutes of that meeting.
- (i) A report shall be submitted to a public Council meeting quarterly showing the numbers of questions askedread, number ruled inappropriate number answered at the meeting and time taken to reply to questions taken on notice.
- (j) A question may shall be deemed inappropriate upon the grounds that if it:
 - (i) relates to a matter that is *ultra vires*; or
 - (ii) does not relate to the business of Council or otherwise relates to a Councillor or staff member other than in their Council capacity; or
 - (iii) is defamatory, indecent, may constitute discrimination, vilification, harassment or may place the Council at risk of legal action; or

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(iv) refers to a matter which would, if answered, breach any provision of the *Information Privacy Act 2000* or the confidentiality provisions of the *Local Government Act 1989*; or

(v) exceeds 150 words. ~~(questions longer than 150 words may be accepted at the reasonable discretion of the Chairperson).~~

- (k) The Chairperson shall make the final decision as to those questions deemed inappropriate under sub-clause 232(2)(j).
- (l) Where a question is deemed inappropriate by the Chairperson, the Chief Executive Officer or designated officer shall read to the meeting only the name and suburb of the person and the ground under sub-clause 232(2)(j) on which the question was ruled inappropriate.

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Right to make a statement

238 (1) Subject to sub-clause 238(2) a Councillor or member of Council staff may make a statement in response to comments made or reported as having been made about them by a member of the public, a Councillor or any other party – in any media or forum – which the Councillor or member of Council staff believes requires correction in order to balance the views the public might otherwise form.

(2) The statement ~~must~~ may be made in writing and included in the notice paper for the next ordinary meeting of Council or may be made at the Meeting. ~~Council except where the comments referred to in subclause 238(1) have arisen since the printing of the agenda.~~

~~(3) — The Councillor or member of Council staff may read the written statement during ordinary business at the ordinary Council meeting specified in clause 238(2).~~

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(3) Notice of the intention to make a Statement and the comments to which the statement will respond must be given to all Councillors by noon on the day of the Meeting. If the comments are made after noon on the day of the meeting, notice shall be given as soon as practicable.

(4) No debate will be permitted on a statement made under this clause.

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Local Law 314: Flying or permitting to be flown any model aeroplane in a Public Reserve - Permit required.

There is currently no definition of “model aeroplane” in the Local Law.

The Local Law Committee requested that a definition be inserted into Local Law 105 as follows:

“Model aeroplane” includes any similar airborne device that is powered, including a drone.

Item 9.7**HEALTH RECORDS POLICY**

File No:
Enquiries: Wendy Mason
Legal and Governance Co-ordinator

1. Proposal

To revise Council's Health Records Policy.

2. Community Plan

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

3. Background

Council's Health Records Policy was adopted in 2002 to ensure Council's compliance with the *Health Records Act 2001 (Vic)* and the Health Privacy Principles which are set out in the Act.

The Policy has been reviewed and amendments are proposed to update references to legislation, correct minor errors and to better reflect the fact that the Policy applies to all Council activities and services which collect or manage health information, not just aged care services.

Other Council areas which collect and manage health information include: Children's Centres, the Maternal and Child Health Service, human resources, youth, disability and other community services and GESAC.

Proposed amendments are shown tracked on the attached version of the Policy (Attachment A). Council's Health Records Policy is due to be reviewed in June 2016 as part of the ongoing policy review schedule.

A version of the Policy with proposed amendments incorporated, is attached as Attachment B to this report.

4. Recommendation

That Council approve the proposed amendments to the Health Records Policy.

Crs Hyams/Lipshutz

That the recommendation in the report be adopted.

9.25PM Cr Delahunty left the Council Chamber.

9.26PM Cr Delahunty returned to the Council Chamber.

The MOTION was put and CARRIED unanimously.

Health Records

Date first adopted: 22 July 2002	Version: 3 2	Status: Reviewed
Amended and adopted: 8 April 2014 <u>2016</u>	Next review date: June 201 8 6	
Position Title of Responsible Business Unit Manager:	Manager Residential Aged Care Privacy Officer	

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1. TITLE

Health Records

2. OBJECTIVE

2.1 To ensure the responsible management of health information collected by Council.

2.2 To ensure Council's compliance with the *Health Records Act 2001 (Vic)* ('Act') and the Health Privacy Principles ('HPPs') which are set out in the Act.

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3. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
'Health i nformation'	<u>Has the meaning defined in the Act and includes:</u> (a) information or opinion about: (i) the physical, mental or psychological health of an individual; or (ii) a disability of an individual; or (iii) an individual's expressed wishes about the future provision of health services to him/ her; or (iv) a health service provided, or to be provided, to an individual; -that is also personal information; or <u>and</u> (b) other personal information collected to provide, or in providing, a health service; or (c) other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his/her body parts, organs or body substances; or (d) other personal information that is genetic information about an individual in a form which is, or could be, predictive of the health (at any time) of the individual or of any of his/her descendants.
'Health s Service p Provider'	<u>A</u> n organisation that provides a health service in -Victoria to the extent that it provides such a service, but excluding those providers specifically exempted for the purposes of the Act.
'Health s Service'	<u>A</u> n activity performed in relation to an individual that is intended or claimed (expressly or otherwise) by the individual or the organisation performing it: (a) to assess, maintain or improve the individual's health; or to diagnose the individual's illness, injury or disability; or to treat the individual's illness, injury or disability or suspected illness, injury or disability; or (b) a disability service, palliative care service or aged care service; or (c) the dispensing or prescription of a drug or medicinal preparation by a pharmacist; or (d) a service, or class of service, provided in conjunction with an activity or service referred to in (a) – (d) above that is prescribed as a health service.

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4. POLICY

4.1 HPP1 – Collection

4.1.1 Council will only collect such health information that is necessary for the

Health Records

performance of a function or activity and which has an individual's consent; or as is required or permitted by law; or for any other reason permitted in the Act.

- 4.1.2 Council will only collect health information by lawful and fair means and not in an unreasonably intrusive way. If it is reasonable to do so, Council will only collect health information about an individual from that individual.
- 4.1.3 Following collection, Council will inform an individual how to contact Council; the fact that he/ she is able to gain access to the information; the purposes for which the information is collected; to whom Council usually discloses information of that kind; any law that requires Council to collect the information; the consequences (if any) for an individual if all, or part, of the information requested is not provided.

4.2 HPP 2 – Use and Disclosure

Council will only use and disclose health information for the primary purpose for which it was collected or a directly related secondary purpose that the individual would reasonably expect. In any other circumstances Council will contact the individual in order to obtain consent (unless the use or disclosure is required by law or otherwise permitted by the Act).

4.3 HPP 3 - Data Quality

Council will take reasonable steps to ensure the health information it holds is accurate, complete, up-to-date and relevant to the functions it performs.

4.4 HPP 4– Data Security and Retention

Council will take steps to safeguard the health information it holds against misuse, loss, unauthorised access and modification. Where lawful, Council will take reasonable steps to destroy or permanently de-identify health information if it is no longer needed.

4.5 HPP 5 – Openness

Council will provide a copy of this Policy to any individual who requests it.

4.6 HPP 6 - Access and Correction

Generally, individuals can seek access and correction to health information held by Council about themselves by requesting it or making an application under the Freedom of Information Act 1982 (Vic) following Council's procedures for making such applications. Requests should be directed to the Manager Residential Care Services Privacy Officer in the first instance.

4.7 HPP 7 – Identifiers

Council will only assign a number to identify a person if the assignment is reasonably necessary to carry out its functions efficiently.

4.8 HPP 8 - Anonymity

Council will give individuals the option of not identifying themselves when dealing with Council where this is lawful and practicable.

4.9 HPP 9 - Transborder Data Flows

Council will only transfer health information outside Victoria if the organisation receiving it is subject to laws substantially similar to the Act and HPPs.

4.10 HPP10 - Closure of the Practice of a Health Service Provider

If Council discontinues its health services it will give notice of the closure to service users directly and by way of notice in the local newspaper. Whether Council transfers or continues to hold health information collected as part of its health service will depend on its obligations under the *Public Records Act 1973 (Vic)*.

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4.11 HPP 11 - Making Information Available to another Health Service Provider

When Council functions as a health service provider, it will make health information relating to an individual available to another health service provider if requested to do so, or, if consented to by the individual.

5. INFORMATION-PRIVACY OF OTHER PERSONAL INFORMATION

Refer to ~~the Council's~~ Privacy Policy for the management of personal information collected by Council that is not also health information.

6. COMPLAINTS

6.1 Complaints regarding Council's management of health information should be directed to the ~~Manager Residential Aged Care~~ Privacy Officer in the first instance.

6.2 Complaints should be made in writing and accompanied by a suitable form of identification (e.g. photocopy of driver's license). A complaint will be investigated as soon as possible and the complainant will be provided with a written response.

6.3 Alternatively, a complaint may be made to the Health Services Commissioner (although the Commissioner may decline to hear a complaint if the complaint has not first been made to Council).

7. EXTERNAL CONTRACTORS

Council may outsource some of its functions to third parties. This may require Council to disclose health information to the contractor or for the contractor to collect, use or disclose certain health information. Council mandates that its contractors to comply with the Act.

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8. HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006* [\(Vic\)](#).

9. ASSOCIATED DOCUMENTS

~~Independent Living Units for Older Persons Policy~~
Privacy Policy
~~Residential Aged Care – Accommodation Bonds Policy~~
~~Residential Aged Care Services for Older Persons Policy~~

10. REFERENCES/RESOURCES

Charter of Human Rights and Responsibilities Act 2006 [\(Vic\)](#)
Health Records Act 2001 [\(Vic\)](#)
~~*Information Privacy and Data Protection Act 2014*~~ [\(Vic\)](#)
Public Records Act 1973 [\(Vic\)](#)
~~*Freedom of Information Act 1982*~~ [\(Vic\)](#)
Victorian Health Services Commissioner: www.health.vic.gov.au ~~Level 26, 570 Bourke Street, Melbourne VIC 3000~~ Ph: 1300 136 066 Email: hsc@health.vic.gov.au

Health Records

Date first adopted: 22 July 2002 Amended and adopted: 8 April 2014 2016	Version: 2 Next review date: June 2018	Status: Reviewed
Position Title of Responsible Business Unit Manager:	Privacy Officer	

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1. TITLE

Health Records

2. OBJECTIVE

- 2.1 To ensure the responsible management of health information collected by Council.
- 2.2 To ensure Council's compliance with the *Health Records Act 2001 (Vic)* ('Act') and the Health Privacy Principles ('HPPs') which are set out in the Act.

3. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Health information	Has the meaning defined in the Act and includes: (a) information or opinion about: (i) the physical, mental or psychological health of an individual; or (ii) a disability of an individual; or (iii) an individual's expressed wishes about the future provision of health services to him/ her; or (iv) a health service provided, or to be provided, to an individual- that is also personal information; and (b) other personal information collected to provide, or in providing, a health service; or (c) other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his/her body parts, organs or body substances; or (d) other personal information that is genetic information about an individual in a form which is, or could be, predictive of the health (at any time) of the individual or of any of his/her descendants.
Health service provider	An organisation that provides a health service in Victoria to the extent that it provides such a service, but excluding those providers specifically exempted for the purposes of the Act.
Health service	An activity performed in relation to an individual that is intended or claimed (expressly or otherwise) by the individual or the organisation performing it: (a) to assess, maintain or improve the individual's health; or to diagnose the individual's illness, injury or disability; or to treat the individual's illness, injury or disability or suspected illness, injury or disability; or (b) a disability service, palliative care service or aged care service; or (c) the dispensing or prescription of a drug or medicinal preparation by a pharmacist; or (d) a service, or class of service, provided in conjunction with an activity or service referred to in (a) – (d) above that is prescribed as a health service.

4. POLICY

4.1 HPP1 – Collection

- 4.1.1 Council will only collect such health information that is necessary for the performance of a function or activity and which has an individual's consent; or as is required or permitted by law; or for any other reason permitted in the Act.

Health Records

- 4.1.2 Council will only collect health information by lawful and fair means and not in an unreasonably intrusive way. If it is reasonable to do so, Council will only collect health information about an individual from that individual.
- 4.1.3 Following collection, Council will inform an individual how to contact Council; the fact that he/ she is able to gain access to the information; the purposes for which the information is collected; to whom Council usually discloses information of that kind; any law that requires Council to collect the information; the consequences (if any) for an individual if all, or part, of the information requested is not provided.

4.2 HPP 2 – Use and Disclosure

Council will only use and disclose health information for the primary purpose for which it was collected or a directly related secondary purpose that the individual would reasonably expect. In any other circumstances Council will contact the individual in order to obtain consent (unless the use or disclosure is required by law or otherwise permitted by the Act).

4.3 HPP 3 - Data Quality

Council will take reasonable steps to ensure the health information it holds is accurate, complete, up-to-date and relevant to the functions it performs.

4.4 HPP 4– Data Security and Retention

Council will take steps to safeguard the health information it holds against misuse, loss, unauthorised access and modification. Where lawful, Council will take reasonable steps to destroy or permanently de-identify health information if it is no longer needed.

4.5 HPP 5 – Openness

Council will provide a copy of this Policy to any individual who requests it.

4.6 HPP 6 - Access and Correction

Generally, individuals can seek access and correction to health information held by Council about themselves by requesting it or making an application under the *Freedom of Information Act 1982 (Vic)* following Council's procedures for making such applications. Requests should be directed to the Privacy Officer in the first instance.

4.7 HPP 7 – Identifiers

Council will only assign a number to identify a person if the assignment is reasonably necessary to carry out its functions efficiently.

4.8 HPP 8 - Anonymity

Council will give individuals the option of not identifying themselves when dealing with Council where this is lawful and practicable.

4.9 HPP 9 - Transborder Data Flows

Council will only transfer health information outside Victoria if the organisation receiving it is subject to laws substantially similar to the Act and HPPs.

4.10 HPP10 - Closure of the Practice of a Health Service Provider

If Council discontinues its health services it will give notice of the closure to service users directly and by way of notice in the local newspaper. Whether Council transfers or continues to hold health information collected as part of its health service will depend on its obligations under the *Public Records Act 1973 (Vic)*.

4.11 HPP 11 - Making Information Available to another Health Service Provider

When Council functions as a health service provider, it will make health information relating to an individual available to another health service provider if requested to do so, or, if consented to by the individual.

5. PRIVACY OF OTHER PERSONAL INFORMATION

Refer to Council's Privacy Policy for the management of personal information collected by Council that is not also health information.

6. COMPLAINTS

6.1 Complaints regarding Council's management of health information should be directed to the Privacy Officer in the first instance.

6.2 Complaints should be made in writing and accompanied by a suitable form of identification (e.g. photocopy of driver's license). A complaint will be investigated as soon as possible and the complainant will be provided with a written response.

6.3 Alternatively, a complaint may be made to the Health Services Commissioner (although the Commissioner may decline to hear a complaint if the complaint has not first been made to Council).

7. EXTERNAL CONTRACTORS

Council may outsource some of its functions to third parties. This may require Council to disclose health information to the contractor or for the contractor to collect, use or disclose certain health information. Council mandates that its contractors to comply with the Act.

8. HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

9. ASSOCIATED DOCUMENTS

Privacy Policy

10. REFERENCES/RESOURCES

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Health Records Act 2001 (Vic)

Privacy and Data Protection Act 2014 (Vic)

Public Records Act 1973 (Vic)

Freedom of Information Act 1982 (Vic)

Victorian Health Services Commissioner: www.health.vic.gov.au

Item 9.8**ROYAL COMMISSION INTO FAMILY VIOLENCE****Enquiries: Peter Jones
Director Community Services****1. Purpose**

On the 13 October 2015 Council resolved that:

‘On the handing down of findings of the Royal Commission into Family Violence, a report be prepared on any relevant recommendations relating to Town Planning, Local Government and to Glen Eira’.

2. Background

In 2015 Council requested two reports related to the family violence. An updated report on *Violence Against Women in Glen Eira* (1 September 2015) was followed by a report on *Women’s Refuges in Glen Eira* (13 October 2015).

- The September 2015 report on Violence Against women highlighted that:
 - The true extent of violence against women is unknown as it is often unreported and is easily concealed or hidden behind a range of other social and health related issues.
 - Research identifies that most violence against women is inflicted within families and for this reason, police callouts for family violence incidents are used as measures.
 - The 2013/14 data, shows that Glen Eira has a median incidence of family violence callouts when compared to neighbouring municipalities. The number of police callouts in Glen Eira increased by 45 (8%) between 2012/13 and 2013/14.
- The October 2015 Women’s Refuges in Glen Eira report highlighted that:
 - The locations of secure women’s refuges across Victoria are kept strictly confidential and the system is funded by the State Government.
 - The demand for women’s refuges has increased throughout Victoria. In Victoria, Safe Steps places 50 women and their children fleeing violence in motels every night.

