



**GLEN EIRA CITY COUNCIL**

**ORDINARY COUNCIL MEETING**

**MINUTES**

30 AUGUST 2016

**INDEX**

- 1. ACKNOWLEDGEMENT**
- 2. APOLOGIES**
- 3. OATH OF OFFICE AND DISCLOSURE OF INTERESTS**
- 4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**
- 5. RECEPTION AND READING OF PETITIONS**
- 6. DOCUMENTS FOR SEALING**
- 7. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS**
- 8. REPORTS FROM COMMITTEES**
  - a. Advisory Committees**
    - i. Transport Advisory Committee, 14 July 2016
  - b. Records of Assembly**
    - i. 2 August 2016
    - ii. 9 August 2016
    - iii. 16 August 2016

**INDEX (cont'd)****9. PRESENTATION OF OFFICER REPORTS**

- 9.1 VCAT Watch
- 9.2 2 Malane Street, Bentleigh East
- 9.3 146-148 East Boundary Road, Bentleigh East
- 9.4 Interim Height Controls
- 9.5 Adoption of Financial Management Report for the period ending 31 July 2016
- 9.6 Adoption of the 2015-16 Financial Report
- 9.7 Quarterly Reporting
- 9.8 Foundation for Youth Excellence Committee Grant Applications
- 9.9 Bi-partisan working group report of the Caulfield Racecourse Reserve
- 9.10 Conduct Reference Group Terms of Reference and Operating Guidelines

**10. URGENT BUSINESS****11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****11.2 Right of reply****11.3 Councillor questions****11.4 Public questions to Council****12. CONSIDERATION OF IN CAMERA ITEMS**

- 12.1 Under s89(2)(d) 'contractual' which relates to the awarding of the contract for Tender number 2017.002 EE Gunn Reserve Oval Redevelopment, EE Gunn Reserve, Ormond.

**13. CLOSURE OF MEETING**



**AGENDA for the ORDINARY MEETING OF THE  
GLEN EIRA CITY COUNCIL to be held on Tuesday, 30 August 2016**

The meeting opened at 7.30pm 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**

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**

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

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



**4. CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**

Copies of Minutes previously circulated.

**Crs Lipshutz/Hyams**

**That the minutes of the Ordinary Council Meeting held on Tuesday, 9 August 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. Transport Advisory Committee, 14 July 2016

**Crs Sounness/Hyams**

**That the minutes of the above Committee be received and noted.**

**That the recommendations of the Committee be adopted.**

**The MOTION was put and CARRIED unanimously.**

**b. Records of Assembly**

- i. 2 August 2016
- ii. 9 August 2016
- iii. 16 August 2016

**Crs Lipshutz/Magee**

**That the Records of the above Assemblies be received and noted.**

**The MOTION was put and CARRIED unanimously.**

## TRANSPORT ADVISORY COMMITTEE MEETING

### MINUTES

Thursday, 14 July 2016 at 7.30pm in Ogaki Room

**Present:** Cr Sounness (Chair), Cr Hyams, Cr Pilling (Mayor), Ron Torres, C McNaughton, M Oswald, D Stosser, N Belcher

<i>Item</i>	
1. Introduction by Chair	Cr Sounness welcomed everyone to the meeting. Cr. Sounness informed the group that Committee member Megan Waddell has resigned her position due to possible conflict of interest with her role at VicRoads. The Councillors discussed the opening for a new Community Committee member and have nominated a replacement. The appointment of this community member will be subject to Council resolution, at an upcoming Council Meeting.
2. Previous Meeting Minutes	Cr Sounness called attention to the previous meeting minutes. The only outstanding action arising from the minutes was the need to make arrangements for the upcoming Community Transport Forum scheduled for 08 September 2016. Cr Sounness explained that this item would be the main item for discussion at the meeting.
3. Transport Forum	<p>Cr Sounness lead discussion on the proposed Transport Forum. A number of options were discussed with respect to format, topics for discussion, guest presenters and invitees. The group discussed the purpose to engage the community in a focused way, in a similar way to previous Environment Forums that have been held by Council's Environment Advisory Committee. The aim would be to attract and engage with Community members that are interested and aware of transport issues, to gather their feedback, collate the information received, report back and follow up on those issues.</p> <p>The discussion settled on the following outcomes:</p> <ol style="list-style-type: none"><li>1. Format – a World Café style format with people in groups around tables.</li><li>2. Agenda – the Committee decided that the Forum should run for two hours from 7pm to 9m. A draft agenda was developed (subject to planning &amp; availability)<ol style="list-style-type: none"><li>a. Arrival &amp; greeting (10 minutes)</li></ol></li></ol>

	<ul style="list-style-type: none"> <li>b. Introduction about purpose of Forum (5 minutes)</li> <li>c. Background on management of Transport Issues in Glen Eira (who is responsible)</li> <li>d. Report on Current Transport Strategy, achievements and aims (10 minutes)</li> <li>e. Break into groups to discuss themes (20 minutes)</li> <li>f. Guest presenter, followed by group Q&amp;A (30 Minutes)</li> <li>g. Break into groups to discuss themes (20 minutes)</li> <li>h. Group discussion to conclude world café (10 minutes)</li> <li>i. Wrap Up/where to from here (10 minutes)</li> </ul> <p>3. Themes – the following themes were identified as key themes for round table discussion.</p> <ul style="list-style-type: none"> <li>a. Public Transport</li> <li>b. Active Transport</li> <li>c. Traffic &amp; Parking</li> <li>d. Urban Village Activation/development</li> <li>e. Up to two other themes could be added on the evening if there was strong interest</li> </ul> <p>4. Guest Presenter – there was support for having a guest presenter from the Heart Foundation if someone was available. The aim will be for the presenter to generate enthusiasm and interest in transport initiatives and how they relate to liveability.</p> <p>5. Marketing/Consultation - Council officers to undertake community consultation to attract community members to attend the Forum by following standard Council consultation policy, and include invitations via:</p> <ul style="list-style-type: none"> <li>a. GE News, GE website, GE e-news, Your Say, What's On, notice boards etc.</li> <li>b. Local Leader advertising "What's On"</li> <li>c. Other Council networks – such as the Environmental Network, Disability Reference Committee</li> <li>d. Other local stakeholder groups, such as Community Information Glen Eira (CIGE), Ormond/McKinnon Walks, GE Bicycle Users Group (GE BUG), Sustainable Garden Group, Skateboarders group, Traders Associations</li> <li>e. Other wider interest groups – Bicycle Network, Public Transport Users Association (PTUA) etc.</li> <li>f. Transport Advisory Committee members – own networks/contacts</li> </ul> <p>6. Other key points:</p> <ul style="list-style-type: none"> <li>a. Council Officers to arrange a facilitator to assist in MC/running the evening.</li> <li>b. Council Officers to prepare a one-page document about key roles &amp; responsibilities in Transport Issues</li> <li>c. Council Officers to prepare a one-page document with information about the</li> </ul>
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	<p>Transport Strategy &amp; a snap shot of key transport indicators</p> <p>d. Council Officers to enable people who cannot attend, the ability to provide feedback/input.</p> <p>e. Council Officers to arrange appropriate catering for the event.</p> <p><b>Motion:</b> For Council Officers to organise a Community Forum on the evening of 08 September 2016 to discuss and explore Transport Issues with the Community.</p> <p><b>Moved:</b> Cr. Pilling  <b>Seconded:</b> Cr Hyams  All Members voted in favour of the resolution. Motion was carried unanimously.</p>
4. General Business	<p>DS – indicated that he could provide a weekly Railway newsletter via e-mail to Advisory Committee members if they were interested.</p> <p>CMc – informed the committee about a volunteer organisation in South Melbourne called “Back2Bikes” who repair and recycle bikes for those in need. <a href="http://back2bikes.com.au/">http://back2bikes.com.au/</a></p> <p>MO – asked about whether Council had considered the impact of railway car park closures for the LXR works along the Dandenong rail corridor on other stations and parking within the community.</p> <p>DS – asked about whether there had been consideration of increasing bus route services during the disruptions to the railway lines.</p> <p>NB – indicated that Council Officers worked closely with the Level Crossing Removal Authority (LXRA), Metro Trains Melbourne (MTM) &amp; Public Transport Victoria (PTV) with respect to the Level Crossing Removal (LXR), car parking &amp; transport service issues associated with the LXR projects.</p>
5. Meeting Schedule for 2016	<p>The next Transport Committee Meeting will be held on Thursday 25 August 2016 in the Ogaki Room, commencing at 7:30pm. The main item for discussion will be the finalisation of the arrangements and objectives for the Community Transport Forum on 08 September 2016.</p>

The meeting closed at 9pm (C McNaughton left the meeting at 8.55pm)

**Assembly of Councillors  
2 August 2016**

**Record under S 80 A (2)**

**Meeting commenced at 6.45PM**

**A. Present**

Cr Neil Pilling, Mayor  
Cr Mary Delahunty  
Cr Margaret Esakoff  
Cr Kelvin Ho  
Cr Jamie Hyams  
Cr Michael Lipshutz  
Cr Oscar Lobo (arrived 7.10pm)  
Cr Jim Magee  
Cr Thomas Sounness

Rebecca McKenzie CEO  
Ron Torres  
Peter Swabey  
Samantha Krull  
Rocky Camera  
Robyn Taft  
Mark Saunders  
Robyn Taft

**B. Matters considered.**

- (i) LXRA Update Presentation – postponed to be rescheduled
- (ii) Moorleigh Community Village
- (iii) Open Space Strategy – Next Steps for Refresh of Priorities for Masterplans and Pavilions
- (iv) Council Papers for the 9 August Council Meeting
  - a) Item 9.1 441-495 Inkerman Road, St Kilda East
  - b) Item 9.2 534 North Road, Ormond
  - c) Item 9.3 198 Balaclava Road, Caulfield North
  - d) Item 9.4 VCAT Watch

7.39PM Cr Magee left the meeting room

- e) Item 9.5 Planning Scheme Review

7.43PM Cr Magee returned to the meeting room

7.49PM Cr Sounness left the meeting room

- f) Item 9.6 Missing Footpaths in Roads

7.55PM Cr Sounness returned to the meeting room

- g) Item 9.7 Community Grants Recommendation. The Councillors requested that the guidelines for community grants be reviewed at a future Assembly.
- h) Item 9.8 Instrument of Appointment and Authorisation under the Planning and Environment Act 1987
- i) Item 9.9 Changes to Delegations from Council to members of staff and the Delegated Planning Committee

8.38PM Cr Ho left the meeting room

8.41PM Cr Ho returned to the meeting room

- j) Item 9.10 Risk Management Policy – amendment to typography.
- k) Item 11 Ordinary Business
  - 11.1 Requests for reports from Officers
  - 11.2 Right of reply
  - 11.3 Councillor questions

- (iv) Records of Assembly
  - Ordinary Meeting Minutes 19 July 2016
  - Assembly Minutes 26 July 2016

- (vi) General Business raised by Councillors

- (a) Cr Esakoff – email from resident.
- (b) Cr Esakoff – pedestrian access at Murrumbeena Station.
- (c) Cr Hyams – Myna birds.
- (d) Cr Hyams – footpath washing North Road Ormond (LXRA).
- (e) Cr Lipshutz – lease of Caulfield Park Bowls Club.
- (e) Cr Lobo – Traffic infringements.
- (f) Cr Sounness – Tender for Planning Services
- (g) Cr Sounness – parking in Sylverly Grove
- (h) Cr Sounness – Open Space Strategy – Recreational Needs Assessment

- (i) Cr Delahunty – St James St parking
- (j) Cr Delahunty – Harlston Park basketball ring
- (k) Cr Delahunty – Caulfield Park Pavilion lighting
- (l) Cr Magee – Gutter cleaning issue Tudor St

**Finish 9.09PM**



**Council Pre-Meeting**

**9 August 2016**

**Record under S 80 A (2)**

**Meeting commenced at 6.45PM**

**A. Present**

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

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

**B. Matters considered.**

- (i) Council Papers for 9 August 2016 consisting of ten Officer reports together with standing items on the Agenda.
  - (a) Agenda Item 9.3 – 198 - 202 Balaclava Road, Caulfield North.
  - (b) Agenda Item 9.5 – Planning Scheme Review.
  - (c) Agenda Item 11.1 – Request for a Report.
  - (d) Agenda Item 11.4 – Public Questions.

**Cr Delahunty left the meeting room at 7.28pm**

**Fin 7.30PM**

**Assembly of Councillors  
16 August 2016**

**Record under S 80 A (2)**

**Meeting commenced at 6.45PM**

**A. Present**

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

Rebecca McKenzie, CEO  
Peter Jones  
Peter Swabey  
Ron Torres  
Samantha Krull  
Rachel Ollivier  
James Kearney  
Robyn Taft

**Apologies:**

Cr Jim Magee

**B. Matters considered.**

- (i) LXRA CD 9 Project Update (Presentation)
- (ii) LXRA Project Update – Proposed Communications Plan (Presentation)

8.37PM the meeting adjourned.

8.52PM the meeting resumed in the presence of:

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

- (iii) Interim height controls for Bentleigh and Carnegie commercial centres
- (iv) Council Conduct Reference Group – Terms of Reference
- (v) Duncan Mckinnon Pavilion and grounds update
- (vi) General Business raised by Councillors and CEO.

- (a) Cr Sounness – Management of signs over 10 sqm
- (b) Cr Delahunty – Caulfield Hebrew Congregation VCAT mediation
- (c) Cr Lobo – Matters concerning a resident dispute
- (d) Cr Pilling – visit from Ogaki students
- (e) Cr Lipshutz – Plinth in Caulfield Park; Fencing issues of a private nature
- (f) Cr Esakoff – Carnegie traders lighting issue; Murrumbeena Rd street tree; Lord Reserve Pavilion
- (g) Cr Hyams – Hotham Street clearway; Councillor requests process, Response to residents on LXRA issues.
- (h) Cr Ho – right turn from North Rd into East Boundary Rd

**Finish 10.32PM**

**9. PRESENTATION OF OFFICERS REPORTS**

- 9.1 VCAT Watch
- 9.2 2 Malane Street, Bentleigh East
- 9.3 146-148 East Boundary Road, Bentleigh East
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- 9.5 Adoption of Financial Management Report for the period ending  
31 July 2016
- 9.6 Adoption of the 2015-16 Financial Report
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- 9.10 Conduct Reference Group Terms of Reference and Operating Guidelines

**Item 9.1           VCAT WATCH**

**Author: Rocky Camera - Manager Town Planning**

**File No: N/A**

**Attachments: Table of new appeals lodged**

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**PURPOSE AND SUMMARY**

To report to Council recent VCAT decisions.

**RECOMMENDATION**

That Council notes:

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

**BACKGROUND**

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

**ISSUES AND DISCUSSION**

ADDRESS	<b>258 GLEN EIRA ROAD, ELSTERNWICK</b>
PROPOSAL	MODIFICATIONS TO THE EXISTING PERMIT WHICH AUTHORISES THE USE OF THE LAND FOR A CAFÉ TO ALLOW: <ul style="list-style-type: none"><li>• THE ABILITY TO SELL AND CONSUME LIQUOR</li><li>• AN INCREASE IN OPERATING HOURS FROM 6PM TO 11PM</li><li>• AN INCREASE IN STAFF NUMBERS FROM 5 TO 8</li><li>• AN INCREASE IN THE NUMBER OF PATRONS FROM 88 TO 112</li></ul>
COUNCIL DECISION	REFUSAL (DPC)
PROPOSAL CONSIDERED BY VCAT	THE PROPOSAL WAS NOT AMENDED PRIOR TO THE VCAT HEARING
VCAT DECISION	PERMIT
APPELLANT	JMBHMJ PTY LTD

- The subject site is located within the Commercial 1 Zone along Glen Eira Road. The properties opposite the site and to the rear are located within the Neighbourhood Residential Zone.
- The subject site has been operating as a café since 2014 and has been subject to a number of enforcement proceedings due to breach of planning permit conditions (exceeding the number of staff and patrons on site).
- An amended application was subsequently lodged to bring the number of staff and patrons 'into compliance' and also to allow for the ability to sell and consume liquor. No additional car parking was provided.
- The application was subsequently refused on grounds relating to the detrimental impact on the adjoining residential amenity through the combination of serving liquor, excessive operating hours and increase in staff and patron numbers.
- The Tribunal held that an overall intensification of the use (increase in operating hours, staff numbers and patron numbers) was acceptable. Further, the Tribunal determined that the ability to sell and consume liquor in association with the use was acceptable.
- However, the Tribunal determined that no sale or consumption of liquor is permitted within the rear courtyard after 6pm on any given day.
- On that basis, the Tribunal directed Council to issue an Amended Permit.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

N/A

**POLICY AND LEGISLATIVE IMPLICATIONS**

N/A

**COMMUNICATION AND ENGAGEMENT**

N/A

**LINK TO COUNCIL PLAN**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

N/A

**Item 9.1 (cont'd)**

**Crs Lipshutz/Delahunty**

**That Council note:**

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

**The MOTION was put and CARRIED unanimously.**

**ATTACHMENT: TABLE OF NEW APPEALS LODGED*****PLANNING AND ENVIRONMENT LIST***

<b>HEARING DATE</b>	<b>APPEAL NO.</b>	<b>PROPERTY</b>	<b>PROPOSAL</b>	<b>ZONE</b>	<b>COUNCIL DECISION</b>	<b>APPEAL AGAINST</b>
9 January 2016	P1363/2016	70 Ulupna Road, Ormond	Construction of six double-storey dwellings	GRZ	NOD (DPC)	NOD (Objector)
11 January 2016	P1318/2016	Unit 1 47 Moonya Road, Carnegie	Modification to the existing permit allowing the construction of three dwellings. The proposed changes seek to: <ul style="list-style-type: none"> <li>• Construct a first floor addition</li> <li>• Increase the height of the front fence</li> </ul>	NRZ	NOD (DPC)	NOD (Objector)
19 January 2016	P1390/2016	41 Emily Street, Carnegie	Construction of three double story dwellings	GRZ	Refusal (DPC)	Refusal (Applicant)
5 October 2016	P1338/2016	6 Dalmor Avenue, Ormond	Alterations and additions to an existing dwelling	GRZ	Permit (Manager)	Conditions (Applicant)
13 January 2017	P1305/2016	287 Alma Road, Caulfield North	Construction of two double-storey attached dwellings	NRZ	Refusal (Manager)	Refusal (Applicant)



**Item 9.2          2 MALANE STREET BENTLEIGH EAST****Author:** Rocky Camera, Manager Town Planning**File No:** GE/PP-28868/2015**Attachments:** Advertised plans**PURPOSE AND SUMMARY**

To consider a Planning Permit application.



<b>PROPOSAL</b>	Three storey building comprising nine dwellings
<b>MUNICIPAL STRATEGIC STATEMENT</b>	Housing Diversity Area Policy (Bentleigh East Neighbourhood Centre)
<b>APPLICANT</b>	Frank Guarino - BMG Architects
<b>PLANNING SCHEME CONTROLS</b>	General Residential Zone, Schedule 1
<b>OBJECTIONS</b>	21 Objections

**RECOMMENDATION**

That Council: Issues a Notice of Decision to Grant a Planning Permit for Application No. GE/PP-28868/2015/A for the construction of a three storey building comprising nine dwellings in accordance with the conditions contained in the Conclusion section of this report.

## BACKGROUND

Planning Permit Application No. GE/PP-27239/2014 which was for a three storey building comprising 11 Dwellings was refused under Manager Delegation on 24 December 2014. The main grounds of refusal related to the building's design, scale and appearance not being compatible with the character of Malane Street and the proposed development negatively impacting on the amenity of the adjoining properties. The refusal was appealed to VCAT. The Tribunal upheld Council's refusal for similar reasons.

The current application is an 'amended' application. The applicant formally requested to amend this application before a decision was made by Council. The amendment sought to increase the floor level in response to flooding concerns.

## ISSUES AND DISCUSSION

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

### Proposal

The application proposes a three storey building comprising nine dwellings. Of the dwellings, eight will have two bedrooms and one dwelling will have one bedroom.

Car parking is proposed at ground level with 10 spaces provided (one per dwelling and one visitor car space).

### Objectors concerns

- Traffic and car parking impacts.
- Overdevelopment / Neighbourhood character.
- Incompatible with streetscape.
- Overlooking / loss of privacy.
- Overshadowing.
- Removal of vegetation.
- Noise.
- Poor amenity for future residents of proposed building.
- Strain on infrastructure.

### Referrals

#### *Transport Planning*

- The proposal meets the State Government car parking guidelines.
- Traffic generation from the proposal would not have a major impact on the operation and function of Malane Street or the surrounding road network.

*Landscape Officer*

- There are no high value trees on site and no neighbouring vegetation within close proximity to the proposed works.
- Require 2 canopy trees within the site's frontage and 1 within each rear corner of the site.

*Asset Engineering*

- The land is subject to flooding. The recommended flood ground floor level is 44.89 metres to Australian Height Datum.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

N/A

**POLICY AND LEGISLATIVE IMPLICATIONS**Zoning and policy context

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

The subject site is located within the General Residential Zone, with a direct interface to the Commercial 1 Zone to the south. The commercially zoned land is associated with Centre Road, which is the commercial centre of the Bentleigh East Neighbourhood Centre. The General Residential Zone allows for buildings up to 10.5 metres in height.

The Housing Diversity Policy area seeks to:

- *Ensure that the density, mass and scale of residential development is appropriate to that of the neighbourhood centre.*
- *Ensure that residential development is sited and designed so that it does not dominate the streetscape.*
- *Encourage a decrease in the density of residential development as the proximity to the commercial area of the neighbourhood centre decreases*

It is considered that the proposed development complies with Council's Housing Diversity Area Policy. The density, mass and scale of the development is considered appropriate for this location. The proposed maximum height (10.5 metres) complies with the mandatory maximum height allowed under the General Residential Zone and is considered acceptable given the subject land's proximity to the commercial centre along Centre Road.

Neighbourhood character

The current neighbourhood character along Malane Street consists predominately of single storey post war suburban bungalows, with some more recent single storey development in the form of duplex style developments (side by sides).

The design utilises a pitched roof form and external materials such as face brick and render that are typical of the streetscape. In this way the development seeks to reference the character of existing buildings in the streetscape.

#### Height, scale and massing

The proposed front setbacks to Malane Street do not comply with the State Government guidelines. The development proposes a minimum front setback of 4.69 metres (at ground floor). The State Government guidelines require a minimum front setback requirement of 9 metres. The first floor proposes minimum front setbacks ranging from 6.1 metres to the southern end up to 10.2 metres to the northern end (excluding the terrace areas). The second floor front setbacks range from 8 metres to the south up to 10.3 metres to the north (excluding the terrace areas). It is noted that the commercial building to the south (691 Centre Road) which fronts onto Centre Road is also built up along the Malane Street frontage. It is considered that the proposed front setbacks provide an appropriate transition from the commercial building to the south up to the residential dwelling at 4 Malane Street (to the north).

The setbacks to the northern (side) boundary do not comply with the State Government guidelines. The areas of non-compliance relate to the stainless steel structure along the northern side of Units 3 & 4 and the small roof elements of the two north facing gabled windows of Units 6 & 7. A condition of approval will require that the setbacks to the northern boundary comply with the State Government guidelines.

The building (in particular the upper floor) has been designed to step further away from the sensitive residential abutments to the north and east sides. In order to achieve this the setbacks to the southern (side) boundary do not comply with the State Government guidelines. However given that the land to the south contains a laneway and car park (and is located within the Commercial Zone) the non-compliance is considered acceptable in this instance (given the non sensitive abuttal).

It is considered that the proposed development has addressed both Council's and VCAT's concerns with the original development (that was previously refused). The front and rear setbacks have improved at first floor and second floor. The northern side setback has improved at the upper (second) floor. This has been achieved as a result of the reduction in number of dwellings sought under this proposal (9 down from 11 in the previous proposal).

#### Amenity impacts

The building minimises the visual impact of its height, mass and scale on the adjoining residential land to the north through the use of different materials and highly articulated built form.

The application demonstrates full compliance with the State Government guidelines in relation to overlooking, overshadowing and daylight access to adjoining windows.

#### Landscaping

Appropriate landscaping can be accommodated in the front setback that will contribute to the future amenity of the streetscape. The proposal is also capable of accommodating landscaping along the northern and eastern boundary to in time help screen the building from these properties.

#### Car Parking and Traffic

The proposal complies with the State Government guidelines for car parking.

#### Management Plan Requirements

A Waste Management Plan (WMP) and Construction Management Plan (CMP) is recommended to be required by way of permit conditions.

### **COMMUNICATION AND ENGAGEMENT**

#### Public Notice (Statutory)

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

#### Planning Conference (Non Statutory)

The Conference, chaired by Cr Councillor Magee, 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 is contrary to neighbourhood character.
- Car parking/traffic
- Privacy/overlooking
- Insufficient private open space for future residents
- Vegetation removal.
- Noise

### **LINK TO COUNCIL PLAN**

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

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

### **CONCLUSION**

That a Notice of Decision to Grant a Planning Permit be issued with the following conditions:

#### **Conditions:**

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as 1402, sheets TP01 to TP06 (inclusive), revision C, dated 23/05/2016, prepared by BMG Architecture) but modified to show:
  - (a) A landscape plan in accordance with Condition 2

- (b) A notation on the plans that written confirmation by a Licensed Land Surveyor will be provided to the Responsible Authority verifying that the development does not exceed 10.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.
- (c) Section 4 correctly drawn to show the ramp from the ROW with the location/type of security door and headroom below clearly dimensioned.
- (d) The location of any substation/services/metres to be clearly shown on the plans (to have limited visibility from the streetscape) and in a location to the satisfaction of the Responsible Authority. Any on-site substation must not be located in the front setbacks and must not reduce any open space for each apartment
- (e) The setback of the building from the northern boundary to comply with Standard B17 of ResCode. All changes must be absorbed within the remainder of the building envelope.

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

2. A detailed Landscape Plan must be submitted to Council, to the satisfaction of the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate the following:

- (a) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
- (b) 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.
- (c) Landscaping and planting within all open space areas of the site.
- (d) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
  - (i) 2 x canopy trees within site frontage
  - (ii) 1 within rear north-east corner
  - (iii) 1 within rear south-east corner

or 4 trees in locations to the satisfaction of the Responsible Authority.

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

3. The 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.

## 4. This Permit will expire if:

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

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

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

5. The landscaping as shown on the endorsed Landscape Plan must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
6. 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.
7. Written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the development does not exceed 10.5 metres in height above natural ground level. This must be provided at frame stage inspection and at final inspection.
8. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to the satisfaction of the Responsible Authority and must provide details of the following:
  - (a) delivery and unloading points and expected frequency;
  - (b) Truck haulage routes, circulation spaces and queuing lanes;
  - (c) Details how traffic and safe pedestrian access will be managed. These must be in the form of a Traffic Management Plan designed by a suitably qualified traffic practitioner;
  - (d) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (e) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (f) any requirements outlined within this permit as required by the relevant referral authorities;
  - (g) hours for construction activity in accordance with any other condition of this permit;
  - (h) measures to control noise, dust, water and sediment laden runoff;

- 
- (i) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - (j) any construction lighting to be baffled to minimise intrusion on adjoining lots.
9. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- a) constructed;
  - b) properly formed to such levels that they can be used in accordance with the plans;
  - c) surfaced with an all weather sealcoat;
  - d) drained;
  - e) line-marked to indicate each car space and all access lanes;
  - f) clearly marked to show the direction of traffic along the access lanes and driveways
- to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
10. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
11. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note H.
12. Prior to the occupation of the approved development, a permanent sign must be erected by the applicable planning permit holder in a prominent position in the car park and in any foyer/s stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)". The sign must measure approximately 0.2 square metres in area, to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority a Waste Management Plan (WMP) for the site with respect to the collection and disposal of waste and recyclables associated with the proposed uses on the site to the satisfaction of the Responsible Authority. The WMP must provide for the following:
- a) The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.



- b) Designation of methods of collection including the need to provide for private services or utilisation of council services. If private collection is used, this method must incorporate recycling services and must comply with the relevant EPA noise guideline relating to the time of collection.
- c) Appropriate areas of bin storage on site and areas of waste bin storage on collection days.
- d) Details for best practice waste management once operating.

Once approved the WMP will be endorsed to form part of this permit and must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

- 14. Privacy screens/obscure glazing must be in accordance with the endorsed plans and must be installed prior to the occupation of the development. The privacy screens/obscure glazing must be maintained to the satisfaction of the Responsible Authority.
- 15. Prior to the occupation of the development, the walls on the boundary of adjoining properties must be cleaned and finished in a manner to the satisfaction of the Responsible Authority. Painted or bagged walls must be finished to a uniform standard and unpainted or unrendered walls must have all excess mortar removed.
- 16. During the construction of the buildings and works allowed by this permit, the laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.
- 17. Car parking must be allocated at the following rate:
  - One (1) car space be allocated to each 1 or 2 bedroom dwelling; and
  - A minimum of one residential visitor parking space.

**Notes:**

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

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

- B. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968.

- C. Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- D. Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to
- E. acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- F. The permit holder/applicant/owner must provide a copy of the Planning Permit to any appointed Building Surveyor. It is the responsibility of the permit holder/applicant/owner and the Building Surveyor to ensure that the development approved by this Permit is consistent with any Building Permit approved and that all works are consistent with the endorsed plans approved under this Planning Permit.
- G. Consideration is required when installing domestic services (i.e – air conditioning units, heaters, pool pumps, water tanks and the like). The owner/occupier/permit holder/developer must take all reasonable and practicable measures in locating domestic services in position that reduce any amenity impact on adjoining properties. This includes selecting an appropriate installation position and enclosing the domestic service. Further information regarding noise from domestic services can be found in the Environmental Protection Act 1970.
- H. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits)
- I. Any firefighting equipment for the building shall be accommodated within title boundary. Submitted plans are not showing location of any fire services hydrant / booster. Firefighting facility as required under Building Act/Regulation shall be within the subject land and not in Council Road Reserve.
- J. Asset Protection Permit must be obtained from Council Engineering Services Department prior commencement of any building works.
- K. All relevant Engineering Permits must be obtained prior any works within the Road Reserve and or stormwater connection to Council drainage network.
- L. No net increase in peak stormwater runoff in Council drainage network. Post development peak storm water discharge to Council drainage network must be maintained to the predevelopment level for 10 year ARI. Detailed plans and computations prepared by a registered consulting Civil Engineer should be submitted to Council for approval prior any construction works. When approved these plans will be endorsed and form part of plans submitted with town planning permit application.
- M. Connect storm water runoff from the allotment via an outfall drain to Council storm water pit/pipe located in front of 1 Malane Street. The design and construction of the outfall drain must be approved by Engineering Assets and all costs associated with the outfall drain design and construction must be borne by the developer.
- N. Engineering Services encourage using of rainwater tanks for storage and reuse for toilet and irrigation purpose and or storm water detention system.

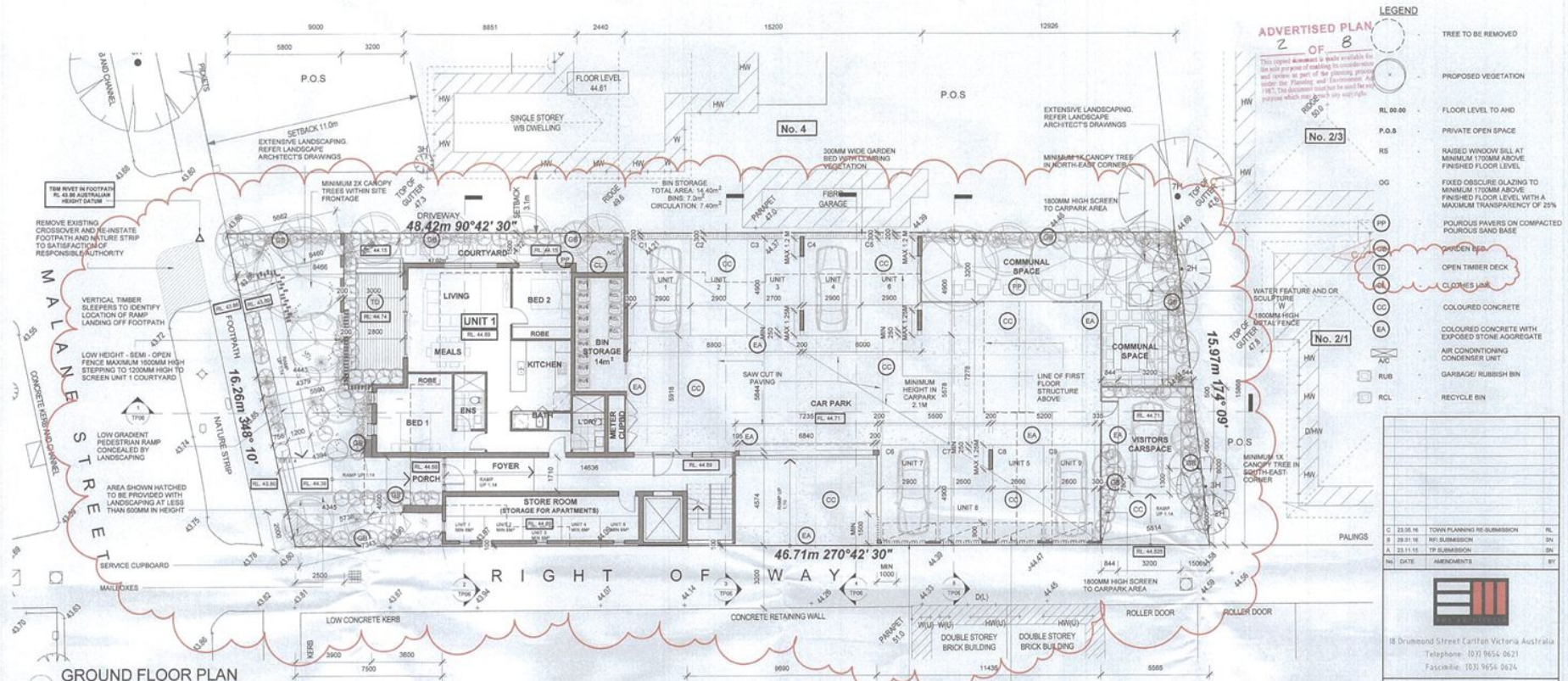
- O. Any cracked and or sunken concrete slabs with in the Right of Way during or after the construction is to be reinstated by the developer at the developers cost.
- P. All on-site storm water is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
- trench grate (150mm minimum internal width ) located within the property; and/or
  - Shaping the driveway so that water is collected in a grated pit on the property.

**Crs Hyams/Sounness**

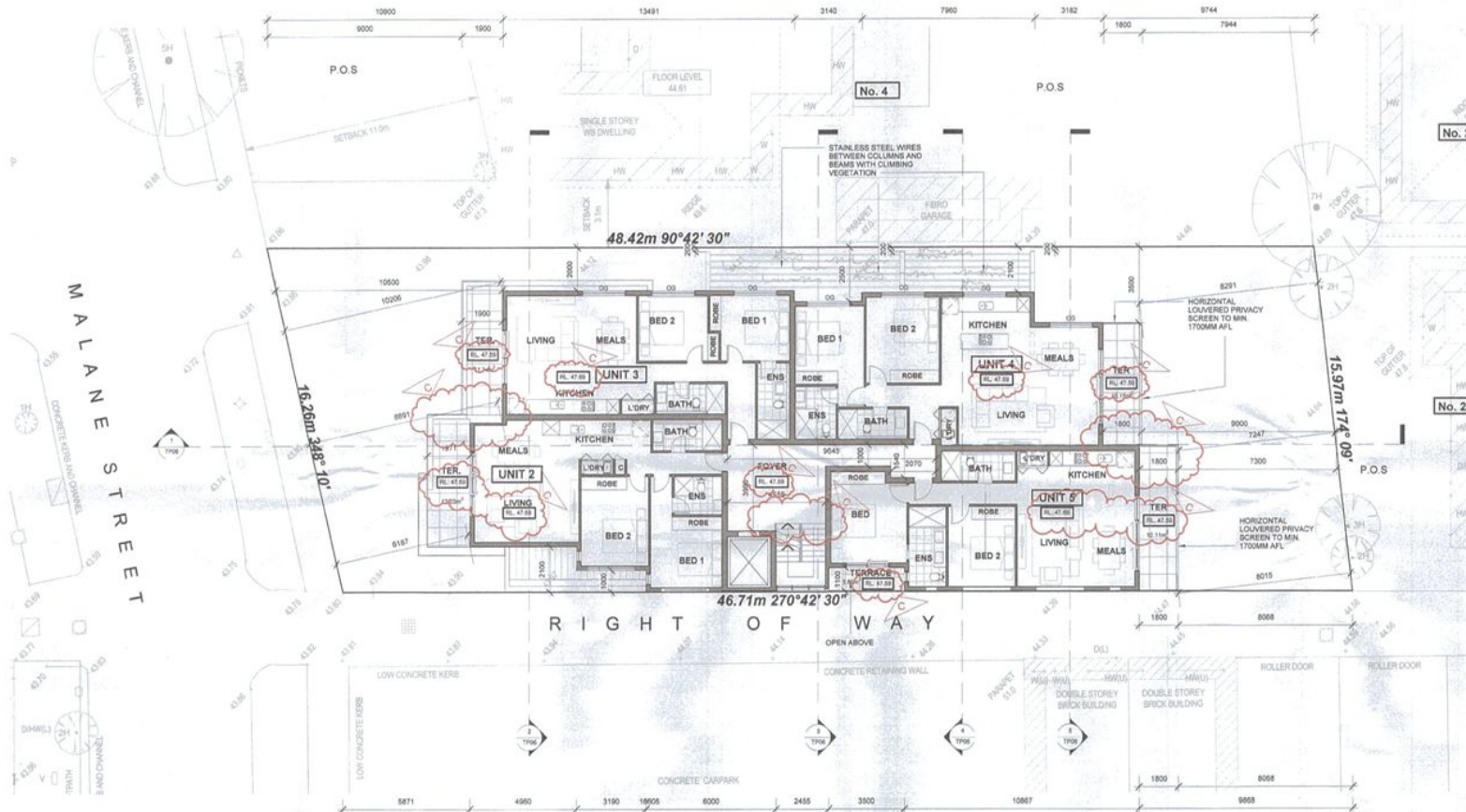
**That the recommendation in the report be adopted with the addition of the following condition 1(f):**

**“1(f) The building to have a minimum front setback of 9 metres. These changes are to be absorbed within the existing building envelope. The front façade must maintain an adequate level of articulation through the use of varied setbacks and/or mix of materials and colours to the satisfaction of the responsible Authority”.**

**The MOTION was put and CARRIED unanimously.**







1 FIRST FLOOR PLAN  
1:100

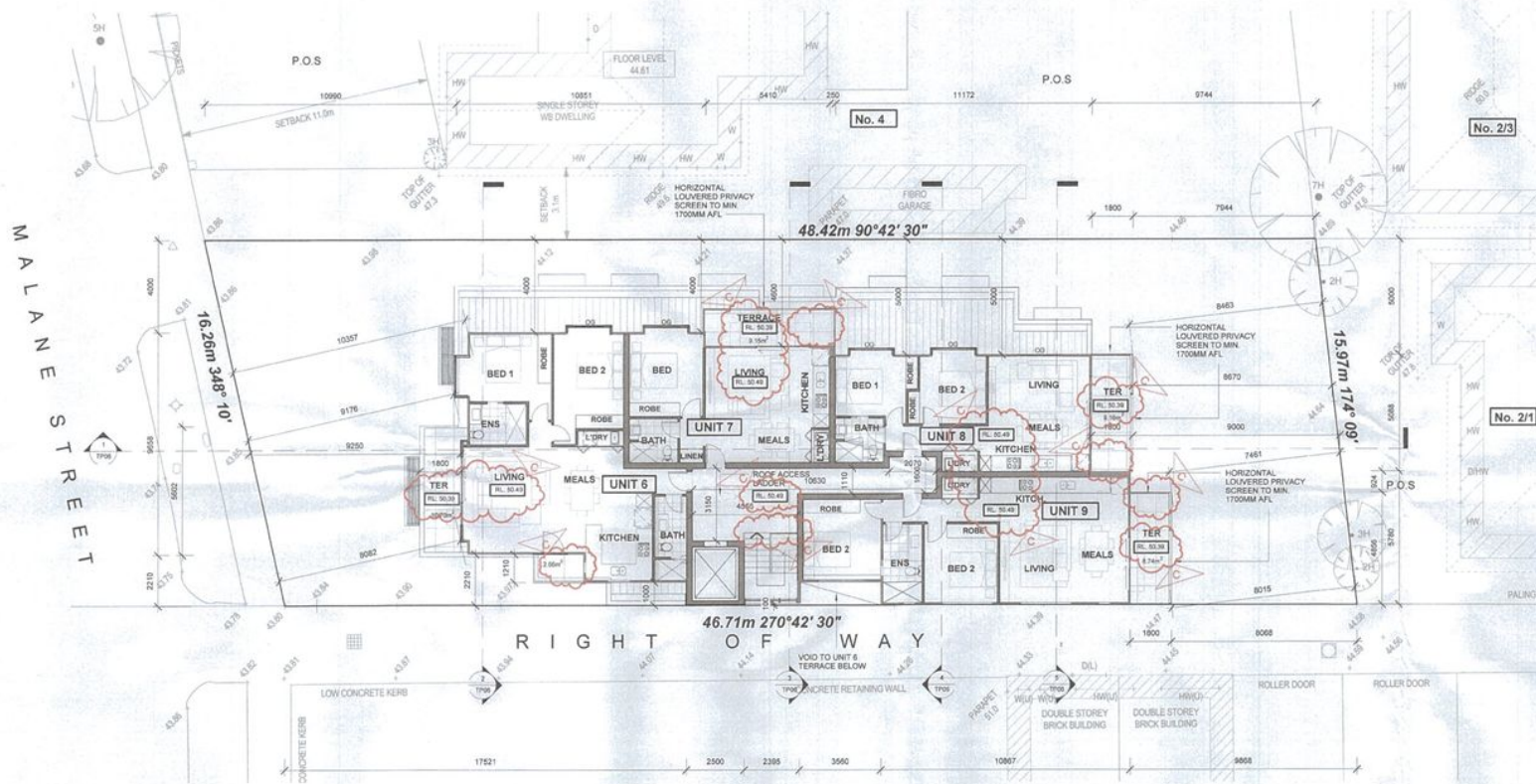
# LEGEND

- RL 00.00 FLOOR LEVEL TO AHD
- RS RAISED WINDOW SILL AT MINIMUM 1700MM ABOVE FINISHED FLOOR LEVEL
- OG FIXED OBSCURE GLAZING TO MINIMUM 1700MM ABOVE FINISHED FLOOR LEVEL WITH A MAXIMUM TRANSPARENCY OF 25%
- AC AIR CONDITIONING CONDENSER UNIT

## ADVERTISED PLAN 3 OF 3

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<p>All Drawings &amp; Designs remain the property of BMS Architects &amp; are subject to the laws &amp; protection of Copyright.</p>	
<p>PROJECT TITLE</p> <p>PROPOSED MULTI-UNIT DEVELOPMENT AT 2 MALANE STREET, BENTLEIGH EAST</p>	
<p>DRAWING TITLE</p> <p>FIRST FLOOR PLAN</p>	
<p>DATE: 05.10.15</p> <p>DRAWN: SN</p> <p>JOB No: 1507</p> <p>DWG No:</p>	<p>SCALE @ A1: 1:100</p> <p>CHECKED: FG</p> <p>REVISION</p> <p>C</p>



# LEGEND

- RL 00.00 - FLOOR LEVEL TO AHD
- RS - RAISED WINDOW SILL AT MINIMUM 1700MM ABOVE FINISHED FLOOR LEVEL
- OG - FIXED OBLIQUE GLAZING TO MINIMUM 1700MM ABOVE FINISHED FLOOR LEVEL WITH A MAXIMUM TRANSPARENCY OF 25%
- AC - AIR CONDITIONING CONDENSER UNIT

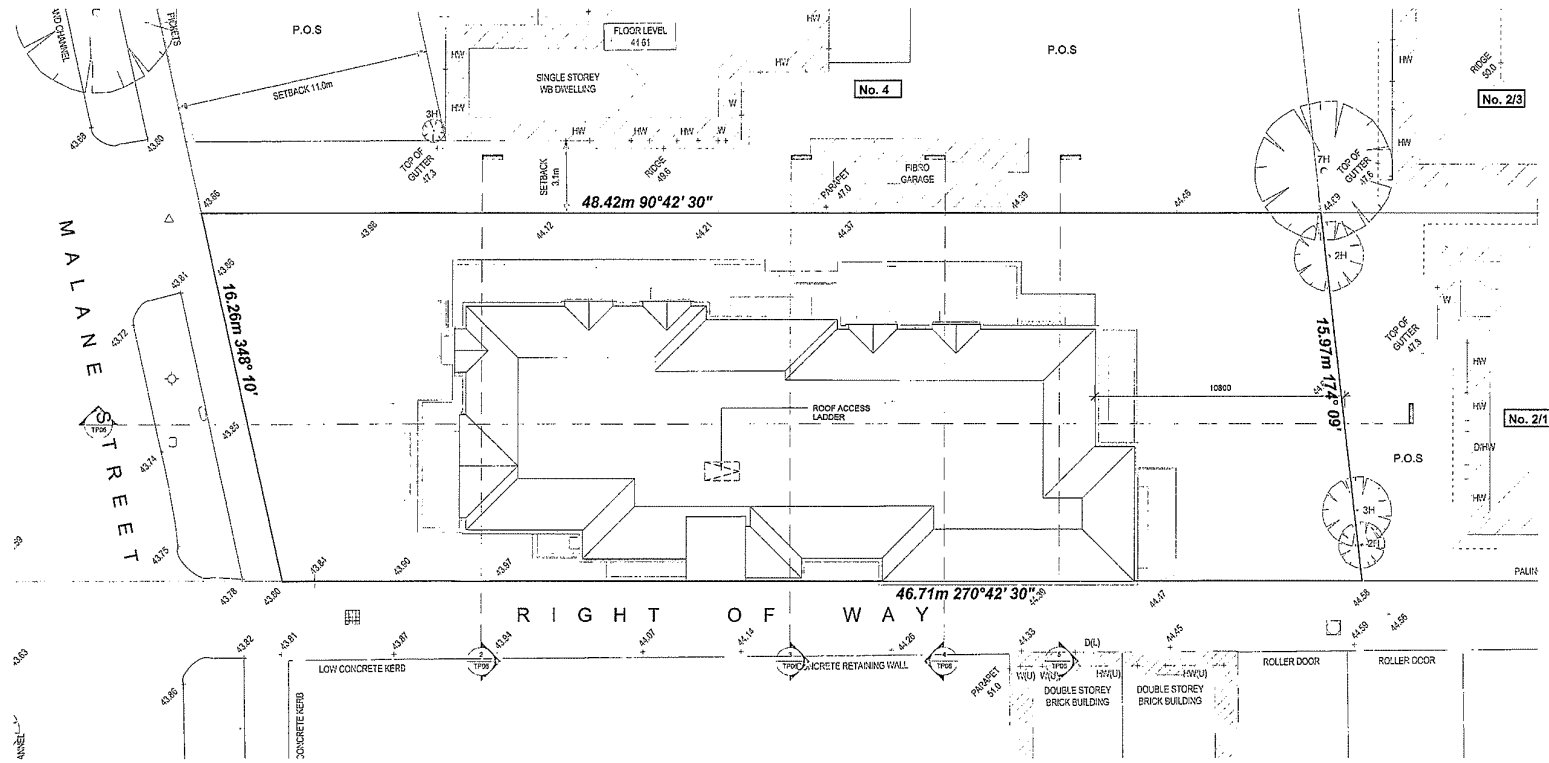
## ADVERTISED PLAN

4 OF 8

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C 23.05.10 TOWN PLANNING RE-SUBMISSION RL	
B 29.01.10 RPL SUBMISSION SN	
A 23.11.10 TP SUBMISSION SN	
DATE	AMENDMENTS
18 Drummond Street Carlton Victoria Australia Telephone: (03) 9454 0621 Facsimile: (03) 9454 0624	
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PROJECT TITLE	
PROPOSED MULTI-UNIT DEVELOPMENT AT 2 MALANE STREET, BENTLEIGH EAST	
DRAWING TITLE	
SECOND FLOOR PLAN	
DATE 05.10.15	SCALE @ A1 1:100
DRAWN SN	CHECKED FG
JOB No 1507	
DWG No TP03	REVISION C

ADVERTISED PLAN  
 5 OF 8  
 This must be shown on a scale of 1:100 for  
 local approval and construction  
 and must be part of the planning process  
 under the Planning and Environment Act  
 1977. The owner must be responsible for  
 any other requirements.