Family violence is the most pervasive form of violence perpetrated against women in Victoria. While both men and women can be perpetrators or victims of family violence, overwhelmingly the majority of perpetrators are men and victims are women and children.

The Royal Commission into Family Violence was established to examine the best way to:

- Prevent family violence;
- Improve early intervention;
- Support victims;
- Make perpetrators accountable;
- Better coordinate community and government responses; and
- Evaluate and measure strategies, frameworks, policies, programs and services.

The report from the 13-month inquiry of the Royal Commission into Family Violence was released on 30 March 2016. The seven-volume report is the result of more than 1,000 written submissions, 44 group sessions attended by around 850 people, and 25 days of public hearings during which 220 witnesses gave evidence.

The report includes 227 recommendations and indicates that *‘preventing family violence is essential for the health and wellbeing of our community and requires widespread cultural change. There are no ‘quick fixes’: a long-term perspective and sustained effort and investment are needed. This is one of the most complex and intractable problems confronting the Victorian Government and the Victorian community’.* (RCFV-page 38)

Item 9.8 (cont'd)**3. Overview of recommendations in the report**

The report has a strong integration focus for improved family violence system responses throughout the legal, policy and practice domains.

It recommends development of a 10-year statewide Family Violence Action Plan, with a priority to develop a prevention strategy over the next 12 months, aligned to the Government's proposed Gender Equality Strategy.

The commissioners have also put timeframes on all of their recommendations, some immediate, others longer term. The following is a snapshot of recommendations:

- *Safety hubs*: Establish highly visible "support and safety" hubs throughout the state so that victims can get information and find services in their local area. The hubs would get police referrals, link victims with specialist support, conduct risk assessments and book victims into crisis accommodation.
- *New laws*: A centralised service will share information about perpetrators with police, courts, family violence services and the safety hubs. This information would also be available to the State's 24-hour crisis helpline Safe Steps.
- *Perpetrators*: Extend programs that deal with and increase monitoring of repeat offenders, including specialist panels that assess the risk, across Victoria.
- *Family violence courts*: Expansion of specialist courts – currently in places like Frankston and Heidelberg – that can deal with the complexities facing victims in the one place, including criminal, family law and civil matters. All family violence matters should be heard in specialist courts within five years.
- *Protect children*: Provide more access to counselling and other support for children, and be automatically included on intervention orders or have their own order.
- *Hospitals*: Resource public hospitals to have a whole-of-hospital response to family violence. Routine screening for domestic violence at all public antenatal appointments. Victoria should encourage the federal government to consider a Medicare-billed option for family violence counselling.
- *A Family Violence Agency*: Establish an independent Family Violence Agency to hold governments to account.
- *Policing*: More use of investigative and mobile technology for police, including the trial of body-worn cameras. More training for police to increase their understanding of family violence.
- *Better understanding*: Implement family violence training for all key workers, including those in hospitals and schools, and an expansion of respectful-relationships education in schools.
- *Diverse population groups*: Training from senior, multicultural, disability and specialist family violence services to advise on particular population group needs.

The State Government has made an initial commitment to implement all recommendations in the report.

Item 9.8 (cont'd)**4. Recommendations related to women's refuges**

The 13 October 2015 Council report on women's refuges in Glen Eira informed Council about the women's refuge system, funding arrangements for refuges and Council's role in relation to family violence.

The issues of access to crisis services; including housing and women's refuges, has been comprehensively addressed in the Royal Commission report which outlines eight recommendations related to accommodation and housing:

- An expansion of the "safe at home" type programs, under which women and children remain in the family home while the perpetrator is monitored by police and the justice system. (Rec 13)
- Access to rental or mortgage subsidies and expansion of the access to unit style accommodation and responsiveness to the needs of particular groups. (Rec 14 – 16)
- Assistance to gain stable housing with the support of expanded individual funding for women and children who have left their homes and are in crisis or short-term housing. (Rec 17 – 18)
- Set up a housing taskforce to end blockages in the system and determine the number of social housing units needed for victims who can't get private rental. (Rec 19 – 20)

The State Government has indicated that they will fund these recommendations.

5. Recommendations with direct implications for Council

The report states that '*Local councils offer a key platform for supporting community action. Local and state governments should foster collaboration and innovation in the development and implementation of community strategies designed to address family violence*'. (Summary page 14)

There are four recommendations that have particular relevance to local government:

i. Recommendation 190

The Victorian Government ensure that the inclusion of family violence leave in all public sector enterprise agreements is accompanied by access to suitable support services and referrals, as well as adequate planning, training and resources to equip managers and human resources staff to communicate and implement the leave entitlements.

Action: Councils current EBA incorporates a clause for Employees Experiencing Family Violence (clause 8.7). Mechanisms to ensure managers and human resources staff are able to implement these entitlements have been established. The clause includes:

- A commitment to supporting employees who may be subject to family violence;
- Opportunities for employees to be offered confidential support through the Employee Assistance Program; and
- Mechanisms for employees to seek additional leave in the circumstances of family violence.

Item 9.8 (cont'd)**ii. Recommendation 192**

On receipt of Our Watch's Workplace Equality and Respect Project final report, the Victorian Government should begin implementing best-practice workplace programs in all public sector workplaces in order to:

- enable them to build respectful and gender equitable cultures;
- ensure that they have suitable policies for family violence victims;
- provide adequate responses to and not allow for collusion with family violence perpetrators;
- build skills and support staff in taking bystander action;
- support the maintenance of the project's proposed web-based portal or database of program models, tool kits, training resources and packages for application and use in all workplaces; and
- review and report on options for using existing regulatory frameworks and government procurement policies to support all Victorian employers in implementing best-practice family violence policies [within 12 months of receipt of the final report].

Action: Council has established a Family Violence Prevention Group which includes representatives from each Council Division. The group has been established in response to a growing awareness of the concern and impact of family violence in our community and will:

- Investigate ways Council can respond to the issue of family violence.
- Raise awareness of family violence through participation in White Ribbon Day.
- Support the education of staff that can influence behaviour and attitudes of colleagues and the community to reduce family violence.

The programs emerging from the Our Watch's Workplace Equality and Respect Project will be considered in future workplace initiatives. Our Watch is leading the Victorian Workplace Equality and Respect Project, with support from the Victorian Department of Premier and Cabinet.

iii. Recommendation 202

With the advice of the Family Violence Agency, the Victorian Secretaries Board Family Violence Sub-committee consider how to ensure that local council performance measures are used to encourage local council activities designed to prevent family violence and to assess the outcomes of any services they provide to victims and perpetrators of family violence [by 1 July 2018].

Action: Officers will advise Council of any changes to performance reporting which may arise from recommendation 202 of the Royal Commission.

It is understood that the commission is seeking an amendment to either the *Public Health and Wellbeing Act 2008* or the *Local Government Act 1989*.

iv. Recommendation 223

The Victorian Government develop a demand-modelling tool or set of indicators to be used for planning how government as a whole and relevant departments and agencies themselves (including those providing or funding universal services) respond to family violence [within two years]. Budget processes should take account of the cost of forecast demand.

Item 9.8 (cont'd)

Action: The Commission has identified that a robust demand-modelling tool or set of indicators will enable better planning related to service provision and associated funding requirements and Council will seek further clarification on the implementation of this recommendation and its implications for direct services such as Maternal and Child Health.

6. Recommendation

That Council notes that:

1. Council's current EBA incorporates a clause for Employees Experiencing Family Violence (clause 8.7). Mechanisms to ensure managers and human resources staff are able to implement these entitlements have been established.
2. Council has established a Family Violence Prevention Group to:
 - Investigate ways Council can respond to the issue of family violence;
 - Raise awareness of family violence through participation in White Ribbon Day; and
 - Support the education of staff that can influence behaviour and attitudes of colleagues and the community to reduce family violence.
3. Officers will advise Council of any changes to performance reporting which may arise from recommendation 202 of the Royal Commission.
4. Officers will seek further clarification on the implementation of a demand-modelling tool and its implications for direct services such as Maternal and Child Health.

Crs Sounness/Delahunty

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Council activity in the Prevention of Family Violence

Council supports the prevention of violence against women through activities that assist in the detection of family violence, educate the community and support local community organisations.

These activities are:

- Undertaking a formal family safety assessment with all new mothers to identify victims of violence. Maternal Child Health nurses complete a family violence assessment and develop a safety plan for all identified or potential victims. Clients are also referred to the relevant support services to protect families and children.
- Delivering a range of gender equity programs to young people including a Young Women's and Young Men's program in local schools focused on building healthy and respectful relationships.
- Providing funding through the community grants program to local community houses and community groups including Moongala Women's Community House and Peninsula Community Legal Centre to support a range of initiatives that strengthen community connections and support women, families and children in our community.
- Developing a Family Violence Fact Sheet to assist residents to access relevant services. The Fact Sheet is available on Council's website, in the Service Centre and in community meeting places such as libraries, maternal and child health centres and senior citizen centres.
- Establishing a Family Violence Prevention Group across Council divisions to address issues underlying family violence.
- Promoting 'White Ribbon Day' with an article in Glen Eira News and making merchandise available to promote the cause.
- Listing preventing violence against women as a high priority for funding in Community Grants guidelines, encouraging local community groups to undertake activities which shape cultural norms and attitudes that are based on respect and gender equality.
- Taking an active role in local, regional and statewide family violence networks:
 - Municipal Association of Victoria - State-wide Preventing Violence Against Women Network;
 - Southern Metropolitan Regional Management Forum - Family Violence Working Group: Gender Equity strategy consultation and training initiative;
 - Women's Health In the South East - Southern Region Prevention of Violence Against Women Strategy
 - Southern Melbourne Primary Care Partnership (Bayside, Kingston, Port Phillip, Stonnington and Glen Eira) - Working Group
- Signatories to statements of Commitment to take actions preventing Family Violence
 - Primary Care Partnership Family Violence Group
 - Southern Region Prevention of Violence Against Women Strategy (pending)

Item 9.9**EXTERNAL MEMBERSHIP TO THE TRANSPORT
ADVISORY COMMITTEE**

File No: 16/2118
Enquiries: Nicola Belcher
Manager Strategic Transport

1. Purpose

For Council to consider applications for the Community Representative roles on the Transport Advisory Committee and to appoint the successful candidates.

2. Community Plan

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

3. Background

The Transport Advisory Committee is a newly formed committee. The Terms of Reference for the Transport Advisory Committee were adopted by Council on 15 December 2015. A copy of the Terms of Reference is included at Attachment A.

Members of the Transport Advisory Committee (TAC) are to be appointed by Council. External representatives have two year terms.

The vacancies were advertised in the Glen Eira News, Caulfield and Moorabbin Leader newspapers, in Council e-newsletters and on Council's website. A copy of the role description is included at Attachment B.

In response to the advertisement, Council received seven applications. A summary of the applications is included at Attachment C (Confidential).

4. Recommendation

That Council

- i. Provides guidance on the preferred candidates, subject to successful referee checks.
- ii. Writes to the successful applicants congratulating them on their appointment, and to the unsuccessful applicants thanking them for their applications.

Item 9.9 (cont'd)**Crs Sounness Hyams**

That Council appoint the following as external members to the Transport Advisory Committee:

1. (a) **Ms Catherine McNaughton**
 (b) **Ms Megan Waddell**
 (c) **Mr David Stosser**
 (d) **Mr Markus Oswald**

2. **That Council write to the successful applicants congratulating them on their appointment and write to the unsuccessful applicants thanking them for their application.**

The MOTION was put and CARRIED unanimously.

ATTACHMENT A**Transport Advisory Committee –Terms of Reference****Role of Committee**

The Transport Advisory Committee is an Advisory Committee of Council established under section 86 of the Local Government Act (1989) to advise Council on transport matters by:-

- facilitating understanding of transport initiatives affecting Glen Eira;
- considering the Sustainable Transport, Walking and Cycling & related strategies;
- holding public forums to gain comprehensive community involvement on transport topics;
- providing a forum for informed stakeholders to have a wide ranging technical discussion on achieving policy goals;
- considering urban design initiatives to achieve high quality pedestrian friendly public realm outcomes;
- providing advice on Council's advocacy roles;
- making recommendations on policy issues where appropriate, and
- reporting back to Council

Membership

The advisory committee will comprise three Elected Councillors, being voting members and four community representatives, being non-voting members with a strong connection with Glen Eira.

Community members may include:-

- Transport Planning professionals;
- Urban Design professionals;
- Public & Community Transport advocates;
- Experts in all ability access;
- Enthusiasts of walking, cycling & alternative transport forms.

Appointments of community representatives shall commence on the date of the resolution appointing them and end on the earlier of:-

- the expiration of two years;
- the cessation of the committee;
- the member(s) resigning;
- Council resolving to remove the member from the Committee, or
- the expiration of the Council term.

Meetings

Committee Meetings shall be held at least 4 times a year.

Open forum community consultation meeting shall be held at least once every year, and more frequent open forums are to occur while grade separation projects are taking place.

Reporting

Committee recommendations will be submitted to the next appropriate ordinary Council Meeting for consideration.

Conflict of Interest

Meetings of the Committee may be an assembly of Councillors as defined under Section 76AA of the Local Government Act 1989. In the interests of good governance, all meetings of the Committee shall be treated as if they were an assembly of Councillors and each member of the Committee must comply with provisions of the Act relating to conflicts of interest as though they were a Councillor.

ATTACHMENT B**(1) ROLE DESCRIPTION**

TITLE: TRANSPORT ADVISORY COMMITTEE -
COMMUNITY REPRESENTATIVE (x4)

UPDATED: January 2016

OVERVIEW:

Glen Eira City Council serves a vibrant and diverse community of more than 144,000 people, approximately 58,000 households, 160 different ethnic groups and over 14,000 registered businesses. Council provides a range of services to the community, from planning, designing, building and maintaining the City's roads, drains, footpaths, parks and facilities, to catering for children, families, young people and the elderly, collecting waste, providing animal management, traffic and local law services, working with local businesses, providing libraries and staging cultural events for the community.

Council has recently resolved to establish a Transport Advisory Committee to advise Council in relation to transport matters. The Committee operates within the Terms of Reference that Council sets (refer to attachment).

Membership of the Transport Advisory Committee includes three Councillors and four community representatives.

THE ROLE

The role is as a non-voting member of Council's Transport Advisory Committee.

The role and function of the committee is to advise Council on transport issues. Community representatives will be expected to provide technical and non-technical advice, input and feedback with respect to transport related initiatives, policy and strategies. The committee will then form recommendations and report to Council as required. The community representatives will be expected to liaise and communicate with members of the Glen Eira community to:

- Facilitate understanding of transport initiatives and strategies
- Seek community involvement and feedback with respect to transport issues
- Seek input from informed stakeholders
- Provide advice with respect to advocacy of transport issues within the community and to other key stakeholders

This role does not act or speak on behalf of the advisory committee or Council.

UNDERTAKING

The role is voluntary and attracts no remuneration. In accepting the role, the incumbent commits to:

- Attending at least four Transport Advisory Committee meetings annually.

- Abiding by Council's policies and procedures.
- Requesting leave of absences and notifying Chair of apologies prior to meetings.

TERM

Council will appoint members to the Transport Advisory Committee on a biennial basis.

KEY SELECTION CRITERIA:

COMMUNITY

- Must be a resident of the City of Glen Eira.
- Demonstrated commitment to community action and or involvement is desirable.
- Interest and involvement in use of sustainable and active transport is desirable.

KNOWLEDGE & SKILLS:

- Ability to analyse and synthesise information presented in a variety of forms.
- Ability to identify key issues, trends and interrelationships between issues.
- Ability to think strategically and identify likely implications.
- Ability to generate new ideas and creative approaches to issues and practices.
- Knowledge of transport, accessibility and/or transport related infrastructure, particularly issues relevant to local government and the Glen Eira community desirable.
- Knowledge of public transport systems within Glen Eira, including the State Government's roles and responsibilities desirable.
- Knowledge of Council's broader role in serving the Glen Eira Community desirable.
- Knowledge of the legal and financial limitations of Council desirable.
- Awareness of Council's stance on financial management, rates, cost shifting and risk management desirable.
- An understanding of local government's role in relation to other levels of Australian government desirable.

INTERPERSONAL SKILLS:

- Ability to effectively participate and contribute in meetings.
- Well developed written and oral communication skills.
- Ability to motivate, influence and engage others to become involved in transport related discussion, advocacy and participation.
- Ability to communicate effectively with a wide range of individuals.

EXPERIENCE:

- Experience in a similar role would be an advantage.

Item 9.10**EXTERNAL MEMBERSHIP TO ENVIRONMENT
ADVISORY COMMITTEE**

File No:
Enquiries: Rachel Ollivier
Title: Group Manager
Environmental Strategy and Services

1. Purpose

For Council to consider applications for the Community Representative roles on the Environment Advisory Committee.

2. Community Plan

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

3. Background

Members of the Environment Advisory Committee (EAC) are appointed annually by Council. External representatives have two year terms.

The tenure of three general community representatives has expired.

The vacancies were advertised in the Glen Eira News, Caulfield and Moorabbin Leader newspapers, in Council e-newsletters and on Council's website. A copy of the role description is included in Attachment A.

In response to the advertisement, Council received six applications. These applications are included in Attachment B which is in the confidential section of this agenda.

4. Recommendation

That Council

- i. Provide guidance on their preferred candidates, subject to successful referee checks.
- ii. Write to the successful applicants congratulating them on their appointment, and to the unsuccessful applicants thanking them for their applications.

Crs Sounness/Pilling

That Council appoint the following as external members to the Environment Advisory Committee:

1. (a) **Mr Julian Donlen**
(b) **Mr Yann Decourt**
(c) **Mr Shane Genziuk**
2. **That Council write to the successful applicants congratulating them on their appointment and write to the unsuccessful applicants thanking them for their application.**

The MOTION was put and CARRIED unanimously.

ATTACHMENT A**(1) ROLE DESCRIPTION**

TITLE: ENVIRONMENT ADVISORY COMMITTEE -
COMMUNITY REPRESENTATIVE (x3)

UPDATED: August 2013

OVERVIEW:

Glen Eira City Council serves a vibrant and diverse community of more than 123,000 people, approximately 53,000 households, 105 different ethnic groups and almost 6,000 registered businesses. Council provides a range of services to the community, from planning, designing, building and maintaining the City's roads, drains, footpaths, parks and facilities, to catering for children, families, young people and the elderly, collecting waste, providing animal management, traffic and local law services, working with local businesses, providing libraries and staging cultural events for the community.

Council has established the Environment Advisory Committee to act as a steering committee to assist Council in relation to environmental matters. The Committee operates within the Terms of Reference that Council sets (refer to attachment).

Membership of the EAC includes three Councillors, three general community representatives and one environmental specialist.

THE ROLE

The role is as a non-voting member of Council's Environment Advisory Committee.

The role and function of the advisory committee is to act as a steering committee to assist Council by providing recommendations in relation to policy development and strategic planning of policies and programs relating to the areas of:

- The natural environment
- Energy efficiency
- Sustainable resource use

This role does not act or speak on behalf of the advisory committee or Council.

UNDERTAKING

The role is voluntary and attracts no remuneration. In accepting the role, the incumbent commits to:

- Attending at least four Environment Advisory Committee meetings annually.
- Abiding by Council's policies and procedures.
- Requesting leave of absences and notifying Chair of apologies prior to meetings.

TERM

Council will appoint members to the Environment Advisory Committee on a biennial basis. Existing members may reapply.

KEY SELECTION CRITERIA:**COMMUNITY**

- Must be a resident of the City of Glen Eira.
- Demonstrated commitment to community action and or involvement is desirable.

KNOWLEDGE & SKILLS:

- Knowledge of and commitment to environmental sustainability, particularly issues relevant to local government and the Glen Eira community desirable.
- Knowledge of Council's broader role in serving the Glen Eira Community desirable.
- Knowledge of the legal and financial limitations of Council desirable.
- Awareness of Council's stance on financial management, rates, cost shifting and risk management desirable.
- An understanding of local government's role in relation to other levels of Australian government desirable.

INTERPERSONAL SKILLS:

- Ability to effectively participate and contribute in meetings
- Well developed written and oral communication skills.

EXPERIENCE:

- Experience in a similar role would be an advantage

Item 9.11**CLAYTON SOUTH REGIONAL LANDFILL
2016-2017 BUDGET AND BUSINESS PLAN****File No: 60/020/00001****Enquiries: Rachel Ollivier, Group Manager
Environmental Strategy and Services****1. Purpose**

To recommend to Council the 2016-2017 budget and business plan for the Clayton South Regional Landfill.

2. Community Plan

To enhance and develop sustainable community assets and infrastructure to meet the needs of current and future generations.

3. Background

The Glen Eira City Council is one of five member councils that owns the Clayton South Regional Landfill as a joint venture (JV). The landfill is now closed.

Each Council has appointed a representative to a Management Committee, which manages the facility. The Committee operates the facility under the powers delegated to it by the JV.

The Management Committee has prepared a business plan and budget for the 2016-17 financial year, for each member Council to consider. A copy of the business plan, budget and background notes is attached (Attachments 1, 2, and 3). The Committee will consider changes that individual member councils suggest, however the Committee will adopt the final budget by majority vote.

4. Business plan 2015-2018

The Business Plan is reviewed annually, but it covers a three year period (2015-2018) during which there are three significant changes:

1. *Closure of the landfilling and transfer station operations (closed to customers Feb 2016)*
2. *Rehabilitation involving the construction of final landfill caps on the southern cell and balance of the northern cell and installation of final gas capture infrastructure.*
3. *Ongoing post closure aftercare maintenance, monitoring and long term management of the property.*

In the 2016-17 financial year, significant rehabilitation works will be underway. These works will take 12 to 18 months to complete and will not be complete in this financial year. Work to set up monitoring and maintenance programs and contracts will also be done in 2016-17. Options for raising revenue by leasing the land will be explored.

Item 9.11 (cont'd)**5. 2016-2017 Budget**

The budget has been drafted to deliver the business plan, complete a large part of the rehabilitation work and start transitioning to new monitoring and maintenance programs.

Explanation of changes and large budget items is detailed below. Further detail can be found in Attachment 3.

Income

There is little income expected as the landfill has now closed. Some bank interest is expected.

Trade waste discharge to sewer – income and expense

Trade waste discharge to sewer will be needed after the landfill closes as it is part of the water and gas management system within the landfill itself. The neighbouring landfill disposes of their trade waste to sewer at Clayton Regional Landfill; however the cost associated with their use is recovered and recorded as income (around \$100,000).

Expenses

This year there are still costs for management of rehabilitation works and also for setting up the arrangements Ongoing post closure aftercare maintenance, monitoring and long term management of the property.

Capital expenditure

Substantial capital works are planned in order to rehabilitate the site. The largest works are capping of the cells and installing gas capture and management infrastructure.

6. Risk

The major financial risk associated with the landfill budget is ensuring adequate long term provisions after it has closed, when there is little revenue, but costs are ongoing.

Advice to date suggests that the current provisions for post closure management (needed for 30) will be adequate in the next 10 years or so, but there is a risk they may not be sufficient beyond that.

This risk is lower than last year as the reserves the landfill has to meet future costs are more than was expected in the 2015-16 Budget. The three main reasons for this are:

- The landfill was able to receive more waste than was forecast and this brought in more revenue than expected.
- The landfill identified that it had undercharged Glen Eira City Council for many years and it has notified Council that it will seek payment.

Item 9.11 (cont'd)

- The budget includes expected return of funds from a compulsory “financial assurance fund” that was required to be held by EPA, but is proposed to be wound up. Although the timing is uncertain, funds are expected to be returned and increase the provisions for management of Clayton Regional Landfill by \$1.5 million

Raising revenue by leasing the land would assist in addressing this risk, which is why it is being explored.

7. Issues

The budget indicates expected income in the 2015-16 year related to the “Glen Eira MSW Undercharge”. This matter is still being finalised and is subject to further review by Glen Eira City Council of the details of the payment request.

8. Recommendation

That Council:

- i. Endorses the proposed 2016-17 budget for the Clayton Regional Landfill (Attachments 1 and 2), on the basis that this does not imply approval of the claim for payment discussed in section 7 of this report.

Crs Delahunty/Hyams

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

ATTACHMENT 1 & 2

REGIONAL LANDFILL, CLAYTON SOUTH					
2016-2017					
INCOME					
2015-2016	2015-2016	2015-2016	INCOME	2016-2017	2017-2018
Budget	YTD Jan 2014	Projected Result	Description	Proposed	Projected
			Disposal Fees		
\$1,316,025	1,881,902	1,881,902	Council MSW	0	0
		1,893,573	Glen Eira MSW Undercharge		
\$1,000,000	2,298,442	2,298,442	Transfer Station		
\$2,316,025	\$4,180,344	\$6,073,917		\$0	\$0
			EPA Landfill Levy		
\$1,316,250	1,961,048	1,961,048	Councils	0	0
\$1,316,250	\$1,961,048	\$1,961,048		\$0	\$0
\$11,250	16,087	16,087	SERWMG - Financial Assurance	0	0
			Councils		
\$11,250	\$16,087	\$16,087		\$0	\$0
\$150,000	147,320	250,000	Bank Interest	150,000	100,000
\$600,000	48,955	100,000	TPI contribution sewer discharge	100,000	100,000
\$18,000	17,323	17,323	Sergasco Dividend	18,000	18,000
	97,002	120,000	Other income	0	0
\$768,000	\$310,600	\$487,323		\$268,000	\$218,000
\$ 4,411,525	\$6,468,079	\$ 8,538,375	Total Cash Income	\$268,000	\$ 218,000

REGIONAL LANDFILL, CLAYTON SOUTH						
Budget 2016-2017						
EXPENDITURE						
2015-2016	2015-2016	2015-2016	EXPENDITURE		2016-2017	2017-2018
Budget	YTD Jan 14	Projected Result	Description		Proposed	Projected
			Landfill Operation Contract			
272,700	436,371	436,371	- Contractor			
\$272,700	\$436,371	\$436,371			\$0	\$0
			Transfer Station			
248,000	603,295	603,300	Transfer Station Disposal			
130,000	180,000	180,000	Transfer Station Receival			
10,000	4,300	6,000	Maint. Transfer Station&Weighbridge			
40,000	54,245	80,000	chipping green waste			
\$428,000	\$841,840	\$869,300			\$0	\$0
\$30,000	\$25,182	\$25,182	EPA Licence - ES 20872		15,000	0
			- Annual Renewal			
\$30,000	\$25,182	\$25,182			\$15,000	\$0
			EPA Levy			
2,515,500	1,851,209	3,319,244	Council, Commercial, Cash/Transfer Station	including cover		
		856,228	Glen Eira MSW Undercharge			
\$2,515,500	\$1,851,209	\$4,175,472			\$0	\$0
			Financial Assur Levy			
11,250	651	651	Council, Commercial, Cash/Transfer Station			
\$11,250	\$651	\$651			\$0	\$0
			Volume Monitoring			
			- Quarterly Survey			
			- Annual Aerial Plan			
31,200	10,955	30,000	- Provision for other Surveys		15,000	
\$31,200	\$10,955	\$30,000			\$15,000	\$0
			Environmental Monitoring			
215,000	107,552	215,000	Provision for External Auditors and EPA compliance reporting		215,000	200,000
\$215,000	\$107,552	\$215,000			\$215,000	\$200,000
			Site Maintenance			
75,000	31,989	50,000	Buildings and General Site Maintenance		75,000	75,000

\$75,000	\$31,989	\$50,000			\$75,000	\$75,000
			Legal Fees			
10,000	0	0	- General		10,000	0
\$10,000	\$0	\$0			\$10,000	\$0
15,000	24,854	25,000	Bank Charges		1,000	1,000
\$15,000	\$24,854	\$25,000	-		\$1,000	\$1,000
			Business & Development Plans			
100,000	33,746	75,000	Business development&special projects		50,000	0
156,000	69,323	140,000	External Consultancy,Audit and JV Secretariat		100,000	0
\$256,000	\$103,069	\$215,000			\$150,000	\$0
			Accounting & Management Fees			
240,000	169,663	250,000	- Management contract includes CPI, performance & other services		170,000	150,000
26,000	15,000	25,000	Audit and Accounting fees		25,000	25,000
\$266,000	\$184,663	\$275,000			\$195,000	\$175,000
			Water Treatment and Disposal to Sewer			
			Discharge to sewer includes TPI Agreement			
850,000	214,856	350,000	- Trade Waste Charge		350,000	350,000
150,000	20,064	60,000	Leachate Plant operations		100,000	100,000
\$1,000,000	\$234,920	\$410,000			\$450,000	\$450,000
\$0	0	10,000	Site Revaluation		\$0	\$0
\$5,125,650	\$3,853,255	\$6,736,976	Total Expenditure excl Capital		\$1,126,000	\$901,000
			Capital Expenditure			
0			Computer upgrade			
3,000,000	329,012	2,000,000	Cell Cap finalistion		2,500,000	1,000,000
300,000	215,526	300,000	Gas control measures		500,000	100,000
\$3,300,000	544,538	2,300,000			3,000,000	1,100,000
\$8,425,650	\$4,942,331	\$9,036,976	Total Cash Expenditure		\$4,126,000	\$2,001,000
			Non-Cash Items			
\$240,000		\$240,000	Depreciation - Buildings & Improvements			
\$345,000		\$345,000	Amortisation Airspace			
\$0		\$0	Depreciation - Equipment			
\$585,000		\$585,000			\$0	\$0
\$8,425,650		\$9,036,976	Total Expenditure		\$4,126,000	\$2,001,000
-\$4,014,125		-\$498,601	Surplus/Deficit		-\$3,858,000	\$1,783,000

REGIONAL LANDFILL CLAYTON SOUTH

Projected Cash Using Projected June 30 2016 Figures
Including Monies from Metro Group Fin Assurance

	(ACTUAL)	(ACTUAL)	(ACTUAL)	Actual Pre Audit	Projected	Budget	Budget
Plus Glen Eira Undercharge	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Tonnes							
Councils	94,000	88,444	92,951	92,888	32,174	-	
Commercial Customers							
Clean fill leviable	22,100	30,000	42,728	40,000	15,050	-	
Transfer Station	23,500	27,574	31,093	33,626	17,300	-	
Total Tonnes	139,600	146,018	166,772	166,514	64,524	-	
Rates							
Inflation (pa)	4%	4%	4%	4%	4%	4%	4%
Interest (pa)	5%	5%	4%	4%	4%	4%	4%
EPA Landfill Levy (per tonne)	\$44.00	\$48.40	\$53.20	\$58.50	\$60.52		
Financial Assurance Levy (per tonne)	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50		
Refuse service (councils - ex levies)	\$50.00	\$52.00	\$54.50	\$56.24	\$58.49		
Refuse service (Account Customers)	\$67.00	\$0.00	\$0.00	\$0.00	\$0.00		
Refuse service (Transfer Station - inc levies)	\$116.99	\$121.67	\$126.53	\$131.59	\$125.00		
Transfer Station (excluding levies)	\$72.49	\$72.77	\$72.83	\$72.59	\$64.48		
Transfer Station contractor expense	\$31.83	\$30.00	\$31.20	\$32.45	\$31.00		
Refuse Disposal (contract expense)	\$10.72	\$10.72	\$11.20	\$11.96	\$12.12		
Carbon Tax Allowance	\$0.00	\$22.69	\$11.44	\$0.00	\$0.00	\$0.00	
GST	10%	10%	10%	10%	10%	10%	10%

Receipts

Refuse service councils (ex levies)	4,700,000	4,484,120	4,742,721	5,048,355	1,881,857	-	
Carbon Tax Allowance	-	2,013,004	1,034,731	-	-	-	
Transfer Station income (inc levies)	1,703,418	5,973,444	3,921,323	4,193,588	2,298,442	-	
Glen Eira (undercharge)	-				1,893,573		
EPA landfill Levy (council only)	5,170,000	4,215,182	4,937,498	5,429,562	1,961,048	-	

EPA landfill Levy - Rebate						
Financial Assurance Levy	47,000	44,359	44,174	44,828	16,087	-
Interest received	179,563	213,021	389,042	350,931	250,000	150,000
Pump Costs Sewer Inc	678,756	724,335	441,828	523,879	100,000	100,000
Green waste Chipping	-	-	-	-	-	-
Rylty Dividend Sergasco P/L	30,446	34,911	11,968	16,252	17,323	18,000
Recovery Income						
Misc. Income	500	3,291	228,071	62,661	120,000	-
Metro Waste Fin Assurance monies	1,500,000					
<i>Sub-Total Receipts</i>	<i>12,509,683</i>	<i>17,705,666</i>	<i>15,751,357</i>	<i>15,670,056</i>	<i>10,038,330</i>	<i>268,000</i>
<i>GST - Collected</i>	<i>708,267</i>	<i>1,213,652</i>	<i>1,025,335</i>	<i>982,848</i>	<i>779,387</i>	<i>10,000</i>
Total Receipts	13,217,950	18,919,318	16,776,692	16,652,904	10,817,717	278,000
Payments						
Landfill Disposal Operations	1,093,702	993,704	1,054,538	1,170,502	436,371	-
Transfer Station Disposal	724,271	638,228	973,407	1,062,940	603,300	-
Transfer Station Receival	155,958	234,236	302,580	359,405	180,000	-
Transfer station Maint/supplies	31,050	34,942	41,344	8,600	6,000	-
Green Waste Chipping	114,941	140,446	110,862	111,750	80,000	-
EPA licences	13,364	18,065	20,223	26,756	25,182	15,000
EPA Landfill Levy	4,450,411	4,448,741	9,865,478	9,038,096	3,319,244	-
EPA Landfill Levy (Glen Eira)				856,228		
Financial Assurance Levy			134,781	44,174	651	-
Survey & Volume Monitoring	24,394	33,830	14,718	19,900	30,000	15,000
Environmental Monitoring	140,233	196,086	144,650	164,102	215,000	215,000
Site Maintenance	40,472	122,193	56,953	46,753	50,000	75,000
Legal Fees	5,488	15,398	6,313	-	-	10,000
Bank fees	18,922	29,766	30,938	44,794	25,000	1,000
Business Development Plans	35,507	64,430	27,685	108,206	75,000	50,000