1 ROOF PLAN  
 1: 100

C 23.06.16 TOWN PLANNING RE-SUBMISSION				PL
D 20.04.16 RE-SUBMISSION				SH
A 23.11.16 TP SUBMISSION				SH
NO	DATE	AMENDMENTS	BY	

18 Drummond Street Carlton Victoria Australia  
 Telephone: (03) 9654 9621  
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PROJECT TITLE

PROPOSED MULTI-UNIT  
 DEVELOPMENT AT  
 2 MALANE STREET,  
 BENTLEIGH EAST

DRAWING TITLE

ROOF PLAN

DATE: 05.10.15	SCALE @ A1: 1: 100	<p>NORTH</p>
DRAWN: SN	CHECKED: FG	
JOB No: 1507		
DWG No: TP04	REVISION: C	







**Item 9.3          146-148 EAST BOUNDARY ROAD, BENTLEIGH EAST****Author:** Rocky Camera, Manager Town Planning**File No:** GE/PP-29059/2016**Attachments:** Advertised plans**PURPOSE AND SUMMARY**

To consider a Planning Permit application.



<b>PROPOSAL</b>	Four storey building comprising 36 dwellings above a basement car park and removal of an easement
<b>MUNICIPAL STRATEGIC STATEMENT</b>	Housing Diversity Area Policy (Bentleigh East Neighbourhood Centre)
<b>APPLICANT</b>	Omeo Group Pty Ltd c/o - SJB Planning Pty Ltd.
<b>PLANNING SCHEME CONTROLS</b>	Mixed Use Zone
<b>OBJECTIONS</b>	Two objections

**RECOMMENDATION**

That Council: Issues a Refusal to Grant a Planning Permit for Application No. GE/PP-29059/2016 for the construction of a four storey building comprising 36 dwellings, reduction of one visitor car space and removal of an easement from the Title Plan in accordance with the Grounds of Refusal contained in the Conclusion section of this report.

---

**BACKGROUND**

N/A

**ISSUES AND DISCUSSION**

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

Proposal

The application proposes a four storey building comprising 36 dwellings. Of the dwellings, 32 will have two bedrooms and four are single bedroom dwellings.

Car parking is proposed across a two level basement car park comprising 42 car spaces (36 residential car spaces and six for visitors).

The application also proposes the removal of a drainage and sewerage easement which runs along the northern boundary of the property.

Objectors concerns

- Parking and traffic congestion.
- Too many apartment buildings in the area.
- Road infrastructure and public transport is at capacity.
- Noise and dust from construction.
- Reduced land value.

Referrals*Transport Planning*

- Pedestrian sight triangles must be provided in accordance with the State Government guidelines. These must be accommodated within the site's boundaries. This will result in the accessway being moved 400mm to the west.
- A 3 metre x 3 metre ground level corner splay must be provided on the south-western corner of the site. This area must be clear of objects and vegetation greater than 600mm in height.
- Changes are required to the basement levels in order to ensure safe and convenient access and comply with the State Government requirements.

*Landscape Officer*

- There are no trees on site.
- The basement is proposed to the site boundaries. This will impede opportunities for tree planting on site as well as rendering neighbouring trees to the north unsustainable.
- The design should be amended to provide a minimum 2 metre setback from neighbouring trees to the north and provide for tree protection zones.

*Asset Engineering*

- Asset Engineering has advised that there is no objection to the removal of the easement.

*Parks Services*

- There are two trees on the Omeo Court nature strip. Tree protection zones are required for one of the trees however the other tree will need to be removed and replanted elsewhere.

*Vic Roads*

- No objection subject to conditions.

*South East Water*

- No written response received at date of printing. South East Water has verbally notified Council of concerns with respect to the proposed removal of the easement.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

N/A

**POLICY AND LEGISLATIVE IMPLICATIONS**Zoning and policy context

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

The subject site is located within the Mixed Use Zone, with a direct interface to the commercial area to the west across East Boundary Road and with the General Residential Zone to the south and east. Land directly to the north of the site at 730A and 730B Centre Road is also in the Mixed Use Zone. It is noted that the land to the north at 730A Centre Road currently has a five storey building under construction.

The Housing Diversity Policy area seeks to:

- *Ensure that any new residential development is designed and sited to minimise its adverse impacts on adjoining existing residential properties by way of building bulk, overlooking and overshadowing.*

It is considered that the proposed development does not comply with Council's Housing Diversity Area Policy. The proposed development will result in unreasonable bulk impacts onto the Omeo Court streetscape. In addition the development will result in unreasonable overlooking impacts into the adjoining property to the north.

Neighbourhood character and streetscape

The proposed ground floor and upper floor setbacks to Omeo Court do not comply with the State Government guidelines. The proposed front setbacks are considered to be inadequate

and not in keeping with existing setbacks. The street setbacks as proposed will result in unnecessary bulk and mass on the streetscapes. The entrance to the building is not sufficiently identifiable enough to provide a satisfactory sense of address to the building.

Amenity impacts:

The land benefits from two street frontages to the west and south, resulting in minimal overshadowing of adjoining land. Overshadowing complies with the State Government guidelines.

The side and rear setbacks (north and east sides) do not comply with the State Government guidelines.

Overlooking from the proposed development does not comply with the State Government guidelines. The northern elevation contains numerous habitable room windows and balconies that all have direct views into the adjoining areas of secluded private open space associated with the building under construction at 730A Centre Road.

Private Open Space

Not all dwellings are provided with the required amount of private open space set out in the State Government guidelines. In addition a number of the open space areas will receive poor solar access. This is considered to be a poor design outcome.

Landscaping

Landscaping options are limited on the site. The extent of basement prohibits any deep root planting across the whole site. The application seeks to address this with the provision of planter boxes to provide some landscaping options.

Council's Landscape Officer has advised that the proposed extent of basement being built to the northern boundary will have an impact on existing trees at 730B Centre Road, potentially rendering these trees unviable. The protection of these trees has not been considered in the design of the building. Council's Landscape Officer has recommended that at least a 2 metre clearance be provided to these neighbouring trees to ensure their safety. As this will result in significant changes to the layout of the basement, this shortcoming cannot be addressed by permit condition.

Car Parking and Traffic

The Planning Scheme requires 36 carparking spaces to be provided for residents of the dwellings and 7 visitor spaces. While 36 resident's spaces have been provided, only 6 visitor parking spaces have been provided. This is not considered acceptable.

Pedestrian sight triangles have not been provided in accordance with State Government guidelines. This does not ensure safety of pedestrians and is not an acceptable situation.

There are several shortcomings in the design of the basement. Numerous design changes would be required to ensure compliance with the State Government guidelines.

**COMMUNICATION AND ENGAGEMENT**1. Public Notice (Statutory)

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

2. Planning Conference (Non Statutory)

The Conference, chaired by Cr Hyams, provided a forum where all interested parties could elaborate on their respective views. One objector attended and mainly emphasised their original reasons for objecting. It is considered that the main issues raised by the objector during the discussions were:

- Allot of development has been approved in the local area recently.
- Traffic and car parking are already being impacted. Another four storey apartment building will exacerbate the situation.
- One car space for a two bedroom dwelling is insufficient.
- There is a lack of public transport infrastructure in the area to support the increase in population.

**LINK TO COUNCIL PLAN**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

That a Notice of Refusal be issued with the following grounds:

1. The proposed development is inconsistent with the Local Planning Policy for Housing and Residential Development as stated in Clause 21.04 of the Glen Eira Planning Scheme as it would not adequately respond to its context and would not respect the existing neighbourhood character, in particular the Omeo Court streetscape.
2. The proposed development is inconsistent with the intent and objectives of Clause 22.07 of the Glen Eira Planning Scheme (Housing Diversity Area Policy) in relation to:
  - Excessive and unreasonable visual bulk impacts within the existing streetscape.

3. The proposal fails to meet the following objectives of Clause 55 of the Glen Eira Planning Scheme including:
  - Clause 55.02-1 – Neighbourhood Character
  - Clause 55.02-2 - Residential Policy
  - Clause 55.04-6 - Overlooking
  - Clause 55.02-5 – Integration with the Street
  - Clause 55.03-1 – Street Setback
  - Clause 55.04-1– Side and Rear Setbacks
  - Clause 55.05-2– Dwelling Entry
  - Clause 55.05-4 -Private Open Space.
  - Clause 55.05-5 - Solar Access to Open Space.
4. The proposed basement levels do not accord with the Design Standards at Clause 52.06 of the Glen Eira Planning Scheme.
5. The proposed development does not comply with the car parking requirements at Clause 52.06 of the Glen Eira Planning Scheme with respect to lack of on-site visitor car parking.
6. The proposed development will negatively impact onto the health of the trees on the adjoining property at 730B Centre Road, East Bentleigh.

**Crs Hyams/Magee**

**That the recommendation in the report be adopted.**

**Cr Lobo called for a DIVISION on the voting of the MOTION**

**FOR**

**Cr Lipshutz**

**Cr Hyams**

**Cr Esakoff**

**Cr Delahunty**

**Cr Magee**

**Cr Ho**

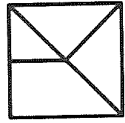
**Cr Sounness**

**Cr Pilling**

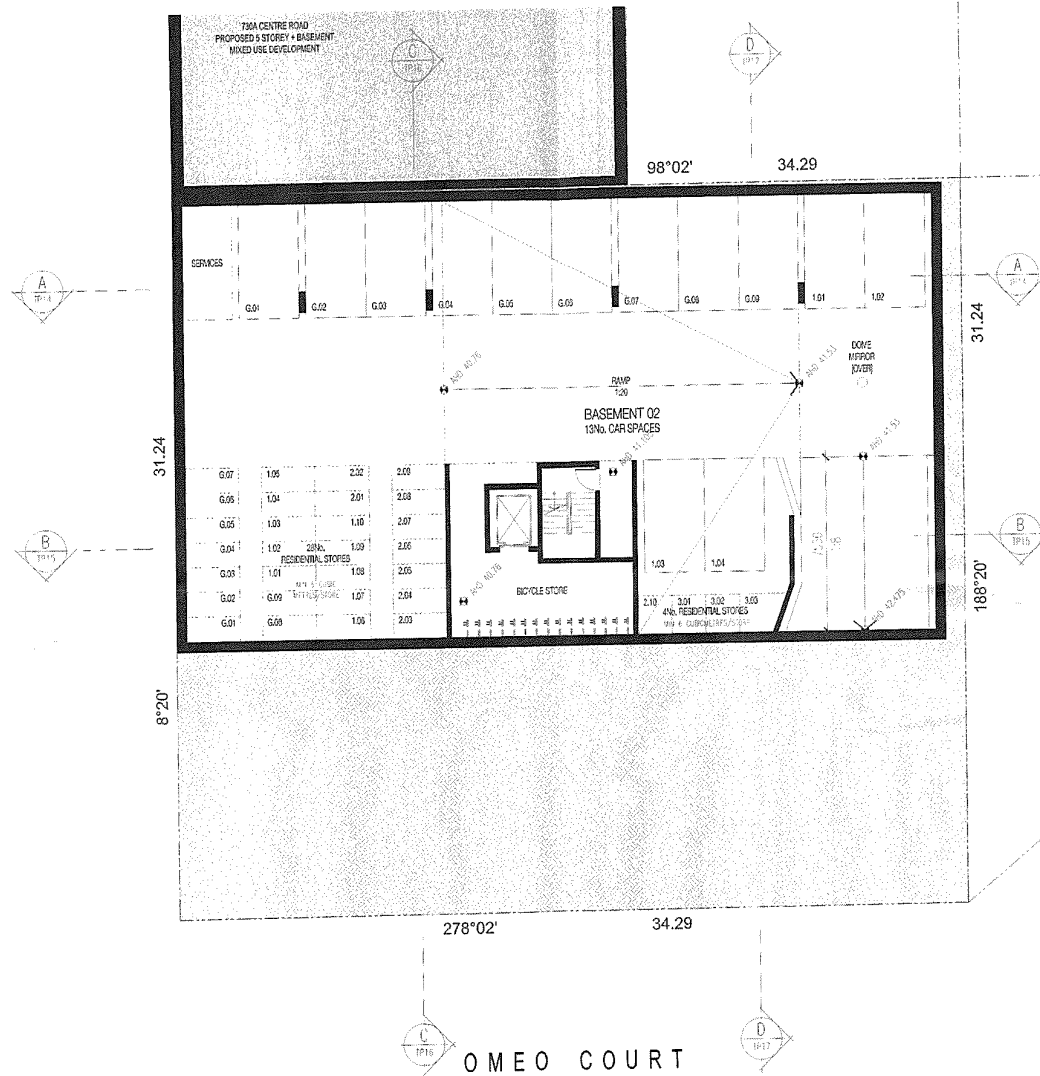
**AGAINST**

**Cr Lobo**

**The MOTION was put and CARRIED on the basis of the DIVISION and the Chairperson declared the MOTION CARRIED.**



EAST BOUNDARY ROAD



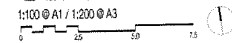
ADVERTISED PLAN  
3 OF 32  
This plan is intended to provide a general indication of the proposed development and is not to be used for any other purpose. It is not a contract and does not constitute an offer. It is subject to the provisions of the Planning and Environment Act 1987. It is advised that the proposed development is subject to a planning process and that the final outcome may differ from the information shown on this plan.

**ADDARC**

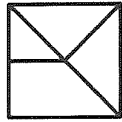
INFO@ADDARC.COM.AU | WWW.ADDARC.COM.AU  
03 9836 0110 | 47A GARDEN ST SOUTH YARRA VIC 3141

PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

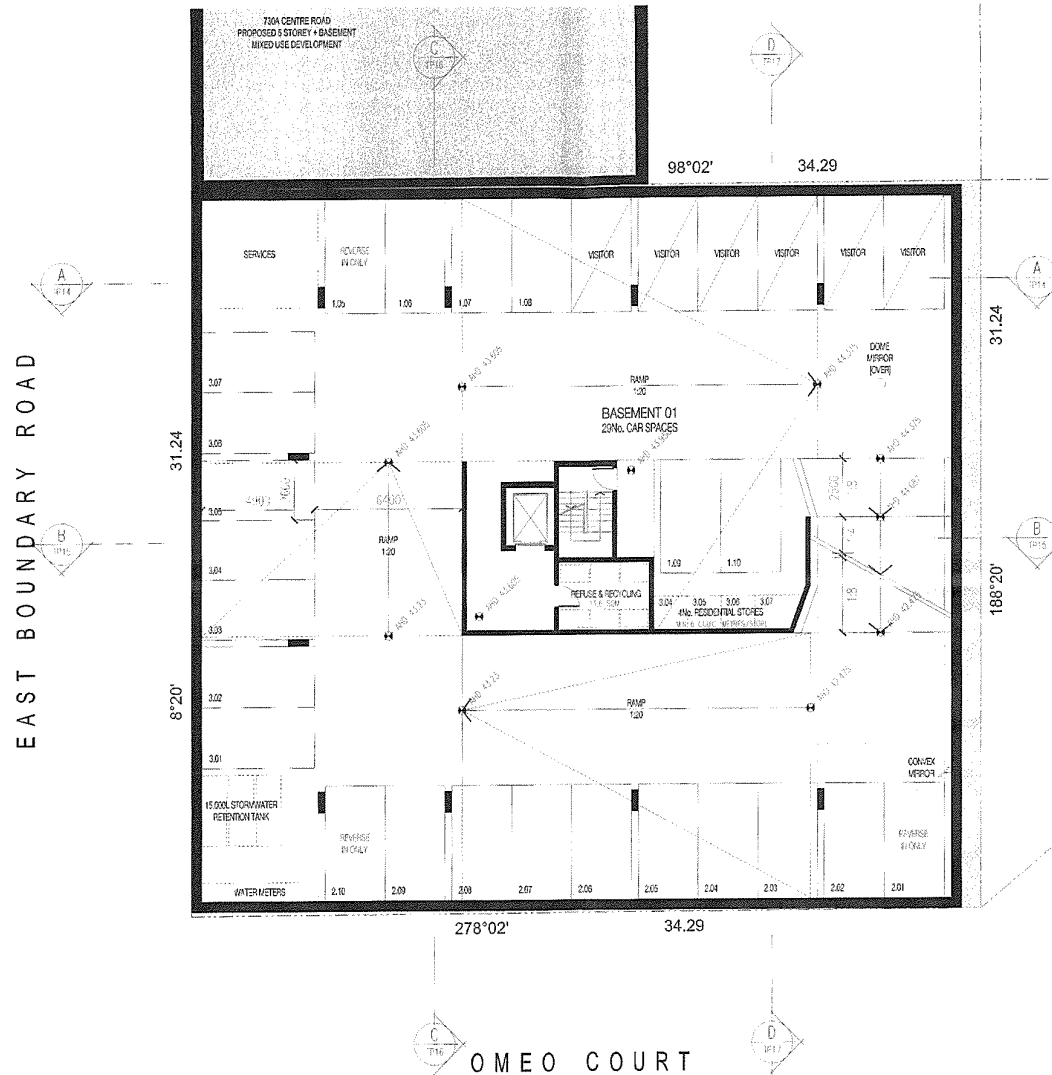
BASEMENT LEVEL 02 FLOOR PLAN  
09.02.16 REV 02 ISSUED RESPONSE TO COUNCIL RFI



TP03



ADVERTISED PLAN  
4 OF 32  
This plan is a summary of the information contained in the full set of plans and drawings. It is not to be used as a basis for construction or for any other purpose. The full set of plans and drawings is available for inspection at the Council's offices.



ADDARC

INFO@ADDARC.COM.AU | WWW.ADDARC.COM.AU  
03 9826 0110 | 47A GARDEN ST SOUTH YARRA VIC 3141

PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

BASEMENT LEVEL 01 FLOOR PLAN  
09.05.16 REV 02 ISSUED RESPONSE TO COUNCIL RFI

1:100 @ A1 / 1:200 @ A3  
0 2.5 5.0 7.5

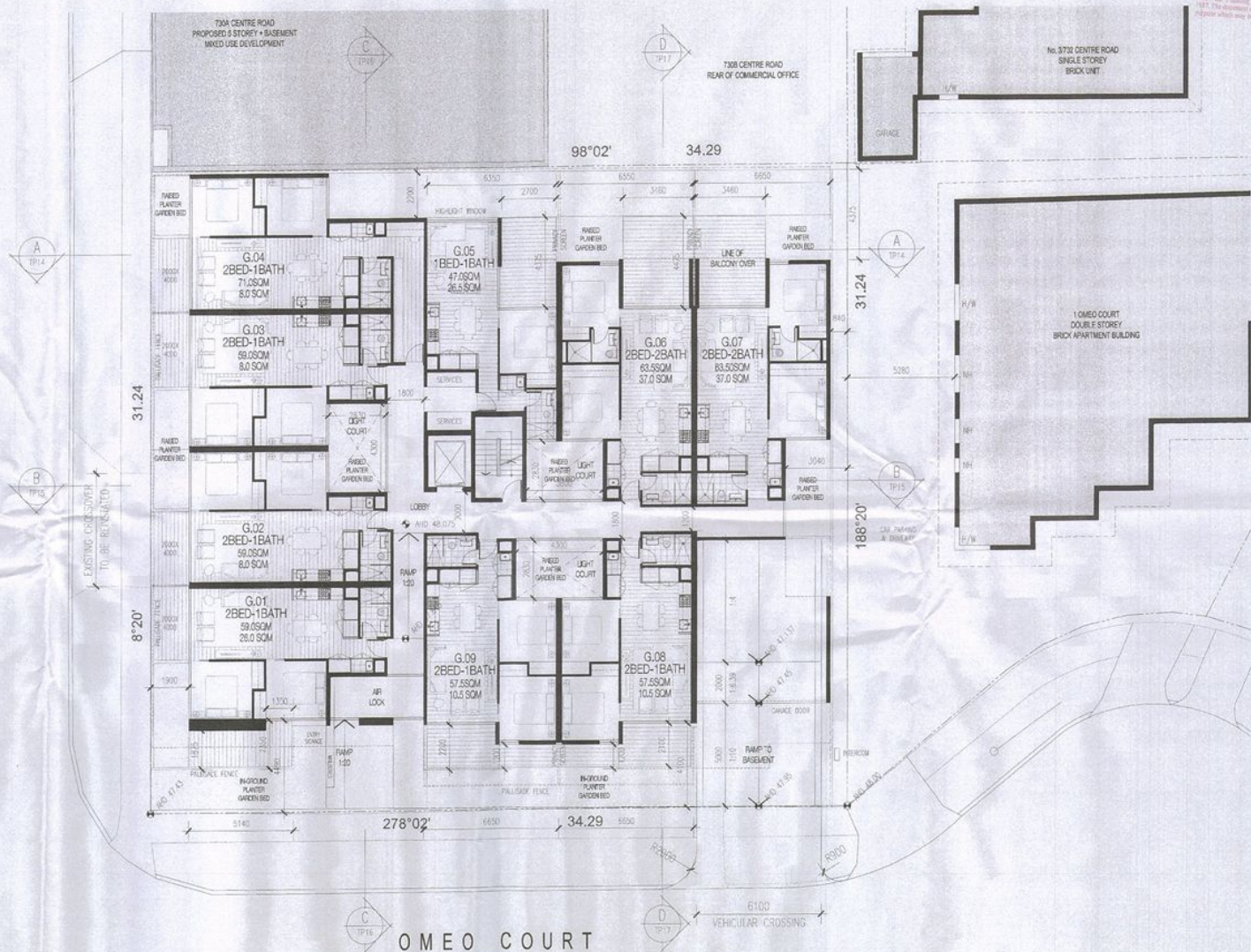
TP04



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EAST BOUNDARY ROAD



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PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

GROUND LEVEL FLOOR PLAN  
09.06.16 REV 02 ISSUED RESPONSE TO COUNCIL RFI

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TP05

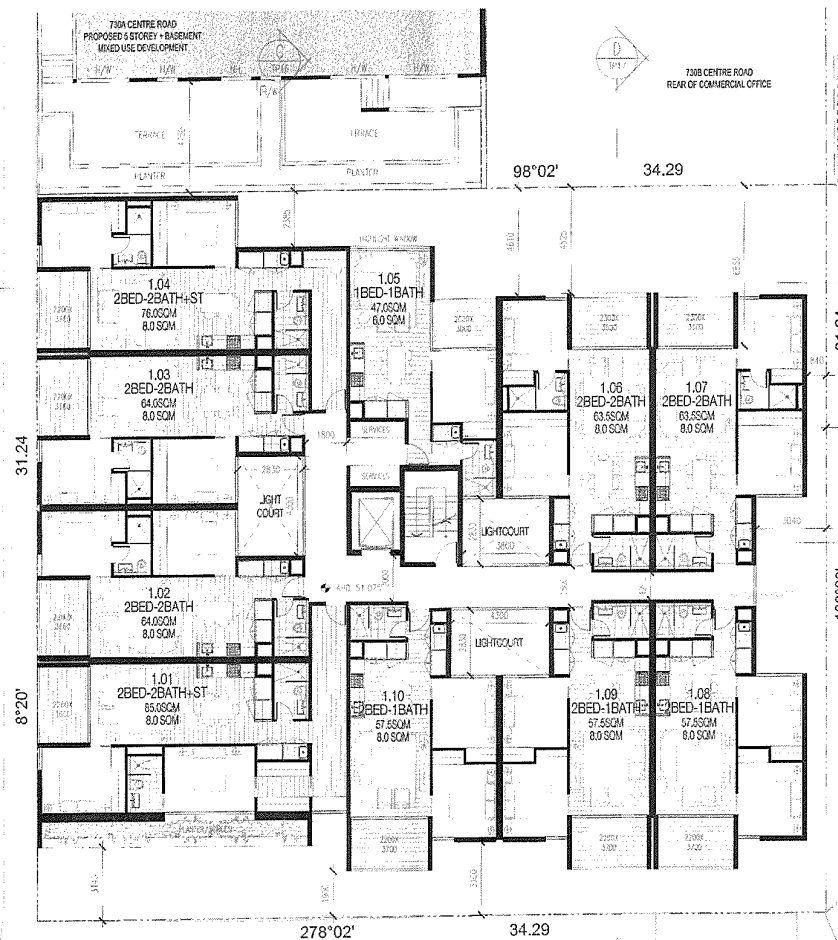
# ADVERTISED PLAN

6 OF 32

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EAST BOUNDARY ROAD



OME O COURT

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PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

LEVEL 01 FLOOR PLAN  
09.05.16 REV 02 ISSUED RESPONSE TO COUNCIL FR

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TP06

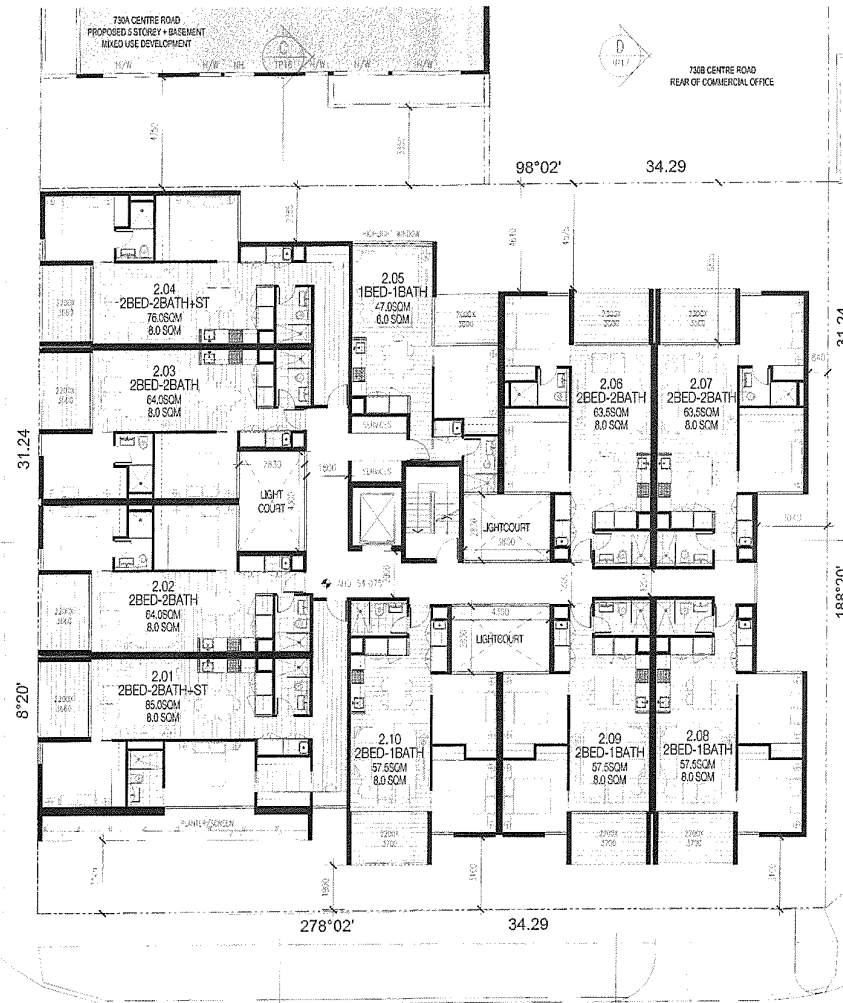


ADVERTISED PLAN

7 OF 32

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EAST BOUNDARY ROAD



OMEO COURT

No. 3723 CENTRE ROAD  
SINGLE STOREY  
BRICK UNIT  
1822

1 OMEO COURT  
DOUBLE STOREY  
BRICK APARTMENT BUILDING  
1821

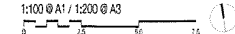
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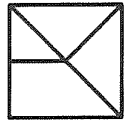
PROPOSED MULTIRESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

LEVEL 02 FLOOR PLAN  
09.06.16 REV 02 ISSUED RESPONSE TO COUNCIL RFI

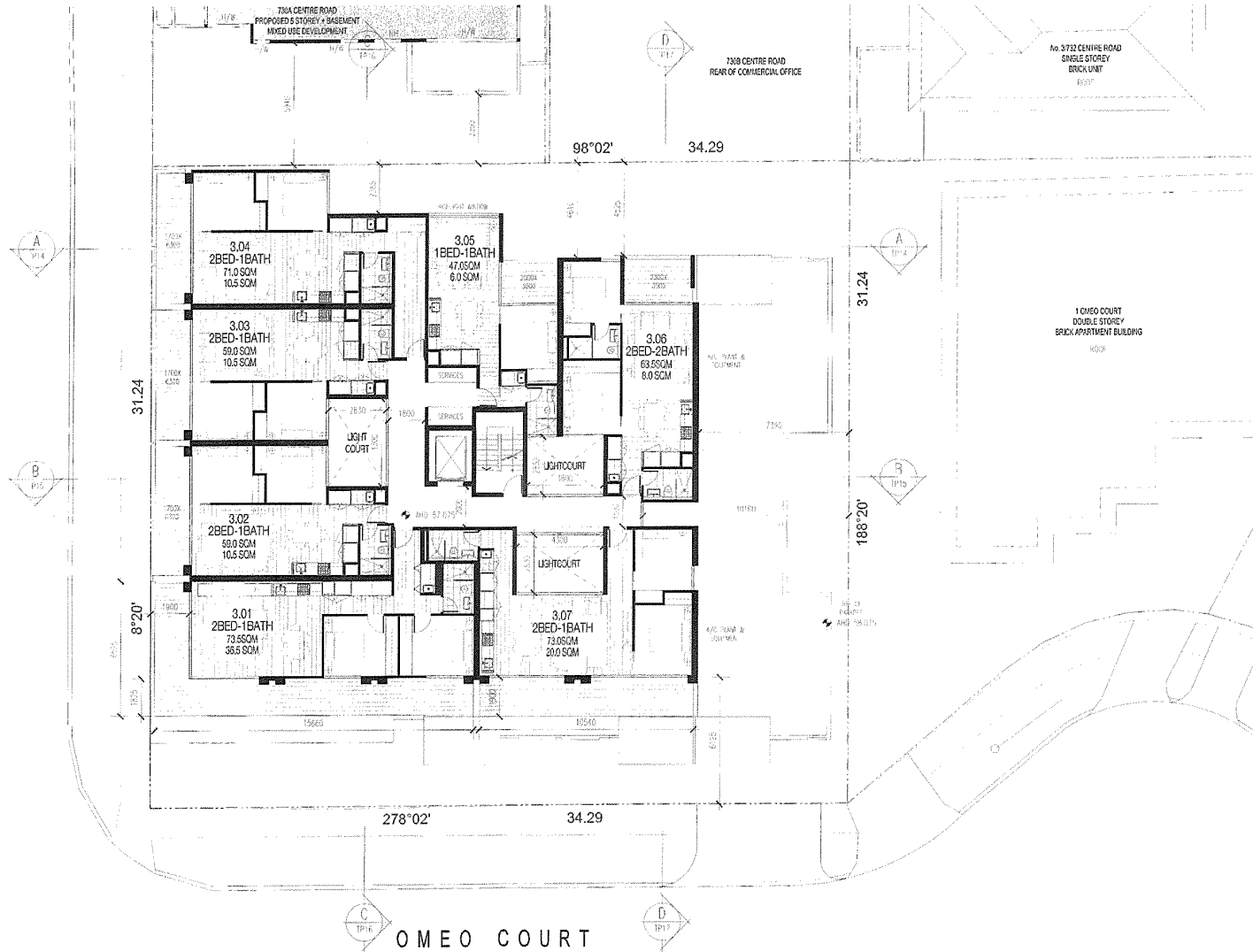
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TP07



EAST BOUNDARY ROAD



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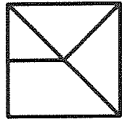
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

LEVEL 03 FLOOR PLAN  
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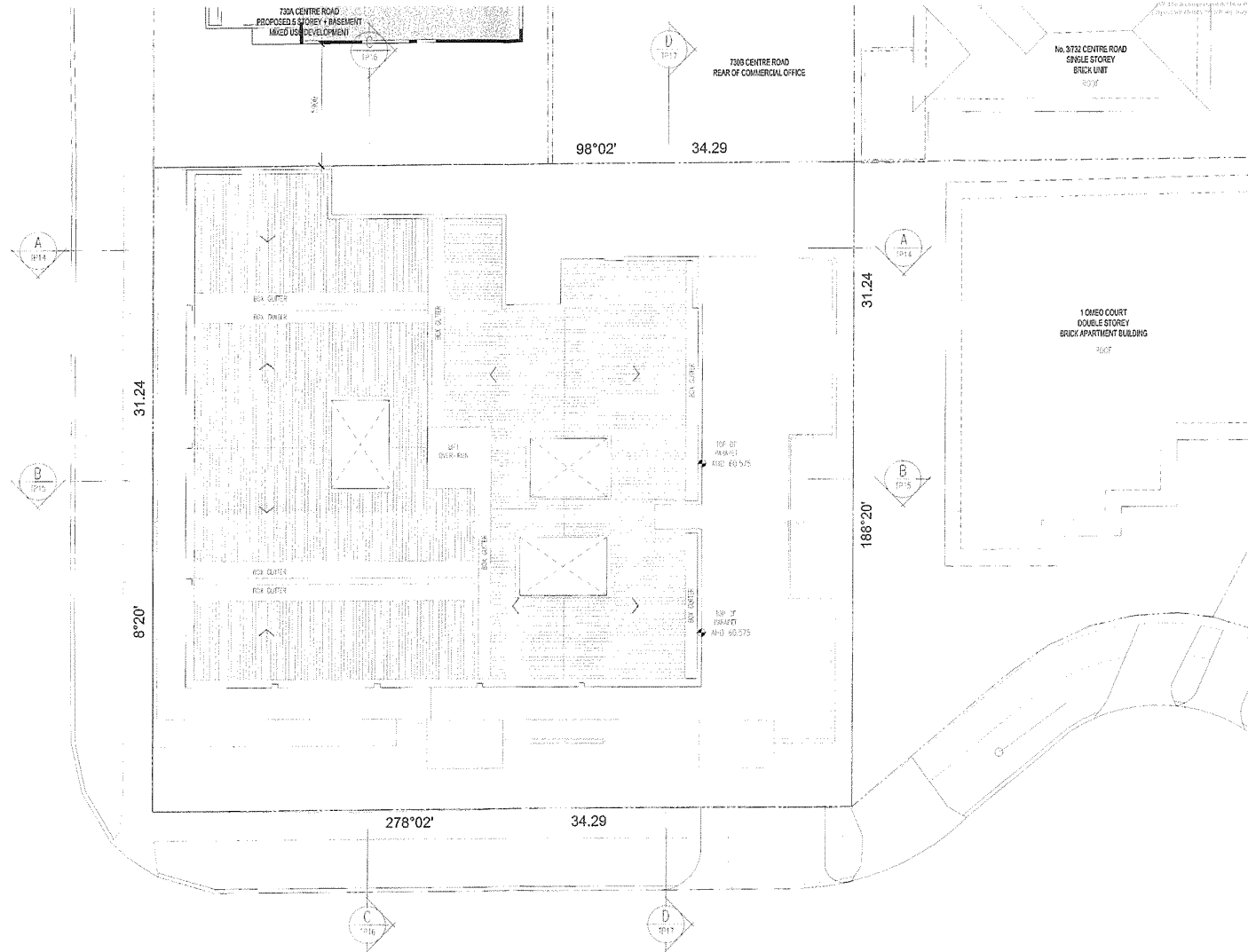
TP08



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9 OF 32

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PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

ROOF PLAN  
09.03.16 REV 02 ISSUED RESPONSE TO COUNCIL FFI

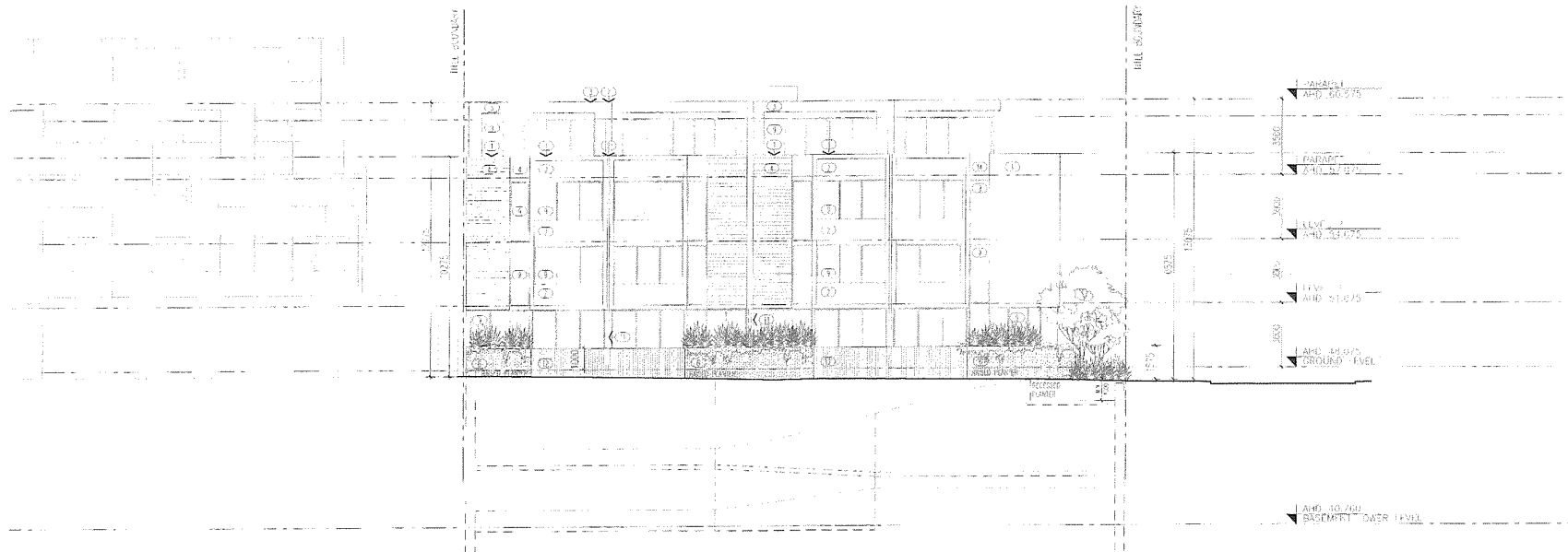
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TP09





ADVERTISED PLAN  
10 OF 32  
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#### EXTERNAL FINISHES SCHEDULE LEGEND

- (1) RENDERED FINISH - COLOUR: OFF WHITE
- (2) RENDERED FINISH - COLOUR: DARK GREY
- (3) TEXTURED CLADDING WITH HORIZONTAL JOINTS - COLOUR: MID GREY
- (4) TEXTURED CLADDING WITH HORIZONTAL JOINTS - COLOUR: RUST GREY

- (5) CLADDING WITH VERTICAL JOINTS - COLOUR: MID GREY
- (6) FACE BRICKWORK
- (7) VERTICAL SLAT - COLOUR: MID GREY
- (8) VERTICAL SLAT - COLOUR: MID GREY (DECORATIVE SCREEN WITH CLIMBING PLANTS)

- (9) GLAZING
- (10) INSULATED METAL PRIVACY SCREEN - COLOUR: MID GREY (PERFORATIONS TO COMPLY WITH OVERLOOKING RES. ACT 2006 (VICTORIA))

- (11) PALISADE TYPE METAL FENCE - COLOUR: MID GREY (TO MEET FIREWEAR REQUIREMENT FOR VARIETY)
- (12) PERFORATED METAL GARAGE DOOR - COLOUR: MID GREY
- (13) METAL SHUTTER CLADDING - COLOUR: MID GREY

- (14) BASED ON ROOF'S FLOOR OF ALUMINUM RAILING
- (15) BASED ON ROOF'S NATURAL GROUND LEVEL

**ADDARC**

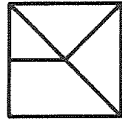
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PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
146 - 148 EAST BOUNDARY ROAD, EAST BENTLEIGH