JV Secretariat and support			74,318	107,454	140,000	100,000	
Management Consultancy Fee	237,283	254,261	270,451	286,997	250,000	170,000	150,000
Audit/Accounting Fees	19,285	24,185	25,977	36,990	25,000	25,000	25,000
Water Treatment - sewer	802,737	834,341	530,538	630,105	350,000	350,000	350,000
Leachate Treatment	149,721	160,983	44,957	35,608	60,000	100,000	100,000
Site Revaluation Fee		4,700	5,200	6,400	10,000		
Misc Expenses	108	-	-	18,390	19,126	-	
		-		-			
<i>Sub-Total Payments</i>	<i>8,057,847</i>	<i>8,248,534</i>	<i>13,735,911</i>	<i>13,327,922</i>	<i>6,756,101</i>	<i>1,126,000</i>	<i>901,000</i>
<u>Capital Expenditure</u>							
Computer System Upgrade							
Video System Upgrade				-			
Install leachate treatment plant			4,652				
Cell Cap Finalisation	272,972	61,625	199,107	1,653,826	2,000,000	2,500,000	1,000,000
Cell Construction (south pit)	-						
Gas control measures	1,485,391	324,747	188,901	235,992	300,000	500,000	100,000
Construct Leachate dam		312,274					
<i>Total Payments (ex GST)</i>	<i>9,816,210</i>	<i>8,947,181</i>	<i>14,128,571</i>	<i>15,217,740</i>	<i>9,056,101</i>	<i>4,126,000</i>	<i>2,001,000</i>
<u>GST</u>							
<i>Paid</i>	535,244	372,754	381,920	610,871	571,102	411,100	200,100
<i>Remitted</i>	153,318	840,898	639,376	371,977	208,285	- 401,100	- 190,100
<i>Carbon Tax</i>				3,047,735			
Distribution	3,000,000	-	-	-	-	-	

Total Payments	13,504,772	10,160,833	15,149,867	19,248,323	9,835,488	4,136,000	2,011,000
Inflow/(outflow)	- 286,822	8,758,485	1,626,825	- 2,595,419	982,229	- 3,858,000	- 1,783,000
Add: Opening Cash	4,972,513	4,685,691	13,444,177	15,071,002	12,087,000	13,069,229	9,211,229
Projected Closing Cash	4,685,691	13,444,177	15,071,002	12,087,000	13,069,229	9,211,229	7,428,229
Committed Funds - Post Closure Rehabilitation & Maintenance							
Opening Balance	890,137	891,341	1,120,898	3,005,211	3,005,211	3,005,211	3,005,211
Transfer from retained earnings	1,204	229,557	1,884,313		-	-	
Closing Balance Rehab & Maint	891,341	1,120,898	3,005,211	3,005,211	3,005,211	3,005,211	3,005,211
Committed Funds - Carbon Tax Allowance							
Opening Balance	-	-	2,013,004	3,047,735	-	-	
Tax Paid	-	-	-	- 3,047,735	-	-	
Transfer from retained earnings	-	2,013,004	1,034,731	-	-	-	
Carbon Tax Commitments	-	2,013,004	3,047,735	-	-	-	
Total Committed	891,341	3,133,902	6,052,946	3,005,211	3,005,211	3,005,211	3,005,211
Net Funds Available	3,794,350	10,310,275	9,018,056	9,081,789	10,064,018	6,206,018	4,423,018

ATTACHMENT 3

<p style="text-align: center;">BUDGET 2016-2017</p> <p style="text-align: center;">BACKGROUND NOTES</p>

INCOME:**Interest Received**

Interest calculated on funds available

\$ 150,000**TransPacific Waste Trade Waste Users Agreement:**

Income received from TPI for use of Trade Waste Discharge to sewer,
ie. Actual Melbourne Water charges estimated at \$350,000 TPI to pay
their share estimated at:

\$100,000**SERGASCO Royalties**

Estimated share of royalties flowing from Gas to Electricity Project run by Energy
Developments.

TOTAL Income**\$268,000**

EXPENDITURE:**EPA Licence Fee**

Annual EPA Licence Fee (expect to pay for part of year)	\$15,000
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Volume Monitoring.

Aerial & Land Survey to monitor final contours	\$15,000
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Environmental Monitoring

Covers all Ground Water/gas Monitoring and General Site Audits and includes provision for consultants to manage compliance issues.	\$215,000
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Site Maintenance

General maintenance of Buildings, Pumps, fencing etc and Provision for general landscaping works and site clean up.	\$75,000
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Legal Fees

Provision for Legal advice.	\$ 10,000
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Bank Charges Account keeping fees Bank charges.	\$ 1,000
--	-----------------

Business Development Plans

Business Development & special Projects requirements.	\$ 50,000
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JV Secretariat and Consultancy Support.	\$100,000
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Accounting & Management Fees

Management Contract	\$170,000
External accounting and Account Audit Fees	\$ 25,000

Water Treatment.

Trade Waste discharge of leachate & mine waters from Clayton site & TPI Payment to Melbourne Water.	\$350,000
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Leachate Treatment Aerator maintenance, chemicals, power charges	\$100,000
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CASH EXPENDITURE:	\$ 1,126,000
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Capital Expenditure**Cell Cap Finalization**

Allowance to complete final capping of Southern cell, Clay&Plastic	\$2,500,000
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Gas Collection

Allowance for Gas control measures to control odour etc	
And extension of gas collection dual leachate/gas wells in south cell.	\$ 500,000

Total Capital	\$ 3,000,000
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Cash Expenditure & Capital	\$4,126,000
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Total Expenditure	\$4,126,000
Total Income	\$ 268,000
Nett Deficit	(\$3,858,000)

PROCEDURAL MOTION

Crs Lipshutz/Magee

That an extension of time be granted for tonight's Council Meeting to conclude at 11.00PM.

The PROCEDURAL MOTION was put and CARRIED unanimously.

Item 9.12

**GLEN EIRA CITY COUNCIL
FINANCIAL REPORT
FOR THE PERIOD ENDING 31 MARCH 2016**

File No:
Enquiries: Peter Swabey
Chief Financial Officer

1. Proposal

To receive the Financial Report for the period ending 31 March 2016.

2. Corporate Goal***Theme 4: Governance***

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

3. Key Points

The positive operating result year to date is higher than was anticipated when the annual budget was set. The balance sheet position and the cash position are sound.

4. Contents

Executive Summary	1
Financial Strategy	5
Assurance Map	8
Income Statement	9
Balance Sheet.....	11
Performance Graphs.....	12
Capital Works Program Expenditure	16
Debtors	18

5. Recommendation

That the report be received and noted.

Crs Lipshutz/Ho

That the recommendation in the report be adopted.

The MOTION was put and CARRIED unanimously.

Executive Summary

for the period ending 31 March 2016

a) Current Month Budget Result

At the end of March 2016, the performance against budget from ordinary activities showed a positive variance of \$6.48M due to higher than anticipated revenue of \$2M and savings in operating expenditure of \$4.48M (refer to page 12 for details of the variances).

b) Current Month Forecast Result

The forecast result expected for the financial year is an operating surplus of \$17.35M compared with the original adopted 2015-16 Annual Budget of \$13.28M.

Any surplus from day-to-day operations is used to accelerate capital works projects. Annual budget to forecast movements to date show an increase in operating revenue of \$2.25M; decrease in operating expenditure of \$2.36M and a net unfavourable variance in non-operational activities \$545K.

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 has fully borrowed \$25M to fund the construction of the Glen Eira Sports and Aquatic Centre (GESAC).

Council will continue to have a large investment in capital works projects. The liquidity ratio expresses the level of current assets the Council has available to meet its current liabilities. Council should hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and *Fire Services Property Levy*.

Executive Summary (continued)

d) Open Space Contributions

Contributions

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

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

Council formulated the new levy in 2014, based on the analysis in the Open Space Strategy. The 5.7 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 31 March 2016 is as follows:

Description	2015-16 Current Month Actual	2015-16 Year-to-Date
Open Space Contributions Received	\$307,462	\$3,244,101
Open Space Capital Expenditure	(\$386,647)	(\$2,794,638)
Net Movement	(\$79,185)	\$449,463
Opening Balance as at 1 July 2015		\$3,541,640
Closing Balance – Open Space Reserve		\$3,991,103

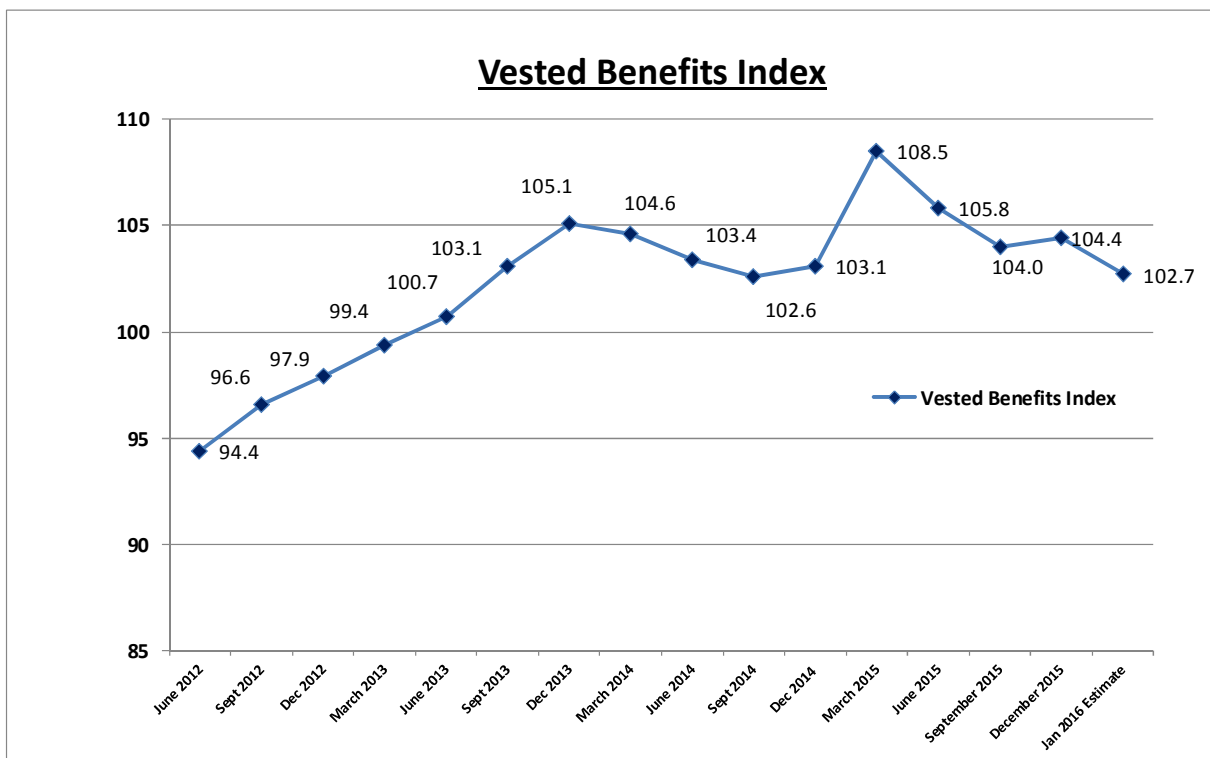
Note: the majority of the Open Space Reserve funds are earmarked to be spent on the development of Booran Reserve (formerly Glen Huntly Reservoir).

Executive Summary (continued)

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:



Executive Summary (continued)

f) Forecast adjustments for March 2016

Income from ordinary activities increase of \$471K

The favourable income forecast movement is mainly due to:

- User Fees – increase of \$89K mainly due to higher income from animal pet registrations \$67K.
- Statutory Fees and Fines – increase of \$142K based on higher than anticipated parking infringements income \$187K.

Expenditure from ordinary activities increase of \$470K

The unfavourable expenditure forecast movement is mainly due to:

- Employee costs – increase of \$319K.
- Maintenance costs – increase of \$146K mainly relating to plumbing, handyman, mechanical and maintenance of trees.
- Utility services – increase of \$151K due to water costs.

g) Capital Works Program

As at the end of March 2016, total capital works expenditure in 2015-16 is expected to be \$36.79M, represented by:

- New capital works projects as per the 2015-16 Annual Budget \$30.15M
- Capital works funding \$1.95M
- Carry forward expenditure from the 2014-15 financial year \$3.87M
- Forecast increase year to date \$824K.

There are no forecast adjustments for the month of March.

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 previous years the Auditor-General published the results for individual Councils. In 2014-15 the Auditor-General assessed the financial sustainability risk at a sector level. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 7 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 capital grants, which are usually tied to specific projects.
Capital replacement (ratio)	Cash outflows for property, infrastructure, 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	Negative 10% or less 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	2014-2015 Actuals	2015-2016 Annual Budget as at 30 June 2016	2015-2016 Annual Forecast as at 30 June 2016	2015-2016 Risk based on Annual Forecast as at 30 June 2016	Comment
(1) Net Result	Generating surpluses consistently of greater than 0%.	9.11%	8.43%	10.85%	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	0.86	1.03	Low	Council's forecast to 30 June 2016 indicates a Liquidity Ratio of greater than 1.0.
(3) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	19.41%	14.70%	17.21%	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%.	116.94%	101.42%	112.05%	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.	1.62	1.66	1.72	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.	1.21	1.45	1.45	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.	\$1,463	\$1,538	\$1,545	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. In addition the Council provides one of the highest pensioner rebates in Victoria.	
<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.	\$2,150	\$2,292	\$2,264	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 (2011-2014) and proposed IA activity 2014/15-2016/17, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review / self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectors	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
1. Legislation or Standards – Changes generally	H							Food Safety (2011/12) Statutory Planning (2013/14)
2. Legislation or Standards – Cost shifting	H							
3. Funding – Shortfalls	H							
4. Contracts – consultant errors	H							Tendering (2013/14) Contract Management (2013/14)
5. Insurance – failure to comply with policy	H							
6. Contracts – indemnities beyond insurance coverage	H							Contract Management (2013/14)
7. Contractors – insurances	H							Contract Management (2013/14)
8. Contractors – Council liability for the actions of contractors	H							Contract Management (2013/14) Parks & Open Space Maintenance (2014/15)
9. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014)
10. IT – security compromised	H							IT Sensitive Information (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) IT Strategy (management) (2013/14) Regular penetration testing on the internal and external network infrastructure and external websites
11. Advice – incorrect advice provided	H							Statutory Planning (2013/14)
12. Infrastructure – serious deficiency	H							Asset Management (2013/14) Parks & Open Space Maintenance (2014/15) Land and Building Revaluation biennial (ongoing)

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

* 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: Exhaustive 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 31 March 2016

	2015-16 Year to Date Actual	2015-16 Year to Date Budget	2015-16 Year to Date Variance	2015-16 Year to Date Variance	2015-16 Last Month Forecast	2015-16 Current Month Forecast	2015-16 Current Month Forecast Movement \$ 000's	2015-16 Annual Budget	2015-16 Budget Forecast Variance	2015-16 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's		\$ 000's	\$ 000's	(%)
Income										
Income from Ordinary Activities										
General Rates	81,803	81,624	178	0.2%	81,795	81,803	7	81,624	178	0.2%
Supplementary Rates	735	550	185	33.7%	725	735	10	550	185	33.7%
Waste and Recycling Charges	14,064	14,005	60	0.4%	14,296	14,305	9	14,232	73	0.5%
Grants (Operating and Capital)	16,263	17,101	(838)	(4.9%)	22,723	22,822	99	23,702	(879)	(3.7%)
Interest Received	1,019	675	344	51.0%	1,182	1,244	62	900	344	38.2%
User Fees	18,680	18,956	(276)	(1.5%)	24,564	24,653	89	25,129	(476)	(1.9%)
Statutory Fees and Fines	5,331	3,228	2,103	65.1%	6,244	6,385	142	4,282	2,103	49.1%
Contributions - Monetary	3,244	3,681	(437)	(11.9%)	4,993	4,986	(7)	5,000	(14)	(0.3%)
Other Income	1,887	1,205	681	56.5%	2,280	2,339	59	1,605	734	45.8%
Total Income from Ordinary Activities	143,025	141,025	1,999	1.42%	158,802	159,272	471	157,024	2,249	1.4%
Expenses										
Expenses from Ordinary Activities										
Employee Costs	50,729	53,496	2,767	5.2%	66,392	66,711	(319)	69,287	2,576	3.7%
Materials and Consumables	3,787	4,412	624	14.2%	5,771	5,698	73	6,023	325	5.4%
Contractor Payments	19,863	20,612	749	3.6%	27,430	27,412	18	27,292	(120)	(0.4%)
Maintenance	4,568	4,815	247	5.1%	6,880	7,027	(146)	6,986	(41)	(0.6%)
Utility Services	2,915	2,939	25	0.8%	3,932	4,083	(151)	3,843	(240)	(6.2%)
Insurances	650	849	199	23.4%	907	866	41	1,032	166	16.1%
Other Expenses	3,079	2,791	(288)	(10.3%)	4,322	4,327	(4)	3,986	(340)	(8.5%)
Grants and Subsidies	643	814	170	20.9%	882	872	10	916	44	4.8%
Borrowing Costs	1,274	1,265	(9)	(0.7%)	1,692	1,684	8	1,674	(9)	(0.6%)
Total Expenses from Ordinary Activities	87,509	91,993	4,484	4.9%	118,209	118,679	(470)	121,039	2,360	2.0%
Surplus before non operational activities	55,516	49,032	6,483	13.2%	40,593	40,593	1	35,985	4,609	12.8%
Non-operational Activities										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	438	360	78	21.6%	586	558	(28)	481	78	16.2%
Written Down Value of Assets Sold/Disposed	2,006	1,148	(858)	(74.7%)	2,435	2,389	46	1,531	(858)	(56.1%)
Depreciation and Amortisation	16,002	16,237	235	1.4%	21,420	21,415	5	21,650	235	1.1%
Surplus for the period	37,946	32,007	5,938	18.6%	17,324	17,348	24	13,284	4,064	30.6%
Key to Variance - Positive figures relate to an increase in revenue and a decrease in expenditure. Negative figures relate to a decrease in revenue and increase in expenditure.										