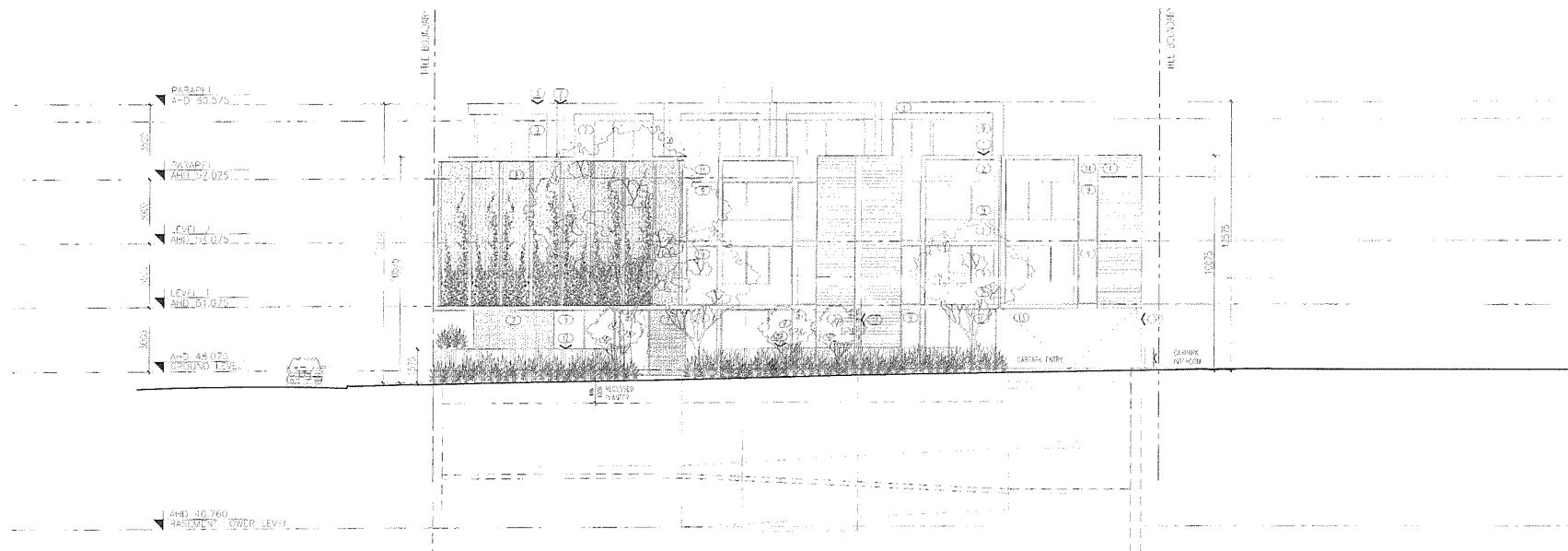
WEST ELEVATION  
09.05.16 REV 02 ISSUED RESPONSE TO COUNCIL FFI

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TP10



ADVERTISED PLAN  
11 OF 32  
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EXTERNAL FINISHES SCHEDULE LEGEND			
(1) RENDERED FINISH - COLOUR MID GREY	(13) CLADDING WITH VERTICAL JOINTS - COLOUR MID GREY	(14) GLAZING	(17) HALF-SIDE TYPE METAL FENCE - COLOUR MID GREY (TO MEET PERMEABLE REQUIREMENT FOR VADUE)
(2) RENDERED FINISH - COLOUR DARK GREY	(14) FACE BRICKWORK	(15) TRIVOL CABLES WITH CLADDING PLANTS	(18) PERFORATED METAL, CHARGE DOOR - COLOUR MID GREY
(3) EXTERIOR CLADDING WITH HORIZONTAL JOINTS - COLOUR MID GREY	(15) FLATWARE STONE - COLOUR ONLY	(16) PERFORATED METAL PRIVACY SCREEN - COLOUR MID GREY (PERFORATIONS TO COMPLY WITH OVERLOOKING REQ. VIA 75% OPACITY)	(19) METALIC SHEET CLADDING - COLOUR MID GREY
(4) EXTERIOR CLADDING WITH HORIZONTAL JOINTS - COLOUR LIGHT GREY	(16) LASER CUT METAL - COLOUR MID GREY (RECOMBINE SCREEN WITH CLADDING PLANTS)		

--- SHOWS THE PROPOSED EXTENT OF ADJOINING PLANTING  
--- SHOWS THE PROPOSED EXTENT OF ADJOINING PLANTING

**ADDARC**

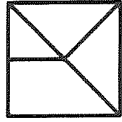
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03 9826 0110 | 47A GARDEN ST SOUTH YARRA VIC 3141

PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
13 HOTHAM ROAD, NIDDERE

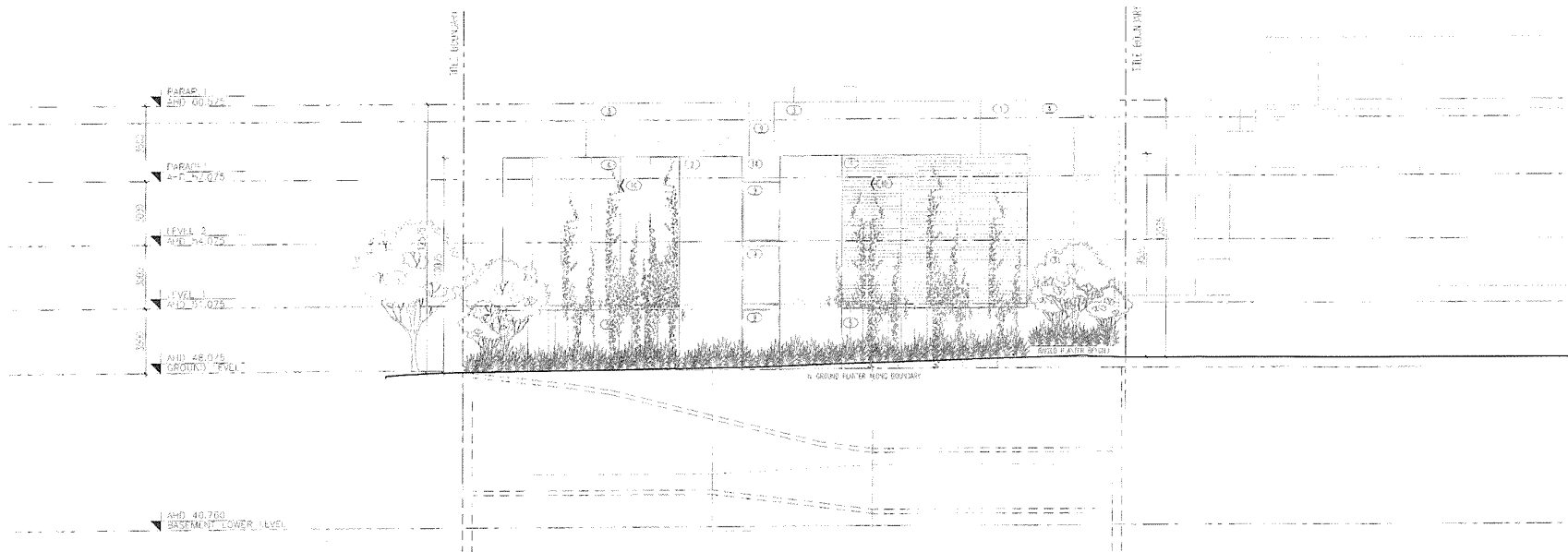
SOUTH ELEVATION  
09.06.16 REV 02 ISSUED RESPONSE TO COUNCIL FFI

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TP11



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12 OF 32  
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EXTERNAL FINISHES SCHEDULE LEGEND			
1. UNPAINTED IRON - COLOUR: DFT WHITE	5. CLADDING WITH VERTICAL JOINTS - COLOUR: MID GREY	9. GLAZING	13. FINISH: 15% METAL FENCE - COLOUR: MID GREY (DO NOT PERMANENTLY REQUIREMENT FOR VANDALITY)
2. PAINTED IRON - COLOUR: DARK GRAY	6. PAZE BRICKWORK	10. RENEVE CARBON WITH CLIMBING PLANTS	14. PERFORATED METAL GARAGE DOOR - COLOUR: MID GREY
3. UNPAINTED ALUMINUM WITH HORIZONTAL JOINTS - COLOUR: MID GREY	7. FEATURE STONE - COLOUR: GRAY	11. PERMANENT METAL PRIVACY SCREEN - COLOUR: MID GREY (PERFORATIONS TO COMPLY WITH OVERLOOKING REQ. MIN 75% OPAQUE)	15. METAL SHIELD CLADDING - COLOUR: MID GREY
4. UNPAINTED ALUMINUM WITH HORIZONTAL JOINTS - COLOUR: MID GREY	8. LASER CUT METAL - COLOUR: MID GREY (DECORATIVE SCREEN WITH CLIMBING PLANTS)		

DO NOT USE UNPAINTED IRON OR ALUMINUM FINISHES  
DO NOT USE UNPAINTED IRON OR ALUMINUM FINISHES

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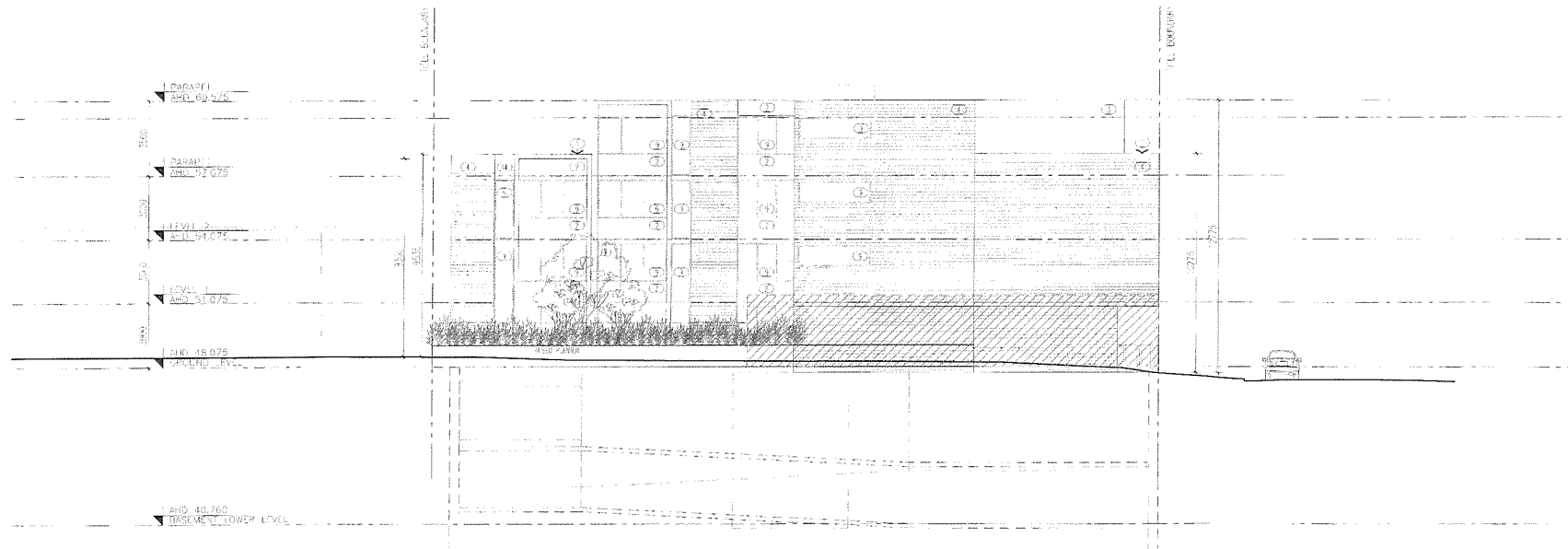
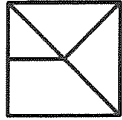
PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
13 HOTHAM ROAD, MIDDIE

EAST ELEVATION  
09.06.16 REV 02 ISSUED RESPONSE TO COUNCIL PH

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TP12





EXTERNA FINISH SCHEDULE (LEGEND)			
(1) RENDERED TUSH - COLOUR: DRY-BRAND	(5) CLADDING WITH VERTICAL JOINTS - COLOUR: MID GREY	(9) CLADDING	(13) RAILROAD PIPE METAL HINGE - COLOUR: MID GREY (TO MEET PERMANENT REQUIREMENT FOR VISIBILITY)
(2) RENDERED TUSH - COLOUR: DARK GREY	(6) FINE STONE - COLOUR: MID GREY	(10) TENSILE CABLES WITH CLIMBING PLANTS	(14) PERFORATED METAL CHARGE DOOR - COLOUR: MID GREY
(3) TEXTURED CLADDING WITH HORIZONTAL JOINTS - COLOUR: MID GREY	(7) FIBRE CEMENT - COLOUR: MID GREY	(11) PERFORATED METAL PRIVACY SCREEN - COLOUR: MID GREY	(15) METALIC SHEET CLADDING - COLOUR: MID GREY
(4) TEXTURED CLADDING WITH HORIZONTAL JOINTS - COLOUR: LIGHT GREY	(8) FIBRE CEMENT - COLOUR: MID GREY (DECORATIVE SCREEN WITH CLIMBING PLANTS)	(12) PERFORATED METAL PRIVACY SCREEN - COLOUR: MID GREY (PERFORATIONS TO COMPLY WITH OVERLOOKING REQ. MIN 75% OPAQUE)	(16) DASHED LINE MARKED DRAIN DRAINAGE

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PROPOSED MULTI-RESIDENTIAL DEVELOPMENT  
13 HOTHAM ROAD, NIDDERIE

NORTH ELEVATION  
09.06.16 REV 02 ISSUED RESPONSE TO COUNCIL API

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TP13

**Item 9.4 INTERIM HEIGHT CONTROLS FOR BENTLEIGH & CARNEGIE ACTIVITY CENTRES PLANNING SCHEME AMENDMENTS C147 And C148****Author:** Sophie Holdsworth, Strategic Planner**File No:** N/A**Attachments:** Proposed Design and Development Overlay Maps  
Draft schedules to the Design and Development Overlay

---

**PURPOSE AND SUMMARY**

The purpose of this report is for Council to consider Glen Eira Planning Scheme Amendments C147 and C148. These amendments propose *interim* height controls for commercially zoned land in the Carnegie and Bentleigh Activity Centres.

The proposed interim controls consist of new Schedules of the Design and Development Overlay to all land zoned Commercial 1 or Mixed Use within the Bentleigh and Carnegie Activity Centres.

The intent of the overlay is to introduce built form controls, particularly maximum building heights, to preserve the neighbourhood character of the urban villages and minimise amenity impacts while a comprehensive structure plan is prepared for each centre.

It is proposed that the Minister for Planning implements the amendments through a 'fast track' process seeking exemption from exhibition and notice requirements.

**RECOMMENDATION**

That Council:

- Requests the Minister for Planning to prepare, adopt and approve Planning Scheme Amendment C147 and C148 in accordance with Section 20(4) of the *Planning and Environment Act 1987*.

**BACKGROUND**

At the Ordinary Council Meeting of 9 August 2016, the Planning Scheme Review 2016 Report and its corresponding Work Plan was adopted by Council. The Work Plan specified three structure plans to be implemented for Council's activity centres within the first four years.

In addition to adopting the Work Plan, Council also resolved to:

*"Advocate to the Minister for Planning for interim height controls in the Bentleigh and Carnegie activity centres."*

**ISSUES AND DISCUSSION**

As a result of community consultation carried out for the recent Planning Scheme Review, overwhelming feedback was received indicating that there was a sense of overdevelopment within Glen Eira's activity centres leading to a loss of character and subsequent amenity impacts on surrounding residential areas. This feedback has led to the

adoption of the abovementioned Work Plan, including proposed structure plans for activity centres.

The preparation of comprehensive structure plans will involve extensive technical analysis and significant community and stakeholder engagement. During this period, interim height controls can help preserve the prevailing built form, scale and amenity of an activity centre.

Bentleigh Activity Centre - Amendment C147 (Attachment 1) proposes an interim built form control which includes:

*Land north of Centre Road:*

- A discretionary 5 storey height limit for commercially zoned land north of Centre Road.
- A 4 storey mandatory height limit north of Centre Road where commercially zoned land abuts the Neighbourhood Residential Zone.

*Land south of Centre Road:*

- A 4 storey mandatory height limit for commercially zoned land along the southern side of Centre Road between Mavho Street and Robert Street.
- A discretionary 4 storey height limit for commercially zoned land south of Centre Road, east of Robert Street.
- A mandatory 3 storey height limit south of Centre Road where commercially zoned land abuts the Neighbourhood Residential Zone (west of Mavho Street).

Carnegie Activity Centre - Amendment C148 (Attachment 2) proposes an interim built form control which includes:

*Land north of the railway line:*

- A discretionary 7 storey height limit for commercially zoned land north of the railway line.

*Land between Neerim Road and the railway line:*

- A discretionary 6 storey height limit for commercially zoned land located between the railway line and Neerim Road.

*Land south of Neerim Road:*

- A mandatory 4 storey height limit for commercially zoned land south of Neerim Road.

Discretionary vs Mandatory Height Controls

As it currently stands, there are no planning provisions for commercially zoned land in these centres which prescribe a specific height limit.

According to the Department of Environment, Land, Water and Planning:

*“The application of discretionary controls, combined with clear design objectives is the preferred form of height and setback controls. Discretionary controls are more likely to facilitate appropriate built form outcomes than mandatory controls by providing more flexibility to accommodate contextual variations and innovative design. This preferred form of height control has been supported through a number of planning panels, more so than mandatory controls.*

...

*Mandatory height and setback controls (that is, controls that cannot be exceeded under any circumstance) will only be considered in exceptional circumstances.*

...

*Even where exceptional circumstances are identified, mandatory height and setback controls should only be applied where they are absolutely necessary to achieve the built form objectives or outcomes identified from the comprehensive built form analysis.”*

(DELWP Planning Practice Note 60)

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

The proposed amendments will be prepared and managed internally.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

Amendments C147 and C148 seek an exemption from exhibition and notice requirements pursuant to Section 20(4) of the *Planning and Environment Act 1987*. In a case such as this, the Minister is requested to concurrently prepare, adopt and approve the Amendments.

## **COMMUNICATION AND ENGAGEMENT**

Extensive community consultation was carried during April and May 2016 for the purpose of the Planning Scheme Review 2016 with overwhelming feedback indicating that overdevelopment was a major issue within Council’s activity centres. It was also evident that structure plans are a top priority for the Glen Eira community.

During the two month consultation period, around 247 people attended six scheduled Community Engagement Meetings, 68 people participated via the *Have Your Say* online forum and 122 written submissions were received.

Amendments C147/C148 are proposed to be implemented via a ‘fast track’ process that seeks exemption from exhibition and notice requirements. It is considered that this process is necessary to manage development within the Bentleigh and Carnegie Activity Centres while a more comprehensive study is undertaken.

The final structure plans will inform more specific planning controls which will undergo full exhibition and notice requirements prior to being implemented.

## **LINK TO COUNCIL PLAN**

### Town Planning and Development

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

An interim built form control will help protect the character of each activity centre while more comprehensive structure planning is carried out.

**Crs Pilling/Sounness**

**That the recommendation in the report be adopted.**

**Cr Lipshutz called for a DIVISION on the voting of the MOTION.**

**FOR**

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

**AGAINST**

**Cr Magee  
Cr Lobo**

**The MOTION was put and CARRIED on the basis of the DIVISION and the Chairperson declared the MOTION CARRIED.**

--/20--  
C147

## SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**.

### BENTLEIGH URBAN VILLAGE

#### 1.0 Design objectives

--/20--  
C147

- To ensure that development makes a positive architectural contribution to the low scale, retail village.
- To ensure that development enhances the character of Bentleigh Urban Village, including the scale, shape and rhythm of built form and the variety of building heights, roof forms, setbacks and building designs.
- To ensure that retail development that abuts a rear-ward facing car park provide pedestrian access to both the car park and Centre Road.
- To ensure that development along any residential interface be sympathetic to the scale and amenity of the residential area.
- To ensure that development is designed to maintain safe and efficient vehicle movements.
- To ensure development optimises principles of environmentally sustainable design.
- To ensure high quality internal amenity for future residents.

#### 2.0

#### Buildings and works

##### No permit required

A permit is not required for any of the following:

- The installation of an automatic teller machine.
- An alteration to an existing building façade but only if:
  - The alteration does not include the installation of an external roller shutter; and
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road, but only if it is authorised by the relevant public land manager.

*Note: The Mandatory requirements of this schedule also apply.*

##### Permit required

The following general and mandatory requirements apply, as appropriate, to all buildings and works.

##### General requirements

- An application to construct a building that exceeds a building height of 10.5 metres should be accompanied by a site context and design response report that demonstrates how the proposal achieves the design objectives and the requirements of this schedule.
- Buildings should be of a high quality in terms of architecture and urban design, make a positive contribution to the Bentleigh Urban Village and reinforce that character in all other streetscapes.

- Buildings on the North side of Centre Road to be designed and articulated so that they do not overshadow onto the footpath on the southern side of Centre Road at the September equinox at noon.
- Buildings should be designed to demonstrate respect for the existing scale and character of streetscapes when viewed from the pedestrian network.
- Buildings should be designed to face all adjoining street and open space reserves and buildings should facilitate continuous active frontages at ground level and weather protection along key pedestrian links. Blank, inactive frontages should be avoided.
- Buildings should be designed to minimise visual bulk to the street, with adequate detailing and articulation of facades, setbacks to upper levels, as well as an adequate use of materials and colours.
- Buildings should be designed to optimise opportunities for basement car parking and should not include car spaces at ground level that are exposed to the public realm.
- Buildings should be designed in a way that optimises principles of environmentally sustainable design.
- Residential development should be designed to provide a recognisable and accessible pedestrian access point from the street to the residential component of the building.

*Note: The Mandatory requirements of this schedule also apply.*

#### **Height and setback general requirements**

- A building should not exceed the maximum building height and the number of storeys specified in Column 2 of the Table to this schedule. This does not apply to architectural features, masts, building services or enclosed stairwells that do not exceed any required height limit by more than 4 metres. The combined floor area of these features should not exceed 10% of the gross floor area of the top storey of the building.

#### **Height and setback mandatory requirements**

- A building must not exceed the maximum building height and the number of storeys specified in Column 3 of the Table to this schedule. This requirement cannot be varied with a permit. This does not apply to alterations to or extension of a lawfully existing building but only if all of the following requirements are met:
  - The existing building has a building height of more than that specified in Column 3 of the Table to this schedule.
  - The maximum building height is not exceeded.
  - The footprint of the upper storey, existing at the approval date, is not increased by more than 10%.

These requirements cannot be varied with a permit.

### **3.0**

--/20--  
C147

#### **Decision guidelines**

Before deciding on an application the responsible authority must consider:

- The extent to which proposed buildings respect the preferred scale and form of development, particularly when viewed from the pedestrian network.
- Whether proposed buildings are compatible with and respect the character of neighbouring buildings within the same streetscape.
- Whether proposed buildings on sites that are in the vicinity of a heritage place are respectful of that heritage place.
- The extent to which any roof deck is integrated with the architectural style and form of the building and minimises the visual impact on the street and adjoining properties.

- Whether proposed buildings are designed to avoid views into secluded private open spaces and habitable room windows of dwellings on adjacent land.
- The extent to which the design of buildings optimises principles of environmentally sustainable design.
- Whether the design provides for a high level of amenity for future occupants.

**Table to schedule 8**

In this Table references to storeys do not include any basement.

The Areas referred to in Column 1 of this Table are the areas shown on Map 1 forming part of this Schedule.

Column 1 Areas	Column 2 Maximum general building height	Column 3 Maximum mandatory building height
DDO8-1	N/A	14 metres, comprising up to 4 storeys
DDO8-2	N/A	11 metres, comprising up to 3 storeys
DDO8-3	17 metres, comprising up to 5 storeys	N/A
DDO8-4	14 metres, comprising up to 4 storeys	N/A

**Map 1 to Schedule 8**

Shaded areas within the map are referred to in Column 1 of the table to Schedule 8.



#### 4.0

--/120--  
C147

#### Expiry

This provision will expire on 30 September 2019.



# GLEN EIRA PLANNING SCHEME



## LEGEND

**DD08** DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 8

Part of Planning Scheme Map 3DDO

## AMENDMENT C147

--/20--  
C148

## SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO9**.

### CARNEGIE URBAN VILLAGE

#### 1.0 Design objectives

--/20--  
C148

- To ensure that development enhances the character of Carnegie Urban Village, including the scale, shape and rhythm of built form and the variety of building heights, roof forms, setbacks and building designs.
- To ensure that retail development that abuts a rear-ward facing car park provide pedestrian access to both the car park and Koornang Road.
- To ensure that development along any residential interface be sympathetic to the scale and amenity of the residential area.
- To ensure that development is designed to maintain safe and efficient vehicle movements.
- To ensure development optimises principles of environmentally sustainable design.
- To ensure high quality internal amenity for future residents.

#### 2.0 Buildings and works

--/20--  
C148

##### No permit required

A permit is not required for any of the following:

- The installation of an automatic teller machine.
- An alteration to an existing building façade but only if:
  - The alteration does not include the installation of an external roller shutter; and
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road, but only if it is authorised by the relevant public land manager.

*Note: The Mandatory requirements of this schedule also apply.*

##### Permit required

The following general and mandatory requirements apply, as appropriate, to all buildings and works.

##### General requirements

- An application to construct a building that exceeds a building height of 10.5 metres should be accompanied by a site context and design response report that demonstrates how the proposal achieves the design objectives and the requirements of this schedule.
- Buildings should be of a high quality in terms of architecture and urban design, make a positive contribution to the Carnegie Urban Village and reinforce that character in all other streetscapes.
- Buildings should be designed to demonstrate respect for the existing scale and character of streetscapes when viewed from the pedestrian network.

- Buildings should be designed to face all adjoining street and open space reserves and buildings should facilitate continuous active frontages at ground level and weather protection along key pedestrian links. Blank, inactive frontages should be avoided.
- Buildings should be designed to minimise visual bulk to the street, with adequate detailing and articulation of facades, setbacks to upper levels, as well as an adequate use of materials and colours.
- Buildings should be designed to optimise opportunities for basement car parking and should not include car spaces at ground level that are exposed to the public realm.
- Buildings should be designed in a way that optimises principles of environmentally sustainable design.
- Residential development should be designed to provide a recognisable and accessible pedestrian access point from the street to the residential component of the building.

*Note: The Mandatory requirements of this schedule also apply.*

#### **Height and setback general requirements**

- A building should not exceed the maximum building height and the number of storeys specified in Column 2 of the Table to this schedule. This does not apply to architectural features, masts, building services or enclosed stairwells that do not exceed any required height limit by more than 4 metres. The combined floor area of these features should not exceed 10% of the gross floor area of the top storey of the building.

#### **Height and setback mandatory requirements**

- A building must not exceed the maximum building height and the number of storeys specified in Column 3 of the Table to this schedule. This requirement cannot be varied with a permit. This does not apply to alterations to or extension of a lawfully existing building but only if all of the following requirements are met:
  - The existing building has a building height of more than that specified in Column 3 of the Table to this schedule.
  - The maximum building height is not exceeded.
  - The footprint of the upper storey, existing at the approval date, is not increased by more than 10%.

These requirements cannot be varied with a permit.

### **3.0**

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C148

#### **Decision guidelines**

Before deciding on an application the responsible authority must consider:

- The extent to which proposed buildings respect the preferred scale and form of development, particularly when viewed from the pedestrian network.
- Whether proposed buildings are compatible with and respect the character of neighbouring buildings within the same streetscape.
- Whether proposed buildings on sites that are in the vicinity of a heritage place are respectful of that heritage place.
- The extent to which any roof deck is integrated with the architectural style and form of the building and minimises the visual impact on the street and adjoining properties.
- Whether proposed buildings are designed to avoid views into secluded private open spaces and habitable room windows of dwellings on adjacent land.
- The extent to which the design of buildings optimises principles of environmentally sustainable design.
- Whether the design provides for a high level of amenity for future occupants.

**Table to schedule 9**

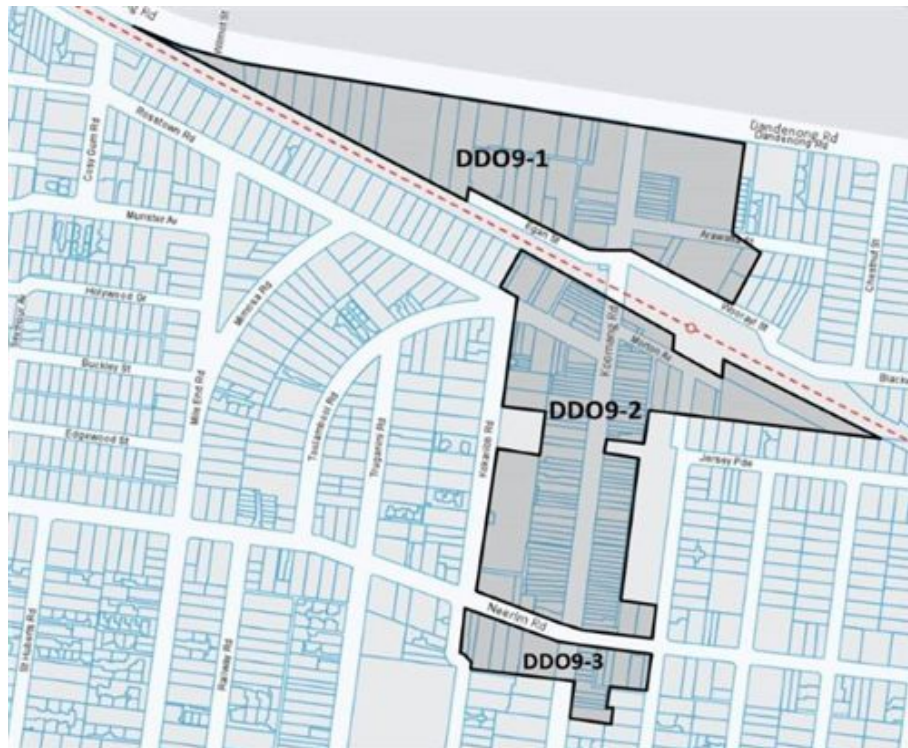
In this Table references to storeys do not include any basement.

The Areas referred to in Column 1 of this Table are the areas shown on Map 1 forming part of this Schedule.

Column 1 Areas	Column 2 Maximum general building height	Column 3 Maximum mandatory building height
DDO9-1	23 metres, comprising up to 7 storeys	N/A
DDO9-2	20 metres, comprising up to 6 storeys	N/A
DDO9-3	N/A	14 metres, comprising up to 4 storeys

**Map 1 to Schedule 9**

Shaded areas within the map are referred to in Column 1 of the table to Schedule 9.



#### 4.0

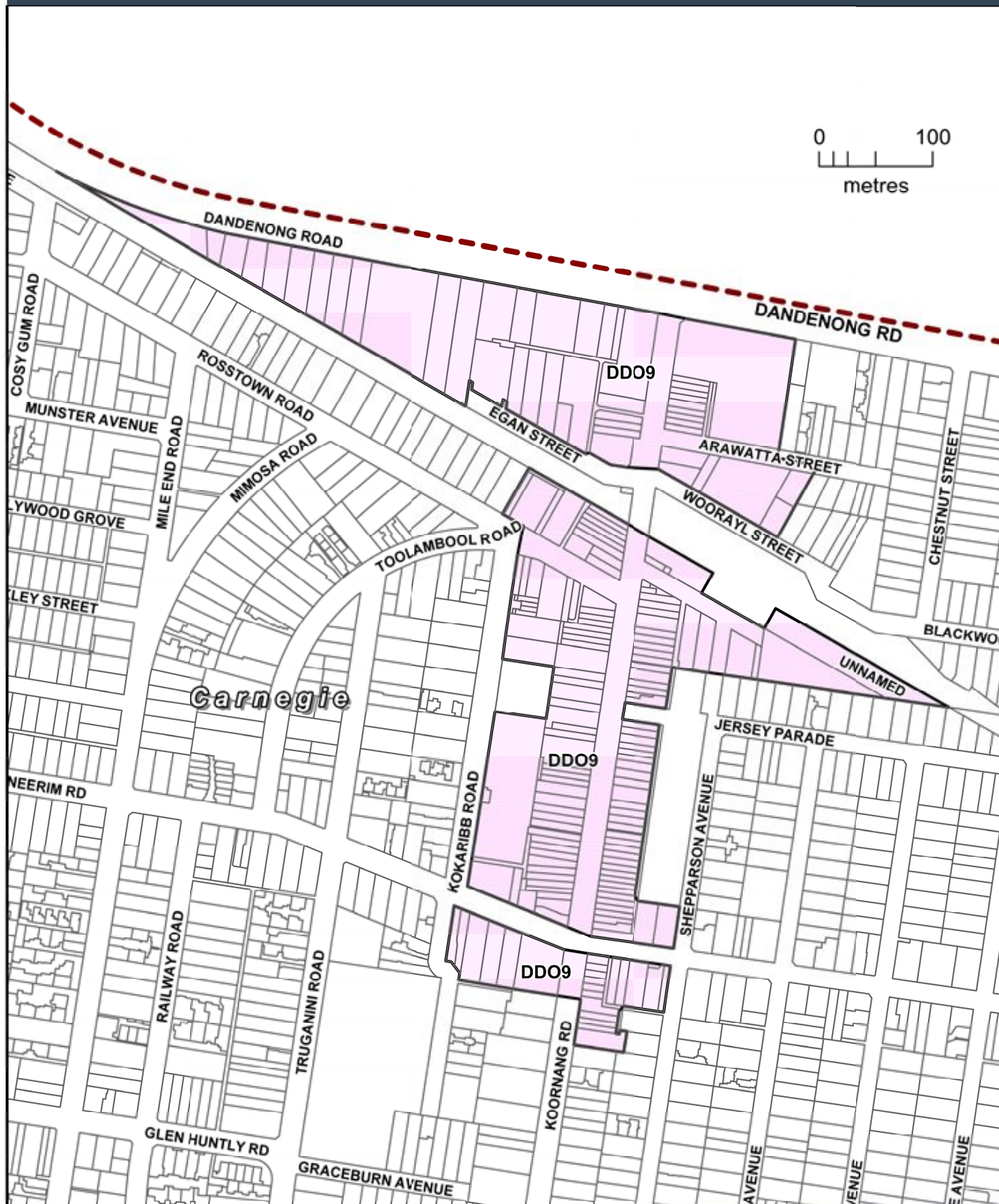
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#### Expiry

This provision will expire on 30 September 2019.



# GLEN EIRA PLANNING SCHEME

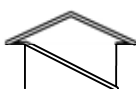


## LEGEND

**DDO9** DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 9

Part of Planning Scheme Map 2DDO

## AMENDMENT C148



**Item 9.5            FINANCIAL REPORT FOR THE PERIOD ENDING 31 JULY 2016****Author:**            John Vastianos (Chief Financial Officer)**File No:**            16/1618145**Attachments:**    Yes

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**PURPOSE AND SUMMARY**

To report Council's finances in the Financial Management Report for the period ending 31 July 2016.

**RECOMMENDATION**

That Council notes the Financial Management Report for the period ending 31 July 2016.

**BACKGROUND**

The report includes a comparison of year-to-date (YTD) actual income and expenditure with budgeted (YTD and forecast end-of-year) and other information for the current financial year.

This report also provides a review of the 2016-17 Capital Works Program, cashflow reports and investment reports.

**ISSUES AND DISCUSSION**

Council's forecast cash balance has improved but is still expected to remain at relatively low levels sufficient to cover current liabilities.

One of the items which has placed additional pressure on Council's Liquidity Ratio is classification of leave entitlements. Notwithstanding a majority of leave entitlements are not expected to be settled within 12 months, almost all leave entitlements are classified as current liability provisions in Council's balance sheet, placing greater pressure on the liquidity ratio.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The key financial objectives for Council are:

- Manage finances appropriately within the constraints set by the State Government's Rate Capping regime.
- Generate funds to provide additional public open space and renew and upgrade our ageing assets and community facilities.
- Maintain essential services at not less than current levels.
- Set rates and fee increases that are manageable and sustainable.
- Focus on continuous improvement.
- Keep day-to-day costs and rates below our peers.

**POLICY AND LEGISLATIVE IMPLICATIONS**

Section 138 of the *Local Government Act* 1989 (the Act).

**COMMUNICATION AND ENGAGEMENT**

Council officers in preparing the Financial Management Report, take into account all other plans and strategies in regard to services and initiatives which commit financial and non-financial resources for the current financial year.

**LINK TO COUNCIL PLAN**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

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

**Crs Lipshutz/Delahunty**

**That the recommendation in the report be adopted.**

**The MOTION was put and CARRIED unanimously.**

**1. Contents**

Executive Summary .....	4
Financial Strategy.....	9
Assurance Map .....	12
Income Statement .....	15
Balance Sheet.....	16
Performance Graphs .....	17
Capital Works Program Expenditure .....	21



**Executive Summary*****for the period ending 31 July 2016*****a) Current Month Budget Result**

At the end of July 2016, the performance against budget from ordinary activities showed a positive variance of \$1.03M due to savings in operating expenditure of \$1.02M (refer to page 16 for details of the variances).

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2016-17 financial year.

**b) Current Month Forecast Result**

The forecast result expected for the financial year is an operating surplus of \$18.44M compared with the original adopted 2016-17 Annual Budget of \$17.22M.

Any surplus from day-to-day operations is used to accelerate capital works projects. Annual budget to forecast movements to date show an increase in operating revenue of \$60K; decrease in operating expenditure of \$1.02M and a net favourable variance in non-operational activities \$139K.

**c) Liquidity**

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

Council needs to ensure working capital is maintained such that sufficient cash reserves are available to meet normal cash flow requirements. Over the last few years, Council has invested heavily in its capital works program by fully utilising cash reserves.

Council will continue to have a large investment in capital works projects. Council 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*.

**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***

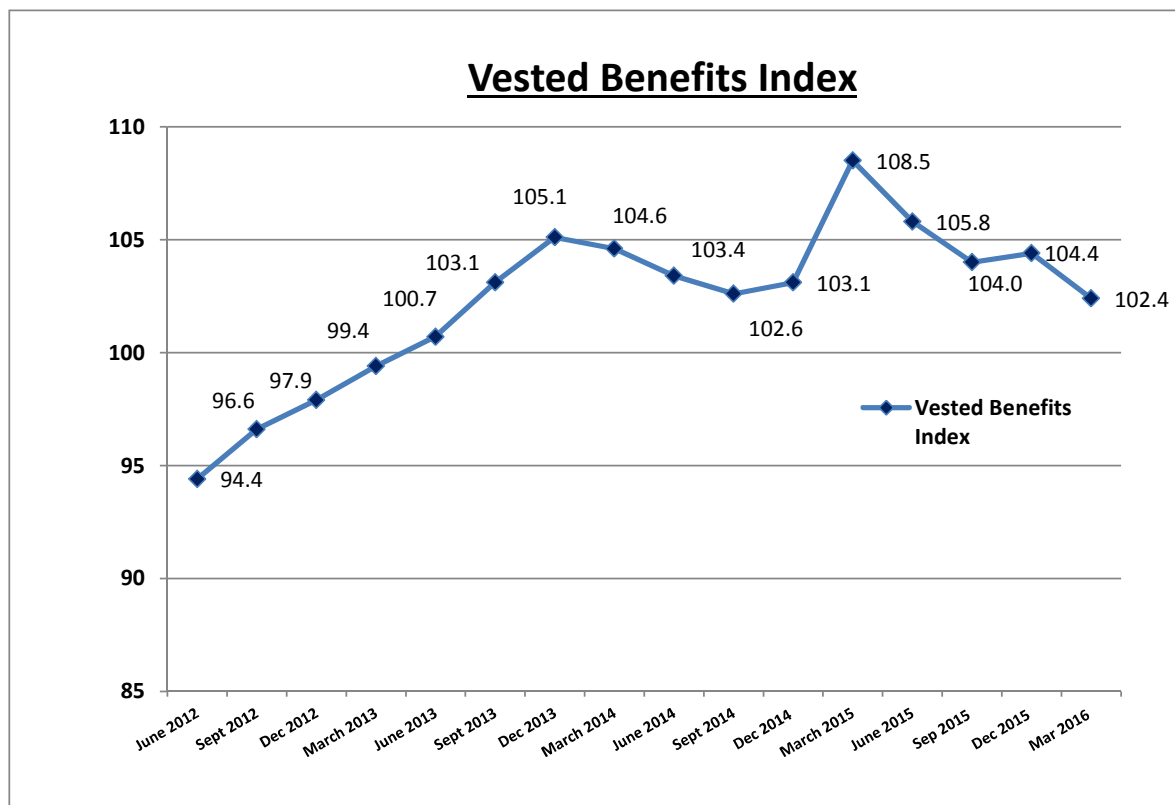
The balance of the Open Space Reserve as at 31 July 2016 is as follows:

<b>Description</b>	<b>2016-17 Current Month Actual</b>	<b>2016-17 Year-to-Date</b>
Open Space Contributions Received	\$1,044,966	\$1,044,966
Open Space Capital Expenditure	(\$229,697)	(\$229,697)
<b>Net Movement</b>	<b>\$815,269</b>	<b>\$815,269</b>
<b>Opening Balance as at 1 July 2016</b>		<b>\$4,093,307</b>
<b>Closing Balance – Open Space Reserve</b>		<b>\$4,908,576</b>

### e) Superannuation – Defined Benefits Scheme

#### ***Vested Benefits Index (VBI)***

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



**f) Forecast adjustments for July 2016*****Income from ordinary activities increase of \$60K***

The favourable income forecast movement is mainly due to:

- **User Fees** – decrease of \$273K mainly due to lower than anticipated fees received for GESAC \$122K and Child Care fees \$120K.
- **Statutory Fees and Fines** – increase of \$200K based on higher than forecast parking infringements income.

***Expenditure from ordinary activities decrease of \$1.03M***

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2016-17 financial year.

The favourable expenditure forecast movement is mainly due to:

- **Employee Costs** – decrease of \$258K due to the timing of staff recruitment and agency costs.
- **Maintenance** – decrease of \$251K due to the timing of anticipated works for the provision of services provided by external contractors.

**g) Capital Works Program**

As at the end of July 2016, total capital works expenditure in 2016-17 is expected to be \$35.52M, represented by:

- New capital works projects as per the 2016-17 Annual Budget \$31.36M
- Capital works funding \$1.94M
- Carry forward expenditure from the 2015-16 financial year \$2.05M
- Forecast increase year to date \$170K.

***Forecast adjustments for the month of July are as follows:******(a) Carry Forward Projects from 2015-16 financial year:***

At the end of each financial year there are projects which are either incomplete or not commenced due to planning issues, weather delays, extended consultation etc.

Carry forward projects of \$2.05M from the 2015-16 financial year include:

- GESAC defect rectification works including: insulation to wall and roof spaces, vapour barrier spaces, corrosion protection of structural elements, tile repairs, mechanical and hydraulic systems - \$1.12M.
- Installation of various traffic management projects including: traffic signals, speed humps/cushions and splitter islands at locations across the municipality, due to modifications to scope works, planning permits and weather delays - \$413K.
- Continuing works on creating a Wellness Centre at GESAC - \$188K.
- Duncan Mackinnon resurfacing of netball courts - \$130K. The nature of these works requires warmer weather to guarantee the specialised acrylic product used. The April 2016 announcement of the unsuccessful Sports and Recreation funding decision resulted in Council not being able to undertake the works by 30 June 2016.
- Continuation of the Bicycle Strategy Implementation, in accordance with the *Glen Eira Bicycle Strategy 2010* - \$101K.
- Multi-purpose Sports Court redevelopment at Koornang Park. This project was delayed due to Level Crossing Removal Authority (LXRA) using this space as a car park for grade separation works - \$100K.

***Capital Works Forecast Adjustments of \$170K for July 2016 relate to:***

- Additional funding of \$150K to replace irrigation wiring at various parks and reserves across the municipality due to wear and tear of current wiring. This continues the work commenced in 2015-16 and is a rolling program of works in the parks.
- Funding of \$20K from Department of Infrastructure and Regional Development for the *Stronger Communities Program* for playground equipment including a playtime square, whirl swing and go round for EE Gunn Reserve Redevelopment.

## 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 11 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
<b>High</b>	<b>Negative 10% or less</b> Insufficient revenue is being generated to fund operations and asset renewal.	<b>Less than 0.75</b> Immediate sustainability issues with insufficient current assets to cover liabilities.	<b>More than 60%</b> Potentially long-term concern over ability to repay debt levels from own-source revenue.	<b>Less than 75%</b> Limited cash generated from operations to fund new assets and asset renewal.	<b>Less than 1.0</b> Spending on capital works has not kept pace with consumption of assets.	<b>Less than 0.5</b> Spending on existing assets has not kept pace with consumption of these assets.
<b>Medium</b>	<b>Negative 10%–0%</b> A risk of long-term run down to cash reserves and inability to fund asset renewals.	<b>0.75–1.0</b> Need for caution with cash flow, as issues could arise with meeting obligations as they fall due.	<b>40–60%</b> Some concern over the ability to repay debt from own-source revenue.	<b>75–100%</b> May not be generating sufficient cash from operations to fund new assets.	<b>1.0–1.5</b> May indicate spending on asset renewal is insufficient.	<b>0.5–1.0</b> May indicate insufficient spending on renewal of existing assets.
<b>Low</b>	<b>More than 0%</b> Generating surpluses consistently.	<b>More than 1.0</b> No immediate issues with repaying short-term liabilities as they fall due.	<b>40% or less</b> No concern over the ability to repay debt from own-source revenue.	<b>More than 100%</b> Generating enough cash from operations to fund new assets.	<b>More than 1.5</b> Low risk of insufficient spending on asset renewal.	<b>More than 1.0</b> Low risk of insufficient spending on asset base.