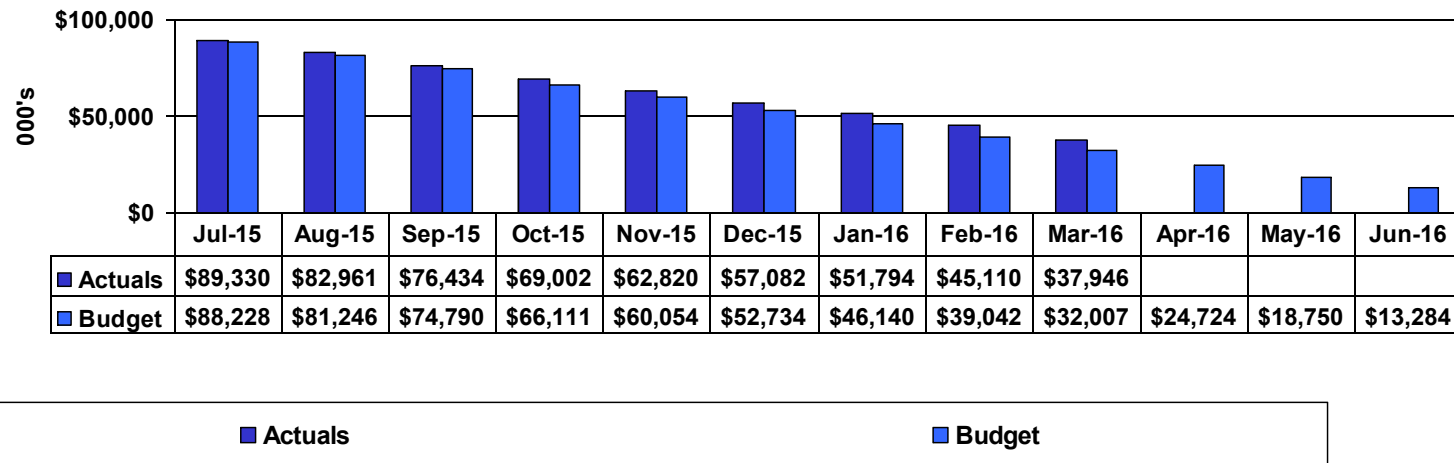
Balance Sheet

for the period ending 31 March 2016

	Actuals 2014-15 \$ 000's	Annual Budget 2015-16 \$ 000's	Annual Forecast 2015-16 \$ 000's	Year to Date Actual 2015-16 \$ 000's	Previous Month's Actuals \$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	41,404	33,093	43,404	49,493	53,506
Trade and Other Receivables	8,984	8,707	8,984	33,686	42,396
Other Assets	1,309	472	1,309	259	340
Total Current Assets	51,697	42,272	53,697	83,438	96,242
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	1,701,565	1,718,355	1,715,107	2,041,094	1,823,958
Intangible Assets	750	794	750	697	713
Investments in Joint Operations	2,595	2,040	2,595	2,595	2,595
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	1,704,915	1,721,194	1,718,457	2,044,391	1,827,270
TOTAL ASSETS	1,756,612	1,763,466	1,772,154	2,127,829	1,923,512
Liabilities					
Current Liabilities					
Trade and Other Payables	13,732	11,466	13,732	5,915	7,372
Trust Funds and Deposits	24,670	23,909	24,670	30,311	33,895
Provisions	12,692	12,641	12,692	12,180	12,126
Interest-Bearing Liabilities	1,231	1,263	1,231	727	835
Total Current Liabilities	52,325	49,279	52,325	49,133	54,228
Non-Current Liabilities					
Provisions	1,187	708	1,187	1,257	1,257
Interest-Bearing Liabilities	20,037	18,955	19,037	19,613	19,613
Other Liabilities - Joint Operations	3,352	-	3,352	3,352	3,352
Total Non-Current Liabilities	24,576	19,663	23,576	24,222	24,222
Total Liabilities	76,901	68,942	75,901	73,355	78,450
Net Assets	1,679,711	1,694,524	1,696,253	2,054,474	1,845,062
Equity					
Accumulated Surplus	878,187	891,216	894,729	915,626	922,767
Asset Revaluation Reserve	797,983	801,213	797,983	1,134,801	918,224
Public Open Space Reserve	3,541	2,095	3,541	4,047	4,070
Total Equity	1,679,711	1,694,524	1,696,253	2,054,474	1,845,062

Performance Graphs

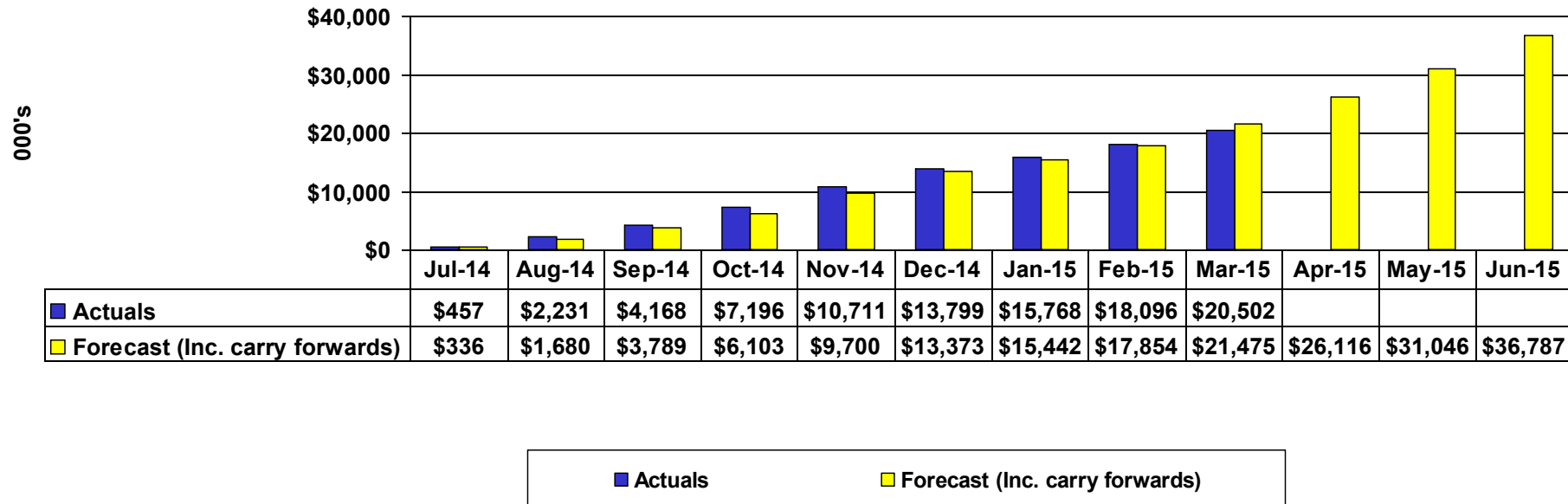
Financial Performance for the period ending 31 March 2016



The March 2016 year to date financial performance was \$5.94M better than the year to date budget mainly due to:

- Better than anticipated income received for Statutory Fees and Fines \$2.1M (Parking Infringements \$1.94M), Other Income \$681K (\$487K Liquidated Bank Guarantees), Supplementary and General Rates \$363K, Interest Received \$344K and Waste and Recycling Charges \$60K.
- Favourable variances in expenditure items including: Employee Costs \$2.77M, Contractor Payments \$749K, Materials and Consumables \$624K, Maintenance \$247K, Insurances \$199K, Grants and Subsidies \$170K and Utility Services \$25K.
- Unfavourable variances in Grants (Operating and Capital) \$838K, Contributions - Monetary (Open Space) \$437K, User Fees \$276K and Other Expenses \$288K.

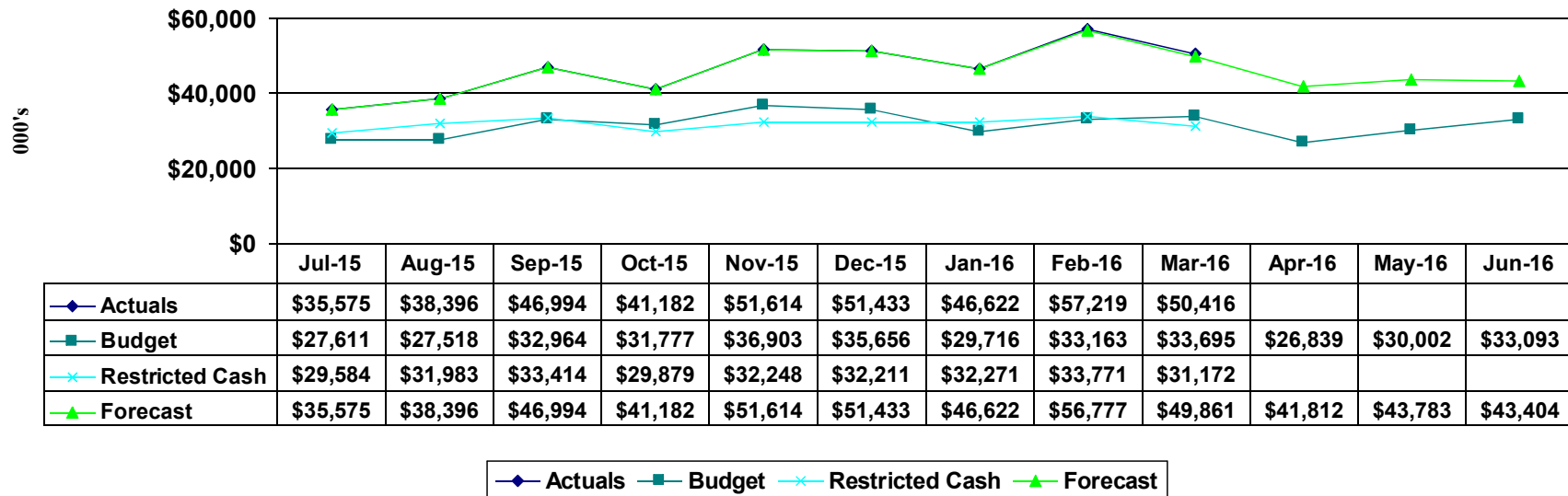
Capital Works Expenditure for the period ending 31 March 2016



Council's capital expenditure is behind forecast by \$973K mainly due to Vehicle Replacements \$396K, Upgrade and Replace Aged Park Furniture \$391K, Drainage Improvement \$286K, Building Improvements \$249K and Traffic Engineering \$213K.

Offsetting this is earlier than anticipated expenditure on Shopping Centre Car Park Improvements \$312K and Centenary Park Pavilion Car Park Construction \$277K.

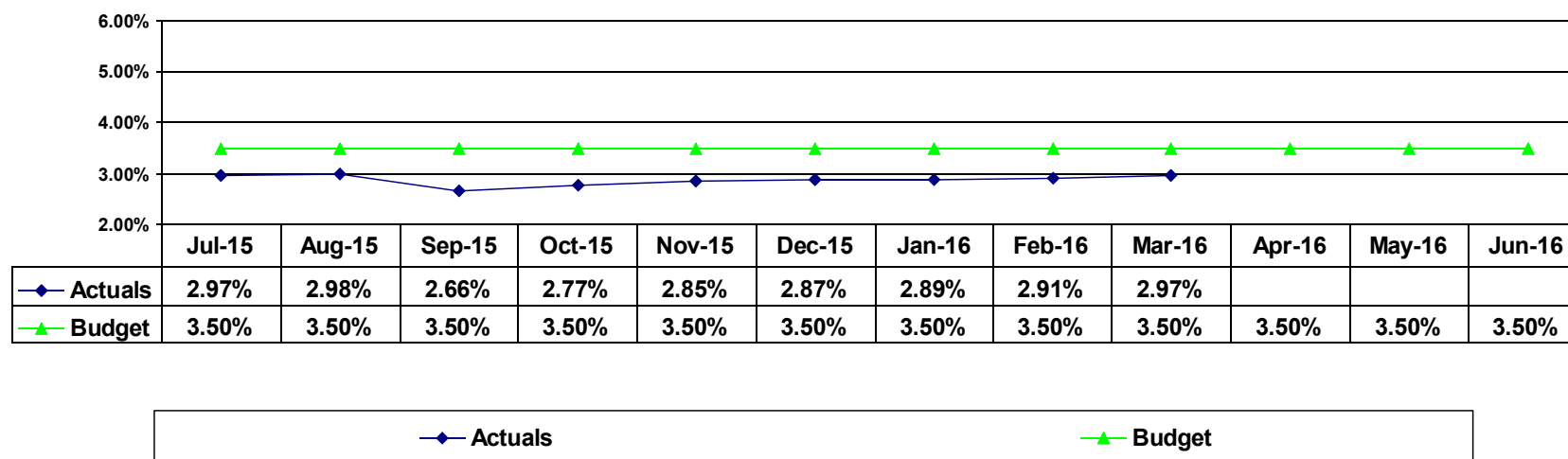
Cash and Investments Balances for the period ending 31 March 2016



Council's year to date cash balance of \$50.42M is higher than budget for the current month. Council's forecast position to June 2016 of \$43.4M has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.

Council has cash assets that are subject to restrictions. Restricted funds as at 31 March 2016 include: Residential Aged Care Deposits of \$22.56M, Trust Funds and Deposits \$4.11M (including asset protection permits), Open Space Reserve \$4M and Fire Services Property Levy \$510K.

Actual Interest Rate vs Budget Interest Rate for the period ending 31 March 2016



Council achieved a lower return of 2.97% against the budget of 3.50%.

Capital Works Program Expenditure

for period ending 31 March 2016

Description	2015-16 Carry Forwards from 2014-15	2015-16 Adopted Annual Capital Budget	2015-16 Capital Grant Funding	2015-16 Budget Plus 2014-15 Carry Forward	2015-16 YTD Work In Progress	2015-16 YTD Forecast	2015-16 YTD Variance	2015-16 Annual Forecast Projected end of June 2016 expenditure	2015-16 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: PRIORITY ITEMS</u>									
Information Systems	82,271	748,000	-	830,271	217,182	255,271	38,089	830,271	-
Vehicle Replacements	-	1,021,091	-	1,021,091	418,157	814,139	395,982	1,021,091	-
Footpath Replacement		1,725,000	-	1,725,000	1,200,486	1,293,750	93,264	1,725,000	-
Kerb and Channel Replacement	-	160,000	-	160,000	30,265	117,000	86,735	160,000	-
Road Rehabilitation	-	3,512,000	-	3,512,000	1,996,380	2,049,250	52,870	3,512,000	-
Drainage Improvement	-	3,500,000	-	3,500,000	2,444,729	2,730,738	286,009	3,554,238	54,238
Local Road Resurfacing		1,500,000	-	1,500,000	930,668	1,002,000	71,332	1,500,000	-
Right of Way Renewal	-	255,000	-	255,000	120,368	200,000	79,632	255,000	-
Traffic Signal Renewal	-	100,000	-	100,000		-	-	100,000	-
Local Area Traffic Management (LATM) Replacement	-	251,000	-	251,000	33,513	101,000	67,487	251,000	-
Car Park Rehabilitation	-	560,000	-	560,000	178,176	150,000	(28,176)	560,000	-
Roads to Recovery	-	-	576,000	576,000	157,343	-	(157,343)	822,920	246,920
TOTAL MUST DO	82,271	13,332,091	576,000	13,990,362	7,727,267	8,713,148	985,881	14,291,520	301,158
<u>CAPITAL WORKS: ROLLING ANNUAL</u>									
Building Improvements	123,000	650,000	-	773,000	160,941	311,000	150,059	773,000	-
Kitchen Upgrades	-	46,000	-	46,000	53,549	20,000	(33,549)	46,000	-
Plant Renewal	-	260,100	-	260,100	7,930	86,700	78,770	260,100	-
Roof Replacement	28,500	135,500	-	164,000	220,554	164,000	(56,554)	164,000	-
Shopping Centre Car Park Improvements	333,042	550,000	-	883,042	644,873	333,042	(311,831)	883,042	-
Traffic Engineering	-	1,081,000	-	1,081,000	266,673	480,000	213,327	1,081,000	-
Library Materials	-	743,467	61,123	804,590	602,912	600,676	(2,236)	804,590	-
Building Painting Program	-	128,000	-	128,000	100,703	102,400	1,697	128,000	-
Recreation	41,000	700,000	-	741,000	559,534	519,000	(40,534)	741,000	-
Pool Refurbishment	-	50,000	-	50,000	-	50,000	50,000	50,000	-
Bicycle Strategy	97,000	150,000	-	247,000	63,416	147,000	83,584	247,000	-
Upgrade and Replace Aged Park Furniture	-	881,000	-	881,000	249,247	640,000	390,753	926,000	45,000
Sports Ground Lighting	-	90,000	-	90,000	87,167	90,000	2,833	90,000	-
Drought Tolerant Grass	-	30,000	-	30,000	22,789	30,000	7,211	30,000	-
Park Pathway Lighting	28,000	-	-	28,000	33,850	28,000	(5,850)	28,000	-
TOTAL ROLLING ANNUAL	650,542	5,495,067	61,123	6,206,732	3,074,138	3,601,818	527,680	6,251,732	45,000

**Capital Works Program Expenditure
for period ending 31 March 2016 (continued)**

Description	2015-16 Carry Forwards from 2014-15	2015-16 Adopted Annual Capital Budget	2015-16 Capital Grant Funding	2015-16 Budget Plus 2014-15 Carry Forward	2015-16 YTD Work In Progress	2015-16 YTD Forecast	2015-16 YTD Variance	2015-16 Annual Forecast Projected end of June 2016 expenditure	2015-16 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>CAPITAL WORKS: MAJOR PROJECTS</u>									
Centenary Park Pavilion Upgrade	128,482	-	-	128,482	73,248	128,482	55,234	128,482	-
Duncan Mackinnon Pavilion Upgrade	91,281	1,363,000	-	1,454,281	2,301,930	1,454,281	(847,649)	1,454,281	-
Centenary Park Pavilion Car Park Construction	311,414	-	-	311,414	588,318	311,414	(276,904)	311,414	-
TOTAL MAJOR PROJECTS	531,177	1,363,000	-	1,894,177	2,963,496	1,894,177	(1,069,319)	1,894,177	-
<u>CAPITAL WORKS: OPEN SPACE STRATEGY IMPLEMENTATION</u>									
Public Toilet Rolling Program	-	550,000	-	550,000	99,608	249,000	149,392	550,000	-
Open Space Strategy Initiatives	35,678	940,000	75,000	1,050,678	1,243,618	1,099,678	(143,940)	1,424,678	374,000
Elsternwick Plaza Improvements	508,513	215,000	-	723,513	719,691	723,513	3,822	723,513	-
Shade Sails Rolling Program	-	270,000	-	270,000	-	-	-	270,000	-
Bin Enclosures	-	18,000	-	18,000	7,508	3,000	(4,508)	18,000	-
Booran Reserve	343,539	3,415,000	585,000	4,343,539	2,524,893	2,537,416	12,523	4,343,539	-
TOTAL OPEN SPACE STRATEGY IMPLEMENTATION	887,730	5,408,000	660,000	6,955,730	4,595,318	4,612,607	17,289	7,329,730	374,000
<u>SHORT TERM PROJECTS</u>									
Furniture & Fittings	22,344	50,000	-	72,344	35,171	52,344	17,173	72,344	-
Information Systems	77,760	-	-	77,760	63,250	77,760	14,510	77,760	-
Electronic Variable Message Trailer Sign	-	19,250	-	19,250	17,802	19,250	1,448	19,250	-
Heating, Ventilation and Cooling Systems Renewal	150,000	-	-	150,000	142,384	150,000	7,616	150,000	-
Building Improvements	104,000	2,346,060	-	2,450,060	1,044,625	1,293,756	249,131	2,464,305	14,245
Upgrade Audio & Visual Equipment	-	15,000	-	15,000	15,187	15,000	(187)	15,000	-
Refurbishment of ILUs	-	100,000	-	100,000	57,229	90,000	32,771	100,000	-
Murrumbeena Youth Play Area	-	-	-	-	(86,730)	-	86,730	-	-
Multi-Purpose Sports Court Redevelopment	-	395,000	-	395,000	43,015	-	(43,015)	395,000	-
Library Electronic and Cash Payment Hardware	-	74,480	-	74,480	12,015	74,480	62,465	74,480	-
Dial Before You Dig (DBYD) automated response process	-	13,000	-	13,000	3,350	-	(3,350)	13,000	-
Recreation	71,000	630,000	650,000	1,351,000	218,000	371,000	153,000	1,351,000	-
Glen Eira Sports & Aquatic Centre (GESAC)	1,280,373	412,000	-	1,692,373	118,074	179,000	60,926	1,692,373	-
Parks Minor Capital Works	-	200,000	-	200,000	179,127	90,000	(89,127)	290,000	90,000
Outdoor Fitness Stations	-	55,000	-	55,000	60,776	55,000	(5,776)	55,000	-
Glen Works Depot	8,933	-	-	8,933	988	-	(988)	8,933	-
Residential Aged Care	-	220,000	-	220,000	192,426	164,000	(28,426)	220,000	-
Upgrade Vaccination Storage Equipment	-	21,748	-	21,748	25,385	21,748	(3,637)	21,748	-
TOTAL SHORT TERM PROJECTS	1,714,410	4,551,538	650,000	6,915,948	2,142,074	2,653,338	511,264	7,020,193	104,245
TOTAL CAPITAL WORKS EXPENDITURE	3,866,130	30,149,696	1,947,123	35,962,949	20,502,293	21,475,088	972,795	36,787,352	824,403

Debtors

for period ending 31 March 2016

for period ending 31 March 2016

Description	Current 0-30 days	31-60 days	61-90 days	90 + days	Total Debtors	Provision for Doubtful Debtors	Net Debt Outstanding
(a) General Debtors	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
Finance & Valuations	502	81	27	5	615	1	709
Buildings and Facilities	21	3	-	-	24	-	24
Planning & Transport	5	-	-	19	24	5	19
Community Relations	85	91	15	3	194	1	193
Arts & Cultural Services	3	-	-	14	17	4	14
Recreational Services	169	19	1	-	189	-	189
Community Services	12	6	13	6	37	2	36
Child Care Centres	69	2	3	-	74	-	74
Residential Aged Care Facilities	185	-	2	9	196	2	194
Home and Community Care	75	23	1	-	99	-	99
Assets and Facilities	16	-	-	2	18	1	18
General Debtors Total	1,142	225	62	58	1,487	15	1,568
(b) Parking	Current 0-3 months	4-6 months	7-12 Months	12 Months +	Total Debtors	Provision for Doubtful Debtors	Net Debt Outstanding
Parking Infringements - Council	1,017	156	27	19	1,219	122	1,098
Parking Infringements - PERIN	320	129	259	882	1,590	1,431	159
Other Debtors Total	1,337	285	286	901	2,810	1,553	1,257
Total Debtors	2,479	510	348	959	4,297	1,568	2,824
Council's Parking Debtors for the current period comprise of					\$'000		
:							
Collection by Council					1,219		
Collection by PERIN Court					1,590		
Total Parking Debtors					\$ 2,810		
(c) Rate Debtors			2015-2016 Opening Balance	2015-2016 Year to date			
			\$'000	\$'000			
Arrears Brought Forward			5,235	5,235			
2015-16 Rates & Garbage Generated			95,567	95,567			
2015-16 Fire Services Property Levy			12,735	12,735			
Total Rates & Charges			113,537	113,537			
Adjustments:							
Glen Eira Pension Rebate			(447)	(464)			
State Government Rebate			(1,669)	(1,734)			
Fire Services Property Levy Rebate			(392)	(407)			
Receipts			-	(83,397)			
Interest			-	262			
Supplementary Valuations			-	971			
Adjustments			-	36			
Total Adjustments			(2,508)	(84,734)			
Rates & Charges Balance at Month End			111,030	28,803			

10. URGENT BUSINESS - Nil**11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****(a) Crs Hyams/Delahunty**

That a report be prepared on whether Council should apply for a planning scheme amendment to raise the Public Open Space Contribution Levy above the current 5.7%.

9.51PM Cr Esakoff left the Chamber.

9.54PM Cr Esakoff returned to the Chamber.

The MOTION was put and CARRIED unanimously.

11.2 Right of reply – Nil.**11.3 Councillor questions**

- (a) Cr Magee** asked if the Councillor Trustees who sit on the Caulfield Racecourse Reserve Trust could report on the Trust's Land Management Plan that was discussed at the Trust's last meeting.

Cr Lipshutz responded. He said: "The Trust met a few weeks ago to discuss the Land Management Plan that had been proposed by the Trust. The Trust had appointed a firm of architects, landscape architects, to develop a Land Management Plan and they came up with two designs and those two designs are referred to as 1A and 1B and 2A and 2B and they have different concepts. The B type plan relates to what may happen when the training goes and the A plan is for what may happen now and there are two variations of that plan. That is going out to public consultation. I haven't got the public consultation dates but the Trust Secretary will be advertising in the Leader, it'll be on the website and other public places. As to the dates the public will be invited to make their comments in relation to the proposed plans and once the comments have come through they will come back to the Trust for consideration. If the Trust in fact exists by that date because as members might know there is a Parliamentary committee that will be reporting and hopefully the Government will be legislating as to what will happen to the Trust. but as far as that is concerned the Land Management Plan is proceeding and it will be endorsed by the Trust so we will be inviting members of the public to make their comment and Council will be also invited as all stakeholders will be invited to put their comments in as to the appropriate arrangement. The actual plan is on the Trust's website.

- (b) **Cr Delahunty** asked the CEO for the purposes of the Minutes, is the CEO able to confirm that Councillors have been advised by Trustees of the Caulfield Racecourse Reserve Trust that the new governance arrangements don't allow for the Councillor Trustees to advise their other Councillor colleagues of what is going on within the Trust or what is being discussed at the Trust meetings?

The CEO responded. She said: "That is the advice that Council has received from Councillors on the Trust, yes I can confirm that."

- (c) **Cr Sounness** asked if the Councillor Trustees who sit on the Caulfield Racecourse Reserve Trust could report on the agreement between the Trust and Council to remove fencing at the racecourse.

Cr Hyams responded. He said: "That was actually an agreement between Council and the MRC not Council and the Trust."

11.4 Public questions to Council

From: Greg Ptok
Subject: Skyrail

"Today the State Government announced that contracts to build the Skyrail have been signed. To help minimise the impact on the community, would it be possible for Council to lobby the State Government that properties acquired through the voluntary acquisition scheme be actually used for public open space and in particular an urban forest? This would broaden the parkland available, enable the planting of taller trees to act as additional visual and sound barriers, and could be seen as some way of compensating the community for the negative impacts of the Skyrail".

The Mayor read Council's response. He said:

"Council will raise this with the Level Crossing Removal Authority (LXRA). On 9 April 2016 the State Government announced it was appointing an Expert Panel to oversee the development of the new open space created by elevating the Cranbourne Pakenham line and it would be appropriate for this to be considered as part of their deliberations. The Government also announced it was establishing a trust to fund the long-term maintenance of the new open space. A copy of the Government's Media Release is attached."

10.00PM Cr Magee left the Chamber.

From: Dianne Hunt
Subject: Skyrail

"Given the lack of response to Council's motions and failure to reply to letters sent to the Minister For Transport regarding the Skyrail Proposal, will council advocate for all the Glen Eira Residents who have signed the parliamentary petition and joined Lower Our Tracks Incorporated (LOTI) and place the comment issued by LOTI (attached) on the Council website?"

The Mayor read Council's response. He said:

"From the outset Council has strongly advocated for the community including writing to the Minister for Public Transport, the Premier, the CEO of the LXRA with copies to Members of Parliament in both the Upper and Lower Houses and to various local and State wide media organisations.

Council has consistently advocated for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation and we have requested the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

Following the signing of the contracts for the CD9 project Council will continue to advocate to have these reports made public.

It is not Council's practice to allow the Council website to be used for a purpose other than Council business or stated Council positions so Council will not be placing the LOTI statement on our website. Council's own position on this matter already features prominently on our website."

10.02PM Cr Magee returned to the Council Chamber.

From: Jim Walker
Subject: Booran Road Reserve

*"What is the total cost to date of -
a/ demolition of the old reservoir on the corner of Booran Road and Glenhuntly Road, and
b/ construction of the new park on that site, including the recently announced tenders for some four million dollars worth of landscaping and lighting works, and
c/ what future capital expenditure is planned for this site?"*

The Mayor read Council's response. He said:

"Council has currently set aside a budget of \$10.15million for this project including a contribution of \$650,000 from Sport and Recreation Victoria.

At the time of receiving this question, Council has spent \$5.38million of this budget including \$762,000 on the demolition works.

The tender referred to for Landscape and Lighting is confidential and has not been awarded yet.

It is expected that Council will fully expend its budget on these redevelopment works"

From: Jim Walker
Subject: Environmental Sustainability Strategy

*“What is the current status of the upcoming Environmental Sustainability Strategy –
a/ Is the strategy in draft form or completed, and
b/ When will the Environmental Sustainability Strategy be presented to Councillors
for endorsement.”*

The Mayor read Council’s response. He said:

“A draft environmental sustainability strategy has been prepared and is scheduled for initial discussion by Council before the end of financial year.

Part of the development of the strategy included consultation with the community. After initial Council consideration, the next step will be release of a draft for community comment.

In the meantime, the current Environmental Sustainability Strategy and Carbon Emissions Reduction Plan remain in place. The Open Space Strategy also incorporates a range of sustainability aspects. Council reports on many environmental indicators in its Annual Report.

Actions arising from current strategy are incorporated into Council’s Community Plan and Budget. Some of the actions in progress in the current financial year actions include

- A major program of energy efficiency and solar power implementation works including installation of solar power on the Town Hall and GESAC.
- Improvements in green waste recycling and investigation of options to offer food waste recycling when facilities become available in future years.
- Planting 1000 more street trees in the City and planting a mix of drought tolerant, native and indigenous species of plants in gardenbeds.
- Running a community education program on sustainability covering sustainable gardening, energy use, sustainable design issues. This includes hosting a teachers environment network and offering practical assistance to residents to become energy efficient.”

From: Jim Walker
Subject: Council Meetings

*“Given the often very overcrowded gallery in Council Chamber, will council consider
-
a/ a larger venue for council meetings, including
b/ a screen to display agenda items, and motions, for the convenience of the public
and councillors alike”*

The Mayor read Council’s response. He said:

“Given that it has only been on rare occasions that the public gallery in the Council Chamber has been crowded, and even then usually only for one item of business, Council is not proposing to move Council Meetings from the Council Chamber. Consideration will be given to your point b.”

From: Bree Laurie
Subject: Crossing Removals

“Jacinta Allan met with the Kingston City Council on Thursday 21 April to discuss level crossing removals through their area. Has Ms Allan or the LXRA met with Glen Eira Council to discuss crossing removals through Glen Eira, and if so what was the outcome of those discussions?”