Source: Victorian Auditor-General's Office.

Financial Strategy (continued)Monthly Report Relative to Financial Strategy

Financial Sustainability Risk Indicators	Objective	2015-2016 Actuals	2016-2017 Annual Budget as at 30 June 2017	2016-2017 Annual Forecast as at 30 June 2017	2016-2017 Risk based on Annual Forecast as at 30 June 2017	Comment
(1) Net Result	Generating surpluses consistently of greater than 0%.	7.70%	10.41%	11.15%	Low	Council is generating positive surpluses.
(2) Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. The indicator is to be greater than 1.0.	0.99	1.04	1.01	Low	Council's forecast to 30 June 2017 indicates a Liquidity Ratio of around 1.0.
(3) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	19.48%	16.07%	15.51%	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%.	119.53%	116.94%	119.33%	Low	Council is generating enough cash from operations to fund new assets.
(5) Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. The indicator is to be more than 1.5.	1.72	1.57	1.58	Low	Council operates at a low level of risk with respect to capital replacement.
(6) Renewal Gap	To ensure there is sufficient spending on Council's asset base. The indicator is to be greater than 1.0.	1.42	1.22	1.22	Low	Council spends sufficient funds on its asset base.
Council aims to keep average rates and charges significantly below benchmark Councils and provide a pensioner rate rebate over the State Government's universal rebate.	Council aims to keep average rates and charges significantly below benchmark Councils and the pensioner rate rebate above the State Government's universal rebate.	\$1,535	\$1,594	\$1,597	Average rates and charges are well below the average of inner metropolitan Councils. In 2014-15 Glen Eira is the second lowest of the 21 Inner Melbourne Councils (2013-14: also second lowest) and is \$266 per assessment (\$16.6m) below the average outcome. This means that Council charges \$16.6m p.a. less than inner metropolitan municipalities and has \$16.6m p.a. less for upgrading or providing facilities and services.	
<ul style="list-style-type: none"> <li>Average Rates and Charges</li> <li>Pensioner Rate Rebate</li> </ul>		\$270	\$270	\$270		
Operating costs per property should be kept as low as possible in order to generate <u>both</u> operating surpluses <u>and</u> lower Rates.	Council should aim to keep average operating costs below the average benchmark Councils.	\$2,119	\$2,340	\$2,321	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 Inspectorate	VAGO Performance Audit*	Independent Consultants / External party review	Internal Audit	
1. Legislation or Standards – Changes generally	H							Food Safety (2011/12) Statutory Planning (2013/14)
2. Funding – Shortfalls	H							
3. Contracts – contracting process by Council	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (ongoing)
4. Insurance – failure to comply with policy	H							
5. Contractors – Council liability for the actions of contractors	H							Contract Management (2013/14) Parks & Open Space Maintenance (2014/15)
6. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014)

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	
7. 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
8. Advice – incorrect advice provided	H							Statutory Planning (2013/14)
9. Infrastructure – serious deficiency	H							Asset Management (2013/14) Parks & Open Space Maintenance (2014/15) Land and Building Revaluation biennial (ongoing)
10. Road Management Act / Plan – failure to comply	H							
11. Clayton Landfill – tightening of requirements and fines	H							Clayton Landfill Review (2014/15)
12. Health & Safety – safe & healthy workplace not maintained	H							SafetyMAP recertification (2013/14) OH&S Review (2015/16)
13. Embezzlement	H							Fraud Review (2013/14) Financial Controls (2014/15) Financial Compliance transaction analysis (ongoing) Risk Management Framework (2015-16)
14. 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.



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 July 2016*

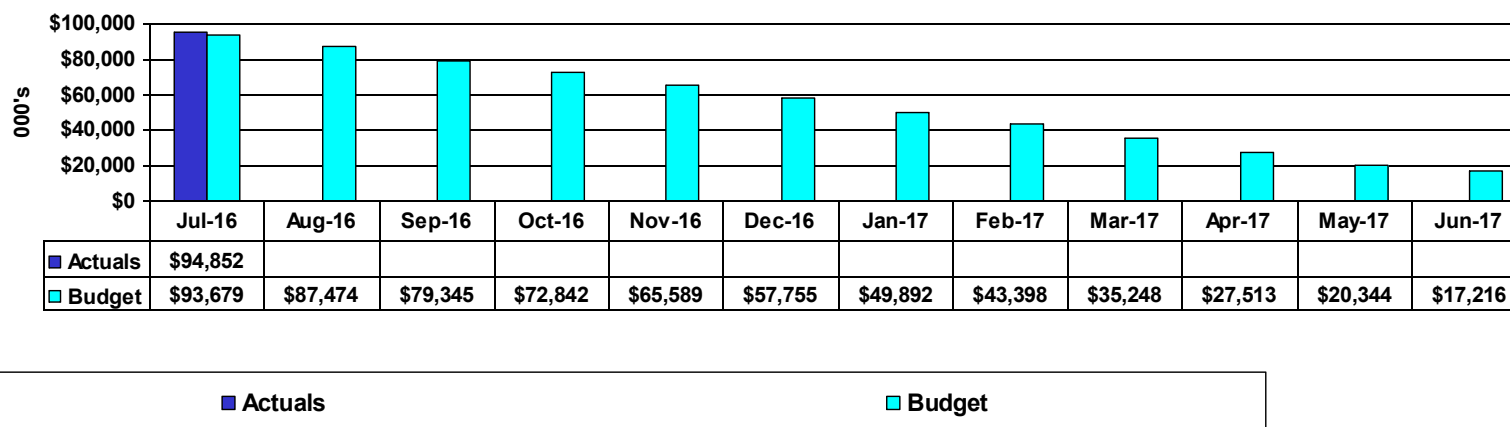
	2016-17 Year to Date Actual	2016-17 Year to Date Budget	2016-17 Year to Date Variance	2016-17 Year to Date Variance	2016-17 Current Month Forecast	2016-17 Annual Budget	2016-17 Budget Forecast Variance	2016-17 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	(%)
<b>Income</b>								
<b>Income from Ordinary Activities</b>								
General Rates	85,207	85,051	156	0.2%	85,207	85,051	156	0.2%
Supplementary Rates	312	315	(3)	(0.9%)	797	800	(3)	(0.4%)
Waste and Recycling Charges	13,932	13,954	(22)	(0.2%)	14,799	14,821	(22)	(0.1%)
Grants (Operating and Capital)	2,766	2,847	(81)	(2.9%)	24,417	24,443	(26)	(0.1%)
Interest Received	105	75	30	39.8%	930	900	30	3.3%
User Fees	1,750	2,020	(270)	(13.4%)	25,227	25,500	(273)	(1.1%)
Statutory Fees and Fines	592	391	200	51.2%	5,810	5,610	200	3.6%
Contributions - Monetary	1,045	1,050	(5)	(0.5%)	5,495	5,500	(5)	(0.1%)
Other Income	159	156	3	2.2%	2,324	2,321	3	0.1%
<b>Total Income from Ordinary Activities</b>	<b>105,867</b>	<b>105,859</b>	<b>8</b>	<b>0.01%</b>	<b>165,007</b>	<b>164,947</b>	<b>60</b>	<b>0.0%</b>
<b>Expenses</b>								
<b>Expenses from Ordinary Activities</b>								
Employee Costs	5,357	5,615	258	4.6%	70,402	70,660	258	0.4%
Materials and Consumables	349	502	153	30.5%	5,887	6,040	153	2.5%
Contractor Payments	1,952	2,194	242	11.0%	29,487	29,729	242	0.8%
Maintenance	268	519	251	48.4%	6,072	6,323	251	4.0%
Utility Services	327	341	14	4.1%	4,204	4,218	14	0.3%
Insurances	524	554	30	5.4%	1,044	1,075	30	2.8%
Other Expenses	296	344	48	13.9%	4,390	4,438	48	1.1%
Grants and Subsidies	49	74	25	34.3%	896	922	25	2.8%
Borrowing Costs	69	73	4	5.2%	758	762	4	0.5%
<b>Total Expenses from Ordinary Activities</b>	<b>9,191</b>	<b>10,216</b>	<b>1,025</b>	<b>10.0%</b>	<b>123,141</b>	<b>124,166</b>	<b>1,025</b>	<b>0.8%</b>
<b>Surplus before non operational activities</b>	<b>96,676</b>	<b>95,643</b>	<b>1,032</b>	<b>1.1%</b>	<b>41,866</b>	<b>40,781</b>	<b>1,085</b>	<b>2.7%</b>
<b>Non-operational Activities</b>								
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	0	40	(40)	(99.5%)	441	481	(40)	(8.3%)
Written Down Value of Assets Sold/Disposed	1	128	127	99.4%	1,404	1,531	127	8.3%
Depreciation and Amortisation	1,824	1,876	52	2.8%	22,462	22,514	52	0.2%
<b>Surplus for the period</b>	<b>94,852</b>	<b>93,679</b>	<b>1,172</b>	<b>1.3%</b>	<b>18,441</b>	<b>17,216</b>	<b>1,225</b>	<b>7.1%</b>
<i>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.</i>								

**Balance Sheet***for the period ending 31 July 2016*

	Actuals 2015-16 \$ 000's	Annual Budget 2016-17 \$ 000's	Annual Forecast 2016-17 \$ 000's	Year to Date Actual 2016-17 \$ 000's
<b>Assets</b>				
<b>Current Assets</b>				
Cash and Cash Equivalents	45,930	45,582	45,446	37,866
Trade and Other Receivables	10,408	8,984	10,408	119,075
Other Assets	1,297	1,309	1,297	617
<b>Total Current Assets</b>	<b>57,635</b>	<b>55,875</b>	<b>57,151</b>	<b>157,558</b>
<b>Non-Current Assets</b>				
Property, Infrastructure, Plant and Equipment	2,047,138	1,727,370	2,059,238	2,045,991
Intangible Assets	1,042	750	1,042	1,009
Investments in Joint Operations	2,125	2,595	2,125	2,125
Other Financial Assets	5	5	5	5
<b>Total Non-Current Assets</b>	<b>2,050,310</b>	<b>1,730,720</b>	<b>2,062,410</b>	<b>2,049,130</b>
<b>TOTAL ASSETS</b>	<b>2,107,945</b>	<b>1,786,595</b>	<b>2,119,561</b>	<b>2,206,688</b>
<b>Liabilities</b>				
<b>Current Liabilities</b>				
Trade and Other Payables	16,494	11,832	14,994	7,340
Trust Funds and Deposits	25,501	24,670	25,501	38,930
Provisions	12,891	13,692	12,891	12,665
Interest-Bearing Liabilities	3,149	3,349	3,349	3,250
<b>Total Current Liabilities</b>	<b>58,035</b>	<b>53,543</b>	<b>56,735</b>	<b>62,184</b>
<b>Non-Current Liabilities</b>				
Provisions	1,186	1,187	1,186	1,186
Interest-Bearing Liabilities	21,734	18,113	18,113	21,479
Other Liabilities - Joint Operations	2,568	3,352	2,568	2,568
<b>Total Non-Current Liabilities</b>	<b>25,488</b>	<b>22,652</b>	<b>21,867</b>	<b>25,233</b>
<b>Total Liabilities</b>	<b>83,523</b>	<b>76,195</b>	<b>78,602</b>	<b>87,417</b>
<b>Net Assets</b>	<b>2,024,422</b>	<b>1,710,400</b>	<b>2,040,959</b>	<b>2,119,272</b>
<b>Equity</b>				
Accumulated Surplus	890,150	908,144	906,687	984,187
Asset Revaluation Reserve	1,130,179	797,983	1,130,179	1,130,176
Public Open Space Reserve	4,093	4,273	4,093	4,909
<b>Total Equity</b>	<b>2,024,422</b>	<b>1,710,400</b>	<b>2,040,959</b>	<b>2,119,272</b>

## Performance Graphs

**Financial Performance**  
*for the period ending 31 July 2016*

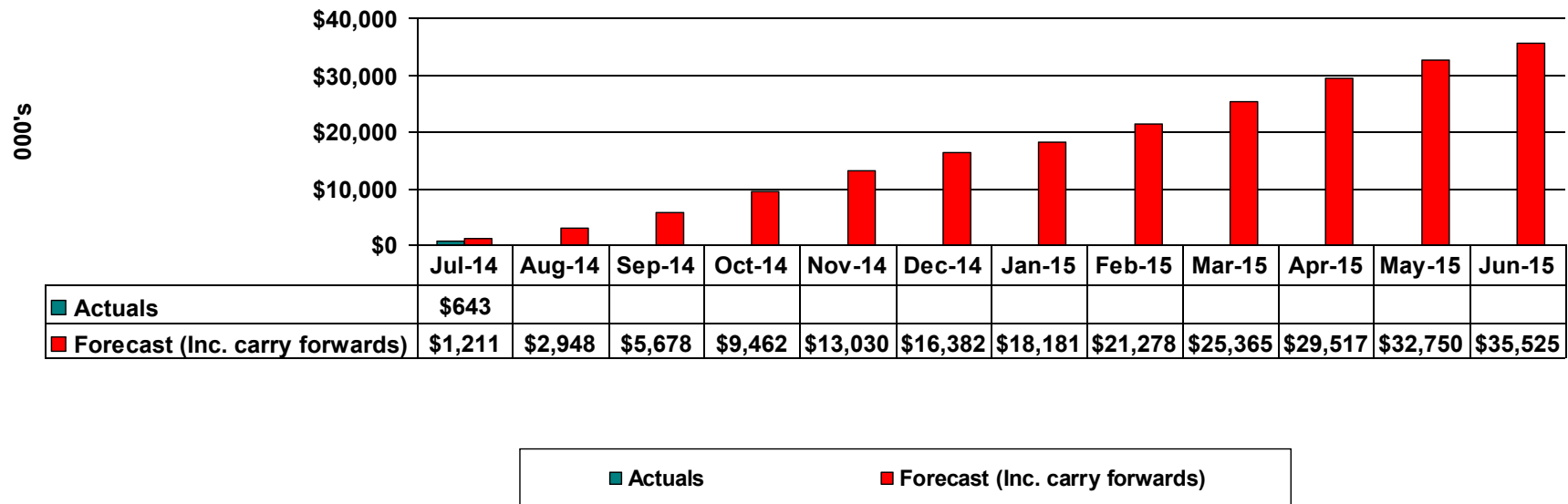


The July 2016 year to date financial performance was \$1.17M better than the year to date budget mainly due to:

- Better than anticipated income received for Statutory Fees and Fines \$200K, Supplementary and General Rates \$153K and Interest Received \$30K.
- Favourable variances in expenditure items including: Employee Costs \$258K, Maintenance \$251K, Contractors \$242K, Materials and Consumables \$153K, Other Expenses \$48K, Insurances \$30K, Grants and Subsidies \$25K, and Utility Services \$14K.
- Unfavourable variances in User Fees \$270K and Grants (Operating and Capital) \$81K.

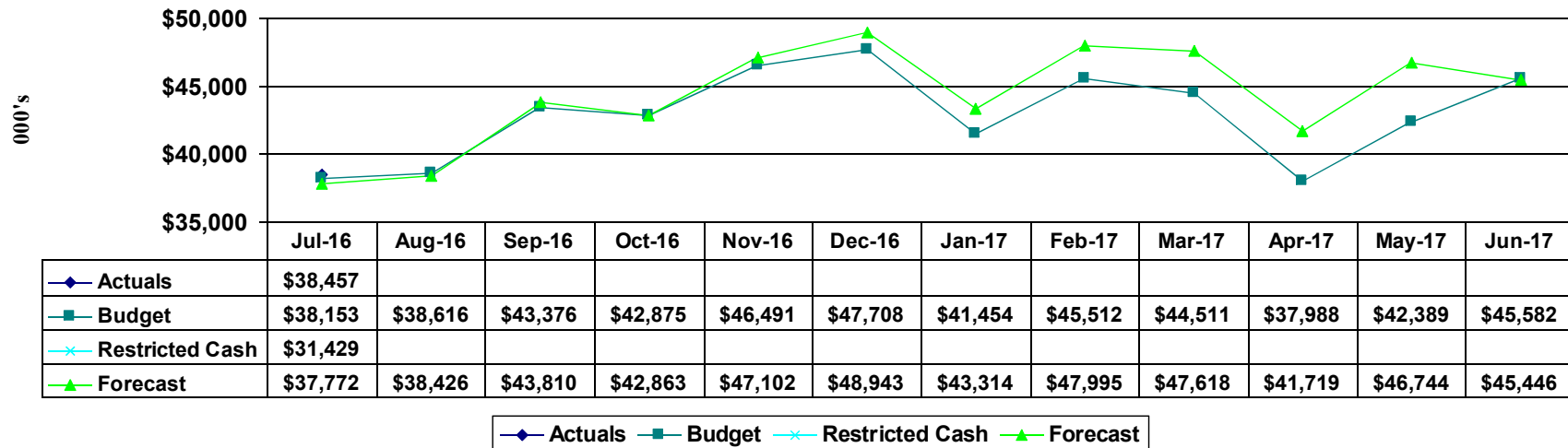
Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2016-17 financial year.

**Capital Works Expenditure**  
*for the period ending 31 July 2016*



Council's capital expenditure is behind forecast by \$568K mainly due to Booran Reserve \$520K, Minor Park Improvements \$45K and Footpath Replacement \$37K. Offsetting this is earlier than anticipated expenditure on Drainage Improvement \$38K.

**Cash and Investments Balances**  
**for the period ending 31 July 2016**

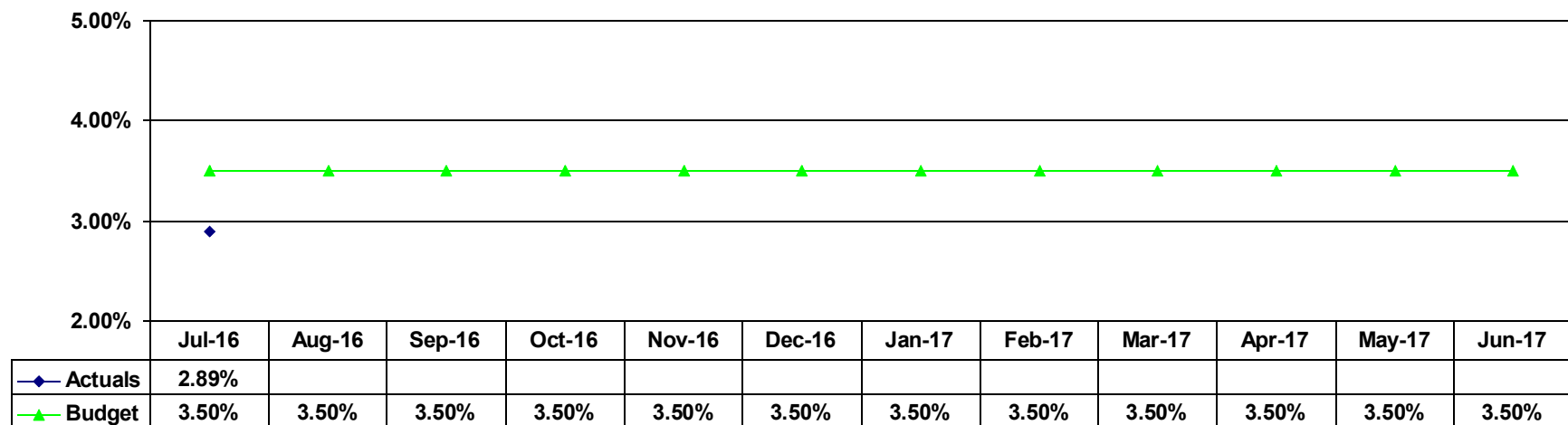


Council's year to date cash balance of \$38.46M is higher than budget for the current month. Council's forecast position to June 2017 of \$45.45M has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.

Council has cash assets that are subject to restrictions. Restricted funds as at 31 July 2017 include: Residential Aged Care Deposits of \$21.87M, Trust Funds and Deposits \$4.21M (including asset protection permits), Open Space Reserve \$4.91M and Fire Services Property Levy \$444K.



**Actual Interest Rate vs Budget Interest Rate**  
*for the period ending 31 July 2016*



Council achieved a lower return of 2.89% against the budget of 3.50%.

## Capital Works Program Expenditure

for period ending 31 July 2016

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b><u>CAPITAL WORKS: PRIORITY ITEMS</u></b>									
Information Systems	-	837,500	-	837,500	-	10,000	10,000	837,500	-
Vehicle Replacements	-	1,706,112	-	1,706,112	-	-	-	1,706,112	-
Footpath Replacement	-	1,725,000	-	1,725,000	106,969	143,750	36,781	1,725,000	-
Kerb and Channel Replacement	-	160,000	-	160,000	-	14,000	14,000	160,000	-
Road Rehabilitation	-	3,082,409	-	3,082,409	2,233	10,000	7,767	3,082,409	-
Drainage Improvement	-	3,482,000	-	3,482,000	37,740	-	(37,740)	3,482,000	-
Local Road Resurfacing	-	1,500,000	-	1,500,000	-	-	-	1,500,000	-
Right of Way Renewal	-	330,000	-	330,000	760	-	(760)	330,000	-
Traffic Signal Renewal	-	100,000	-	100,000	-	-	-	100,000	-
Local Area Traffic Management (LATM) Replacement	-	500,000	-	500,000	-	-	-	500,000	-
Car Park Rehabilitation	-	775,000	-	775,000	69	-	(69)	775,000	-
Roads to Recovery	-	714,999	665,001	1,380,000	-	-	-	1,380,000	-
<b>TOTAL PRIORITY ITEMS</b>	-	14,913,020	665,001	15,578,021	147,771	177,750	29,979	15,578,021	-
<b><u>CAPITAL WORKS: ROLLING ANNUAL</u></b>									
<b><u>CAPITAL WORKS: ROLLING ANNUAL-ENVIRONMENTAL INITIATIVES</u></b>									
Bicycle Strategy Implementation	101,000	250,000	-	351,000	-	10,000	10,000	351,000	-
Warm season grass Program	-	600,000	700,000	1,300,000	-	-	-	1,300,000	-
<b>TOTAL CAPITAL WORKS: ROLLING ANNUAL-ENVIRONMENTAL INITIATIVES</b>	101,000	850,000	700,000	1,651,000	-	10,000	10,000	1,651,000	-
<b><u>CAPITAL WORKS: ROLLING ANNUAL-LIBRARIES</u></b>									
Library and Information Services	-	793,467	62,811	856,278	152,400	173,716	21,316	856,278	-
<b>TOTAL CAPITAL WORKS: ROLLING ANNUAL-LIBRARIES</b>	-	793,467	62,811	856,278	152,400	173,716	21,316	856,278	-
<b><u>CAPITAL WORKS: ROLLING ANNUAL-TRAFFIC MANAGEMENT</u></b>									
Blackspot Treatment	-	18,000	-	18,000	-	-	-	18,000	-
Traffic Engineering	412,955	1,075,000	-	1,487,955	2,241	-	(2,241)	1,487,955	-
<b>TOTAL CAPITAL WORKS: ROLLING ANNUAL-TRAFFIC MANAGEMENT</b>	412,955	1,093,000	-	1,505,955	2,241	-	(2,241)	1,505,955	-
<b><u>CAPITAL WORKS: ROLLING ANNUAL-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</u></b>									
Playground Minor Equipment/Art Rolling Program	-	345,000	-	345,000	-	-	-	365,000	20,000
Carnegie Swim Centre Capital Maintenance	-	50,000	-	50,000	-	-	-	50,000	-
Minor Park Improvements	-	899,050	-	899,050	5,500	50,000	44,500	899,050	-
Sports Ground Lighting	-	80,000	-	80,000	-	-	-	80,000	-
Public Hall Furniture	-	4,000	-	4,000	-	-	-	4,000	-
Shade Sails Rolling Program	-	105,000	-	105,000	-	-	-	105,000	-
Plinth Curbing	-	85,000	-	85,000	19,764	-	(19,764)	85,000	-
<b>TOTAL CAPITAL WORKS: ROLLING ANNUAL-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</b>	-	1,568,050	-	1,568,050	25,264	50,000	24,736	1,588,050	20,000

## Capital Works Program Expenditure

for period ending 31 July 2016 (continued)

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b>CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS</b>									
Building Improvements	-	550,500	-	550,500	11,870	-	(11,870)	550,500	-
Kitchen/ Joinery Renewal	-	30,000	-	30,000	-	-	-	30,000	-
Roof Renewal	-	113,700	-	113,700	(34,214)	-	34,214	113,700	-
Painting Program	-	111,650	-	111,650	-	-	-	111,650	-
<b>TOTAL CAPITAL WORKS: ROLLING ANNUAL-BUILDING WORKS</b>	-	805,850	-	805,850	(22,344)	-	22,344	805,850	-
<b>CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES</b>									
Annual Shopping Streetscape Program	-	567,000	-	567,000	-	-	-	567,000	-
<b>TOTAL CAPITAL WORKS: ROLLING ANNUAL-SHOPPING CENTRES</b>	-	567,000	-	567,000	-	-	-	567,000	-
<b>TOTAL ROLLING ANNUAL</b>	513,955	5,677,367	762,811	6,954,133	157,561	233,716	76,155	6,974,133	20,000
<b>CAPITAL WORKS: MAJOR PROJECTS</b>									
Lord Hex Pavilion, Carnegie	-	220,000	-	220,000	6,972	-	(6,972)	220,000	-
Marlborough Pavilion, Benteigh East	-	25,000	-	25,000	-	-	-	25,000	-
Carnegie Swim Centre	-	280,000	-	280,000	-	-	-	280,000	-
<b>TOTAL MAJOR PROJECTS</b>	-	525,000	-	525,000	6,972	-	(6,972)	525,000	-
<b>CAPITAL WORKS: OPEN SPACE STRATEGY IMPLEMENTATION</b>									
Open Space Strategy Initiatives	-	900,000	-	900,000	6,670	-	(6,670)	900,000	-
Booran Reserve	-	3,962,495	97,000	4,059,495	229,697	750,000	520,303	4,059,495	-
<b>TOTAL OPEN SPACE STRATEGY IMPLEMENTATION</b>	-	4,862,495	97,000	4,959,495	236,367	750,000	513,633	4,959,495	-
<b>SHORT TERM PROJECTS</b>									
<b>CAPITAL WORKS: SHORT TERM-ENVIRONMENTAL INITIATIVES</b>									
Building Improvements	-	716,676	-	716,676	12,956	-	(12,956)	716,676	-
Park Lighting Energy Efficiency Upgrade	-	218,337	-	218,337	-	-	-	218,337	-
<b>TOTAL CAPITAL WORKS: SHORT TERM-ENVIRONMENTAL INITIATIVES</b>	-	935,013	-	935,013	12,956	-	(12,956)	935,013	-
<b>CAPITAL WORKS: SHORT TERM-AGED CARE</b>									
Building Improvements	-	83,000	-	83,000	-	-	-	83,000	-
ILU Refurbishment	-	120,000	-	120,000	-	-	-	120,000	-
Residential Services Minor Improvements	-	220,000	-	220,000	-	-	-	220,000	-
<b>TOTAL CAPITAL WORKS: SHORT TERM-AGED CARE</b>	-	423,000	-	423,000	-	-	-	423,000	-
<b>CAPITAL WORKS: SHORT TERM-FAMILY &amp; CHILDREN'S SERVICES</b>									
Replacement FDC of Equipment	-	10,000	-	10,000	-	-	-	10,000	-
<b>TOTAL CAPITAL WORKS: SHORT TERM-FAMILY &amp; CHILDREN'S SERVICES</b>	-	10,000	-	10,000	-	-	-	10,000	-

## Capital Works Program Expenditure

for period ending 31 July 2016 (continued)

Description	2016-17 Carry Forwards from 2015-16	2016-17 Adopted Annual Capital Budget	2016-17 Capital Grant Funding	2016-17 Budget Plus 2015-16 Carry Forward	2016-17 YTD Work In Progress	2016-17 YTD Forecast	2016-17 YTD Variance	2016-17 Annual Forecast Projected end of June 2017 expenditure	2016-17 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b><u>CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</u></b>									
ILU Refurbishment	-	50,000	-	50,000	-	-	-	50,000	-
Multi-purpose Sports Court redevelopment	99,880	165,000	-	264,880	44,000	45,000	1,000	264,880	-
Recreation	130,000	875,000	195,000	1,200,000	-	-	-	1,200,000	-
Parks & Gardens	-	158,000	-	158,000	-	5,000	5,000	308,000	150,000
Outdoor Fitness Stations and Instructional Signage	-	70,000	-	70,000	-	-	-	70,000	-
Bin Enclosures	-	37,500	-	37,500	-	-	-	37,500	-
<b>TOTAL CAPITAL WORKS: SHORT TERM-PUBLIC OPEN SPACES AND RECREATIONAL FACILITIES</b>	<b>229,880</b>	<b>1,355,500</b>	<b>195,000</b>	<b>1,780,380</b>	<b>44,000</b>	<b>50,000</b>	<b>6,000</b>	<b>1,930,380</b>	<b>150,000</b>
<b><u>CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT</u></b>									
Parking Ticket Machines	-	150,000	-	150,000	-	-	-	150,000	-
<b>TOTAL CAPITAL WORKS: SHORT TERM-TRAFFIC MANAGEMENT</b>	<b>-</b>	<b>150,000</b>	<b>-</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>150,000</b>	<b>-</b>
<b><u>CAPITAL WORKS: SHORT TERM-BUILDING WORKS</u></b>									
Renewal of Heating Ventilation Air Conditioning	-	972,000	-	972,000	-	-	-	972,000	-
Building Improvements	-	538,635	219,000	757,635	750	-	(750)	757,635	-
Disability Access Upgrade	-	65,000	-	65,000	-	-	-	65,000	-
GESAC	1,311,128	250,000	-	1,561,128	2,714	-	(2,714)	1,561,128	-
Public Toilet Exeloo	-	180,000	-	180,000	-	-	-	180,000	-
<b>TOTAL CAPITAL WORKS: SHORT TERM- BUILDING WORKS</b>	<b>1,311,128</b>	<b>2,005,635</b>	<b>219,000</b>	<b>3,535,763</b>	<b>3,464</b>	<b>-</b>	<b>(3,464)</b>	<b>3,535,763</b>	<b>-</b>
<b><u>CAPITAL WORKS: SHORT TERM-LIBRARIES</u></b>									
Smart Sorter Machine	-	250,000	-	250,000	-	-	-	250,000	-
<b>TOTAL CAPITAL WORKS: SHORT TERM- LIBRARIES</b>	<b>-</b>	<b>250,000</b>	<b>-</b>	<b>250,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>250,000</b>	<b>-</b>
<b><u>CAPITAL WORKS: SHORT TERM-OTHER</u></b>									
Furniture & Fittings	-	50,000	-	50,000	-	-	-	50,000	-
Refurbishment of outdoor play space	-	45,000	-	45,000	34,214	-	(34,214)	45,000	-
Drainage Asset Management Decision tool	-	28,000	-	28,000	-	-	-	28,000	-
Annual Plant and Equipment Replacement	-	131,000	-	131,000	-	-	-	131,000	-
<b>TOTAL CAPITAL WORKS: SHORT TERM-OTHER</b>	<b>-</b>	<b>254,000</b>	<b>-</b>	<b>254,000</b>	<b>34,214</b>	<b>-</b>	<b>(34,214)</b>	<b>254,000</b>	<b>-</b>
<b>TOTAL SHORT TERM PROJECTS</b>	<b>1,541,008</b>	<b>5,383,148</b>	<b>414,000</b>	<b>7,338,156</b>	<b>94,634</b>	<b>50,000</b>	<b>(44,634)</b>	<b>7,488,156</b>	<b>150,000</b>
<b>TOTAL CAPITAL WORKS EXPENDITURE</b>	<b>2,054,963</b>	<b>31,361,030</b>	<b>1,938,812</b>	<b>35,354,805</b>	<b>643,305</b>	<b>1,211,466</b>	<b>568,161</b>	<b>35,524,805</b>	<b>170,000</b>

**Item 9.6            ADOPTION OF 2015-16 DRAFT FINANCIAL REPORT****Author:**            John Vastianos (Chief Financial Officer)**File No:**            Not Applicable**Attachments:**    Not Applicable

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**PURPOSE AND SUMMARY**

To adopt the 2015-16 Financial Statements and Performance Statement 'in principle' for forwarding to the Auditor-General and appoint signatories to sign the Financial Statements and Performance Statement.

**RECOMMENDATION**

THAT Council:

1. Adopt the 2015-16 Financial Statements and Performance Statement 'in principle', subject to no significant changes by the Auditor-General.
2. Note that the Mayor (Cr Neil Pilling) and Deputy Mayor (Cr Thomas Sounness) have been appointed to sign the Financial Statements and Performance Statement once they have been returned by the Auditor-General.

**BACKGROUND**

At the 19 July Council Meeting, Council approved the Mayor and Deputy Mayor to sign the 2015-16 Financial Statements and Performance Statement.

The State Government has a structured process to apply to Financial Statements. Council is required to consider the proposed Financial Statements after the external audit agent has performed its role but before the audit by the Auditor-General is finalised.

**ISSUES AND DISCUSSION**

The 2015-16 Financial Statements are being prepared to meet the following timetable:

<b>Friday, 19 August 2016 (Audit Committee Meeting)</b>	<p>The Audit Committee considered the Financial Statements and the Performance Statement (circulated to Committee members).</p> <p>A representative of the Victorian Auditor-General's Office (VAGO) attended this meeting to give advice to the Committee and answer questions.</p> <p>The Audit Committee has recommended to Council that the statements be adopted 'in principle', subject to minor amendments, and subject to no significant changes by the Auditor-General.</p>
<b>Tuesday, 30 August 2016 (Ordinary Council Meeting)</b>	<p>Council is asked to adopt the Financial Statements and Performance Statement, as reviewed by the Audit Committee, "in principle" and 2 Councillors to sign the Statements later in the process.</p>
<b>Wednesday, 1 September 2016</b>	<p>Council to forward to VAGO an "annual reporting package" including the audited statements and a copy of the Council resolution adopting the financial statements 'in principle'.</p>
<b>Friday, 16 September 2015 (estimate)</b>	<p>The Auditor-General to have returned the statements to Council for follow up of queries and to arrange the sign off by 2 Councillors, CEO and the Principal Accounting Officer.</p>
<b>Monday, 19 September 2016 (estimate)</b>	<p>The Auditor-General report issued and the Annual Report completed and submitted to the Minister.</p>

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Not Applicable.

**POLICY AND LEGISLATIVE IMPLICATIONS**

Council will be asked to adopt the statements 'in principle'. This will in effect mean that Council is confirming that an appropriate process (as confirmed by the Audit Committee) has been followed in preparing the Statements. In this respect, Council will be relying on Victorian Auditor-General's Office (VAGO) to confirm the accuracy of the statements and compliance with accounting standards.

**COMMUNICATION AND ENGAGEMENT**

The Audit Committee met on 19 August 2016 and considered the accounts and recommended that the accounts be adopted in principle, subject to some minor amendments, and subject to no significant changes by the Auditor-General.

Financial conclusions should not be drawn until after the statements are audited and finalised by the Auditor-Generals Office. The draft information, however, shows that the result for Council is an Operating Surplus.

Any review of the operating surplus should be undertaken only with reference to the accompanying notes. Council's strategy has been to generate surpluses on operations in order to pay for higher levels of capital works.

**LINK TO COUNCIL PLAN**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

Council is not expected to audit any of the figures itself. Council is expected to assure itself that due process has been followed (e.g. by the activities of the independent external auditors, etc.) to ensure that the statements represent the financial position of the Council. In Glen Eira, this role is carried out mainly through the Audit Committee with its mix of Council representatives and independent Members.

**Crs Delahunty/Lipshutz**

**That the recommendation in the report be adopted.**

**The MOTION was put and CARRIED unanimously.**

**Item 9.7 QUARTERLY REPORTING****Author:** Peter Swabey (Director, Corporate Services)**Attachments:** Yes

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**PURPOSE AND SUMMARY**

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

**RECOMMENDATION**

That Council notes the attached Services Report, Community Plan Report, reporting on Public Questions and external assessment for information only.

**BACKGROUND**

The level of activity undertaken by Council is not always apparent from financial information. Statistical information complements monthly financial reporting and provides more detailed information on the diverse range of activities undertaken by Council. Regular reporting can provide an indication of where productivity or efficiency gains have been made along with identifying trends that will assist in decision making and resource allocation.

**ISSUES AND DISCUSSION****Services Report**

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

- Maternal and Child Health key age and stage visits are well above target.
- Storytime and Babytime attendance at Libraries continues to receive large numbers of attendees.
- Total In-Home Support hours are exceeding target by 19,936 hours.
- The building boom is seeing higher levels of planning applications lodged which is impacting the statutory days per determination.
- 705 additional Green Waste services have been provided since the start of the financial year.
- The number of reports of graffiti from residents remains low because Council officers proactively identify and remove most graffiti before it is reported.
- The number of on-call collections for hard rubbish, bulk cardboard and bundled branches has increased by 6.8% compared to the previous year.
- Parking tickets issued in 2015-16 has increased compared to the previous year to emphasise safety around schools and balancing trader and patron parking due to increased building activity and the grade separation works.

**Community Plan**

The attached Community Plan report is the updated report for the year ending 30 June 2016 against the Glen Eira Community Plan that was updated by Council in June 2015 and provides a benchmark against which to measure the Council's 2015/16 performance. This report lists the Key Strategic Activities outlined in Council's Community Plan and the progress towards achieving the 2015/16 performance measures.



### **External Assessment**

Glen Eira City Council has received the following ratings, recognition and awards from external parties in the last two years.

### **Governance**

- The Auditor General classified Council's finances as 'low risk' (November 2015)
- Has the second lowest average Rates per assessment for the Inner Metropolitan Councils - approx. \$16m pa below the average
- Australasian Reporting Awards June 2015 – Gold Award; Special Award for Public Sector Governance Reporting; Special Award for Public Sector Sustainability Reporting; Runner-Up in Public Sector Communication Reporting.
- Australasian Reporting Awards June 2015 – One of six finalists for the overall Report of the Year (Public Sector).

### **Organisational Culture**

- Highest reported result for Customer Service (Victorian Community Satisfaction Survey, June 2014)
- National Finalist – Workplace Relations, Australian Human Resources Institute, November 2014
- Australian HR Awards – National Finalist – Best HR Strategic Plan (open category) 2015
- Australian Business Awards – Employer of Choice 2015
- Staff turnover 9.7% (2015)

### **Sustainability**

- One of three metro Councils which have converted their street lights to low energy, low emission technology at their own expense
- One of the lowest emissions per capita of any metropolitan council

### **Sports and Aquatic Facilities**

- 1.141 million visits to GESAC in 2015-16
- GESAC received a pool safety score of 99.61% from Life Saving Victoria, October 2015
- GESAC received the Customer Service Team and Personal Trainer awards at the 2015 Aquatics and Recreation Victoria Awards
- The Manager GESAC was invited to make a presentation to the New Zealand Recreation Association annual aquatics conference.
- Carnegie Swim Centre won the Seasonal Facility Management Award – 2015 Aquatics and Recreation Victoria Awards.

### **Public Questions**

Public questions for the period 05 April 2016 to the Ordinary Council meeting of 17 June 2016 were as follows:

Number asked	71
Number ruled inadmissible	0
Number answered at the Meetings	51
Number taken on notice	20
Time taken to reply to questions taken on notice (average)	5-7 days

**Items for action from Council Meetings**

Refer Attachment

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Not applicable

**POLICY AND LEGISLATIVE IMPLICATIONS**

Not applicable

**COMMUNICATION AND ENGAGEMENT**

Not applicable

**LINK TO COUNCIL PLAN**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

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

**Crs Delahunty/Sounness**

**That the recommendation in the report be adopted.**

**The MOTION was put and CARRIED unanimously.**

**Glen Eira City Council**

**SERVICES REPORT**



**Year ended June 2016**

## CONTENTS

### Community Relations

Service Centre	1.1 – 1.5
Recreation	2.1
Youth	3.1

### Community Services

Arts	4.1
Child Care	5.1 – 5.2
Family Day Care	6.1
Maternal and Child Health	7.1
Public Health	8.1
Library	9.1
HACC	10.1 – 10.4
Residential Services	11.1

### Corporate Counsel

Risk	12.1
------	------

### Planning and Transport

Civic Compliance	13.1 – 13.11
Statutory Planning	14.1 – 14.6
Strategic Planning	15.1 – 15.2
Parking and Prosecutions	16.1

### Assets and Facilities

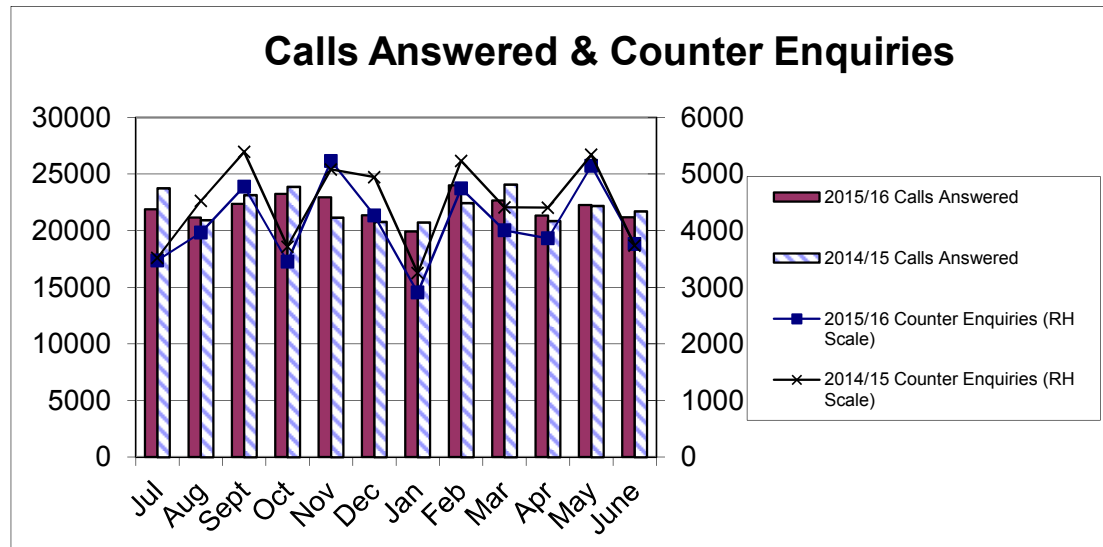
Waste Management	17.1 – 17.5
Glen Works	17.6 – 17.9
Parks and Gardens	17.10 – 17.11

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

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## Service Centre

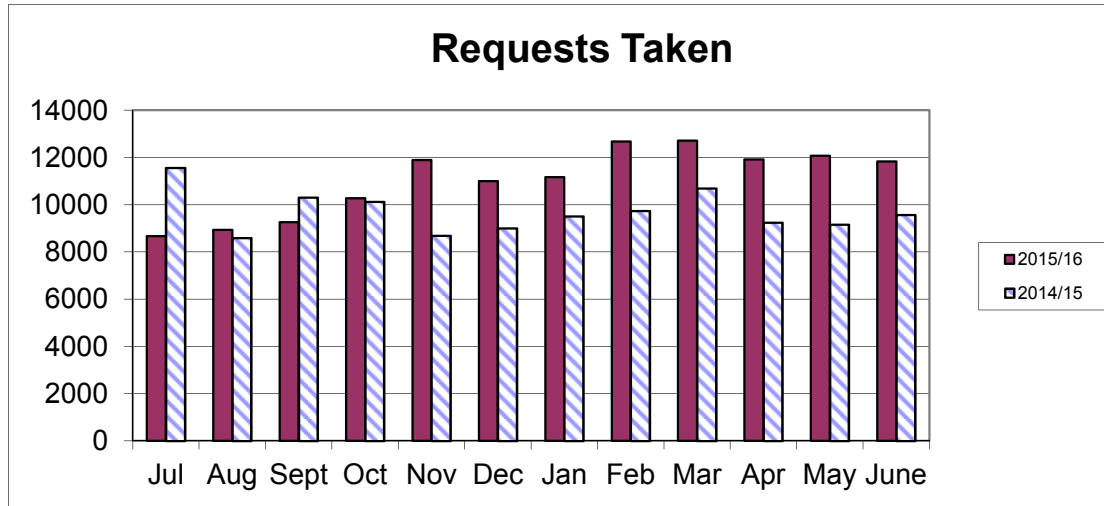
### Number of Telephone Calls Answered and Counter Enquiries



#### Comments:

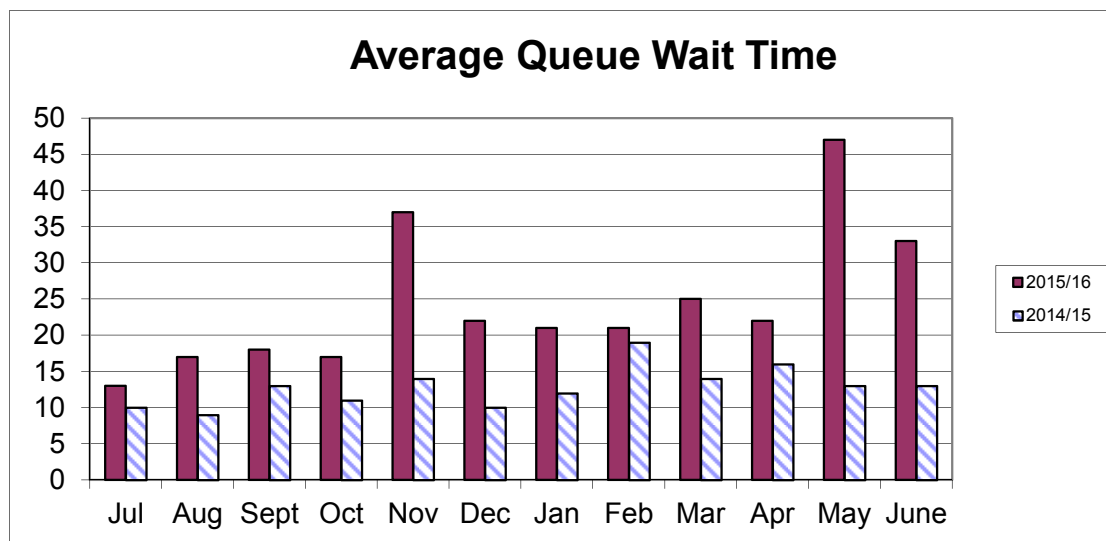
The monthly volume of telephone calls and counter enquiries can vary due to the timing of certain Council business activities such as rate installment and dog registration deadlines. The daily average of calls answered is 1,150 and counter enquiries is 250.

## Number of Requests Taken

**Comments:**

Requests taken are phone calls which require further action, thus necessitating referral to other officers through Council's automated tracking system. In the last four months we have been averaging over 12,000 requests per month, which is above our average. Again this is a combination of customers requesting more services together with a noticeable increase on planning requests and waste enquiries.

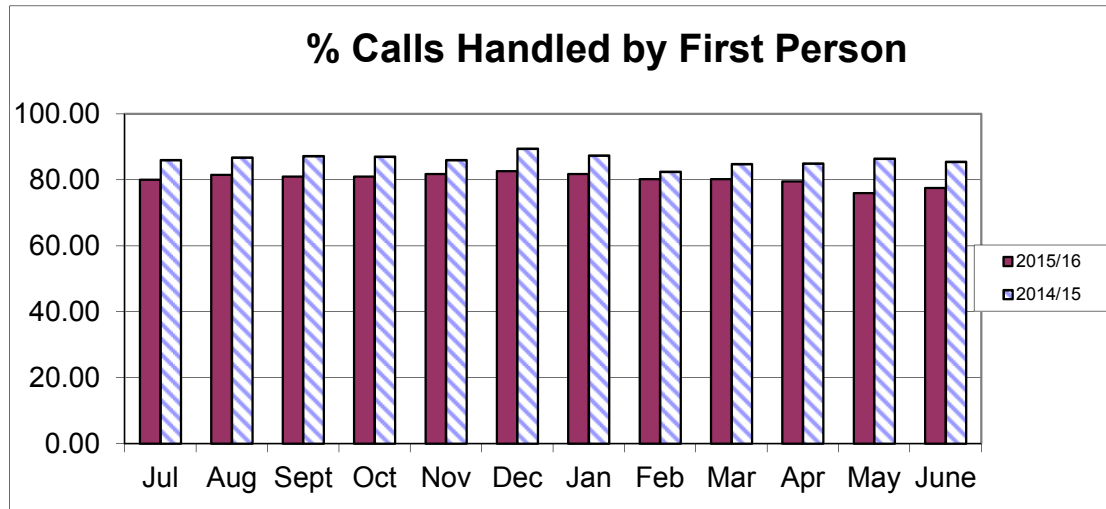
## Average Queue Wait Time by Seconds

**Comments:**

Telephone response times are dependent on the monthly level of customer activity which can be affected by business seasonality factors and staffing levels. Last few months and in particular the month of May has been very challenging due to a number of factors and therefore an increase in our queue wait time.

This is mainly due to:

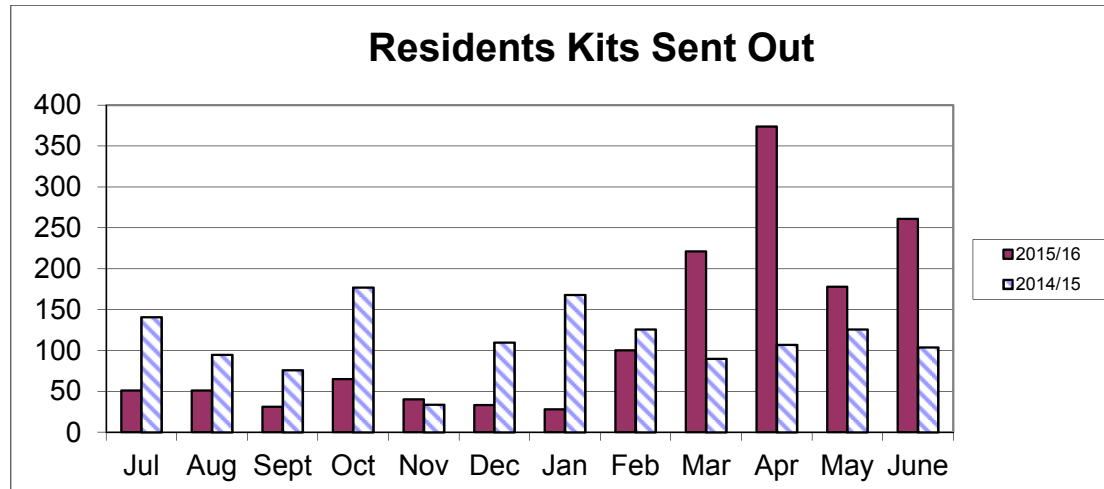
- Lengthy enquiries and multiple enquiries per phone call.
- Turnover of staff.
- Volume of monthly requests taken has increased substantially.
- Staff going on secondments for lengthy period of times.
- New staff requiring training/assistance.
- Transition to our new phone system.

**% Completed by First Person to Handle Call****Comments:**

This graph demonstrates the percentage of telephone calls which are handled by the customer service officer, and do not require transfer to other officers or departments.



## Number of New Resident Kits Sent Out

**Comments:**

The level of New Resident Kits distributed is totally dependent on the number of new residents identified from Council's property database in any given month. The kit gives new residents information on Glen Eira services as soon as they move in. The increase in the last quarter is due to a backlog and an increase in the number of new residents.

## Recreation

### Winter Season 1 April – 30 September and Summer Season 1 October – 31 March

Sports Ground Usage	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Average YTD 15/16	Average YTD 14/15
Clubs 15/16	32	32	32	32	32	32	32	32	32	32	32	32	32	
Clubs 14/15	32	32	32	32	32	32	32	32	32	32	32	32		32
Teams 15/16	299	299	299	197	197	197	197	197	197	310	310	310	251	
Teams 14/15	269	269	269	186	186	186	186	186	186	299	299	299		235
Total Grounds 15/16	44	44	44	44	44	44	44	44	44	44	44	44	44	
Total Grounds 14/15	42	42	42	45	45	45	45	45	45	44	44	44		44

#### Note:

(OCT'15 – DEC'15)

- Decrease in total grounds due to oval redevelopment works at Princes Park Oval 4

Increased cricket team numbers in 2015/16 summer season

### Public Hall Usage Rates

Public Hall Usage	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Average YTD 15/16	Average YTD 14/15
Bookings 2015/2016	739	799	726	738	719	598	513	693	722	713	815	743	710	
Bookings 2014/2015	713	690	676	716	675	605	539	691	718	707	803	779		693

#### Comments:

These figures represent the monthly bookings for Council's eleven Community and Multipurpose Rooms, includes Caulfield Park Community Room, Julie Cooper Pavilion, Duncan Mackinnon Reserve Community Room and the Moorleigh Community Centre.

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

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Number of Program Sessions 2015/2016	18	31*	35*	57*	50*	6	2	18	17	12	28	18	292	
Number of program sessions 2014/2015	14	37	25	41	59	13	12	25	30	27	31	21		335
Number of young people participating in overall sessions 2015/2016	165	770*	545*	1100*	744*	62	16	171	231	163	628 <sup>@</sup>	342	4937	
Number of young people participating in overall sessions 2014/2015	116	868 <sup>^^</sup>	548 <sup>^^</sup>	775 <sup>#</sup>	1029 <sup>#</sup>	178 <sup>#</sup>	12	226	514*	403*	362	206		5237
Special Events (i.e. talks, street festivals) 2015/2016	42	0	309 <sup>^</sup>	0	24	90 <sup>&amp;</sup>	0	100	0	160	56	0	781	
Special Events [i.e. talks, street festivals] 2014/2015	26	0	420 <sup>**</sup>	67	0	25	0	0	151	121	35	0		845
Client support (individual young people) 2015/2016	4	0	2	1	3	2	0	6	34 <sup>\$</sup>	15 <sup>\$</sup>	11 <sup>\$</sup>	5	83	
Client support (individual young people) 2014/2015	0	2	1	0	1	1	1	0	5	1	3	7		22

**Comments: 2014/2015**

\*\* Sounds of Glen Eira 2014 (formerly Battle of the Bands) & Parent information session 'Raising Girls' held at the Town Hall.

^^ SenseAbility program was piloted in 2013/2014. Evaluation of this program concluded a more targeted cohort and specific age range of young people would benefit from this program. This is reflected in the reduction in number of programs/participants over 2014 Aug/Sep period as the recommendations have been implemented.

# Increase in number of participants due to greater uptake of Moving Up and the delivery to multiple classes per session, as well as the additional school based program, KidsMatter piloted in term 4 2014

\* Additional school based program, SenseAbility, also run during term 1

**Comments: 2015/2016**

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

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

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

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

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

**Community Relations****Youth Services – Section 3.1**

## Arts and Culture

Exhibition Attendance	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Visitors – 15/16	2,166	551	1,295	1,816	1,669	1,260	N/A	817	1,269	875	748	1,660	14,126	
Visitors – 14/15	2,118	1,354	1,012	414	692	528	0	837	834	500	632	808		9,729

Cabaret Lumiere	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Attendance 15/16	N/A	563	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	563	
Attendance 14/15	36	618	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		654

My Brother Jack Awards	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Entries 15/16	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	613	N/A	N/A	613	
Entries 14/15	NA	NA	NA	NA	NA	NA	NA	NA	110	195	138	NA		443

Carols	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Attendance 15/16	N/A	N/A	N/A	N/A	N/A	5,500	N/A	N/A	N/A	N/A	N/A	N/A	5,500	
Attendance 14/15	N/A	N/A	N/A	N/A	N/A	6,500	N/A	N/A	N/A	N/A	N/A	N/A		6,500

Outdoor Events	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Attendance 15/16	N/A	N/A	N/A	431	#6,425	N/A	*3,000	*6,000	*8,500	N/A	250	N/A	24,606	
Attendance 14/15	N/A	N/A	N/A	608	658	N/A	*8,500	*6,000	*7,500	N/A	250	N/A		23,516

## Comment:

- \* Party in the Park events held in January, February and March 2016.
- # A Cultural Bazaar event held in November 2015

**Childcare**

Utilisation Rate

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 15/16	YTD AV 14/15
Carnegie 15/16	82.53	80.63	86.51	88.44	87.11	80.80	81.73	80.50	79.41	79.61	84.38	87.05	83	
Carnegie 14/15	93.55	90.78	89.75	88.13	88.49	87.85	77.40	72.50	75.00	78.13	75.78	76.97		83
Caulfield 15/16	93.24	93.16	94.62	94.78	94.72	92.70	91.47	94.96	96.16	98.05	97.48	98.29	95	
Caulfield 14/15	89.07	93.00	96.98	97.78	97.08	94.69	86.67	91.89	93.78	96.02	91.89	94.50		94
Murrumbeena 15/16	89.17	90.49	93.22	93.44	93.06	91.11	88.93	92.68	90.96	91.40	92.10	92.68	92	
Murrumbeena 14/15	79.91	78.67	81.42	85	84.44	76.67	66.67	74.78	83.38	86.08	88.67	89.01		81

**Comments:** Budgeted Utilisation is 90%

Number of Children using the service

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 15/16	YTD AV 14/15
Carnegie 15/16	59	60	64	65	64	59	54	55	56	60	61	64	60	
Carnegie 14/15	64	63	62	61	63	61	50	50	55	55	55	59		58
Caulfield 15/16	88	90	86	91	87	95	78	78	78	80	80	84	85	
Caulfield 14/15	81	82	88	89	87	79	77	81	82	90	88	91		85
Murrumbeena 15/16	76	77	78	80	78	75	73	63	68	70	72	68	73	
Murrumbeena 14/15	61	60	62	64	61	51	52	61	70	72	75	75		64

**Comments:**

**Number of families using the service**

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 15/16	YTD AV 14/15
Carnegie 15/16	55	53	57	61	61	55	49	50	52	56	53	58	55	
Carnegie 14/15	58	54	53	53	55	55	45	47	50	52	51	53		52
Caulfield 15/16	73	76	74	76	72	75	73	70	69	70	69	72	72	
Caulfield 14/15	71	74	78	80	78	69	71	73	73	78	77	79		75
Murrumbeena 15/16	74	79	83	80	75	72	71	66	64	67	67	67	72	
Murrumbeena 14/15	59	56	59	61	59	53	53	63	68	70	75	75		63

Comments:

**Number of agency hours used by the service**

Location	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 15/16	YTD AV 14/15
Carnegie 15/16	0	0	0	0	0	0	0	0	0	0	0	0	0	
Carnegie 14/15	0	0	0	0	0	0	0	0	0	0	0	0		0
Caulfield 15/16	0	0	0	0	0	0	0	0	0	0	0	0	0	
Caulfield 14/15	0	0	0	0	0	0	0	0	0	0	0	0		0
Murrumbeena 15/16	0	0	0	0	0	0	0	0	0	0	0	0	0	
Murrumbeena 14/15	0	0	0	0	0	0	0	0	0	0	0	0		0

Comments:

## Family Day Care

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD AV 15/16	YTD AV 14/15
Numbers of hours care provided: 15/16	14215	13902	17697	15534	15272	13758	9238	12891	12926	13518	13770	12794	#13793	
Numbers of hours care provided: 14/15	19858	16409	16264	19979	15376	13309	11855	12908	13591	14153	14702	13444		15154
Number of children cared for: 15/16	175	175	224	192	186	93	116	172	173	177	178	169	169	
Number of children cared for: 14/15	256	216	218	259	207	171	112	159	165	212	178	167		193
Average hours of care per child: 15/16	81	79	79	81	82	148	80	74	75	76	77	76	84	
Average hours of care per child: 14/15	77	76	74	77	74	78	106	81	82	67	82	80		80
Effective full time places (target 140): 15/16	101	99	126	110	109	98	66	92	92	96	98	91	98	
Effective full time places (target 140): 14/15	141	117	116	142	109	95	68	92	97	101	105	96		107
*Number of home visits by field workers 15/16	75	63	53	67	53	51	64	65	53	59	49	77	61	
*Number of home visits by field workers 14/15	85	73	61	57	53	36	41	58	53	62	54	78		59

**Comments:**

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

# Lower number of children resulted in reduced hours of care provided in 2015/16

**Maternal and Child Health**

% of key visits for children at each significant milestone

GECC Key Age and Stage Visits	GECC Targets %	Average % 2015/2016 (Financial Year)	Average % 2014/2015 (Financial Year)
Home Visit	98	101**	102**
2 weeks	98	98	100
4 weeks	98	98	100
8 weeks	95	96	98
4 months	95	95	97
8 months	90	93	95
12 months	90	93	93
18 months	85	87	91
2 years	81	89	91
3.5years	77	91	90

Enhanced Maternal & Child Health Families	GECC Target	2015/2016 (Financial Year)	2014/2015 (Financial Year)
Number of Closed Cases	72	85	75

**16,438 Key Ages and Stages visits (Yearly Target 15,000)**

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



### Public Health Food Safety

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Total Inspections 15/16	195	162	192	154	176	99	109	144	170	162	224	200	1,987	
Total Inspections 14/15	231	132	220	159	218	95	100	144	155	162	191	172		1,979

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

### Food Sampling

Services	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD 15/16	YTD 14/15
Food samples taken 15/16	65	31	24	31	32	49	21	22	29	29	38	66	437	
Food samples taken 14/15	22	24	56	36	13	28	32	14	21	29	40	36		351
Compliant % – 15/16	97%	90%	92%	100%	96%	98%	94%	82%	86%				95%	
Compliant % - 14/15	100%	100%	86%	83%	92%	93%	88%	100%	95%	95%	91%	93%		91%

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

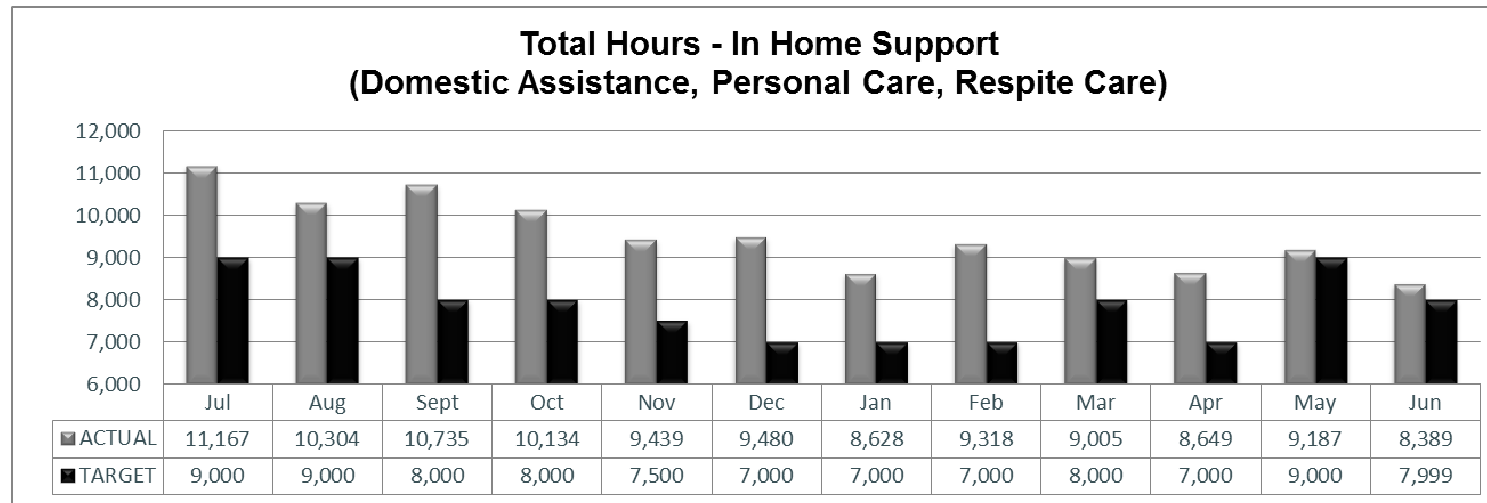
**Library Services**

Services	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	YTD 15/16	YTD 14/15
Loans*	124,454	116,670	115,925	109,248	106,291	112,802	124,526	102,776	108,636	108,285	111,783	116,099	<b>1,357,495</b>	<b>1,271,544</b>
Visits	64,240	57,282	59,350	57,327	55,945	53,358	59,700	55,340	57,789	59,304	62,257	62,249	<b>704,141</b>	<b>712,524</b>
Home Visits	184	186	187	189	190	189	190	188	187	188	189	188	<b>2,255</b>	<b>2,021</b>
Storytime & Babytime attendance**	5,882	5,406	5,320	5,351	4,967	4,331	4,369	4,937	4,575	4,547	5,562	5,049	<b>60,296</b>	<b>61,086</b>

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

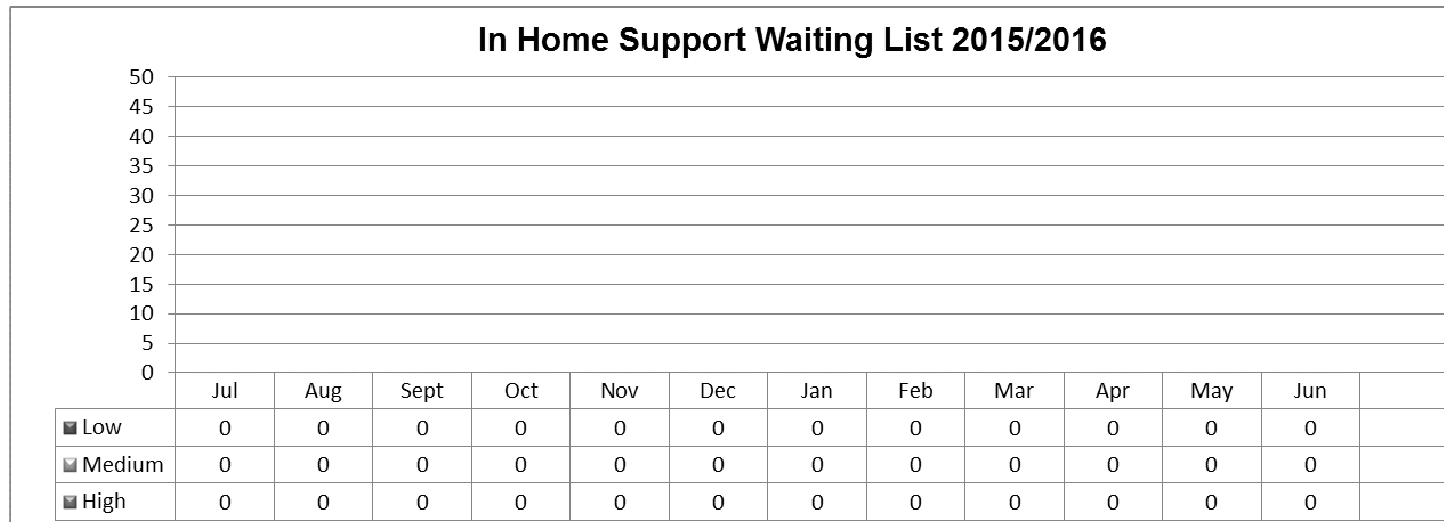
\*\* Storytime and Babytime attendance includes children and adults.

### Hours of service delivery for Domestic Assistance, Personal Care, and Respite Care.



**Comments:**

In Home Support hours for the year were 114,435, over target (+19,936).

**Comments:**

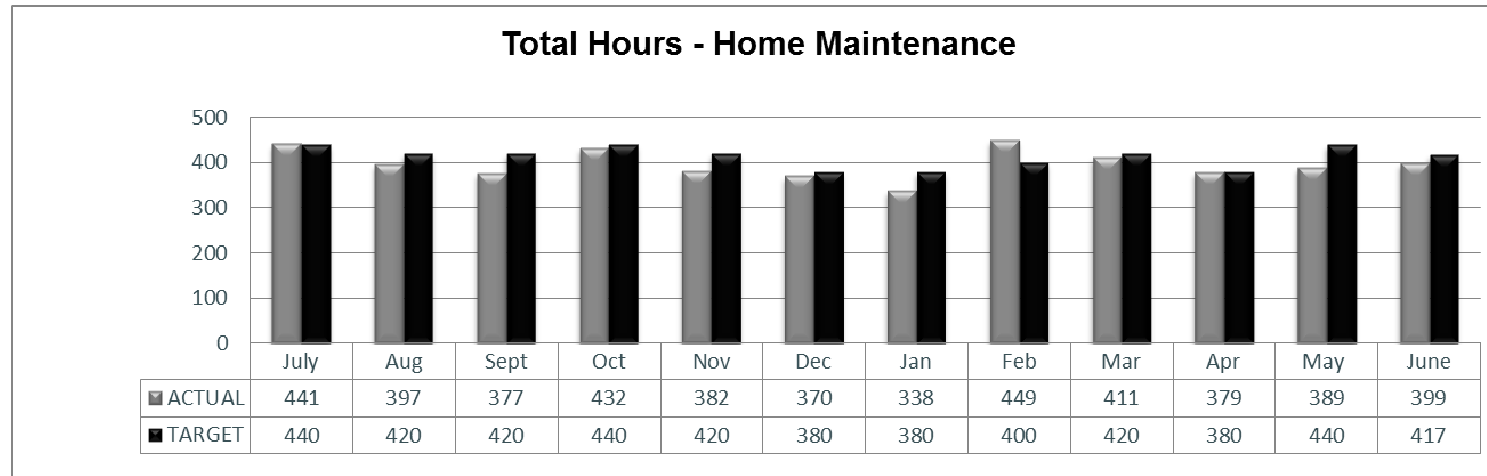
There were no residents on the waiting list for 2015/2016.

**DELIVERED MEALS AND REFERRALS**

<b>Number of Meal Referrals for the quarter ended June'16</b>	<b>Number of Meal Referrals Accepted for the quarter ended June'16</b>	<b>Number of Meal Referrals Year to Date 2015-16</b>	<b>Number of Meal Referrals Accepted Year to Date 2015-2016</b>	<b>Meals Delivered Year to Date 2015-2016</b>
23	23	99	99	49,801

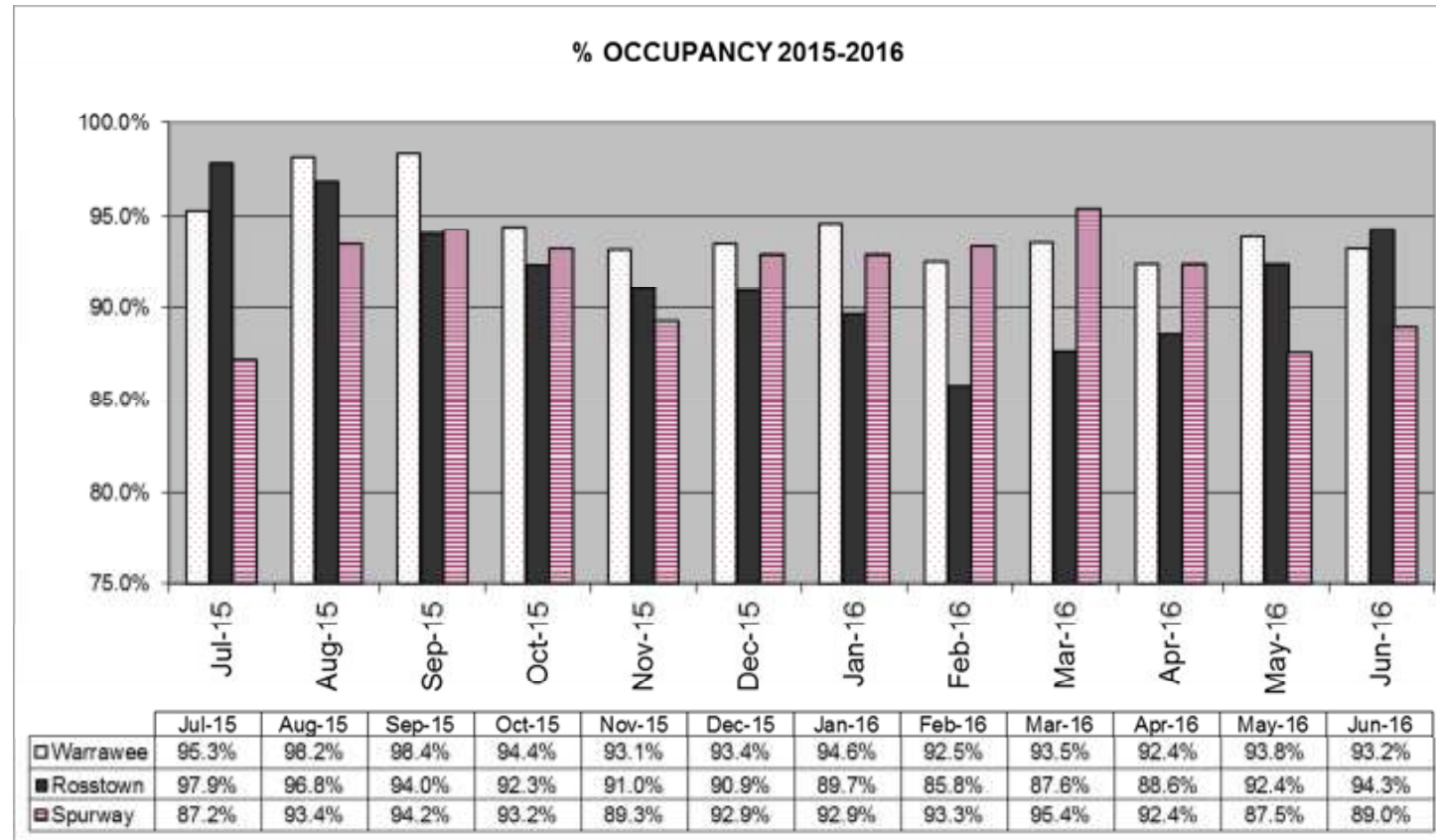
**Comments:**

For the year ended June 2016 49,801 meals were delivered against a target of 60,000 meals (-10,199 meals). All requests for meals are being met.

**Comments:**

Home Maintenance hours were 4764 for the year, under target (-70hrs).

## Residential Aged Care Services – Occupancy



## Risk Management

Insurance Claims	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	YTD 15/16	YTD 14/15
Liability Received – 15/16	31	29	33	31	29	30	22	27	18	26	30	30	336	
Liability Received – 14/15	17	21	18	32	18	13	15	18	35	27	28	29		271
Liability Closed – 15/16	20	33	1	43	25	29	2	58	5	32	61	30	339	
Liability Closed – 14/15	3	2	0	54	4	30	36	0	2	4	94	3		232
Motor Vehicle Received – 15/16	1	7	5	1	1	0	1	2	3	0	0	5	26	
Motor Vehicle Received – 14/15	2	1	6	1	2	1	1	2	2	7	0	4		29
Motor Vehicle Closed – 15/16	7	3	3	4	7	0	1	0	5	1	0	1	32	
Motor Vehicle Closed – 14/15	0	0	0	4	2	8	0	0	1	5	1	2		23
Other Received – 15/16	0	1*	0	0	0	0	0	0	0	0	0	0	1	
Other Received – 14/15	0	0	0	0	0	0	0	0	0	0	0	0		0
Other Closed – 15/16	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other Closed – 14/15	0	0	0	0	0	0	0	0	0	0	0	0		0

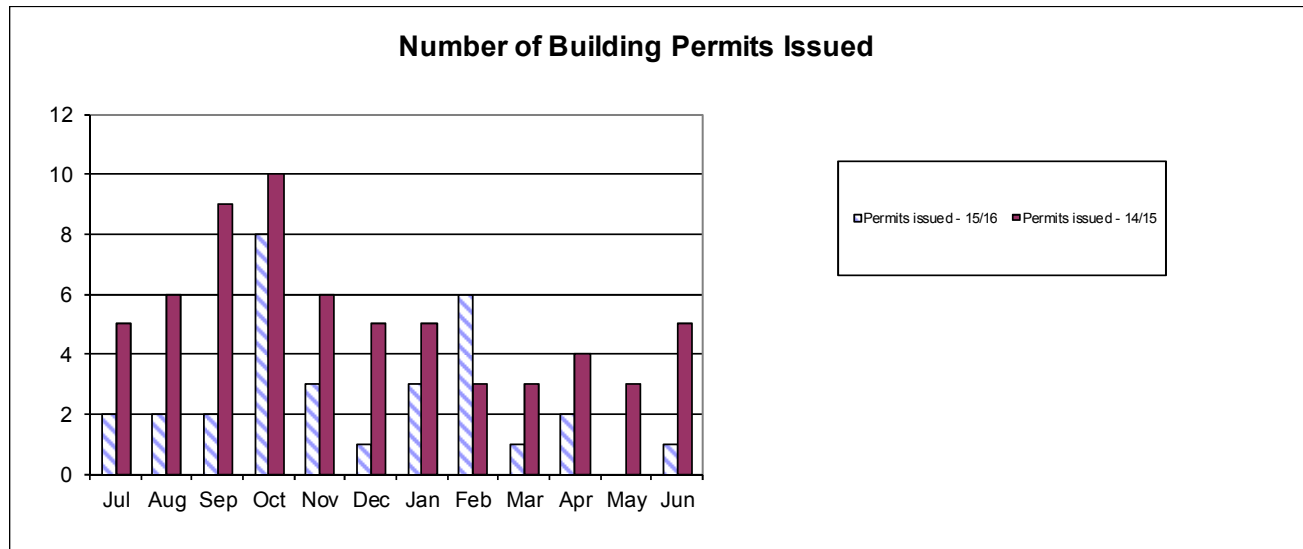
## Comments

\*25 August 2015 burst water pipe resulting in a water damage claim at Rosstown Community 6 Ames Avenue Carnegie.



## Civic Compliance

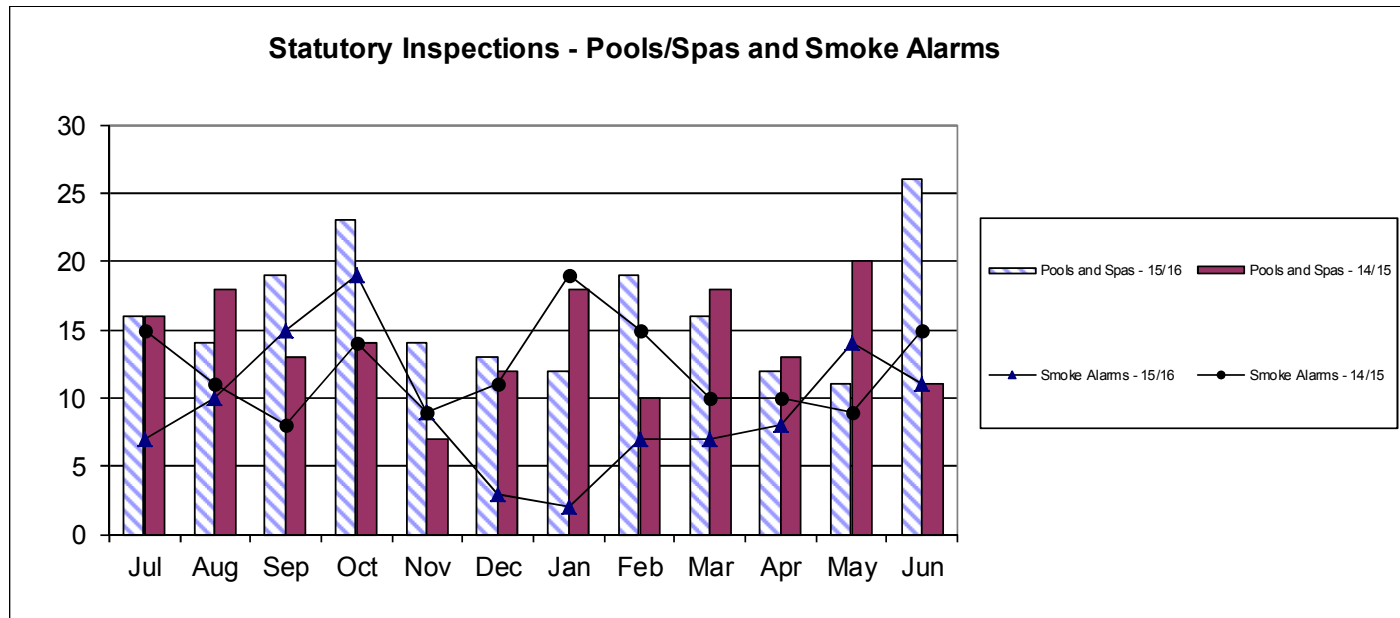
## Building



Building Permits	YTD 2015-16	YTD 2014-15
Permits issued	31	64

**Comments:**

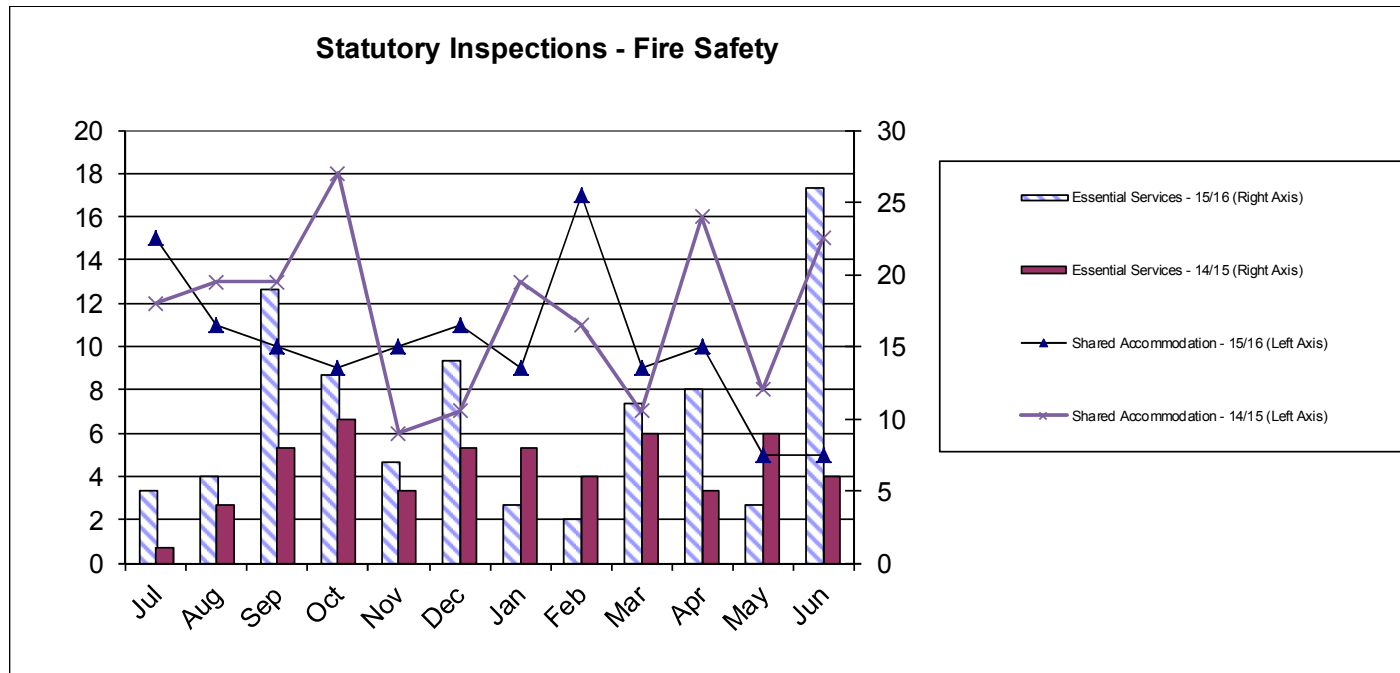
The trend continues where private building surveyors are issuing more small scale permits such as fences, carports and verandas. Council provides limited services due to its statutory functions where private building surveyors can offer a range of associated services.



Statutory inspections - Pools/Spas & Smoke Alarms	YTD 2015-16	YTD 2014-15
Pools and Spas	195	170
Smoke Alarms	112	146

**Comments:**

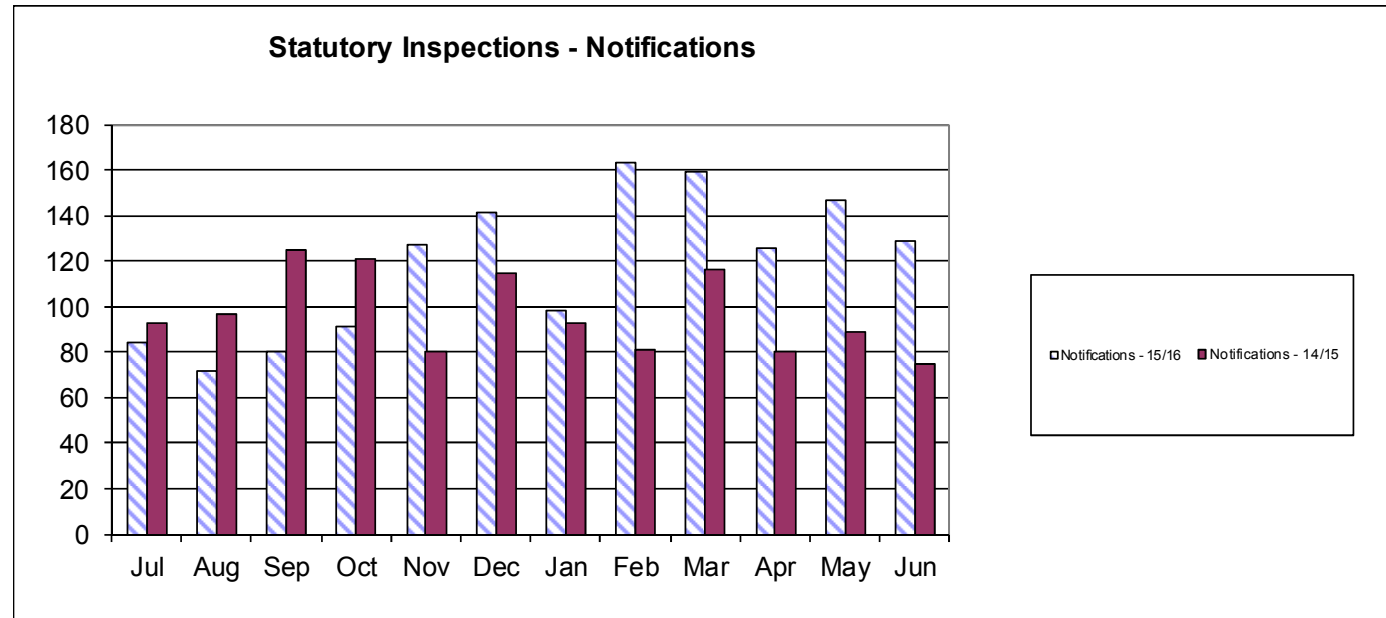
Overall the pools/spa and smoke alarm inspections have been generally maintained, safeguarding community.