The Mayor read Council’s response. He said:

“At the invitation of the Minister for Public Transport the Mayor and the Chief Executive Officer met with her on 8 March 2016. Councillors and Council Officers have met with representatives of the LXRA on many occasions. Such meetings have involved the exchange of information and views. Council has, on each occasion, taken the opportunity to strongly advocate for community consultation on the grade separation projects.”

From: Tracey Bigg
Subject: Skyrail

“With the Skyrail contract being signed, time is of the essence. Besides writing two letters to the government, what will Council do to ensure the government abides by its motion of 23/2 and takes the steps contained in that motion BEFORE construction commences? Council saying “we’re awaiting a response” is unacceptable in the circumstances. We’ve been waiting for a response for over two months.”

The Mayor read Council’s response. He said:

“From the outset Council has strongly advocated for the community including writing to the Minister for Public Transport, the Premier, the CEO of the LXRA with copies to Members of Parliament in both the Upper and Lower Houses and to various local and State wide media organisations.

Council has consistently advocated for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation and we have requested the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

Unfortunately Council has no power to ensure that the State Government abides by a Council motion. Council will continue to advocate to have these reports made public even following the signing of the contracts for the CD9 project.”

From: Markus Oswald
Subject: LXRA cameras

“Is Council permission needed, or should Council be advised, if cameras are placed on council property overlooking council property for commercial purposes? Has the LXRA, or its representatives, sought and obtained such permission?”

The Mayor read Council's response. He said:

“Council permission is required to install cameras on Council property. To date, no permissions have been granted.”

From: Markus Oswald
Subject: Representative for LXRA's Panel

Has Council nominated, or plans to nominate, a representative for the LXRA's Community Open Space Expert Panel?

The Mayor read Council's response. He said:

“With the State Government announcing on 22 April that it has awarded the contract for the Caulfield to Dandenong Level Crossing Removal Project, and that work will start imminently, Council's attention is now turning to ensuring that the transformation of the open space and community facilities along the corridor enhances amenity and delivers good community outcomes.

As part of that Council will also be seeking to be represented on the new Expert Panel Chaired by Professor Tim Entwistle. The Expert Panel has been established by the Government to advise Government on the 22.5 hectares of public open space the project will create and on the plan for its long term maintenance.”

From: Michelle Letho
Subject: Skyrail

“A group of around 20 residents met Jacinta Allan last Thursday 21/11/16 at 10.40 am outside Kingston City Council following a meeting regarding Skyrail for the Frankston line. The Kingston city Council CEO John Nevins, Mayor Cr Tamsin Bearsley, Mayor Cr John Ronke and MP Tim Richardson can also attest to Jacinta's promise to meet and finally meet and respond to unanswered correspondence and questions with our community. She indicated she was happy to meet and to organise a meeting through Tim Richardson (or presumably our local member). Will the Gleneira Council please follow up on this invitation and cite this promise?”

The Mayor read Council's response. He said:

"If, as you say, the Minister for Public Transport has said that she is happy to organise a meeting through the Member for Mordialloc then it would be best for you to contact either the Minister or the Member for Mordialloc directly. You may also wish to direct your request through either the Member for Bentleigh or the Member for Oakleigh who are other members of the Government with grade separations happening in their electorates."

10.09PM Cr Ho left the Chamber.

10.11PM Cr Ho returned to the Chamber.

From: Diana Gibson
Subject: Skyrail

"Glen Eira City Council has now written twice to Transport Minister, Ms Allan MP, expressing council and residents views regarding implications of the Skyrail infrastructure project. What follow up and response has been received from the Government. And what action will the Council be taking as a result of responses?"

The Mayor read Council's response. He said:

"Written responses have yet to be received. From the outset Council has strongly advocated for the community including writing to the Minister for Public Transport, the Premier, the CEO of the LXRA with copies to Members of Parliament in both the Upper and Lower Houses and to various local and State wide media organisations.

Council has consistently advocated for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation and we have requested the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

Following the signing of the contracts for the CD9 project Council will continue to advocate to have these reports made public."

From: Diana Gibson
Subject: LXRA permit requirements

"Reports are stating that the LXRA has commenced worked on council land without appropriate permits. Which permit requirements have been violated and what fines will Glen Eira City Council impose on the LXRA for commencing work without these permits?"

The Mayor read Council's response. He said:

“Asset Consent Permits are required for any works to be undertaken in Council road reserves. At the time of writing Council has received five permit applications for the purpose of geotechnical investigative works and temporary vehicle crossings. Permits have been issued although it is understood that no drilling has occurred on Council land.

Asset Consent Permits are issued by Council Officers under delegation.

It is important to note that Asset Consent Permits do not require advertising as is the case for a Town Planning Permit. Asset Consent Permits are routinely issued to builders, plumbers and other trades to allow them to safely conduct works in a Council Road Reserve.

Nothing has occurred to date that would result in the issuance of a fine

These permits in no way compromise Council's position on the elevated rail proposal as set out in previous Council motions.”

From: Markus Oswald
Subject: Parkland Maintenance

“The Council has a history of maintaining parks to a high standard, what would be a comparable maintenance cost of maintaining the proposed LXRA linear parkland to the standard shown in LXRA images? The amount should include ongoing replacement costs of such items as benches and play equipment. What is the cost per square metre, per square kilometre or “per MCG”?”

The Mayor read Council's response. He said:

“Council has not undertaken such estimates and in all likelihood is not likely to do so given that on 9 April 2016 the State Government announced it was appointing an Expert Panel to oversee the development of the new open space created by elevating the Cranbourne Pakenham line. The Government also announced it was establishing a trust to fund the long-term maintenance of the new open space. You may therefore wish to direct your question to the State Government. A copy of the Government's Media Release is attached.”

From: Norman Kennedy
Subject: Skyrail

“I refer to Council's letter to the Minister for Transport dated 26 February. Now the contracts for Skyrail have been signed without full and genuine consultation. Without full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis etc. With no examination by infrastructure Victoria whose purpose contains the statement: “We will promote rigorous and transparent decision-making and work with the community and stakeholders to build consensus about well-planned and high-quality infrastructure projects.” What is Council going to do to protect the rights and amenity of the people it represents?”

The Mayor read Council's response. He said:

"From the outset Council has strongly advocated for the community including writing to the Minister for Public Transport, the Premier, the CEO of the LXRA with copies to Members of Parliament in both the Upper and Lower Houses and to various local and State wide media organisations.

Council has consistently advocated for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation and we have requested the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

Following the signing of the contracts for the CD9 project Council will continue to advocate to have these reports made public and Council will also advocate to ensure that the eventual designs are respectful as possible of the rights and amenity of residents."

From: Richard Lidstone
Subject: LXRA

"The LXRA and the ministers involved have treated the thousands of residents affected by their elevated rail project with contempt. Moreover, they have treated Glen Eira council with contempt by not responding to Council's request for a meeting. I was present when Jacinta Allen met with Frankston Council, so it is obviously something she is able to do. The LXRA consultation report states that the feedback from the latest community sessions show 67% of respondents are opposed to Skyrail. However, they are reporting in the media that 82% are in favour despite that survey featuring leading questions favouring an elevated outcome and the implementers being observed avoiding houses displaying anti-skyrail posters. I demand you look into taking legal action to stop this damaging and unwanted project from proceeding."

The Mayor read Council's response. He said:

"Council is not contemplating undertaking legal action. Council has consistently advocated for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation and we have requested the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

Following the signing of the contracts for the CD9 project Council will continue to advocate to have these reports made public."

From: Chelsie Dickson
Subject: Skyrail permits

“Please provide details of what permits GECC has granted to any entity associated with the level crossing removal along the Dandenong - Cranbourne line. What application are in place in relation to this scheme too.”

The Mayor read Council’s response. He said:

“At the time of writing Council has received five Asset Consent Permit applications for the purpose of geotechnical investigative works and temporary vehicle crossings. Permits have been issued.

Asset Consent Permits are issued by Council Officers under delegation. Asset Consent Permits are routinely issued to builders, plumbers and other trades to allow them to safely conduct works in a Council Road Reserve. They do not require advertising as is the case for a Town Planning Permit.

These permits in no way compromise Council’s position on the elevated rail proposal as set out in previous Council motions.”

From: Chelsie Dickson
Subject: LXRA meeting

“The recent LXRA consultative report mentioned that it met with the Glen Eira City Council in relation to the level crossing removal project along the Dandenong line. Is Council able to share any details of this meeting?”

The Mayor read Council’s response. He said:

“Councillors and Council Officers have met with representatives of the LXRA on many occasions. Such meetings have involved the exchange of information and views particularly on matters that impact on Council land or infrastructure and on the future of Glen Eira’s activity centres. Council has taken the opportunity to strongly advocate for community consultation on the grade separation projects.”

From: Markus Oswald
Subject: LXRA

“Is there a current valid Incorporated Document for Caulfield-Dandenong elevated rail project, with construction starting this week, as the Cranbourne Pakenham Rail Corridor Project Incorporated Document dated September 2014 refers to “railway tracks below road level” and does not include grade separation at Grange Road?”

The Mayor read Council’s response. He said:

“Council has provided its comments to the Level Crossing Removal Authority about its draft planning scheme amendment and incorporated document.

Council highlighted:

- its expectation that the Minister for Planning will formally refer the amendment to Council for comment;
- that the amendment must undergo the normal planning scheme amendment process which includes full public consultation and an independent panel hearing;
- specific issues relating to the extent of the revised project area, significant vegetation, the need for greater clarity in the document, and land management matters.

Both the 2014 Incorporated Document, and the current draft document (if approved by the Minister) are legal town planning frameworks that enable level crossing removals without the need to obtain further town planning approval. Both do not specify a specific design solution for level crossing removals.

The Government’s process to finalise the project design is completely separate to the town planning framework established in each of the nine affected Councils’ planning schemes. The 2014 Incorporated Document could have resulted in either a below ground or an elevated rail design solution without the need for further planning approval.”

12. CONSIDERATION OF CONFIDENTIAL ITEMS**Crs Hyams/Lipshutz**

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

Confidential attachment to Item 9.9
under s89(2)(a) “personnel” relating to Transport Committee
Membership

Confidential attachment to Item 9.10
under s89(2)(a) “personnel” relating to the appointment of Community
Representative roles on the Environment Advisory Committee.

- 12.1 under s89 (2)(d) “contractual” which relates to the awarding of the contract for Tender 2016.038 Lancaster Street Stage 1 Drainage works, Bentleigh East.

Number of tenders received	Six (6)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	More than \$930,000.00

- 12.2 under s89 (2) (d) “contractual” which relates to the awarding of the contract for Tender No. 2016.030 Booran Road Reserve, Civil & Landscape Works Architectural Lighting & Associated Works

Number of tenders received	Two (3)
Number of evaluation criteria tenders assessed against	Three (3)
Estimated contract value	\$4,001,000 including GST

- 12.3 under s89(2)(d) of the Local Government Act 1989 “contractual and financial data” which relates to the Yarra Yarra Golf Club.

- 12.4 under s89 (2) (d) “contractual” which relates to a contract with the VEC for the provision of electoral services.

The MOTION was put and CARRIED unanimously.

PROCEDURAL MOTION

Crs Hyams/Sounness

That the meeting adjourn for five minutes.

The MOTION was put and CARRIED.

10.26PM the Council Meeting resumed in the presence of:

**Cr Pilling, Mayor
Cr Delahunty
Cr Esakoff
Cr Hyams
Cr Lipshutz
Cr Lobo
Cr Magee
Cr Ho
Cr Sounness**

OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**Item 12.1****Crs Hyams/Sounness**

- 1. That Council appoints Lander Civil Pty Ltd, ACN 610 692 405 as the contractor under Tender number 2016.038 Lancaster Street Stage 1 Drainage Works for an amount of \$849,190.70 exclusive of GST (\$934,109.77 including GST), in accordance with the Schedule of Rates submitted.**
- 2. That the Contract be prepared in accordance with the Conditions included in the tender.**
- 3. That the Contract be executed in an appropriate manner.**
- 4. That this resolution be incorporated in the public minutes of this meeting.**

The MOTION was put and CARRIED unanimously.

Item 12.2**Crs Delahunty/Sounness**

- 1. That Council appoints 2Construct Pty Ltd (A.C.N. 124 460 500) as the contractor under tender number 2016.030 for an amount of \$3,637,150.72 exclusive of GST (\$4,000,865.79 including GST) in accordance with the Schedule of Rates submitted.**
- 2. That the Contract be prepared substantially in accordance with the Conditions of Contract included in the tender with changes as agreed to by Council.**
- 3. That the Contract be executed in an appropriate manner by affixing the Council Seal.**
- 4. That this resolution be incorporated in the public minutes of this Meeting.**

The MOTION was put and CARRIED unanimously.

Crs Lipshutz/Hyams

That the meeting be resumed in open Council.

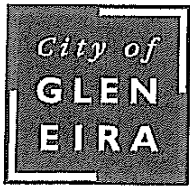
The MOTION was put and CARRIED unanimously.

13. CLOSURE OF MEETING

The meeting closed at 10.32PM

CONFIRMED THIS 17 MAY 2016

CHAIRPERSON



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms C Dickson

CARNEGIE VIC 3163

Dear Ms Dickson,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:


"Has the Glen Eira city council been approached by the LXRA to participate in the voluntary acquisition scheme? If so, what is Councils position in relation to this? Will Council take any action necessary to avoid an acquisition of its land?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Council has not been approached to participate in any voluntary acquisition scheme."

Thank you for your Public Question.

Yours sincerely,


CR NEIL PILLING
MAYOR

Glen Eira City Council

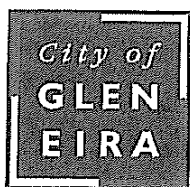
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Office of the Mayor Cr Neil Pilling

12 April 2016

Ms C Dickson

CARNEGIE VIC 3163

Dear Ms Dickson,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Has LXRA provided Council with adequate information regarding Skyrail? If not, and given the length of time, what action will Council take to ensure it receives the information it needs."

Your question was taken on notice. I now provide a response on behalf of Council:

"Council's position is outlined in our letter to the Minister dated 26 February 2016. A copy of the letter is available on Council's website.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority> Council is yet to receive written responses to the aforementioned correspondence.

At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.

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4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

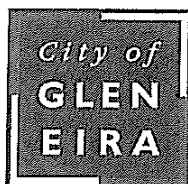
The MOTION was put and CARRIED unanimously.”

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling', written in a cursive style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms M Ridgeway

CARNEGIE VIC 3163

Dear Ms Ridgeway,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Has the Glen Eira City Council received or approved any permits from the Level Crossing Removal Authority/Victorian Government in relation to the proposed Elevated Railway Line to be built in the Glen Eira City Council area?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

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Asset Consent Permits are required for any works to be undertaken in Council road reserves. At the time of writing Council has received two permit applications for the purpose of geotechnical investigative works at Lorne Street, Caulfield East and at Girdwood Avenue, Carnegie. The Lorne Street permit has been issued and the Girdwood Avenue permit is likely to issue shortly. Asset Consent Permits are issued by Council Officers under delegation.

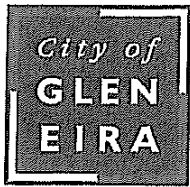
Council would also like to point out that Asset Consent Permits do not require advertising as is the case for a Town Planning Permit. Asset Consent Permits are routinely issued to builders, plumbers and other trades to allow them to safely conduct works in a Council Road Reserve. These permits in no way compromise Council's position on the elevated rail proposal as set out in previous Council motions."

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling', written in a cursive style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms M Ridgeway

CARNEGIE VIC 3163

Dear Ms Ridgeway,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Has the Council approved or granted any permits to the Level Crossing Removal Authority or associated bodies?"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

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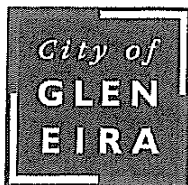
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Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling', written in a cursive style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Aafko Schanssema

CAULFIELD EAST VIC 3145

Dear Aafko Schanssema,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Has council received the additional information sought from the Level Crossings Removal Authority and, if so, what further representation will council make on behalf of its residents and ratepayers?"

Your question was taken on notice. I now provide a response on behalf of Council:

"At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority> Council is yet to receive written responses to the aforementioned correspondence.

At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.

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4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

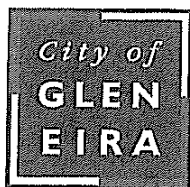
The MOTION was put and CARRIED unanimously."