Statutory inspections - Fire Safety	YTD 2015-16	YTD 2014-15
Essential Services	124	79
Shared Accommodation	121	139

**Comments:**

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



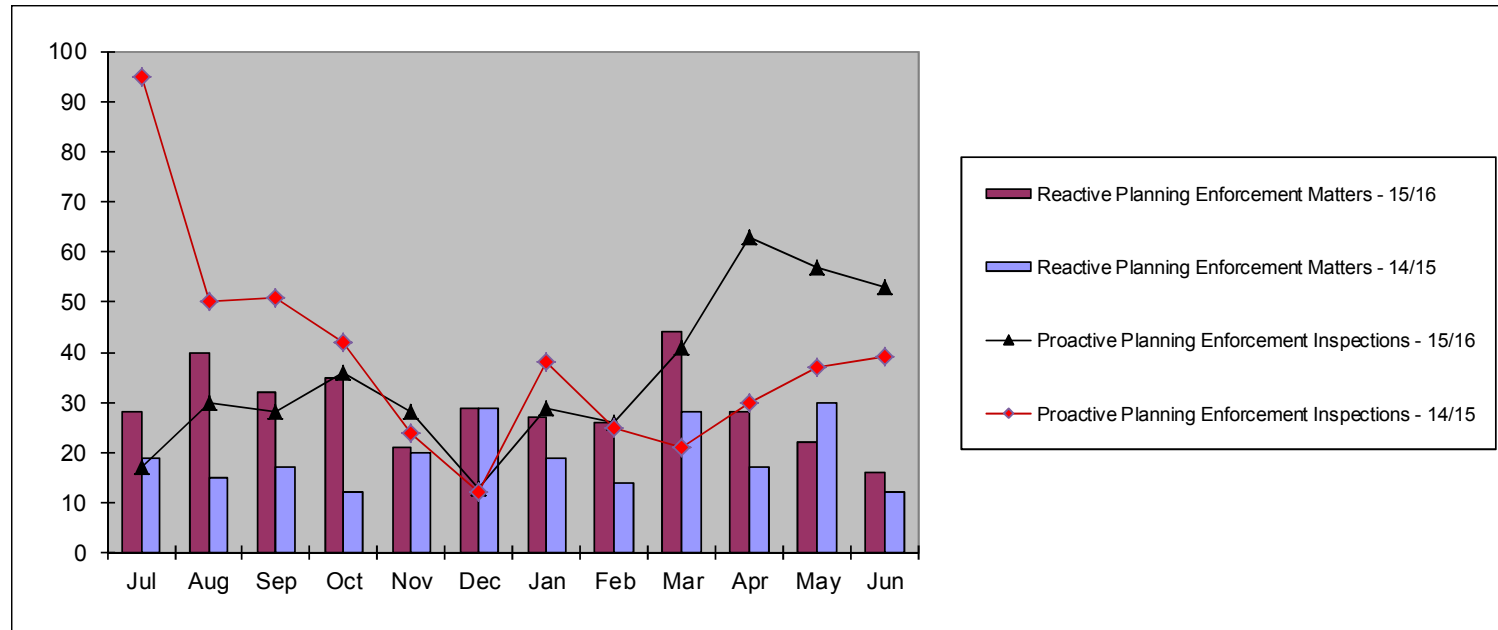
<b>Statutory inspections - Notifications</b>	<b>YTD 2015-16</b>	<b>YTD 2014-15</b>
Notifications	1417	1165

**Comments:**

Continued growth and media coverage within the building sector has contributed to greater community awareness. Cross-pollination of servicers have been utilized to maintain high levels which are expected to continue.

## Planning Enforcement

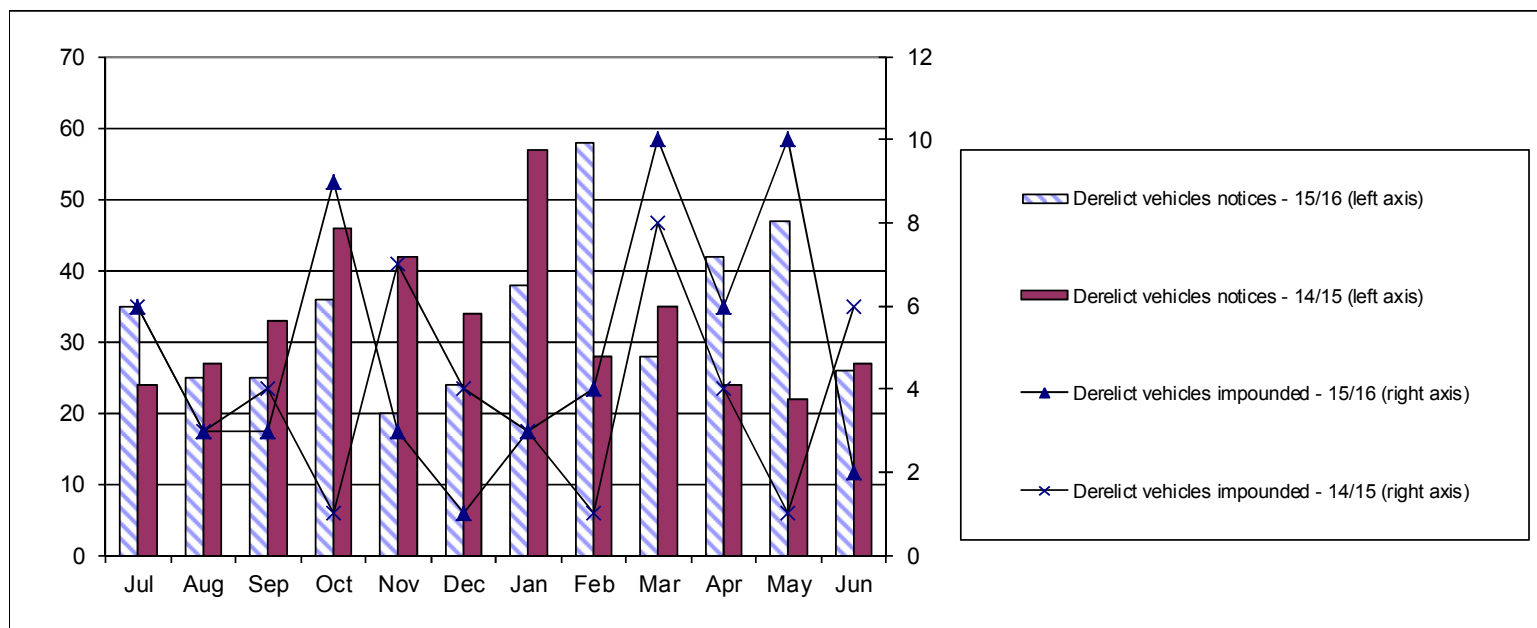
### Number of Planning Enforcement Matters – inquiries, follow ups and investigations



Planning Enforcement Matters	YTD 2015-16	YTD 2014-15
Reactive Planning Enforcement Matters	348	232
Proactive Planning Enforcement Inspections	421	464

**Comments:** The number of proactive planning enforcement inspections will always fluctuate because the ability to carry out these inspections is largely dependent upon factors such as the number of reactive planning enforcement matters and the nature and complexity of the associated investigations. Notably, reactive enforcement matters over the last quarter were consistently higher than the same period last year, indicating an increase in community concerns received by Council on planning compliance matters that required investigation.

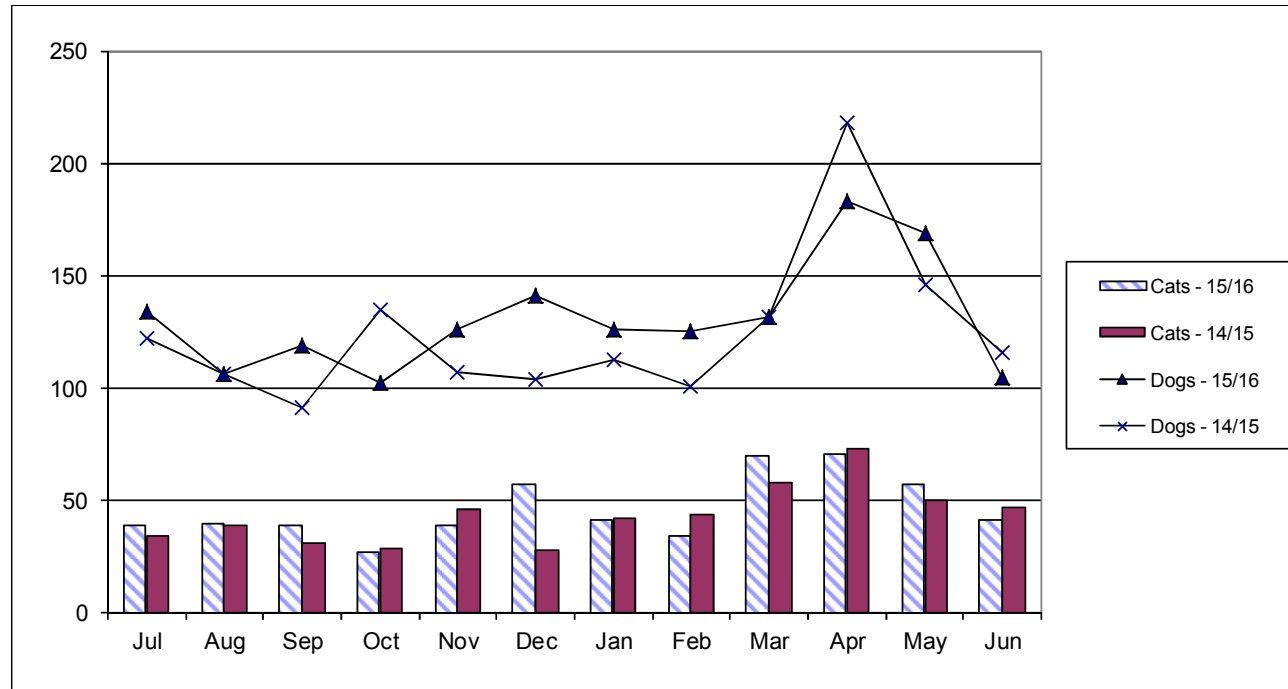
## Number of Derelict vehicle notices issued –v- Derelict vehicles impounded



Derelict Vehicles	YTD 2015-16	YTD 2014-15
Derelict vehicles notices	404	399
Derelict vehicles impounded	60	48

**Comments:**

This is a reactive service in response to notifications received from the community. Generally owners respond promptly to notices to remove their cars. Seasonal variations are consistent with previous figures however an increase in the number of vehicles impounded is possibly due to the amount of road occupation associated with the Frankston rail grade separation works.

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

Animal Registration	YTD 2015-16	YTD 2014-15
Cats	555	521
Dogs	1568	1491

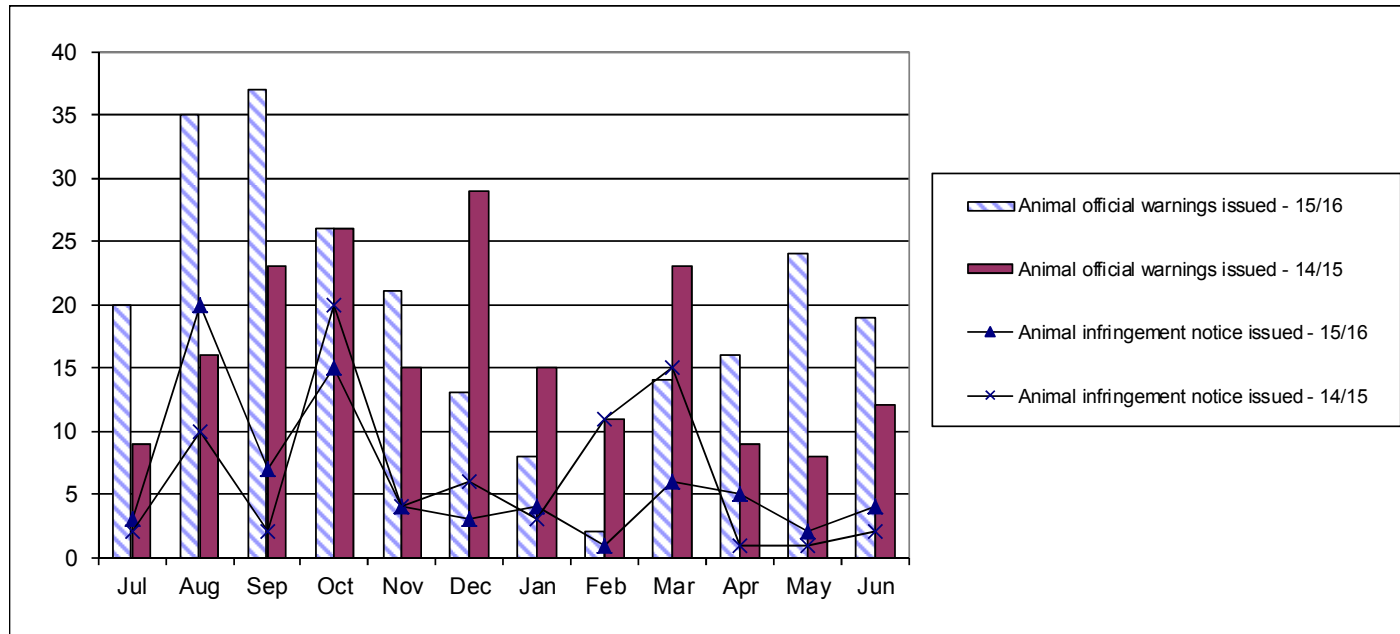
**Total Registration Figures – all dogs/cats currently registered with Council**

Registrations	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014	2014/2015	2015/2016
Dog	11167	11265	11489	11441	11600	11375	12053	12342	11924	11945	11953
Cat	6779	6157	5950	5742	5581	5164	5305	5349	5100	5124	5113

**Comments:**

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

## Number of Animal Official Warnings V's Infringement Notices issued



Animal Infringements	YTD 2015-16	YTD 2014-15
Animal official warnings issued	235	196
Animal infringement notice issued	74	74

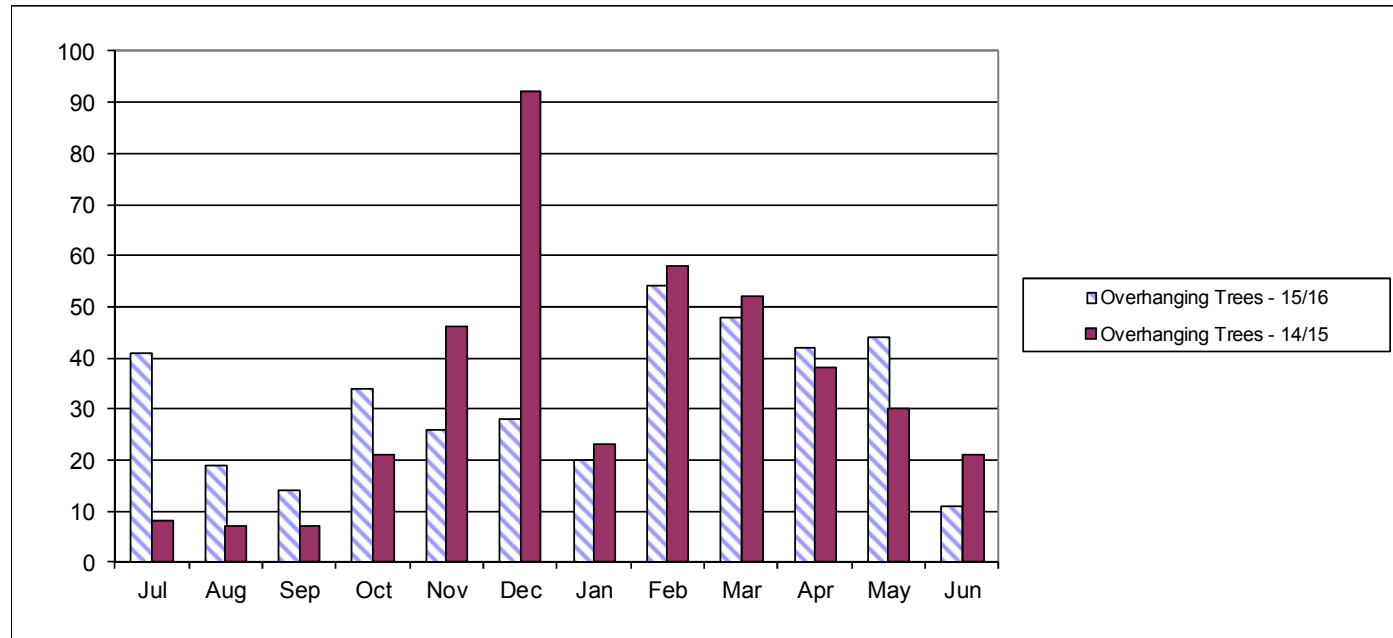
**Comments:**

Activity levels in both official warning and infringement notices are within expected ranges. The increase associated with the official warnings has been a result of the educational awareness program "meet and greet dog owners" within the parks. Reasonable laws reasonably enforced, maintain the low number of Infringements issued.



## Local Laws

## Number of overhanging tree notices issued

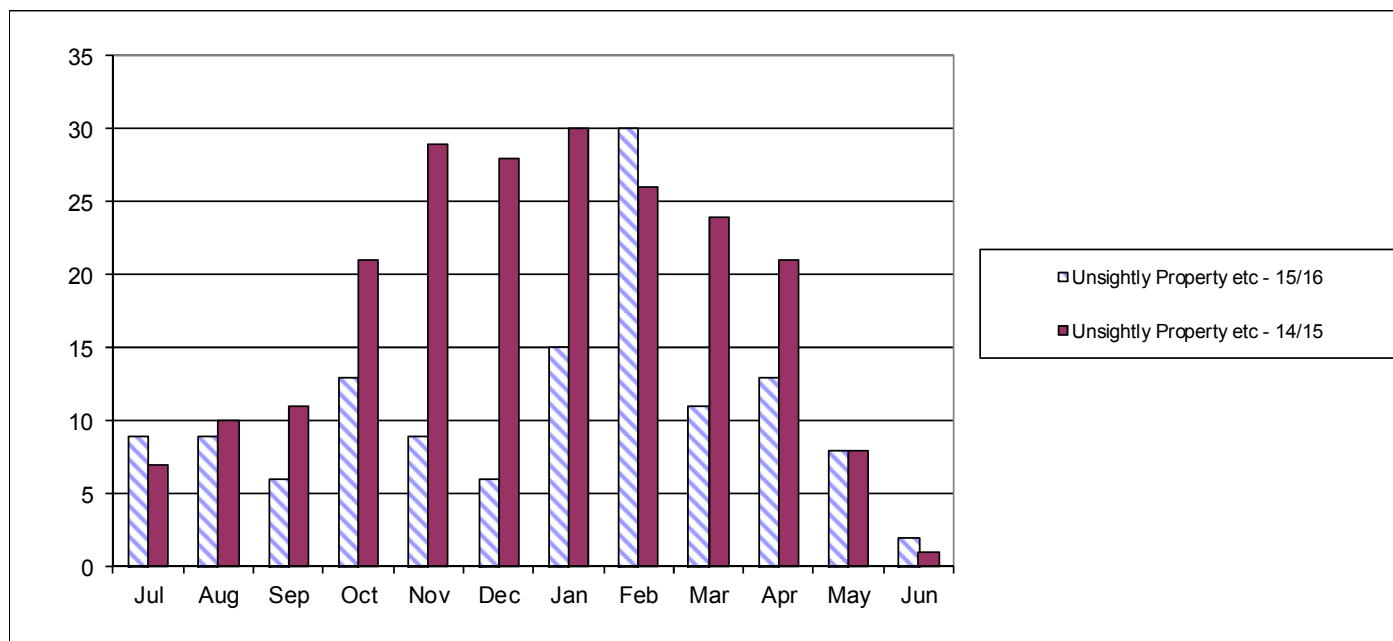


Notices Issued - Overhanging Trees	YTD 2015-16	YTD 2014-15
Overhanging trees	381	403

**Comments:**

Overhanging notices are dictated by seasonal factors such as rainfall and other weather conditions. The number of notices issued in the last quarter have decreased due to the use of Construction Management Plans incorporated under the planning scheme, the ability to enforce under the planning scheme and cross-pollination of resources has enabled safer outcomes for community.

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

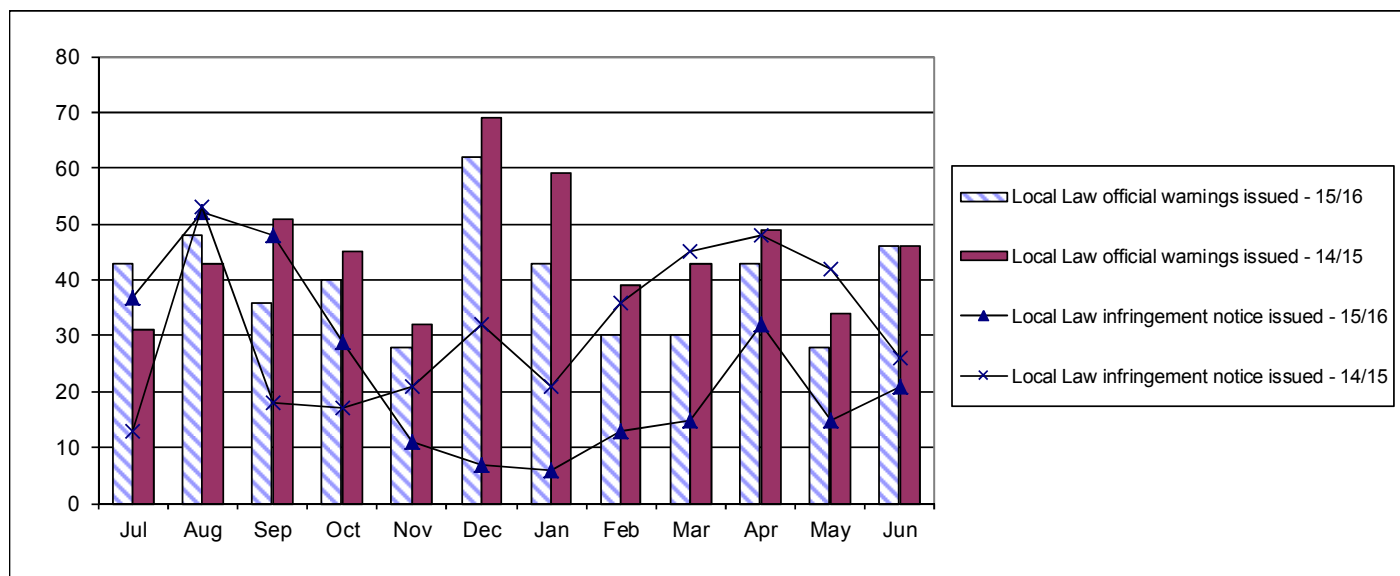


Unsightly Property Notices	YTD 2015-16	YTD 2014-15
Unsightly property notices issued	131	216

**Comments:**

Overall the level of unsightly property notices issued throughout the year have been lower than the previous year. The service is largely reactive, responding to complaints lodged with Council regarding unsightly properties.

## Number of Local Law Official Warnings versus Infringement Notices issued

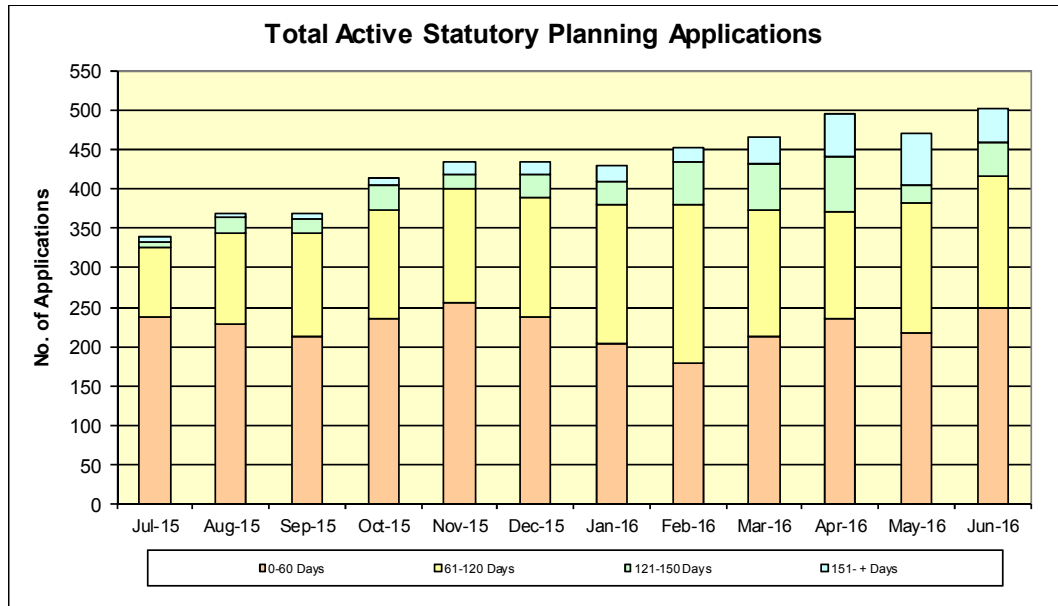


Local Law Notices	YTD 2015-16	YTD 2014-15
Local Law official warnings issued	477	541
Local Law infringement notice issued	286	372

**Comments:**

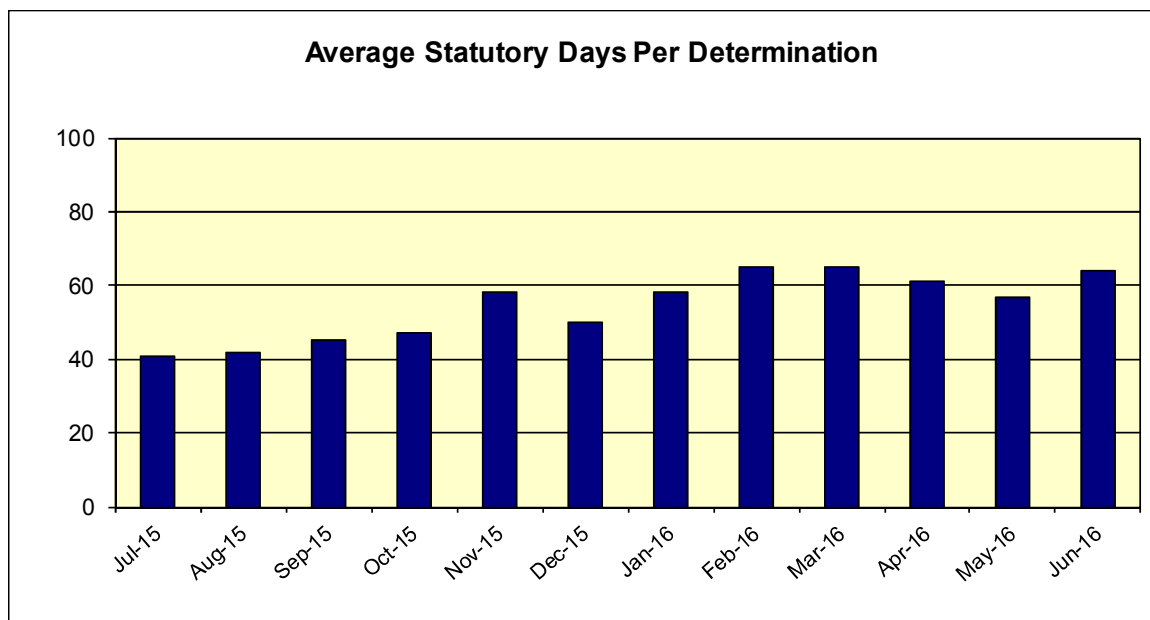
Fewer infringement and cautions were issued over the last quarter compared to the same period last year. This appears to show a trend over the last six months whereby compliance with the requirements of the Local Laws is apparently occurring after a deliberate low tolerance approach to breaches of the local law, especially around building sites.

Total Active Statutory Planning Applications



Comments:

The high number of active applications results from Metropolitan Melbourne's ongoing development boom.

**Average Statutory Days Per Determination****Comments**

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

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

Decision Maker	Total Number of Residential Applications Decided	Average Number of Objections per Decision	Number of decisions made by application type			
			Dwellings		Storeys	
			4 dwellings or more	3 dwellings or less	4 storeys or more	3 storeys or less
Council Resolution	29	34	17	3	15	2
D.P.C.	173	5	28	127	1	206

**Comments:**

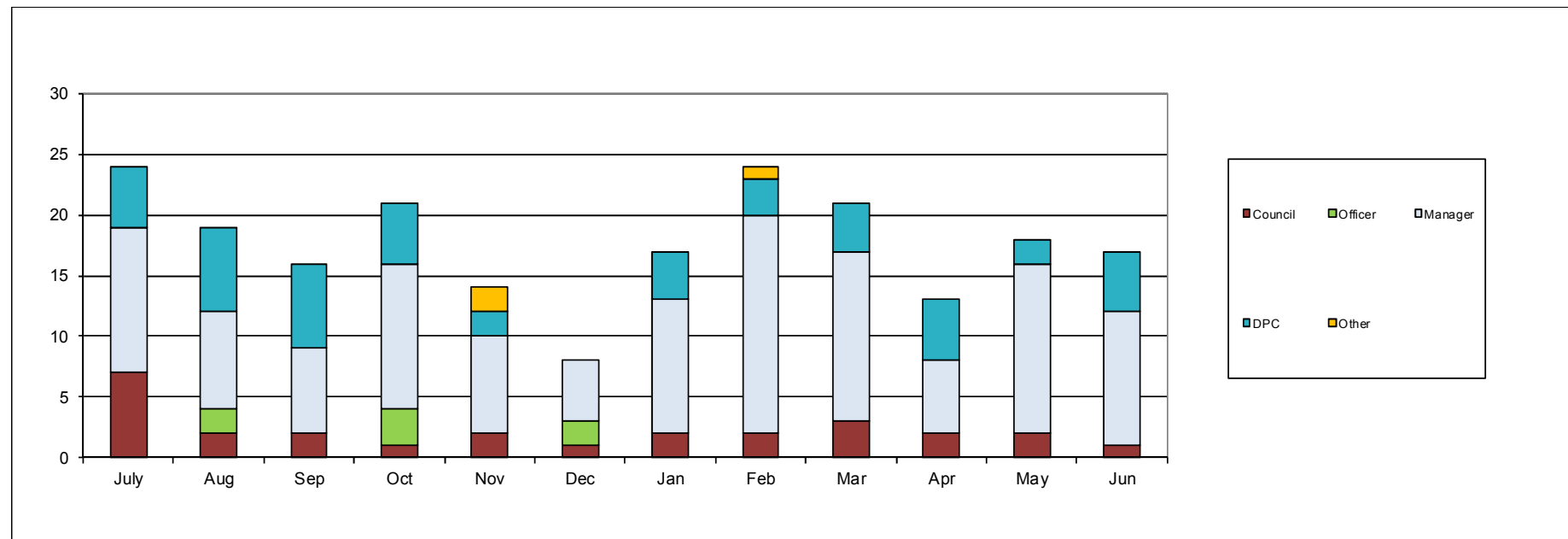
This Table covers applications for residential development which have received objections. Other matters such as Planning Scheme Amendments, applications for non-residential development and applications which have not attracted objections are not included.

The Act requires Council to consider all written objections.

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

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

## Planning Appeals Lodged – 2015 / 2016

**Comments:**

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

## Planning Appeals Lodged – 2014/2015 and 2015/2016 comparison

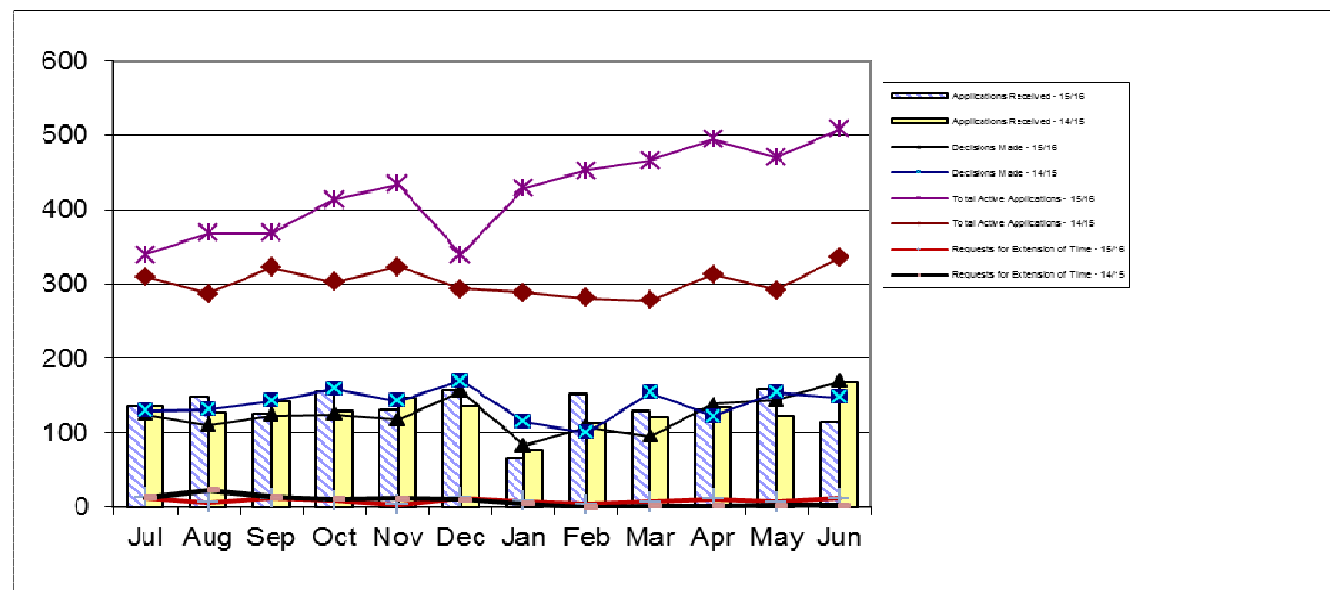
Authority	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>Council - 2015/2016</b>	7	2	2	1	2	1	2	2	3	2	2	1
Council - 2014/2015	3	1	1	5	1	3	4	5	1	0	5	1
<b>Officer - 2015/2016</b>	0	2	0	3	0	2	0	0	0	0	0	0
Officer - 2014/2015	1	0	0	3	0	0	1	0	1	0	0	0
<b>Manager - 2015/2016</b>	12	8	7	12	8	5	11	18	14	6	14	11
Manager - 2014/2015	5	5	5	7	5	8	5	5	3	4	14	7
<b>DPC - 2015/2016</b>	5	7	7	5	2	0	4	3	4	5	2	5
DPC - 2014/2015	1	3	11	2	3	3	4	3	2	4	6	3
<b>Other - 2015/2016</b>	0	0	0	0	2	0	0	1	0	0	0	0
Other - 2014/2015	0	0	0	0	0	0	0	1	0	0	0	0

**Comments:**

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

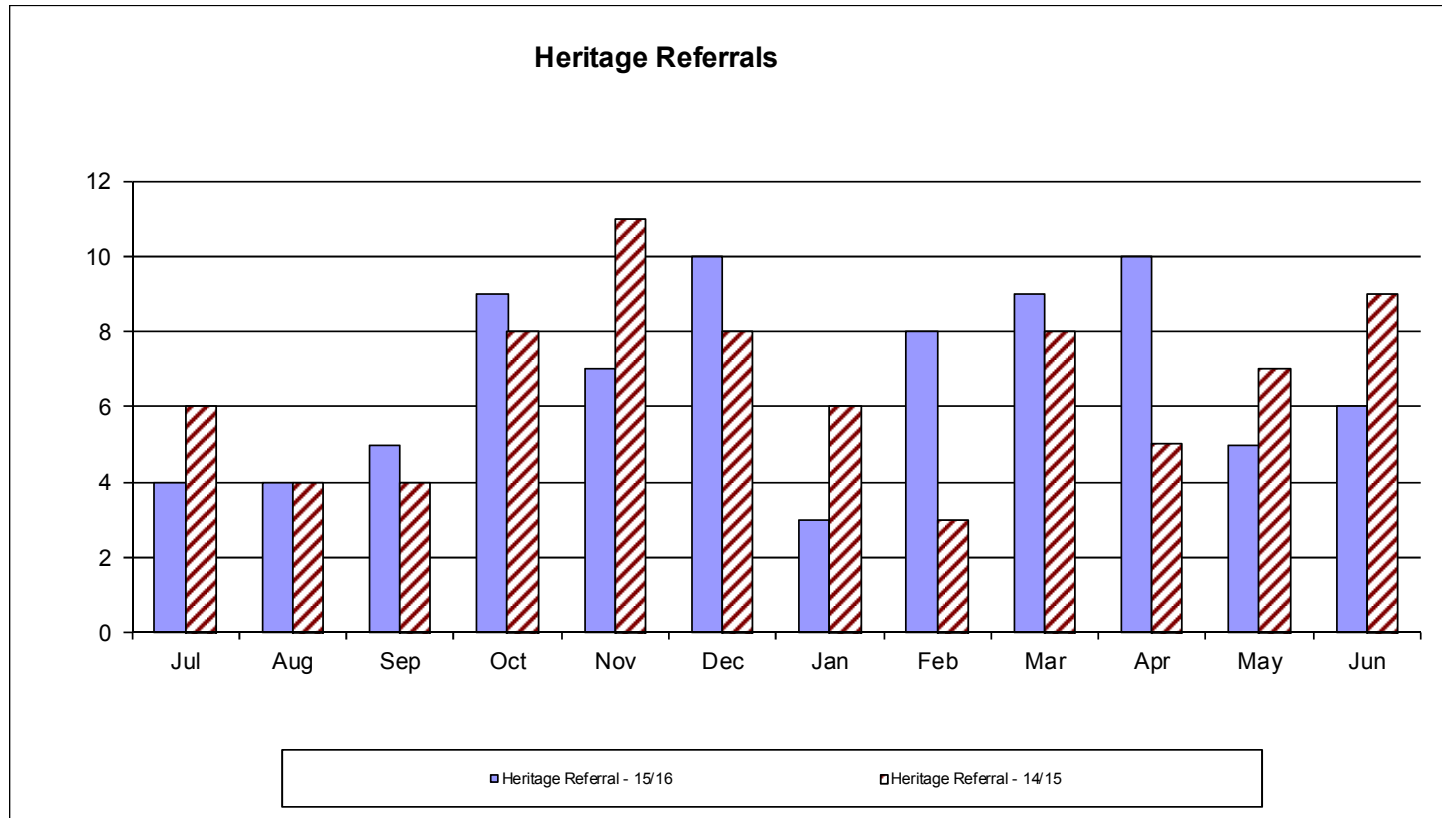


## Planning Applications Received and Decisions Made



Planning Applications Received & Decisions Made	YTD 2015-16	YTD 2014-15
Applications Received	1611	1566
Decisions Made	1494	1669
Total Active Applications	5082	3624
Requests for Extension of Time	105	94

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

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

The heritage referral service continues to benefit the community.

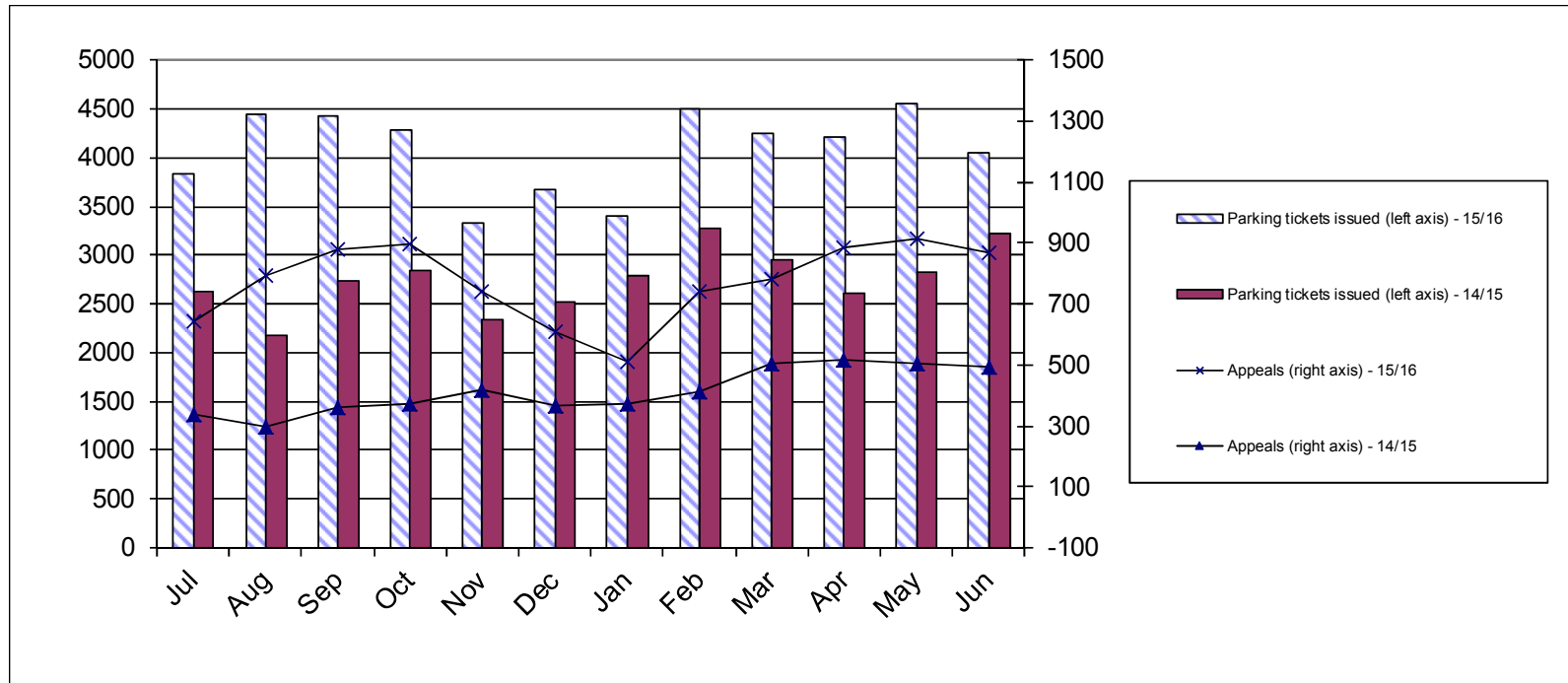
## STATUS OF PLANNING SCHEME AMENDMENTS

Amendment	Prepared	Exhibited	Panel	Council Decision	Minister
Amendment C70 Special Building Overlay Additions and overlay boundary alterations	On hold due to Melbourne Water.				
Amendment C71 Special Building Overlay Subtractions	Lodged on 2 Feb 2015 (On hold due to Melbourne Water)				
Amendment C121 641, 647, 647A, 659, 663, 669 & 681 North Road Rezone the land from a Commercial 2 Zone to Mixed Use	Authorisation 10 November 2014.	15 January to 16 February 2015	Panel hearing dealt with on the papers.	Council resolved to adopt this amendment on 11 August 2015.	Approved by the Minister on 21 July 2016.
Amendment C123 Update Child Care Centres Policy	Authorisation received 22 October 2014	22 January to 23 February 2015	Panel hearing held on 1 <sup>st</sup> June 2015	Council resolved to adopt this amendment on 11 August 2015.	Approved by the Minister on 14 January 2016.
Amendment C135 53 Magnolia Road, Gardendale Apply a Public Acquisition Overlay (PAO) over property	Authorisation received 26 February 2015	19 April to 25 May 2015	N/A	Council resolved to adopt this amendment on 9 June 2015.	Approved by the Minister on 5 August 2015.
Amendment C139 136- 138 & 140- 146 Glen Eira Road, Elsternwick	Authorisation received 8 July 2015	Public exhibition period to commence on 30 July 2015	N/A	Council resolved to adopt this amendment on 13 October 2015.	Approved by the Minister on 24 March 2016.
Amendment C140 93 Mimosa Road and 11 Mile End Road, Carnegie	Authorisation received 12 June 2015	Public exhibition period from 9 July to 10 August 2015.	Panel hearing dealt with on the papers.	Council resolved to adopt this amendment on 8 December 2015.	Approved by the Minister on 24 March 2016.
Amendment C144 53 Magnolia Rd, Gardenvale Delete PAO and rezone to Public Park and Recreation Zone	Lodged with DELWP 27 November 2015.	N/A	N/A	Council resolved to seek 20(4) approval from the Minister 24 November 2015.	Approved by the Minister on 10 March 2016.

Amendment	Prepared	Exhibited	Panel	Council Decision	Minister
Amendment C145 Booran Reserve, 1051 Glen Huntly Rd, Glen Huntly, Rezone to Public Park and Recreation Zone	Lodged with DELWP 3 June 2016.	N/A	N/A	Council resolved to seek 20(4) approval from the Minister 17 May 2016.	Awaiting Ministerial decision.

## Parking and Prosecutions

### Parking tickets issued versus Appeals received

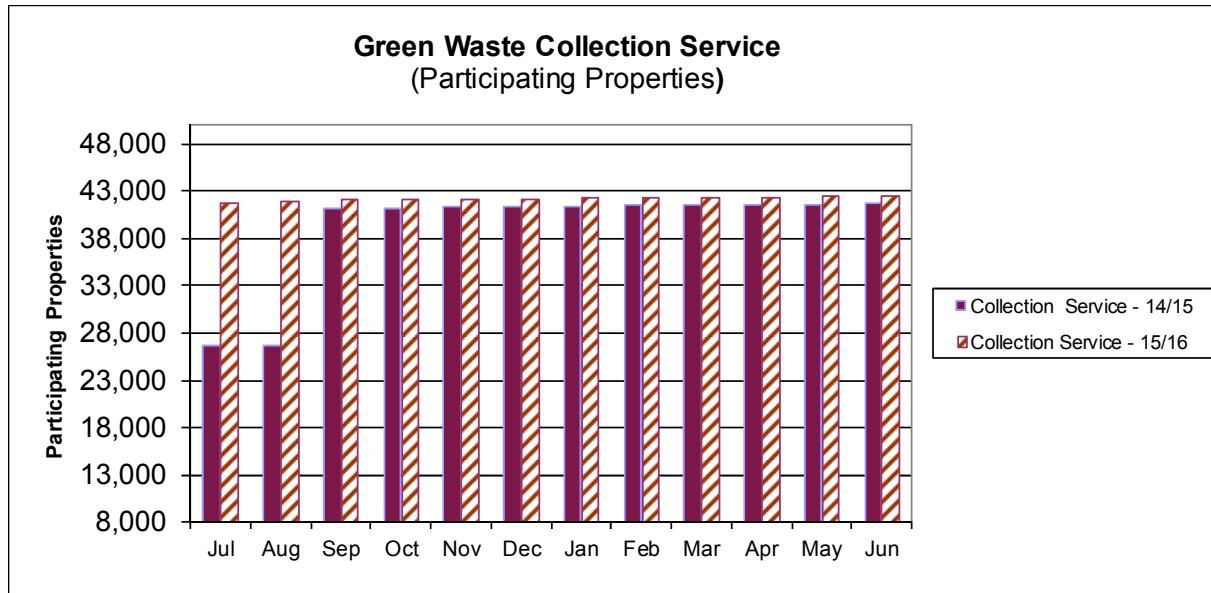


#### Comments:

Concentration continues to focus on safety around schools and building sites, enforcement of clearways and public car parks has been solid to assist with volume of traffic movements around commercial centres affected by the grade separation works.

## Waste Management

### Green Waste

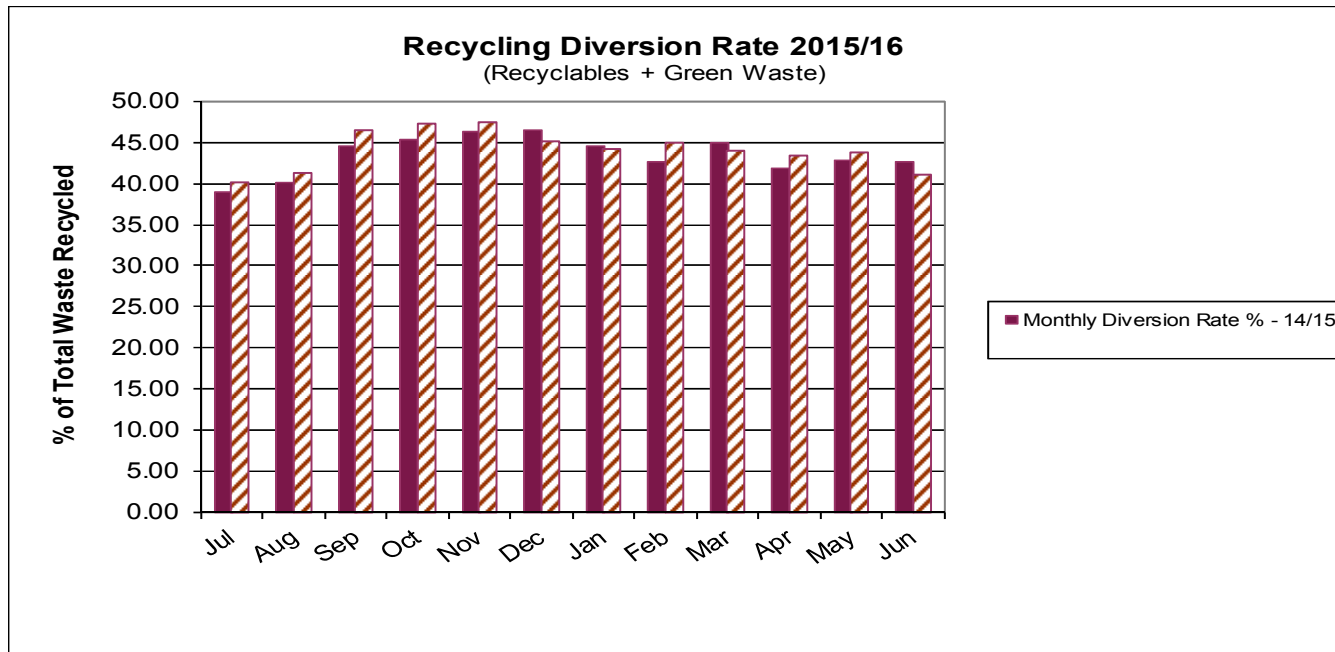


### Comments:

Council rolled out green waste bins at no extra charge to all households interested in September 2014. As a result, there was a 55 percent increase in green waste bins in use at the time.

In the 2015-16 financial year, an additional 705 green waste bins were requested. Most requests for bins were in spring and early summer.

## Recycling



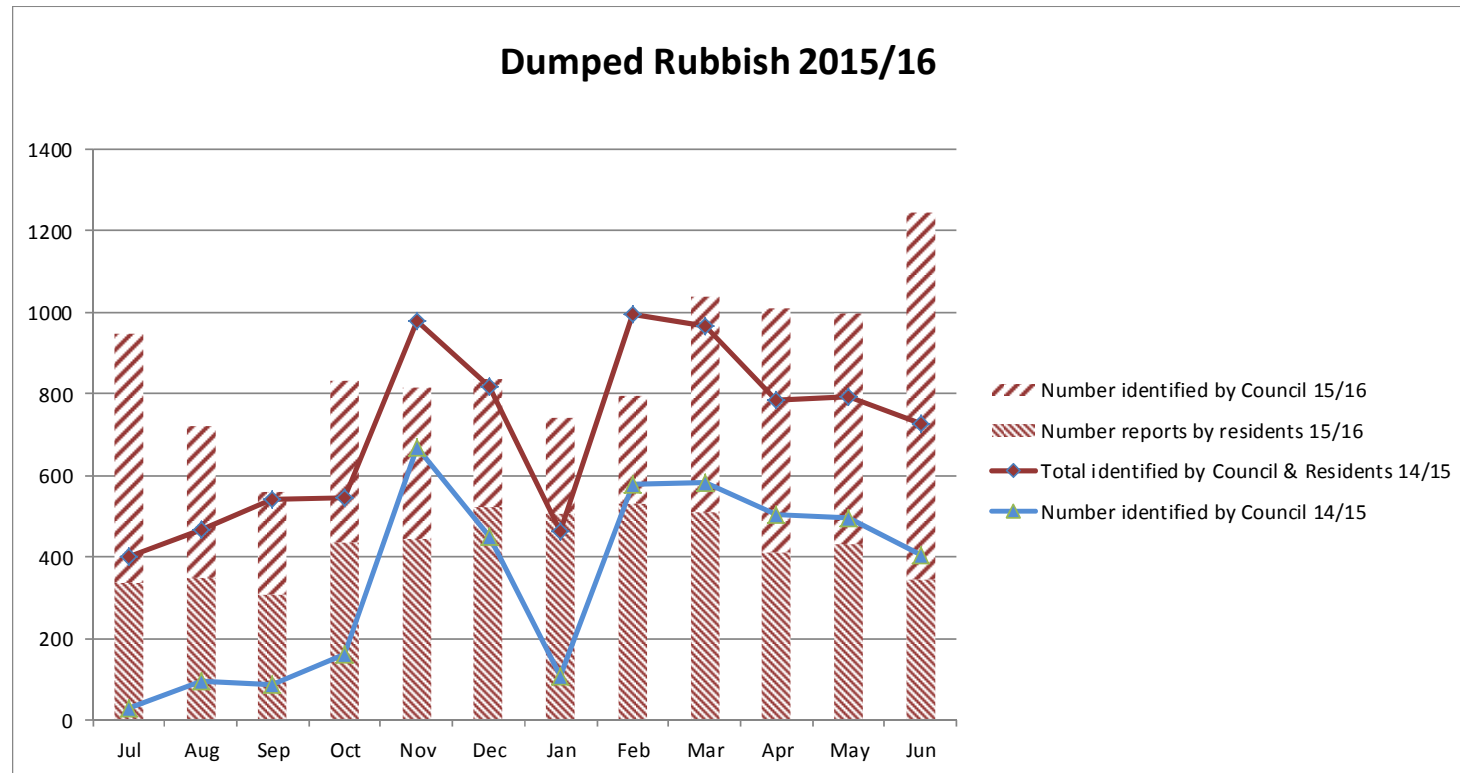
## Comments:

For the year to the end of June the recycling rate was 44.18 per cent which was 0.7 per cent higher than 2014-15.

Compared to the previous year, Council collected more green waste (by 5.5 per cent), more mixed recyclables (by 0.6 per cent) and less garbage (by 0.7 per cent). This drop in garbage collected was despite an increase in population and suggests that recycling behaviour improved during that time.

On a month by month basis, some months had higher recycling rates and some had lower recycling rates. Most of this variation is likely to be due to weather, which affects the amount of gardening people do, as well as plant growth, and therefore the quantity of green waste recycled.

## Dumped Rubbish Reports Received



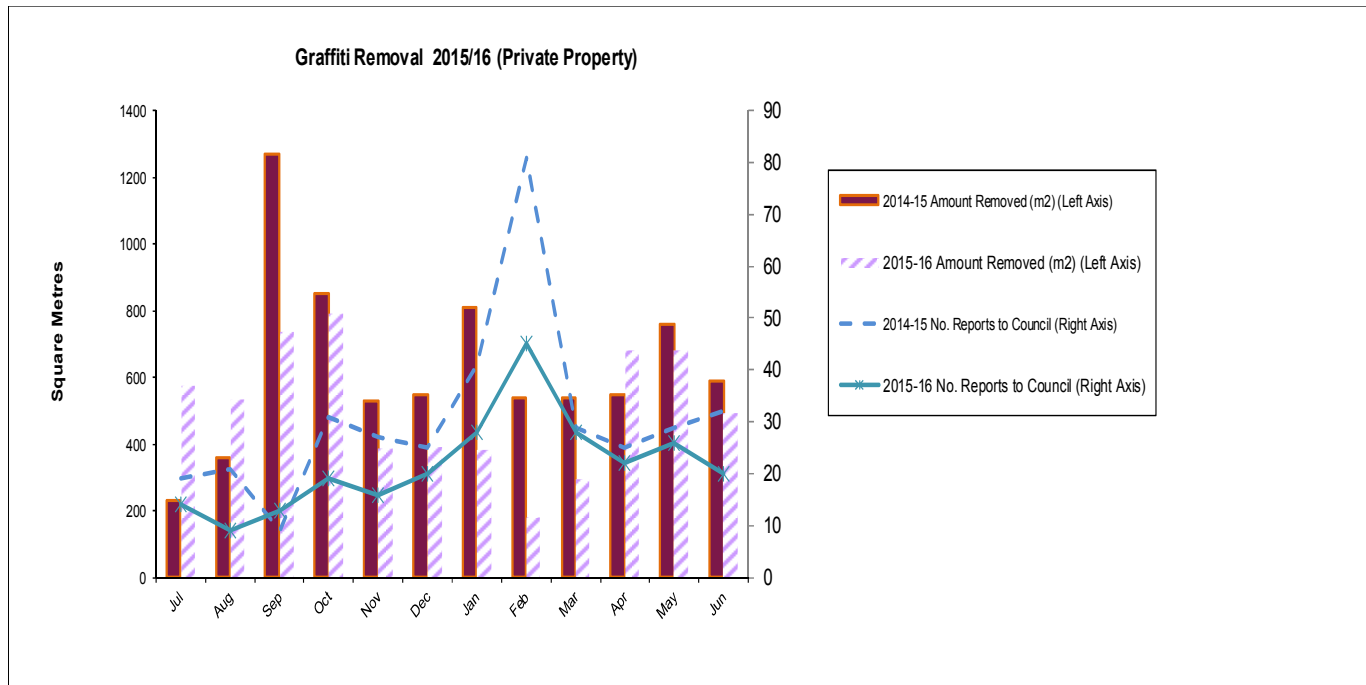
## Comments:

Council has collected 25 per cent more dumped rubbish compared to 2014-15. Both residents and Council officers have reported more dumped rubbish than the previous year.

Part of the reason for this increase is due to Council being more proactive in identifying and removing dumped rubbish since the new contractor started. In the medium term, officers hope that this proactive approach, combined with education activities will reduce the amount of dumped rubbish in the community.



### Graffiti Removal from Private Property

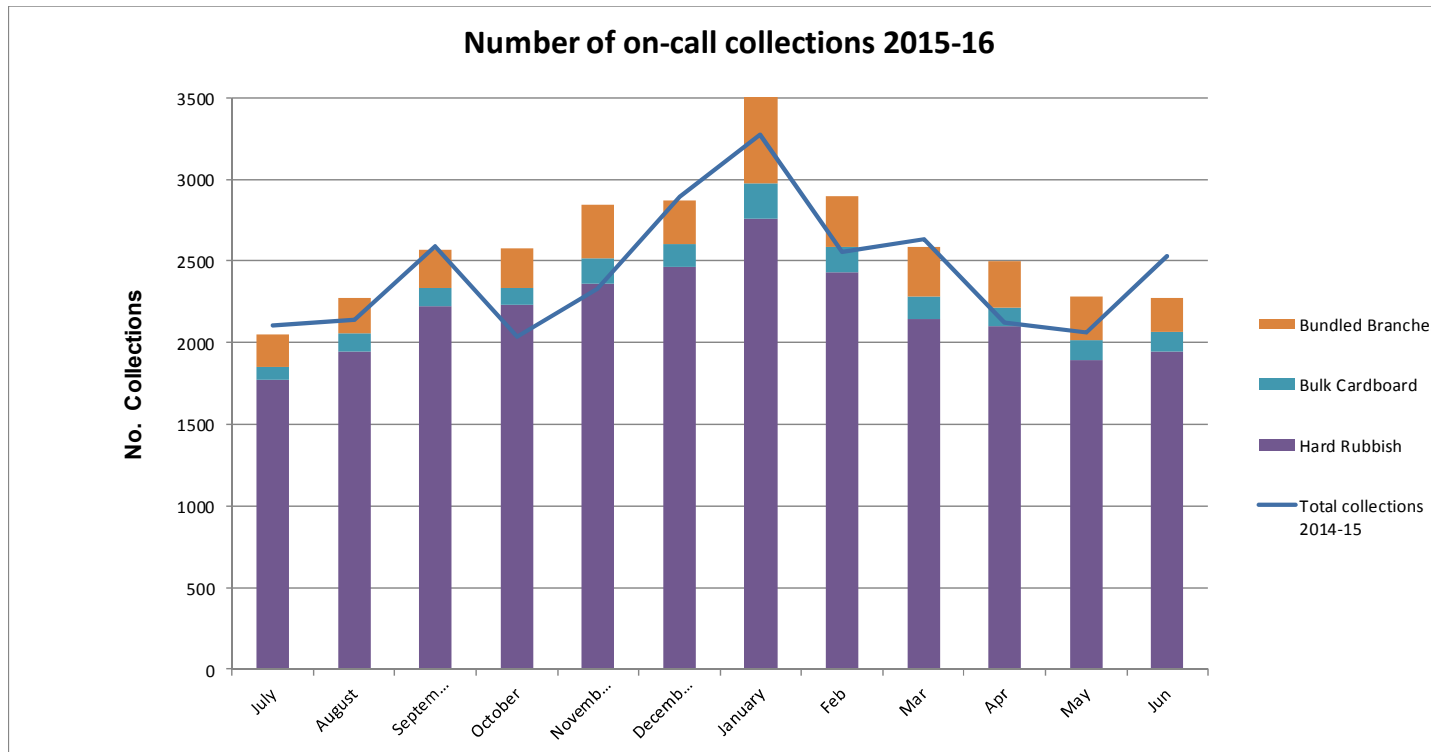


The number of reports of graffiti from residents continued to reduce and is lower than the previous year. The majority of graffiti that Council removes is identified by Council officers through monitoring.

The reason that less is reported is partly because Council removes it very quickly (so it is less visible if it does occur), but also because there is less of it. In fact, Council removed less graffiti (by 23 per cent) than the previous year. Council removes graffiti very quickly and it is known that this can help deter vandals.

40 graffiti removal kits have been provided to residents and traders during the financial year.

## On-call Collections

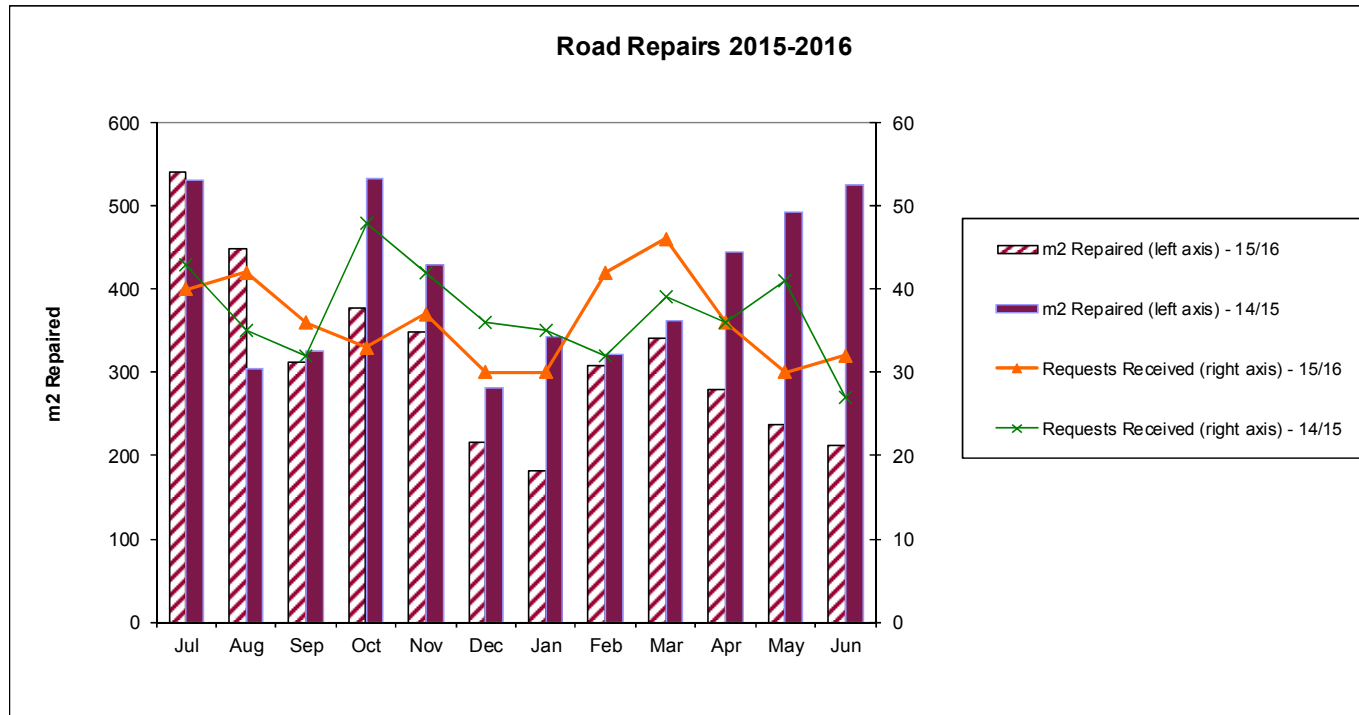
**Comments:**

Council offers residents three on-call collections for hard rubbish, bulk cardboard and bundled branches. Overall the total number of on-call collections in 2015-16 increased by 6.8 per cent compared to previous financial year. It is not clear why the demand for collections has increased or if it will continue.

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

## Glen Works

## Road Repairs

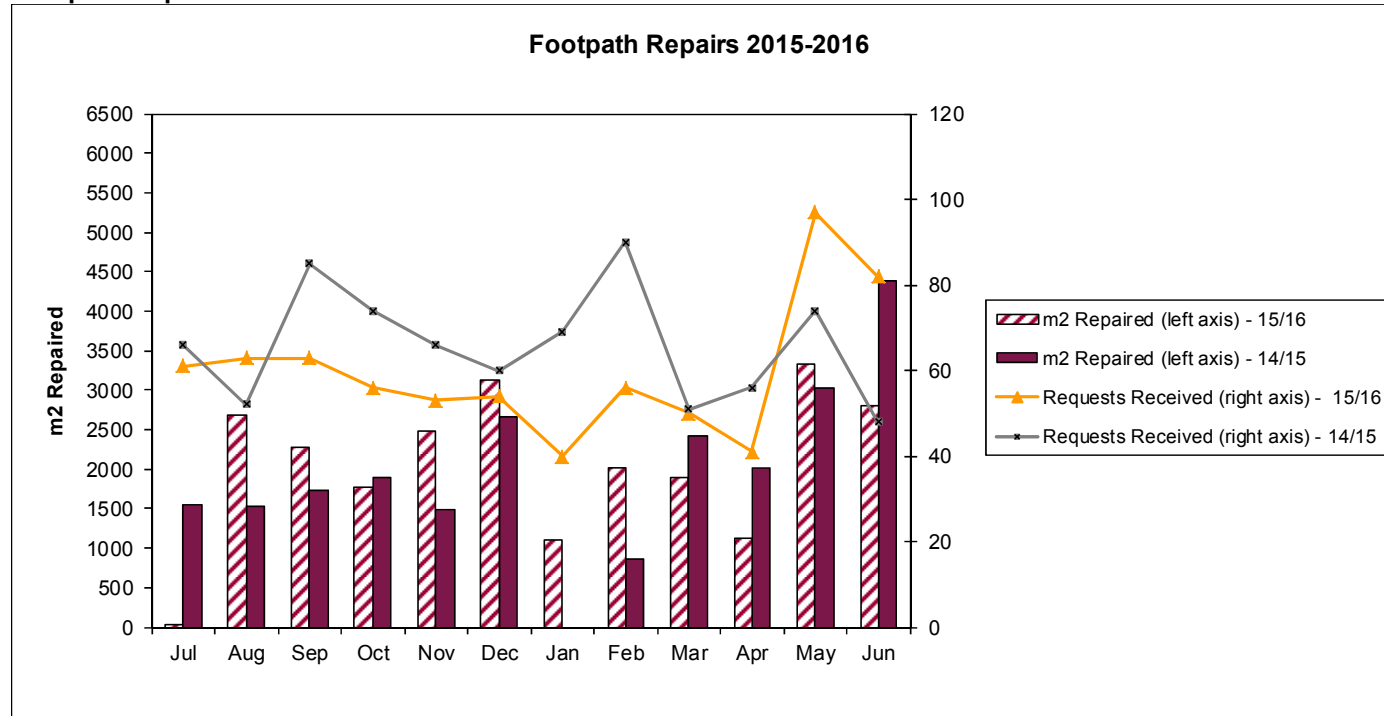


Road Repairs	YTD 2015-16	YTD 2014-15
m2 Repaired	3,794	4890
Requests Received	434	446

**Comments:**

Works carried out have been consistent over the last quarter. However many of these were small repairs resulting in less m<sup>2</sup> than the same period last year.

## Footpath Repairs



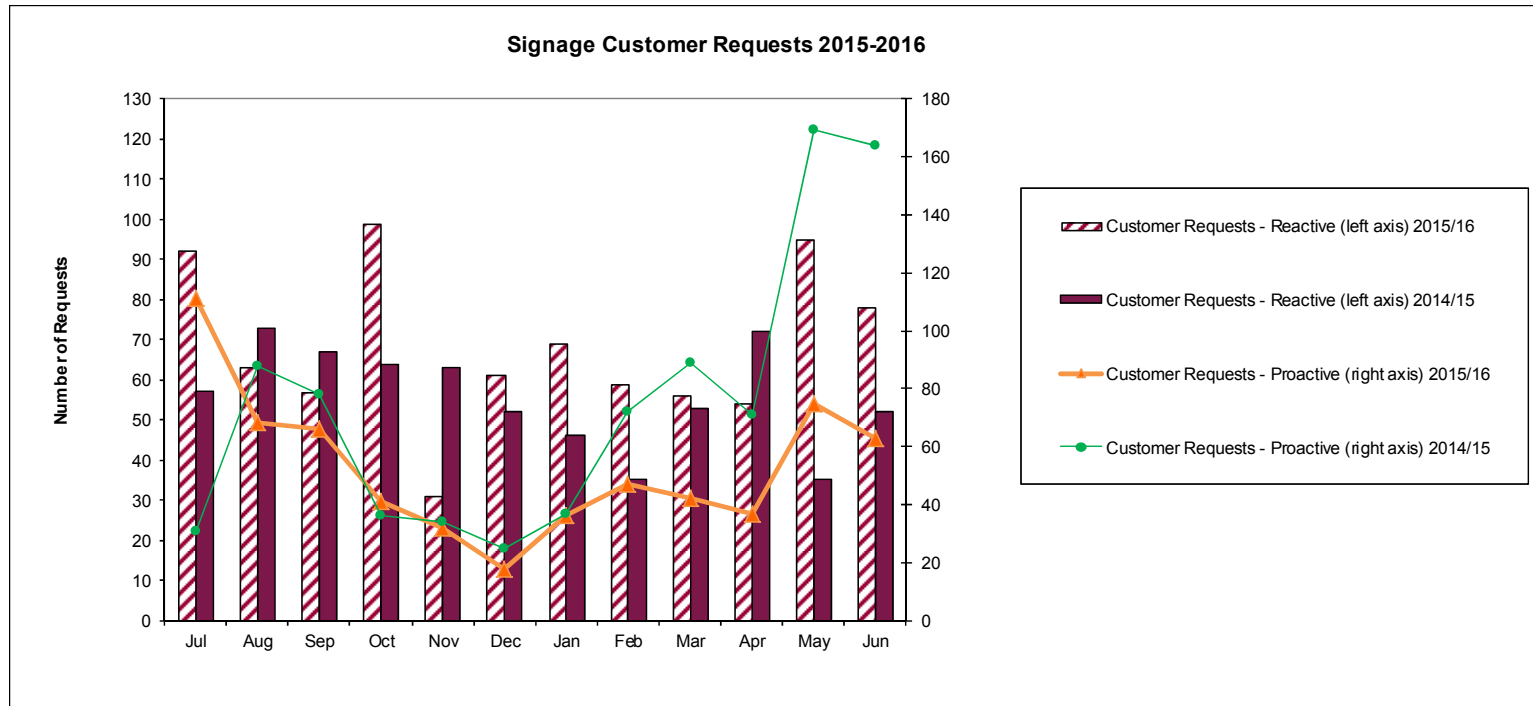
Footpath Repairs	YTD 2015-16	YTD 2014-15
m2 Repaired	24614	23559
Requests Received	716	791

**Comments:**

Repair requests were slightly lower than the same period last year. Overall the condition of footpaths is being maintained to the specified service level.

Even though there have been fewer requests received, the amount of work undertaken is slightly higher than the previous year, as repairs required are identified through a number of ways, including annual inspection programs. Physical works fluctuate monthly based on the number of requests, scheduling of work crews, and the area of footpath identified per request.

## Signage

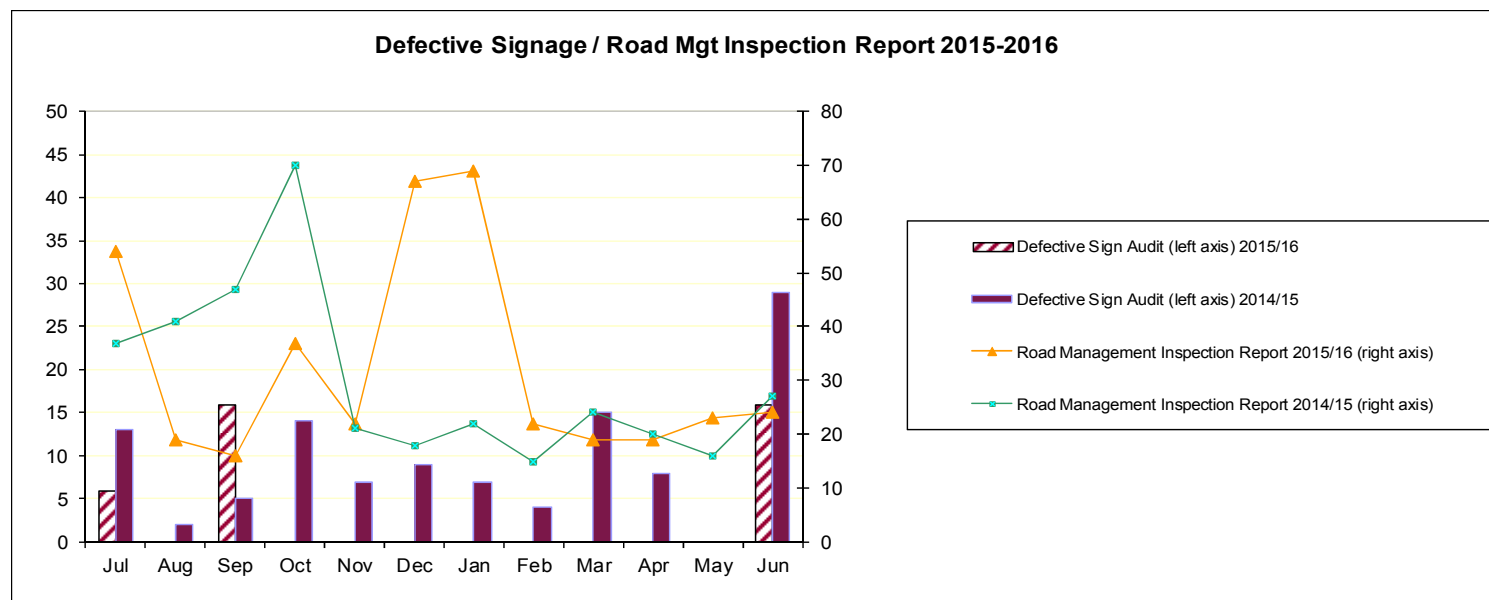


Signage	YTD 2015-16	YTD 2014-15
Customer Requests - Reactive	814	669
Customer Requests - Proactive	636	894

**Comments:**

The number of reactive requests is informed by Council's traffic engineers and reports by the general public. Fewer proactive requests were recorded than in the same period last year. Proactive requests are identified through scheduled inspections by the Road Management Inspector. The total number of customer requests was similar to the previous year.

## Defective Signage / Road Management Inspection Report



Defective Signage / Road Management Inspection Report	YTD 2015-16	YTD 2014-15
Defective Sign Audit	38	113
Road Management Inspection Report	391	358

**Comments:**

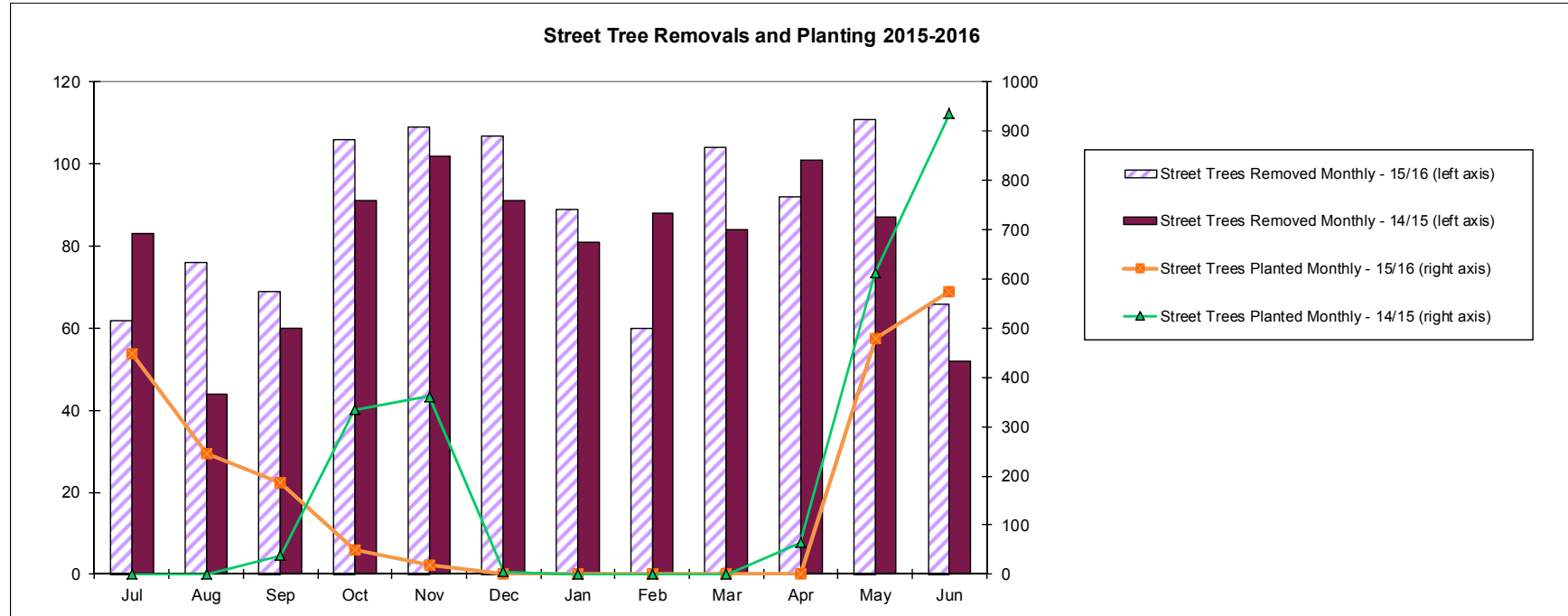
Council fixes signs and other damage on roads based on reports from Council traffic officers as well as scheduled routine inspections by the Road Management Inspector. In December and January a program of street furniture repairs was completed, which reflects in the increased works arising from the Road Management Inspections. These works were grouped together for efficiency and the increase does not indicate that more street furniture was in need of work during this period.

**Defective Sign Audit**

Reporting of Defective Signs reduced but is expected to increase due to recruitment of a number of new Council parking officers.

Road Management Inspection Report figures have remained consistent due to reporting by the Road Management Inspector while conducting quarterly shopping centre inspection programs. This includes graffiti, damage or vandalism on street furniture and signs.

## Parks and Gardens



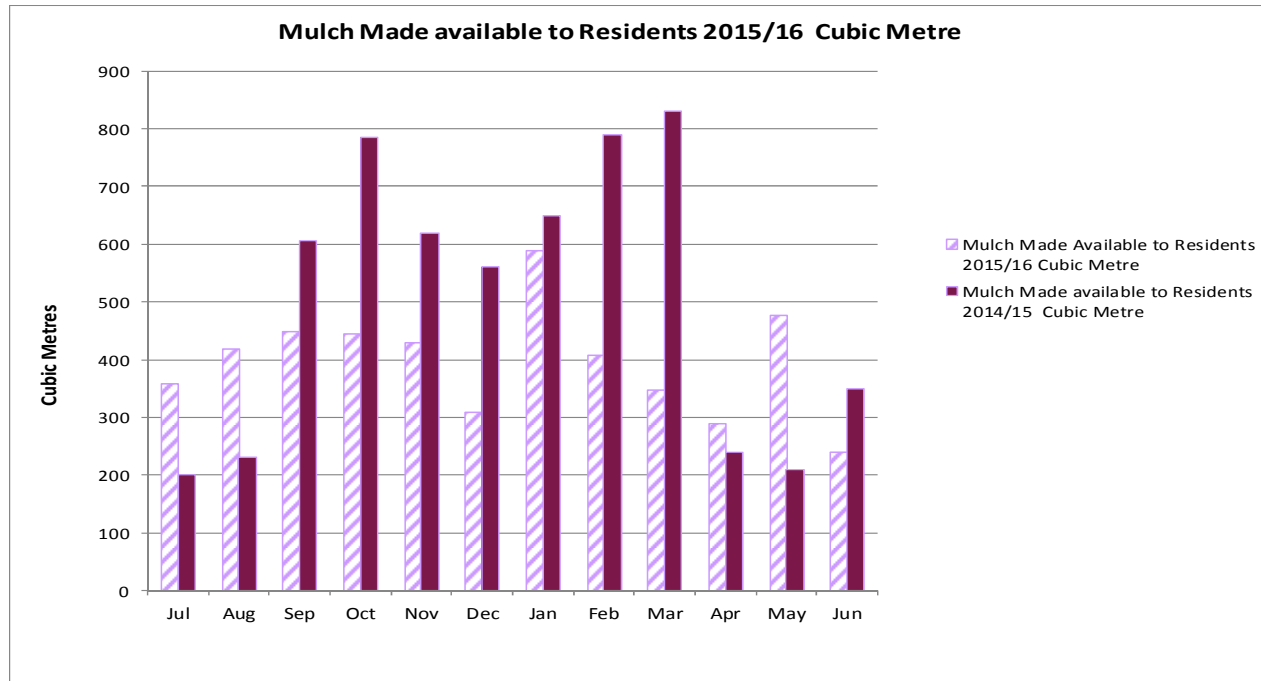
Tree Removals and Planting	YTD 2015-16	YTD 2014-15
Street Trees Removed	1051	964
Street Trees Planted	2000	2353

### Comments:

There was a slight increase in the number of tree removals, as the last of the structural tree removals for electrical compliance were actioned.

A later start to tree planting this year was due to a drier than normal autumn period, however the target of 2,000 trees planted for the financial year was achieved.

## Mulch Made Available to Residents



Mulch Made Available	YTD 2015-16	YTD 2014-15
Mulch Made Available to Residents	4775	6071

### Comments:

The woodchip mulch material stored at the Glen Huntly Park mulch facility is generated from Council's in-house tree pruning work, approved tree contractors, and street tree powerline clearance works. The free mulch material is very popular with the community, and at times strong demand has left the facility empty of material.

The amount of mulch produced this quarter was slightly higher than the same period last year due to an increase in end of year tree removals. However the volume of mulch produced over the entire year is less than the previous year.



## Community Plan Action 2015 / 2016

OT = On Track to achieve the action as at 30 June 2016

NOT = Not On Track to achieve the action as at 30 June 2016

ID = In Doubt, uncertain as to achieving the action as at 30 June 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 1: Services to support the community</b>			
<b>To maintain high quality service standards and deliver universal services that support the community, particularly the needs of families, youth, senior citizens and people with</b>			
Continue to provide a comprehensive range of community services that are responsive to the needs of the community.	Provide community services which minimise social isolation and build community identification.	Deliver social outings and exercise classes to at least 200 socially isolated residents each year.	206 socially isolated older residents accessing social outing and exercise classes. Target achieved.
		Deliver Home Library Service to at least 200 socially isolated clients.	245 Home Library Service clients. Target achieved.
		Provide 23,433 hours of social support.	23,436 hours of social support provided. Target achieved.
		Provide 500 hours Maternal and Child Health specifically targeted at vulnerable clients.	A total of 552 hours have been provided. Target achieved.
	Implement the Municipal Public Health and Wellbeing Plan.	90% of 2015-16 actions complete.	Approximately 99% of actions complete. Target achieved.
	Inspect registered food businesses to assess compliance with National Food Safety Standards.	Conduct 850 food safety assessments.	955 food safety assessments conducted. Target achieved.
Encourage residents to raise issues through letters, emails and calls to the Service Centre and provide timely and informative responses.	Customer Service Centre to resolve calls at first point of contact.	82% of calls resolved at first point of contact.	Queue wait times have been affected by: substantial increases in the volume of monthly requests; lengthy enquiries and multiple enquiries per phone call; staff secondment; and staff turnover. Council's Service Centre answered 264,320 calls in the 2015-16 financial year. 80.25 per cent of calls received were resolved at the first point of contact.
	Ensure telephone calls are answered promptly.	Average call waiting time of 15 seconds or less.	Queue wait times have been affected by: substantial increases in the volume of monthly requests; lengthy enquiries and multiple enquiries per phone call; staff secondment; and staff turnover. Council's Service Centre did not achieve an average call waiting time of 15 seconds or less for all calls answered. The average call waiting time increased to 24 seconds.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
Deliver children's services that provide support, education and improve health and wellbeing outcomes for young children and their families subject to State Government policies and funding arrangements.	Deliver maternal and child health services that meet state government targets.	15,000 Key Age and Stage visits delivered.	16,438 Key Ages and Stages visits delivered. Target achieved.
	Implement the Municipal Early Years Plan.	90% of 2015-16 actions complete.	98% of actions complete, 43 from 44 actions completed.
	Provide vaccinations to infants and school children in accordance with the National Immunisation Schedule.	8,000 vaccinations provided to infants and school children.	10,368 vaccinations provided to infants and school children to date. Target achieved.
Assist older people and people with a disability to maintain healthy, active and independent lifestyles in their own home and within the community.	Provide a range of services which support frail older people and people with disabilities to live independently at home.	Deliver all funded hours of Home Care, Personal Care and Respite Care to eligible residents currently set by DHHS at 94,499 hours.	114,435 hours of In Home Support provided. Council has provided 19,936 hours over the DHHS funding target. Target achieved.
		Deliver all funded hours of Property Maintenance to eligible residents currently set by DHHS at 4,957 hours.	Council provided 4,764 hours of property maintenance to eligible residents, including cleaning gutters and windows; replacing tap washers and minor plumbing; installing hand rails and hand held showers; and replacing light globes and smoke detectors. All requests made to Council were actioned however, due to a decrease in requests made Council did not achieve its target.
	Support senior citizens clubs to enhance social inclusion of older persons.	Council to provide 14,000 hours per annum of free facility use to local senior citizens clubs.	17,297 hours provided. Target achieved.
	Provide quality accredited residential aged care services that achieve a high level of resident satisfaction.	Achieve 90% resident satisfaction as measured by Annual Quality Performance Systems survey.	Rosstown 94%, Spurway 95% and Warrawee 95%. The next resident satisfaction survey will be conducted in January 2017. Target achieved.
	Implement actions contained in the Glen Eira Ageing Strategy.	90% of 2015-16 actions complete.	96% of actions completed, 24 from 25 actions completed.
Deliver a range of disability services that promotes community inclusiveness and access for all abilities.	Implement actions in the Disability Action Plan.	90% of 2015-16 actions complete.	95% of actions complete, 41 from 43 actions completed.
Ensure Council libraries provide a broad range of books, e-books, learning materials, access to technology, activities and programs that entertain, enrich and develop the community.	Offer a range of library services and programs which encourage family and community involvement.	600,000 visits to Council libraries annually.	704,141 visits to Council libraries. Target achieved.
		Provide Story-time and Baby-time sessions for 50,000 attendees at the libraries in Bentleigh, Carnegie, Caulfield and Elsternwick.	60,296 attendees at Storytime and Babytime sessions at Council libraries. Target achieved.
	Offer a range of library programs for adults that promote reading and encourage social connectedness.	Deliver at least 150 library programs aimed at information technology, community connections or enjoyment of reading.	487 programs delivered. Target achieved.
Implement a range of centre and school-based programs to engage young people aged 10 – 25 years and encourage active participation.	Offer a range of centre and school based programs.	Provide more than 200 programs.	292 programs provided for the year ended 30 June 2016.
Provide Youth Work support to young people and families to assist in positive development.	Assist and deliver support advocacy and referral to young people who are disadvantaged, isolated or at risk.	5,000 young people and their families supported through school and centre based programs, information and referral, service collaboration and special events.	7,218 young people and families supported for the year ended 30 June 2016.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 2: Traffic, parking and transport</b> <b>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</b>			
Improve safety and movement of road users and provide a fair and equitable balance of parking.	Investigate community requests about traffic and parking.	95% of reactive investigations responded to within 5 days, 40 community consultations undertaken, and the placing of the "Not So Fast" speed trailer at problem locations.	96% of reactive investigations responded to within 5 days. 83 consultations undertaken to date and the speed trailer placed at 7 locations.
Continue to promote walking, cycling and public transport options in Glen Eira as alternatives to motor vehicle use.	Implement actions outlined in the Walking Strategy Action Plan.	Complete implementation of budgeted actions.	Council implemented seven out of nine budgeted actions outlined in the Walking Strategy Action Plan for 2015–16, including capital works to construct traffic signals at the intersection of Bambra and Neerim Roads, Caulfield. These included pedestrian operated signals across both roads (works completed via a National Blackspot Program grant); safety improvements to the supervised school crossing on Glen Eira Road, Caulfield North, near Hood Crescent; and the installation of traffic calming measures in five residential streets —Mortimore Street, Bentleigh; Weeroona Road, Murrumbeena; Staniland Grove, Elsternwick;
	Implement actions in the Bicycle Strategy Action Plan.	Complete implementation of budgeted actions.	<p>Council has completed 84 per cent (58 actions) of its Bicycle Strategy to date. Key projects undertaken in 2015–16 included:</p> <ul style="list-style-type: none"> <li>— The installation of coloured surface treatment (658 m<sup>2</sup>) and cycle symbols (31 symbols) at Booran, Bambra and Kooyong Roads, Caulfield South.</li> <li>— Detailed designs for enhanced on-road cycle safety treatments at various sites across the municipality.</li> </ul> <p>There are currently four actions in progress and seven actions that cannot be achieved until approval is received from third parties, including VicTrack and VicRoads. Council will review its Bicycle Strategy Action Plan in 2016–17 and set new actions for a five-year period.</p>
Inform the community about local active transport options such as pedestrian, bicycle and public transport options including those arising from consultations.	Articles through Glen Eira News and Council's website.	Four active transport related articles in Glen Eira News and on Council's website.	Seven articles published