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling', written in a cursive style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Mr J Neeson

CAULFIELD EAST VIC 3145

Dear Mr Neeson,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"What action will Council take to obtain all detail of the proposed elevated train line, including the horrifying video that shows the true nature of the design but is hidden from the public domain and shown only to residents who requested a one-on-one consultation meeting with the LXRA"

Your question was taken on notice. I now provide a response on behalf of Council:

"At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>

At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

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2. Strongly supports the removal of level crossings in Glen Eira.
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4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

The MOTION was put and CARRIED unanimously.'

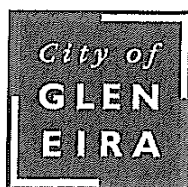
The grade separation project is a State Government initiative and you may wish to direct your question to the government."

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil R Pilling', written in a cursive style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Mr J Neeson

CAULFIELD EAST VIC 3145

Dear Mr Neeson,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"What action will Council take to obtain all detail of the proposed elevated train line, including the horrifying video that shows the true nature of the design but is hidden from the public domain and shown only to residents who requested a one-on-one consultation meeting with the Level Crossing Removal Authority? What action will Council take to demand full disclosure of all aspects of this design to the wider community? What action will Council take to assess the full ramifications of this design on our neighbourhoods – and canvas growing anger and opposition to this proposal? What action will Council take in making a submission to state Government in support of its community and its ratepayers? When will we hear Council's voice on this issue?"

Is Council being compensated for the loss of public land, ie, Council Reserves along rail line? If so, what amount of monetary compensation is Council receiving from this SKYRAIL Consortium, (LXRA). Is it true that this Council last year voted not to support the EAST/WEST LINK, are you supporting SKYRAIL? Was Council briefed before SKYRAIL announcement by Mr Andrews? If not why not? Has Council made any approach to Mr Andrews re; the impact on residents in the now CORRIDOR that was our homes. I would ask that all Councillors declare their current position."

Your question was taken on notice. I now provide a response on behalf of Council:

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is available on Council's website at this link; <http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Council-submission-to-the-Level-Crossing-Removal-Authority>. A response has not yet been received.

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Council did not receive a briefing from the Premier prior to any announcements. You may wish to ask the Premier why not.

At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
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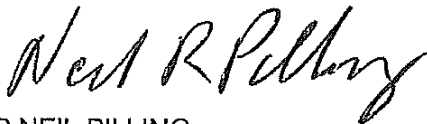
The MOTION was put and CARRIED unanimously.'

Finally, I can advise you;

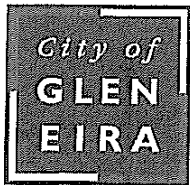
- the only definite change of status to open space that Council is aware of is the Nicholson Street reserve on the Frankston line. This open space is railway land not Council land.
- Council neither supported nor opposed the East West link but rather gave another public transport project a higher priority, and
- Council has provided a submission to the LXRA as previously described."

Thank you for your Public Question.

Yours sincerely,



CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Properties in Glen Eira are due to be revalued as of 1st July 2016. If the elevated rail design for level crossing removal on the Dandenong line goes ahead, how does the council intend to assess the impact on the values of properties adversely impacted by this development?"

Your question was taken on notice. I now provide a response on behalf of Council:

"At this early stage, it is difficult to give any indication as to the impact that the State Government's Skyrail project may have on valuation movements. As Council valuations and associated rates are dependent on market levels through sales analysis, Council needs to have some sales evidence to establish an accurate movement. Additionally, the State Government's recent announcement regarding a buy-back proposal for impacted properties may also affect the likely consideration to be paid for those properties.

Council's valuers are currently appraising sales data as well as any other factors that may influence the value of properties along this corridor. If this evaluation establishes any impact on market levels then Council will adjust valuations and rates accordingly."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

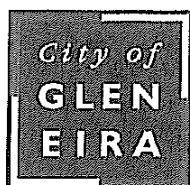
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Office of the Mayor Cr Neil Pilling

12 April 2016

Ms T Bigg

MURRUMBEENA VIC 3163

Dear Ms Bigg,

At the Council Meeting on 5 April 2016 you asked the following Public Question:

"Residents had only a month to "consult" with the LXRA to submit their Submission Forms. The State Government has had 50% longer to respond to Council's motion of 23/2/16,. Has the State Government responded to Council's motion of six weeks ago? If not, what has Council done to follow up?"

Your question was taken on notice. I now provide a response on behalf of Council:

"At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.

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4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

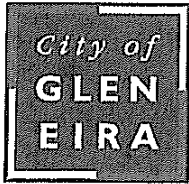
The MOTION was put and CARRIED unanimously."

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, reading "Neil R. Pilling". The signature is written in a cursive, flowing style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms B Laurie

CARNEGIE VIC 3163

Dear Ms Laurie,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Has the council issued any general permits for the LXRA to work in Lorne st or Girdwood Ave?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Asset Consent Permits are required for any works to be undertaken in Council road reserves. At the time of writing Council has received two permit applications for the purpose of geotechnical investigative works at Lorne Street, Caulfield East and at Girdwood Avenue, Carnegie. The Lorne Street permit has been issued and the Girdwood Avenue permit is likely to issue shortly. Asset Consent Permits are issued by Council Officers under delegation.

Council would also like to point out that Asset Consent Permits do not require advertising as is the case for a Town Planning Permit. Asset Consent Permits are routinely issued to builders, plumbers and other trades to allow them to safely conduct works in a Council Road Reserve. These permits in no way compromise Council's position on the elevated rail proposal as set out in previous Council motions."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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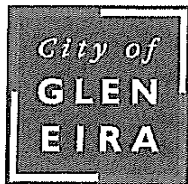
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Office of the Mayor Cr Neil Pilling

12 April 2016

Mr K Bolt

CARNEGIE VIC 3163

Dear Mr Bolt,

At the Council Meeting on 5 April 2016 you asked the following Public Question:

"I understand the council revalues property for rates purposes in July. If the skyrail proceeds it will undoubtedly decrease the value of housing along the rail corridor and as people realise the height, ugliness, graffiti, vagrancy, vandalism noise and pollution it will cause. Has the council taken this into consideration of how it will affect its future revenue? Will the council seek compensation from the state government for the reduction in land value?"

Your question was taken on notice. I now provide a response on behalf of Council:

"At this early stage, it is difficult to give any indication as to the impact that the State Government's Skyrail project may have on valuation movements. As Council valuations and associated rates are dependent on market levels through sales analysis, Council needs to have some sales evidence to establish an accurate movement. Additionally, the State Government's recent announcement regarding a buy-back proposal for impacted properties may also affect the likely consideration to be paid for those properties.

Council's valuers are currently appraising sales data as well as any other factors that may influence the value of properties along this corridor. If this evaluation establishes any impact on market levels then Council will adjust valuations and rates accordingly."

Thank you for your Public Question.

Yours sincerely,

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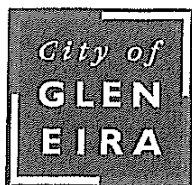
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Office of the Mayor Cr Neil Pilling

12 April 2016

Jorja Cleeland

MURRUMBEENA VIC 3163

Dear Jorja,

At the Council Meeting on 5 April 2016 you asked the following Public Question:

"My residence does not back onto the railway line but I am deeply concerned with the proposed elevated rail project. What steps will the Council take to protect its residents and the community as a whole if it does not receive a satisfactory response from the Government?"

Your question was taken on notice. I now provide a response on behalf of Council:

"At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.

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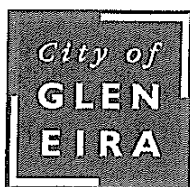
The MOTION was put and CARRIED unanimously."

Thank your for your Public Question.

Yours sincerely,

A handwritten signature in black ink, reading "Neil R Pilling". The signature is written in a cursive, flowing style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms Maria Quinto

CARNEGIE VIC 3163

Dear Ms Quinto,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Has the Council issued permits for any works to be carried out on the parcel of land described on Certificates of Title as "Road" abutting the rear of the properties between Merricks Lane and 19 Oakdene Crescent, Carnegie"

Your question was taken on notice. I now provide a response on behalf of Council:

"The State Government's Cranbourne Pakenham Rail Corridor Project covers nine Councils.

In 2014, the Minister for Planning in the previous State Government exempted the Project from needing town planning permission from any of the nine Councils. It exempts the Project from needing to comply with the Glen Eira planning scheme controls and policies you quoted.

The documentation supporting the Ministerial exemption states, amongst others:

"Despite any provision to the contrary or any inconsistent provision in the Melbourne, Yarra, Stonnington, Glen Eira, Greater Dandenong, Monash, Kingston, Casey and Cardinia Planning Schemes, no planning permit is required for, and nothing in the abovementioned planning schemes operates to prohibit or restrict: use or development of land in the Project Area for the purposes of the project etc...."

All supporting documentation is available from the Department of Environment, Land, Water and Planning website.

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Asset Consent Permits are required for any works to be undertaken in Council road reserves. At the time of writing Council has received two permit applications for the purpose of geotechnical investigative works at Lorne Street, Caulfield East and at Girdwood Avenue, Carnegie. The Lorne Street permit has been issued and the Girdwood Avenue permit is likely to issue shortly. Asset Consent Permits are issued by Council Officers under delegation.

Council would also like to point out that Asset Consent Permits do not require advertising as is the case for a Town Planning Permit. Asset Consent Permits are routinely issued to builders, plumbers and other trades to allow them to safely conduct works in a Council Road Reserve. These permits in no way compromise Council's position on the elevated rail proposal as set out in previous Council motions.

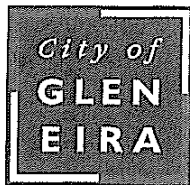
No Asset Consent Permits have been issued for the parcel of land you describe in your Public Question"

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, reading "Neil R. Pilling". The signature is written in a cursive, flowing style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Mr M Oswald

CARNEGIE VIC 3163

Dear Mr Oswald,

At the Council Meeting on 5 April 2016 you asked the following Public Question:

"With most recipients of LXRA's invitation to participate in the voluntary acquisition scheme being within the Residential Growth Zone (RGZ1), what does Council plan to do to protect the interests of those in Neighbourhood Residential (NRZ1) in relation to Skyrail and encroachment of large buildings."

Your question was taken on notice. I now provide a response on behalf of Council:

"At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.
4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

The MOTION was put and CARRIED unanimously.'

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Additionally, a review of the Glen Eira Planning Scheme is currently underway and you are encouraged to participate. The details can be found on Council's website at this link:

<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Glen-Eira-Planning-Scheme-Review>

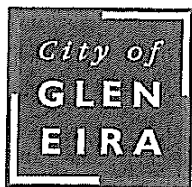
Council is not proposing to change the zoning in the NRZs."

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink, reading "Neil R Pilling". The signature is written in a cursive, flowing style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Mr Norman Kennedy

MURRUMBEENA VIC 3163

Dear Mr Kennedy,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"What actions are Council taking to protect the amenity of Glen Eira by opposing the skyrail proposals? I live a few streets from the railway. I am concerned about the negative effect on my amenity. My prime objection is to an ugly structure that will blight the skyline for a 100 years."

Your question was taken on notice. I now provide a response on behalf of Council:

"Council has been vigorously advocating on behalf of residents. On 26 February 2016 Council wrote to the Minister for Public Transport. A copy of the letter is available on Council's website.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is also available on Council's website.

At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

1. Accepts the petition be received and noted.
2. Strongly supports the removal of level crossings in Glen Eira.
3. Writes to the Premier and Minister for Transport, copied to all Members of State Parliament whose electorates include the proposed elevated train line between Poath Road and Caulfield Station, the Herald-Sun, The Age, The Leader Newspapers and the LXRA, noting that Council is yet to receive a response to the matters raised in its letter of 26 February 2016, and again advocating for no implementation of the elevated rail proposal until all options and related reports including business and cost analysis have been made open for public scrutiny and full consultation.

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4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

The MOTION was put and CARRIED unanimously.'

Additionally, a review of the Glen Eira Planning Scheme is currently underway and you are encouraged to participate. The details can be found on Council' s website at this link:

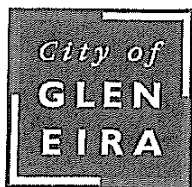
<http://www.gleneira.vic.gov.au/Council/News-and-media/Latest-news/Glen-Eira-Planning-Scheme-Review>

Thank you for your Public Question.

Yours sincerely,

A handwritten signature in black ink that reads "Neil R Pilling". The signature is written in a cursive, flowing style with a small flourish at the end.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Mr R Leigh

MURRUMBEENA VIC 3163

Dear Mr Leigh,

At the Council Meeting on 5 April 2016 you asked the following Public Question:

"What action is the Glen Eira Council taking to ensure its residents concerns regarding the proposed Skyrail are addressed beyond sending the Government a letter? The negative effects on our entire community are too serious for council to sit idly by waiting for a response. We demand genuine action."

Your question was taken on notice. I now provide a response on behalf of Council:

"The grade separation program is a State Government project.

Council has been vigorously advocating on behalf of residents. On 26 February 2016 Council wrote to the Minister for Public Transport. A copy of the letter is available on Council's website.

At the Council Meeting on 15 March 2016 Council resolved to make a submission on the LXRA CD9 project. A copy is also available on Council's website.

At the Council Meeting on 5 April 2016 the following resolution was unanimously adopted by Council when receiving a petition on the skyrail matter:

'That Council -

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4. Again request the Victorian Government to provide full reports on noise, environmental, amenity and community impacts, vibration analysis, safety, cost benefit analysis and that these Reports include and not be limited to an Environmental Effects Statement.

The MOTION was put and CARRIED unanimously.'

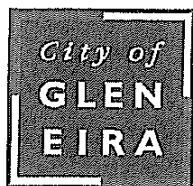
Council strongly encourages you to write to the State Government in relation to their project."

Thank your for your Public Question.

Yours sincerely,

A handwritten signature in black ink, reading "Neil R Pilling". The signature is written in a cursive, flowing style.

CR NEIL PILLING
MAYOR



Office of the Mayor Cr Neil Pilling

12 April 2016

Ms D Hunt

MURRUMBEENA VIC 3163

Dear Ms Hunt,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Planning Scheme Amendment GC15 refers only to the Pakenham Rail Project put in place by the previous Government for that project only, it does not provide planning rights for the Skyrail proposal. Has council received advice on approvals required by the Government, what is that advice?"

Your question was taken on notice. I now provide a response on behalf of Council:

"On 27 October 2014 the then Minister for Planning amended the Glen Eira Planning Scheme to include site specific controls to facilitate the delivery of the previous Cranbourne-Pakenham Rail Corridor Project.

These controls exempt the project team from requiring planning permission for activities within the project area, which is also defined.

The Level Crossing Removal Authority (LXRA) now wish to revise these site specific planning controls.

The LXRA has asked Council to comment on their draft proposal by 8 April 2016 after which we understand that the LXRA will lodge the draft with the Minister for Planning. Following a usual planning amendment proposal process, the Minister would then seek comment from Council."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

Glen Eira City Council

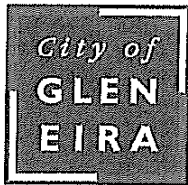
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Office of the Mayor Cr Neil Pilling

12 April 2016

Ms K Browning

CARNEGIE VIC 3163

Dear Ms Browning,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"Did council in its 16 March 2016 submission, or subsequent submission, to the Level Crossing Removal Authority demand the Andrews Labor Government undertake full Environmental Effects Statement prior to signing with tenderers or undertaking any construction on a Sky Rail project and, if not why not?"

Your question was taken on notice. I now provide a response on behalf of Council:

"Yes. Your attention is drawn to the Council Motion passed at the Council Meeting on 23 February 2016 and to page 1 of Council's 16 March 2016 submission to the Level Crossing Removal Authority (LXRA).

The Minutes of Council Meetings and communications with the Government and the LXRA are publicly available on Council's website."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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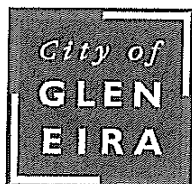
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Office of the Mayor Cr Neil Pilling

12 April 2016

Mr A Campbell

CARNEGIE VIC 3163

Dear Mr Campbell,

At the Council Meeting held on 5 April 2016 you asked the following Public Question:

"When re-evaluating property values in June/July for future rate payments, will you take into consideration the falling property prices in close proximity to the proposed Elevated Track?"

Your question was taken on notice. I now provide a response on behalf of Council:

"At this early stage, it is difficult to give any indication as to the impact that the State Government's Skyrail project may have on valuation movements. As Council valuations and associated rates are dependent on market levels through sales analysis, Council needs to have some sales evidence to establish an accurate movement. Additionally, the State Government's recent announcement regarding a buy-back proposal for impacted properties may also affect the likely consideration to be paid for those properties.

Council's valuers are currently appraising sales data as well as any other factors that may influence the value of properties along this corridor. If this evaluation establishes any impact on market levels then Council will adjust valuations and rates accordingly."

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING
MAYOR

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