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
Improve safety around shopping centres, and schools by maintaining safe school crossings and installing traffic management treatments to protect vulnerable road users such as children and older residents.	Audit two schools and identify improvements to safety and the movement of people.	Two audits completed and business cases prepared for supported recommendations.	Three audits undertaken (St Aloysius, Bentleigh Secondary College and Southern Autistic School)
	Audit one shopping centre and identify improvements to safety and the movement of people.	One audit completed and business cases prepared for supported recommendations.	One audit undertaken. (Clarence Street, Bentleigh East)
Improve road safety and manage congestion on the local road network.	Implement capital program including traffic calming measures in local streets informed by the Transport Strategy, Road Safety Strategy and the Local Area Traffic Management Priority System.	All traffic capital works projects (identified in the Budget) completed.	To continue to improve road safety and manage congestion within the City of Glen Eira, Council identified 14 transport planning projects in the 2015–16 Budget. Nine are complete and four are underway. One project (North Road service road, Murrumbeena) was not completed due to pavement conditions/deterioration. This will require alternative design/approach. The most significant project being completed in 2016 is the pedestrian operated signals in Glenhuntly Road, Elsternwick. These are being installed to improve pedestrian safety, calm traffic and will be combined with streetscape works.
	Undertake traffic counts within the City and add to Council's Local Area Traffic Management Priority System to inform future capital works projects.	At least 105 traffic counts completed.	143 traffic counts completed for the year ended 30 June 2016.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 3: Town Planning and Development</b>			
<b>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</b>			
Plan for a mixture of housing types that allows residents to meet their housing needs in different stages of their life-cycle within the City.	Actively plan for a mix of dwelling types underpinned by the three residential zones (Neighbourhood Residential Zone, General Residential Zone and Residential Growth Zone) and also by encouraging a mix of one, two and three bedroom dwellings in larger medium density proposals.	At least 50% of new dwellings to be located within the General Residential, Residential Growth and Commercial Zones.	87% of new dwellings are located within the General Residential, Residential Growth and Commercial Zones.
Enforce the provisions of the Glen Eira Planning Scheme and building control requirements across the City as well as compliance with any planning permits.	Conduct proactive and reactive site inspections for compliance with planning permit conditions and Local Law requirements.	300 proactive inspections completed and respond to 95% of reactive planning enforcement matters within 5 days.	421 proactive inspections undertaken to date. 98% of inspections responded to within a week.
	Enforce building control requirements and investigate building enforcement matters.	200 building enforcement matters investigated and respond to 95% of reactive building enforcement matters within 5 days.	342 building enforcement matters investigated for the year ending 30 June 2016. 97% of reactive building enforcement responded to within 5 days.
Ensure new multi-dwelling residential development is sympathetic to the existing neighbourhood character in Glen Eira's Neighbourhood Residential Zone.	Make decisions in accordance with Council's Neighbourhood Residential Zone with an emphasis on Neighbourhood Character.	Refuse under manager delegation all applications which do not satisfy the purpose of Council's Neighbourhood Residential Zone.	96 applications refused for the year ending 30 June 2016.
Encourage and support community involvement in the planning permit application process.	Promote Council's suite of fast track permit application processes.	Report to Council, year on year, the percentage of applications using fast track process.	3% of applications were lodged using a fast track process for the year ended 30 June 2016, compared to 19% of applications at the same time last year.
Provide an opportunity for all residents to be informed and to participate in town planning applications where they (and others) object.	Maintain both the non-statutory planning Conference (Council decision by resolution) and Delegated Planning Committee as forums for resident involvement in the town planning process.	Except for a Managerial Refusal of an application, ensure all objectors are provided with an opportunity to participate in a Consultation Meeting, Delegated Planning Committee Meeting or Planning Conference.	265 Delegated Planning meetings were held. 39 planning conferences were held.
Provide a fair, transparent and inclusive town planning decision making process.	Improve the Delegated Planning Committee (DPC) efficiency by reducing the number of planning applications needing to be referred for a decision by undertaking mediation.	Undertake ten (10) mediation meetings.	11 mediation meetings undertaken for the year ended 30 June 2016.
Undertake community consultation and engagement to ensure the Glen Eira Municipal Strategic Statement, Glen Eira Planning Scheme and town planning process meets the needs of local residents and ratepayers.	Survey participants in the Delegated Planning Committee process to ascertain satisfaction rates.	80% satisfaction rating of participants in the DPC process.	97% of participants were satisfied with the DPC process for the year ended 30 June 2016.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 4: Governance</b>			
<b>To deliver strong local leadership and governance in an open and responsible manner in the best interests of the community.</b>			
Inform the community about Council's roles and activities through a broad range of media.	Ensure all Council endorsed strategies, plans and policies are available on the Council website.	All Council endorsed strategies, plans and policies published in a user friendly format on the Council website.	All Council endorsed strategies, plans and policies have been published on the Council website.
Maximise capital investment while continuing to keep operating costs and rates below the average of neighbouring Councils.	Continue to keep operating costs and rates per assessment low.	Average operating cost 5% below the average of our seven benchmark Councils.	Glen Eira's operating cost per property is approximately 13% below the average of all neighbouring Councils.
Ensure that Council complies with financial and performance reporting requirements.	The preparation and completion of Council's 2014-15 annual accounts.	Completion of 2014-15 Financial Report and Performance Statement by 30 September 2015 with an unqualified audit opinion.	Achieved. The 2014-15 Financial Report and Performance Statement were completed by 30 September 2015 with an unqualified audit.
	Delivery of the 2015-2016 Annual Budget in line with approved budget timelines.	Completion of the 2015-16 Budget - to be adopted by Council by 30 June 2015 and submitted to the Minister before 31 July 2015.	Achieved. The 2015-16 Budget was adopted by Council on 23 June 2015 and submitted to the Minister on 24 June 2015.
Ensure that Council adheres to the Charter of Human Rights.	Ensure all staff receive information about the Charter of Human Rights and comply with the Charter.	No breaches of the Charter.	Achieved. No breaches of the Charter.
Establish an effective monitoring and review process for the Glen Eira Community Plan to check and report progress towards community needs.	Regular reporting on progress against action items in the Community Plan.	Report progress to Council quarterly.	Achieved. Report submitted to Council each quarter.
	All agendas and minutes of Council meetings are posted on Council website and are easy to locate and search.	Agendas and minutes on website.	Achieved. All agendas and minutes on website.
Implement the Council Risk Management Strategy to ensure that risk is effectively managed throughout the organisation.	Implement Council's Risk Management Strategy.	Rolling program of Business Unit risks to Audit Committee Meetings.	Completed. Rolling program of Business Unit risks to Audit Committee.
Continue to implement Occupational Health and Safety strategies to provide a safe workplace and protect staff from injuries.	Ensure compliance with Councils externally audited safety accreditation system (SafetyMAP).	Council complies with SafetyMAP criteria and maintains accreditation status.	Council's ongoing accreditation was confirmed at an audit conducted 3rd and 4th of August 2015. A routine surveillance visit was also conducted on 25 May 2016 which ran over 6 days that reviewed Council's OHS management systems.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 5: Recreation and open space.</b>			
<b>To enhance recreation facilities and open space to meet current and future needs of the local community.</b>			
Upgrade or renew Council sporting pavilions in line with Council's Priorities for Pavilion Upgrades Report to provide clubs and groups with access to relevant and appropriate facilities and amenities.	Develop the new Duncan Mackinnon pavilion.	Pavilion completed.	Certificate of occupancy issued. Duncan Mackinnon pavilion officially opened on the 28 October 2015.
	Develop the new Centenary Park pavilion.	Pavilion completed.	Julie Cooper pavilion at Centenary Park officially opened on the 27 August 2015.
Implement an annual capital works program in relation to the open space and sporting facility upgrade.	Upgrade sportsground lighting at Duncan Mackinnon Reserve.	Lighting installed.	New lighting installed at Duncan Mackinnon Reserve.
	Thomas Street Reserve Landscape Enhancement Works.	Complete landscape works.	Landscape works completed at Thomas Street Reserve.
	Resurface Duncan Mackinnon Reserve regional athletics track, subject to Sport and Recreation Victoria major facility funding.	Complete resurfacing.	Resurfacing of Duncan Mackinnon Reserve regional athletics track has been deferred until 2017-18. Council's application to obtain funding from Sport and Recreation Victoria for the 2015-16 financial year was not approved.
	Commence construction of Glen Huntly reservoir.	All major construction contracts let.	The final major construction contract was awarded by Council in May 2016. Works in progress and currently on track for completion in Sept 2016.
	Eskdale / Fitzgibbon new local park development.	Complete new local park.	Park completed in October 2015 and open to public.
	Nina Court Landscape Enhancement Works.	Complete landscape works.	Landscape works completed in October 2015 and open to public.
	Construct pathway lighting at Caulfield Park and Allnutt Park.	Lighting installed.	Pathway lighting completed at Allnutt and Caulfield parks.
	Plant drought tolerant grasses at Princes Park oval 4.	Drought tolerant grasses planted.	Drought tolerant grass planted at Princes Park oval 4.
Provide access to Council facilities (including sporting grounds and pavilions) for community activities and sport.	Accommodate at least 400 sporting teams on sporting fields in the municipality.	Teams allocated to grounds.	507 sporting teams were allocated during 2015-2016.
	Provide local community rooms and encourage community use.	Provide use of Town Hall and Carnegie Community Centre for Council, community organisations and members of the community. More than 2,000 bookings.	External (community) bookings 1260, Internal (Council) bookings 1165; Total YTD: 2425
Ensure the availability of a diverse range of passive recreational opportunities in local parks that meet the needs of the community.	Redevelopment of Leckie Street Reserve.	Complete Leckie Street Reserve Redevelopment.	Leckie Street Reserve redevelopment completed.
Provide a range of leisure and aquatic programs at GESAC that meet the needs of the community.	Provide a range of programs and events for the community at GESAC.	Maintain membership at not less than 14,000.	GESAC membership was 14,475 on 30 June 2016

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
Provide a range of leisure and aquatic programs at the Carnegie Swim Centre that meet the needs of the community.	Provide a range of programs and events for the community at Carnegie Swim Centre.	Six community events and programs held over the season.	Due to bad weather, YMCA only hosted five events over the summer season compared with 10 in 2014-15. Events included an end of school celebration day; an Australia Day celebration; a Swimathon; and two Family Fun Days.
Work with key stakeholders to reduce water and energy consumption required to maintain parks and sporting facilities.	Use water effectively and efficiently by continuing to help combat the effects of prolonged reduced rainfall in Council's parks and reserves.	Convert Princes Park Oval to warm season grasses.	Princes Park Oval converted to warm season grasses.
Continue a program of upgrading or redeveloping playgrounds to ensure that a diverse array of play opportunities for children of all abilities is provided.	Implement Council's budgeted program to upgrade playgrounds.	Council program implemented.	Leckie Street, Elsternwick Plaza, Allnutt Park & Garden Avenue playgrounds completed.
Continue to provide a balance of both on and off leash areas for dogs across the City and educate pet owners on responsible pet ownership.	Complete 1,200 patrols of parks to educate the community about responsible pet ownership.	1,200 park patrols conducted to encourage responsible pet ownership.	2,293 park patrols undertaken.
Continue to maintain and improve facilities in parks.	Renew Multi Purpose Hit Up Walls at Packer Park and King George Reserve.	Completion of new hit up walls.	Works to hit up walls completed by 30 June 2016.
	Install outdoor fitness pod at Packer Park.	Completion of fitness pod.	Outdoor fitness pod installed at Packer Park.
	Install shade sails in Council parks and reserves.	Shade sails installed at Allnutt Park, Caulfield Park, Glen Huntly Park, Koornang Park and King George.	Shade sails installed at Allnut, Caulfield, Glen Huntly, Boyd, Dega Avenue, Garden Avenue and Victory Parks. Repaired shade sails at Koornang and King George Parks.
	Improve park infrastructure.	Continue the implementation of the rolling program for improved park infrastructure by expending \$100k on lights, rubbish bins, seating, shading, drinking fountain etc.	Completed. Full budget expended.
Continue to plant and maintain trees and other vegetation in our parks.	Replace trees that have reached the end of their useful life.	70 trees replaced.	Completed. 112 trees replaced which had reached end of life.



## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 6: Waste, graffiti and cleanliness</b> <b>To maintain a safe, clean and attractive City.</b>			
Provide a comprehensive waste management program to ensure the safe and responsible removal and treatment of local waste.	Continue to deliver kerbside waste collection, street sweeping, litter bin collection and hard rubbish collection services across the municipality.	Services delivered.	Services delivered, most at or above Council's standard. Kerbside collection service performance was very good and improved compared to last year with fewer missed bins or other complaints.
Develop and implement programs to reduce waste and increase rates of recycling within the community.	Investigate implementation options for introduction of food waste collection as part of organics recycling services for the community.	Investigation complete.	Investigation completed. Council has selected a preferred tenderer along with other councils in the region for companies to build and run regional facilities for green waste and food waste recycling. Contracts are being finalised and facilities are estimated to become available in 2017 for Council to use.
Deliver graffiti services that rapidly removes graffiti from Council owned assets and assists local residents and businesses to remove and prevent graffiti.	Prompt removal of graffiti from Council owned buildings.	90% of graffiti reported removed within five working days.	90% of 2,800 reports all removed within the 5 day agreed response time
	Assist with the removal of graffiti from private property where resources allow.	90% of requests responded to within ten working days.	100% of requests were responded to within timeframe.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 7: Sustainable community assets and infrastructure</b>			
<b>To enhance and develop sustainable community assets and infrastructure to meet the needs of current and future generations.</b>			
Deliver a strategic and informed program to renew, upgrade and build community assets to meet the current and future needs of the community.	Implement Council's Road Reconstruction Sub-program in accordance with Council's Asset Management Strategy.	Expend 90% of the budgeted capital works program for road reconstruction.	100% of the budget spent on the capital works program for road reconstruction.
	Deliver capital works program to renew, upgrade or build Council assets, community facilities and infrastructure.	\$27M spent on capital works projects.	\$37.49 million spent in 2015-16
	Implement the Public Toilet Strategy.	2015 -16 items from the action plan completed.	11 actions were identified in Council's Public Toilet Strategy for completion in 2015-16. All 11 sites identified were upgraded with all works being completed by 30 June 2016.
	Implement \$1.7M footpath upgrade capital program at various locations around the City in accordance with Council's Road Management Plan.	Expend 90% of the budgeted capital works program for footpath installation.	100% of the budget spent on the capital works program for footpath installation.
Maintain, renew and upgrade Council's drainage system to reduce the risk of flood damage.	Implement Council's Drainage Improvement and Flood Mitigation Sub Programs.	Expend 90% on Council's Drainage Improvement and Flood Mitigation Sub Programs.	100% of the budget spent on Council's Drainage Improvement and Flood Mitigation Sub Programs.
	Inspect Council drainage pits.	10,000 pits inspected.	A total of 7,158 drainage pits were inspected. This decrease was due to reactive works such as root cutting; and pipe jetting requests taking precedence over Council's proactive pit inspection program. Drain network inspections are undertaken in a number of ways to mitigate potential flooding. This includes proactive inspections of drainage pits and additional camera checks in drains to identify any blockages. These are not included in this measure. Drains with blockages are prioritised for cleaning activities over pit inspections. Over 90% of the drainage pits inspected are clear.

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
Improve the quality and cleanliness of Glen Eira's major activity and retail precincts to meet the needs of business, visitors and the community.	Implement Council's Shopping Strip Centre Streetscapes.	Complete Council's budgeted Shopping Centre Streetscape works.	100% of the budget spent on Council's Shopping Centre Streetscape works.
Continue to promote and support strategies to increase environmental biodiversity.	As part of the implementation of the Street Tree Strategy, plant additional street trees.	Plant 2,000 street trees (estimated to be 1,000 replacement trees and 1,000 additional trees).	A total of 2000 street trees planted. 1,050 replacement trees and 950 additional trees.
Implement strategies to reduce the use of potable water, energy and natural resources of Council assets and operations.	Continue to support Council's commitment to purchasing 'green' products.	Purchasing of green products in 2015-16 to meet or better the green expenditure of 2014-15 under the ECO-Buy Local Government Program.	ECO-buy expenditure increased by 4.3% for the year ended 30 June 2016
	Deliver actions identified in Council's Environmental Sustainability Strategy and Carbon Emissions Reduction Plan.	90% of actions adopted for 2015-16 complete.	Delays experienced in adopting a new environmental sustainability strategy. The environmental sustainability strategy is currently being advertised for community consultation.
	Investigate further energy efficiency options and review energy efficiency opportunities.	Investigations complete; preparation for replacement of HPNa type street lights complete.	Options for further energy efficiency works have been identified and included as part of the 2016-17 work program and budget. Replacement of further street lighting is subject to further approvals by utilities companies. Council is actively monitoring progress.
Support the community to reduce their impact on the environment.	Run regular ongoing recycling education activities targeted to address key barriers. These to include regular articles and promotional ads, community presentations, direct mail and promotion in languages other than English.	Total of 10 articles in GE news and Leader Newspaper, 3 activities at community events; promotions in languages other than English.	A total of 53 articles printed; 21 in the GE News (including 3 in languages other than English) and 32 in the Leader.
	Facilitate sustainability education activities with school and community networks, including hosting a Glen Eira Teachers Environment network	Complete year two review and host 4 teachers environment network meetings.	Council completed a two year review of its Teachers' Environment Network, and report adopted by Council at its 11 August 2015 meeting. Seven teachers environment network meetings were held.
	Continue to roll out the Neighbourhood sustainable Gardening Program and seek to extend the Glen Eira Energy Saving Program.	Increase participation for each program by 200.	There were 195 new registrations for Council's Neighbourhood Sustainable Gardening (NSG) Program in 2015-16. The NSG Program is designed to encourage residents to make their gardens more sustainable by sharing each other's knowledge and love of gardening. There were 119 new participants in the Glen Eira Energy Saving Program. Attracting new participants has been challenging despite ongoing promotion.
	Run a regular series of free workshops on sustainability issues and supporting communications program on sustainability issues.	10 workshops held; 20 articles published in GE News.	12 free workshops held and 23 articles in GE News

## Community Plan Action 2015 / 2016

Key Strategic Activity	Actions for 2015-2016	Measures for 2015-16	Progress as at 30 June 2016
<b>Theme 8: Community building and engagement</b> <b>To build a strong connected community that actively participates and engages with Council to improve outcomes for the community.</b>			
Provide a range of events, festivals and community celebrations to build social connectedness and promote community inclusion.	Provide at least ten community celebrations, exhibitions and arts events including three Party in the Park celebrations, exhibitions of local artists work, a story telling festival, a multicultural event, a carols event, two music programs, and at least two group or thematic exhibitions , one "feature exhibition" in the Glen Eira Gallery.	Ten community celebrations, exhibitions and events delivered with 75% of participants satisfied based on exit surveys.	A total of 18 community celebrations and events were delivered with an overall 90% of participants satisfied based on exit surveys.
	Foster business, employment and marketing opportunities to enhance the social and economic wellbeing of residents and traders.	Provide a minimum of seven Glen Eira Women's Business networking events and encourage business leadership through the May Business Month educational program.	Eight Glen Eira Women's Business networking events have been delivered year to date. Sixteen other business workshops have been delivered so far including visual merchandising.
Provide a range of initiatives and programs to build strong connected community groups.	Provide four newsletters to community groups to provide information about local community connectedness initiatives and grant opportunities.	Four newsletters produced and disseminated to community groups.	Four newsletters delivered in August and November 2015 and in February and May 2016. Target achieved.
	Deliver an annual community conference for community groups to promote effective community organisations.	Conference for community groups delivered.	Conference held on 11 August 2015. Target achieved.
	Implement Arts and Cultural Strategy.	90% of 2015-16 actions complete.	All outstanding actions for the 2013-15 plan have been completed in 2015-16.
	Fund Community Information Glen Eira to provide community information and referral services to support the community.	\$139,000 delivered to Community Information Glen Eira for community information and referral services.	\$ 175,453.00 delivered to Community Information Glen Eira. Target achieved.
Support local community groups through the provision of community grants to assist groups to meet identified community needs.	Continue to implement Council's community grants program with a funding priority encouraging community strengthening and inclusion.	Deliver at least \$350,000 in community grants to community groups to encourage community strengthening and inclusion activities.	\$399,336 delivered to community groups to encourage strengthening and inclusion activities. Target achieved.
Actively encourage and promote volunteering opportunities within the local community and recognise the achievements of local volunteers.	Conduct Volunteer Recognition Ceremony.	Volunteer Recognition Ceremony conducted.	Volunteer Recognition Ceremony held in May 2016 during Volunteer Recognition week. Target achieved
	Provide funding for Community Information Glen Eira for the operation of Glen Eira Volunteer Resource Centre.	\$24,839 in funding provided to Community Information Glen Eira.	\$25,790 has been provided to Community Information Glen Eira. Target achieved.
Deliver a comprehensive range of community consultation processes that provide all members of the community with the opportunity to participate.	Deliver a range of consultations process to maximise community participation.	Use e-newsletter, "bang the table", questionnaires, surveys, public meetings and focus groups as part of consultation processes and ensure consultations comply with Community Engagement Strategy.	Consultation methods utilised include bang the table, focus groups, workshops, public meetings, submissions and surveys. Target achieved.
	Council e-newsletters distributed to provide information about community consultations and outcomes.	Four e-newsletters distributed annually and a 10% increase in the number of subscribers.	Four e-newsletter's sent out in August 2015 and January, February and April 2016. 26% increase in number of subscribers. 327 current subscribers from 259 in 2014-15.
	Update community signage to provide information about community consultations and outcomes.	Community signage updated at least four times each year.	Four editions distributed in August and November 2015 and February and May 2016. Target achieved
Communicate and engage with the local community by providing accurate and up to date information about local issues and how they will be addressed by Council.	Distribute Glen Eira News to all households in Glen Eira.	11 editions of Glen Eira News published annually.	11 editions of Glen Eira news published and distributed.
	Publish corporate advertisements providing information on local issues and activities.	22 Council corporate advertisements published annually.	26 corporate advertisements published by 30 June 2016.

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 June 2016	Officer
03-Sep-13	9.5	Public Questions and Right to make a Statement: That the following be referred to the Local Laws Advisory Committee for the purpose of amending the Local Law with respect to meeting procedure.	Council commenced the statutory process to make amendments to the Local Law in April/May 2016. Finalisation of amendments to be considered on 19 July 2016.	CEO
16-Dec-14	9.11	That Council (f) Review the 2006 Recreation Needs Strategy with a view to developing an appendix outlining changes in sporting demand and opportunities for Council to support such demand without conflicting with existing passive and active open space uses.		Director Infrastructure, Environment and Leisure
19-May-15	9.13	That Council: 2. requests a report in 12 months time reviewing the effectiveness of other adjoining Councils' use of neighbourhood character provisions and other relevant planning tools to manage the development of urban character. 3 reports in 12 months time reviewing and recommending on public and private car parking matters within Glen Eira's Residential Growth Zone and General Residential (Schedule 1) zones	Report to Council 28 June 2016.	Director Planning and Place
02-Feb-16	11.1(b)	That a report be prepared on the old Murrumbeena Police station as follows: 1. Council identifies the owner of the building. 2. What possible uses could Council see for this building.	On hold as report cannot be fully informed of the risks and benefits until it is clear how the rail corridor and activity centres nearby will function.	Director Infrastructure, Environment and Leisure
02-Feb-16	11.1(c)	A report be prepared on the long term greenhouse gas emissions pathway Council is projected to have, the current proportion of Green Power purchased, implications of increasing the amount purchased as means to reduce emissions, and to offer advice on how to reduce emissions from Council activities.		Director Infrastructure, Environment and Leisure
23-Feb-16	9.8	Re - policing and security of events on land or in facilities for which the Council is responsible - That officers prepare a report and recommendation that accord with the scope of the original request that this report and recommendation be placed on the agenda of a future Council meeting.		Director Infrastructure, Environment and Leisure

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 June 2016	Officer
15-Mar-16	9.7	<p>(a) That Officers liaise with the City of Stonington so as to prepare a joint letter to deliver to residents in proximity to the racecourse informing them of the decision-making responsibilities for events and the avenues of complaint in the event of amenity impacts such as noise taking place.</p> <p>(b) request, again, the MRC for a copy of the acoustic report for the Saturday "Dekmantel 2016" event.</p> <p>(c) write to the Melbourne Racing Club and the Caulfield Racecourse Reserve Trust requesting that these types of events (successive music events incorporating pounding bass) not be held in the future.</p> <p>(d) request the Environment Protection Authority Victoria to reconsider guidelines around live music events that are in residential areas like Caulfield Racecourse, so as to take greater consideration of bass music noise transmission on adjoining residential amenity.</p> <p>(e) write to the Minister that the Caulfield Racecourse lease is in over holding and that minimal compliance with the VAGO report recommendations has been achieved....."</p> <p>(f) writes to the Minister for the Environment, Climate Change and Water to....."</p> <p>(g) writes to the Trust urging the to consider a motion at their next meeting....."</p> <p>(h) That Council writes to the Victorian Ombudsman Ms Deborah Glass OBE and asks for an update on the letter sent on 2 October 2014....."</p>	Letters to MRC 15/4/16, Caulfield Racecourse Reserve 18/4/16, EPA 15/4/16, Vic Ombudsman 15/4/16, the Hon Lisa Neville 19/4/16 sent.	Director Planning and Place  and  Director Infrastructure, Environment and Leisure
05-Apr-16	5(a)	That Council - 3. writes to the premier and Minister for Transport, copies 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.	Letter dated 8 April 2016 sent.	Director Infrastructure, Environment and Leisure
26-Apr-16	11.1(a)	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%	Report to Council 28 June 2016.	Director Planning and Place

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 June 2016	Officer
17-May-16	5(a)	Hawthorn Road Flower Vendor - That Council accepts the petition and that a report be prepared on this matter for the 28 June 2016 Council Meeting.	Report to Council on 28 June 2016	Director Planning and Place
17-May-16	9.7	Environmental Sustainability Strategy - Review - That this item be deferred to a future Council Meeting.	Report going to Council on 19 July 2016 to release the E.S.S for community consultation.	Director Infrastructure, Environment and Leisure
17-May-16	9.1	That a further item be submitted providing further details on the business case proposal by the Melbourne Metro Rail project and the case proposed by Stonnington City Council.	Report to Council 7 June 2016.	Director Planning and Place
17-May-16	11.1(a)	That Officers prepare a report informing Council of our options should Heritage Victoria determine that the building known as Montgomery House located at 294 Kooyong Road not meet the threshold for state significance. The report should outline how we can assess and determine the potential local significance of this building which has played such an important role in our history.	Report to Council 7 June 2016.	Director Planning and Place
07-Jun-16	9.6	Montgomery Rest Home - (b) That this report be updated and placed on the meeting agenda immediately following the handing down of the recommendation from Heritage Victoria.		Director Planning and Place
07-Jun-16	11.1(a)	That a report be prepared on the provision by Council of concrete footpaths outside houses where currently no footpaths exist. The report should address the following points: a) Requirements for Council under the Disability Discrimination Act for the provision of footpaths in residential roads; and b) What the cost would be of providing such footpaths and what process or processes could be used to do so.	Report to be considered by Council on 9 August 2016.	Director Infrastructure, Environment and Leisure
07-Jun-16	11.1(b)	That a report be prepared to assess the traffic conditions of Newstead Street noting the residents concerns especially regarding heavy vehicle use and make some recommendations about future options.	Report going to Council on 19 July 2016.	Director Planning and Place
07-Jun-16	11.1(c)	That a report be prepared on the Moorleigh community centre to include: 1. Overall dimensions of the land 2. Owners of the land 3. Zoning classification of the land.		Director Infrastructure, Environment and Leisure
07-Jun-16	11.1(d)	That a report be prepared on the number of community organisations that Council provides financial assistances to by way of paying rent on buildings that are not in the Moorleigh community centre.		Director Community Wellbeing
28-Jun-16	5(a)	Parking in Philip Street, Bentleigh. That the petition be received and noted and a response provided to the lead petitioner.		Director Planning and Place

COUNCIL MEETINGS - ITEMS FOR ACTION

Date	Item	Item for Action - Council Meetings	Status as at 30 June 2016	Officer
28-Jun-16	9.6	That Council requests that a report update be prepared following the release of the 2016 ABS Census data		Director Planning and Place
28-Jun-16	9.7	That Council requests a further report to be prepared on planning fees, and the effect of the new fees, at the end of the 2016-2017 Financial Year		Director Planning and Place
28-Jun-16	9.12	That Council request officers to report back to Council in 12 months' time with a paper considering Glen Eira's future involvement in "Resilient Melbourne" once the potential value of the program to the Glen Eira community is clearer.		CEO



**Item 9.8            FOUNDATION FOR YOUTH EXCELLENCE COMMITTEE GRANT APPLICATIONS****Author:** Toby Laverick, Youth Services Coordinator**File No:** 16/1637399**Attachments:** Not applicable

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**PURPOSE AND SUMMARY**

To seek Council agreement to the attached recommendations in respect of grant applications made to the Foundation for Youth Excellence and to authorise the nominated payments.

**RECOMMENDATION**

THAT Council :

Approve the Foundation for Youth Excellence grants as outlined in this report.

**BACKGROUND**

The Foundation for Youth Excellence is a Glen Eira City Council program, which recognises young people who have achieved excellence in the fields of creative and performing arts, education, leadership or sport. Grants are awarded to young people who aim to achieve further success in their chosen field.

Young people aged between 10 and 25 (inclusive), living in the City of Glen Eira who are competing or performing at State, National and or International level in creative and performing arts, education, leadership or sport activities, are eligible to apply.

**ISSUES AND DISCUSSION****Selection Criteria**

Categories cover Creative and Performing Arts, Education, Leadership and Sport. Within these categories are three levels upon which grant amounts are decided. These levels are State, National and International competition.

<b>STATE:</b>	Up to \$360
<b>NATIONAL:</b>	Up to \$600.00
<b>INTERNATIONAL:</b>	Up to \$1,200.00

Applicants are required to provide the following as part of the set guidelines for the Foundation:

- A letter outlining the significance of the nominated event as recognised by a State, National or International body, including the impact that this event will have on the applicant with a view to enhance their chosen pursuit;
- The individuals State, National and or International ranking;
- Evidence of potential to achieve success at National and or International level;

- Evidence from the organisational body outlining how the applicant was chosen for the event and the selection criteria used to make this decision;
- An indication of the number of training / study hours per week, or additional documents that supports their application.

**MERCURI, Amelia**

Category: Sport

Level: National

Applicant selected to represent Victoria in the Under 17 National Softball Championships in Blacktown, South Australia.

**Recommendation: \$600**

Amelia has previously competed for both the state and national softball squads and remains a keen representative player for the Waverley Softball Association. The funding will contribute towards Softball Victoria's U17 Girls player levy of \$2200 for the National Championships.

**Mc GRAW, Benjamin**

Category: Sport

Level: National

Applicant selected to represent the Victorian under 19's team at the 2016 Gridiron International match series in Shanghai, China.

**Recommendation: \$275**

Benjamin has achieved two previous state team selections for Gridiron Victoria and earned the Most Valuable Player award in 2014 and 2015. The funding will contribute towards competition registration fee of \$275.

**FELDMAN, Rashelle**

Category: Sport

Level: National

Applicant selected to represent Victoria at the Australian Gymnastics Championships at Hisense Arena, Victoria.

**Recommendation: \$600**

Rashelle is competing at a high level in gymnastics and has already earned bronze medals at both the state and national championships. The funding will contribute toward Gymnastics Victoria National Competition team fees of \$866.54

**YEMINI, Ommer**

Category: Sport

Level: National

Applicant selected to represent Victoria at the Australian Gymnastics Championships at Hisense Arena, Victoria.

**Recommendation: \$600**

Ommmer has achieved many state level podium finishes and currently competes as an International Level 7 gymnast. The funding will contribute toward Gymnastics Victoria National Competition team fees of \$866.54

**WAKIM, Sabastian**

Category: Sport

Level: International

Applicant selected to represent Australia at the 2016 Canoeing World University Sprint Championships in Montemor-o-Velho, Portugal.

**Recommendation:** \$1200

Sabastian is currently ranked 2<sup>nd</sup> nationally amongst under 23 paddlers and has represented Australia in 6 international events for both Canoe Sprint and Dragon Boat Racing. The funding will contribute towards Canoeing Australia's tour cost of \$4050.

**JOBLING, Hamish**

Category: Sport

Level: International

Applicant selected to represent Australia at the 17<sup>th</sup> Oceania Karate Federation Championships in Noumea, New Caledonia.

**Recommendation:** \$1200

Hamish has won medals at both state and national Karate Championships in 2013, 2014 and 2015. The funding will contribute towards uniform, equipment, entries fees and tournament living expenses of \$1575.

**NENKE, Jessica**

Category: Creative and Performing Arts

Level: International

Applicant selected to represent Australia at the IDO (International Dance Organisation) World Title Dance Cup in Seoul, Korea.

**Recommendation:** \$1200

Jessica has placed in many dance competitions including the Crown International Dance Competition, South Pacific Dance Championships and Beachside Dance competition. The funding will contribute towards IDO Australia Korea tour fees of \$2628.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

Total recommended grant amount: \$5675

**POLICY AND LEGISLATIVE IMPLICATIONS**

Not applicable

**COMMUNICATION AND ENGAGEMENT**

The Foundation for Youth Excellence is advertised through the Council website, Glen Eira News, Glen Eira Youth Services newsletter and Council facebook pages.

Foundation for Youth Excellence applications are assessed quarterly each year. Closing dates are:

1<sup>st</sup> Quarter – 31 January

2<sup>nd</sup> Quarter – 30 April

3<sup>rd</sup> Quarter – 31 July

4<sup>th</sup> Quarter – 31 October

**LINK TO COUNCIL PLAN**

Theme 1: *To maintain high quality service standards and deliver universal services that supports the community, particularly the needs of families, youth, senior citizens and people with a disability.*

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

Not applicable

**Crs Esakoff/Sounness**

**That the recommendation in the report be adopted.**

**The MOTION was put and CARRIED unanimously.**

**Item 9.9            BI-PARTISAN WORKING GROUP REPORT OF THE CAULFIELD  
RACECOURSE RESERVE****Author:**                      **Chief Executive Officer****File No:****Attachments:**            **Bi-partisan Working Group Report of the Caulfield Racecourse  
Reserve**

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**PURPOSE AND SUMMARY**

This report seeks to bring to Council's attention the report of the Bi-partisan Working Group of the Caulfield Racecourse Reserve, submitted by the Working Group to the Minister for Environment, Climate Change and Energy on 21 August 2016.

**RECOMMENDATION**

That Council :

- 1) Note the report;
- 2) Note that Officers will prepare a report for the 19 September 2016 Ordinary Council Meeting advising Council on a recommended advocacy position with regard to :
  - a. Future land management model; and
  - b. Terms of any new lease arrangements for the Melbourne Racing Club.

Such report will give consideration to the recommendations of the Bi-partisan Working Group.

**BACKGROUND**

In March 2016, a Bi-partisan Working Group was established by the then Minister for Environment, Climate Change and Water, Hon Lisa Neville, to review the implementation of the 2014 Victorian Auditor-General's Office report into the management and oversight of the Caulfield Racecourse Reserve. The working group was also asked to provide independent advice on the future management and governance of the Reserve.

The Working Group comprised the following membership:

Mr Ken Ryan – Independent Chair  
David Southwick MP, Member for Caulfield; and  
Steve Dimopoulos MP, Member for Oakleigh

As part of its investigation, the working group met a range of stakeholders and community groups who share an active interest in the Reserve. Among others this included Council officers, a Council representative on the Trust (Cr Lipshutz), and a former Council representative on the Trust (Cr Magee).

**ISSUES AND DISCUSSION**

On 21 August 2016 the Bi-partisan Working Group provided their report and recommendations to the Minister for Energy, Environment and Climate Change for her consideration. A copy of the report is provided as Attachment 1.

The report considers how the long running governance and operational issues relating to the Reserve can be best addressed by the Government. These issues have included matters relating to land management structure and lease arrangements for the Melbourne Racing Club, and have been a point of an active and prolonged advocacy campaign by Council for at least ten years.

In April 2013 Council considered a report on Caulfield Racecourse Reserve – Potential Sporting and Recreational Uses. That report provided an analysis of the capability of outdoor sporting facilities provision within the municipality and an assessment of the potential sporting and recreation uses of the Caulfield Racecourse Reserve. Independent advice sourced at the time advised that in addition to horse racing, the Reserve could potentially accommodate additional grounds for soccer, AFL, netball, baseball, rugby and cycling as well as a range of passive recreation activities. Progress towards development of the Reserve for any of these uses has been frustrated by the in-situ governance structure, a lack of investment in interests other than horse racing, and the co-location of horse training facilities on the site.

Now that the recommendations of the Working Group have been received by the Minister, it is appropriate for Council to form a view on its recommendations in order that Council can make clear to the Minister its preferred future for this substantial community asset. A report will be prepared for the 19 September Council meeting so that Council can form a view before moving into caretaker mode for the 2016 General Council Election.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The Caulfield Racecourse Reserve is a significant community asset providing for 54 hectares of open space permanently reserved for three purposes – racing, public park, and recreation. Achieving a better balance between these three uses, and facilitating ease of community access will help address the critical lack of open space within the City of Glen Eira.

**POLICY AND LEGISLATIVE IMPLICATIONS**

The current governance arrangements for the Reserve are provided for in the consolidated restricted Crown grant issued on 7 July 1949. Under the current legal framework the Minister does not have the ability to issue directions to the Trust in the carrying out of its functions. The Working Group's Report proposes changes to these arrangements in order to resolve this impasse.

**COMMUNICATION AND ENGAGEMENT**

Nil

**LINK TO COUNCIL PLAN**

Theme 5 – Recreation and Open Space - to enhance recreation facilities and open space to meet current and future needs of the community.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

After more than ten years of advocacy, the report of the Bi-partisan Working Group is a welcome step towards resolution of the governance and management challenges that have plagued the oversight of this valuable community asset and prevented the community from the access to which it is entitled.

**Crs Delahunty/Magee**

**That the recommendation in the report be adopted.**

**Cr Sounness/Cr Lobo**

**That the recommendation be amended by the addition of the following paragraph:**

- 3) Notes that the three Council nominees on the Caulfield Racecourse Reserve Trust, being Cr Lipshutz, Cr Hyams and Cr Esakoff, have all indicated their intention to immediately resign from the Trust upon any request from the Minister for Energy, Environment and Climate Change, and calls upon all other Trustees to do the same.**

**Cr Delahunty raised a POINT OF ORDER requesting that Cr Lipshutz withdraw a comment.**

**Cr Lipshutz withdrew the comment.**

**The MOTION for the amendment was put and CARRIED.**

**The MOTION was put and CARRIED unanimously.**

# Bi-partisan Working Group Report of the Caulfield Racecourse Reserve





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# Contents

<b>1 Bi-partisan Working Group</b>	<b>3</b>
1.1 Establishment and Terms of Reference	3
1.2 Composition	3
<b>2 Background</b>	<b>3</b>
2.1 The Caulfield Racecourse Reserve	3
2.2 Victorian Auditor-General's Report	5
2.3 Community concerns	5
<b>3 Bi-partisan Working Group Approach</b>	<b>6</b>
3.1 Consultation	6
3.2 Review	6
<b>4 Findings</b>	<b>7</b>
4.1 General	7
4.2 Terms of Reference 1- Implementation to date of VAGO recommendations	8
4.3 Terms of Reference 2 - Identify options for accelerating implementation	8
4.3.1 The department as interim land manager	9
4.4 Terms of Reference 3 - Identify alternative management arrangements	9
4.4.1 Preferred option for the Minister to consider	10
4.4.2 Other options considered	11
<b>5 Observations</b>	<b>13</b>
<b>Appendix 1</b>	<b>14</b>
Implementation of VAGO recommendations	14
<b>Appendix 2</b>	<b>18</b>
Reporting Framework - Summary Chart of action items for the TRUSTEES	18

# 1 Bi-partisan Working Group

## 1.1 Establishment and Terms of Reference

In March 2016, The Hon Lisa Neville MP, the then Minister for Environment, Climate Change and Water established a bi-partisan working group to provide an independent report:

1. On implementation to date against recommendations 1-14 of the Victorian Auditor-General's Office (VAGO) report, 'Management and Oversight of the Caulfield Racecourse Reserve';
2. To identify options for accelerating implementation, where necessary; and
3. To identify alternative management arrangements based on the arrangements in place for other similar mixed-purpose facilities and provide the Minister with options to progress.

Governance and operational issues in relation to the Caulfield Racecourse Reserve have been raised over several years by the local member of Parliament Mr David Southwick MP – Member for Caulfield, local community, City of Glen Eira, the Caulfield Racecourse Reserve Trust itself as well as the Melbourne Racing Club and these will be canvassed later in the report.

Minister responsible for the Crown land to which this report is provided is now the Hon Lily D'Ambrosio MP, Minister for Energy, Environment and Climate Change (as of 23 May 2016).

## 1.2 Composition

The bi-partisan working group consists of:

- Mr Ken Ryan - Independent Chair
- David Southwick MP, Member for Caulfield
- Steve Dimopoulos MP, Member for Oakleigh

# 2 Background

## 2.1 The Caulfield Racecourse Reserve

The Caulfield Racecourse Reserve (the Reserve) is a 54 hectare parcel of Crown land located eight kilometres south east of Melbourne, permanently reserved for three purposes; racing, public park and recreation.

The governance arrangements for the Reserve are provided for in the consolidated restricted Crown grant issued on 7 July 1949, which replaces two earlier grants issued in the late 1800s. The restricted Crown grant originally vested management of the Reserve in 19 trustees; eight representatives of the Board of Land and Works (now Minister for Energy, Environment and Climate Change as successor in law), seven representatives of the Victorian Amateur Turf Club (now trading as the Melbourne Racing Club), and four representatives of the City of Caulfield (now City of Glen Eira as successor in law).

Trustees are appointed by the Governor in Council on the recommendation of the Minister, under the provisions of the restricted Crown grant. Once a trustee has been appointed, the Minister has no ability to revoke the appointment, and the appointment is for life or until resignation. The trustees are appointed as individual trustees, rather than as members of the board of an entity. There is not a trust body, only a collection of natural persons. This current management arrangement is referred to in this document as the Caulfield Racecourse Reserve Trust (CRRT).

The restricted Crown Grant provides for a minimum number of trustees: longstanding convention has kept the number of trustees as:

- 6 representatives of the Minister;
- 6 representatives of the Melbourne Racing Club (MRC); and
- 3 representatives of the City of Glen Eira.

Whilst under this composition no single representative group has a majority in decision-making, concerns with governance arrangements and conflicts of interest continue to be raised.

The restricted Crown grant is an anachronism developed from the English Common Law trustee concept and provided for in the early Land Act as a method of delegated management. Delegated management is now most commonly achieved by the appointment of committees of management under the *Crown Land (Reserves) Act 1978* (CLRA) or by the establishment of a trust with specific enabling legislation to meet particular circumstances.

The legal framework governing CRRT (the restricted Crown Grant) specifies only a small number of land management functions that are CRRT's responsibility, namely the granting of leases and licences, and the creation of regulations. It does not specify any contemporary management responsibilities, such as the requirement to prepare a business plan or financial statements that are available for public scrutiny, or the requirement to meet modern standards of good public sector governance practice, such as the duties of a public entity under the *Public Administration Act 2004*. There has been little, if any, update to CRRT's responsibilities since the restricted Crown Grant was established.

The restricted Crown Grant does set out aspects of management and the relationship between CRRT and MRC in holding race meetings, particularly, that on occasions that race meetings are held on the Reserve by MRC, the control and management of the Reserve is vested in the committee for the time being of MRC. It also provides that in the event that the occupancy of MRC is terminated and any or all of such improvements being taken over by CRRT or any other authority, the said club shall be entitled to be reimbursed as deemed reasonable by the Governor in Council having regard to the value of the improvement to an incoming occupant.

Whilst CRRT has recently agreed to operate on a majority rules basis this may not be enforceable, which would mean that any trustee could opt out of the arrangement at any time. If this were to be the case, decisions of the trustees would need to be unanimous.

Additionally, CRRT has been negotiating with MRC to renew its lease, which expired some four to five years ago, to no avail. Negotiations have completely broken down and CRRT has advised that there is no reasonable prospect of agreement.

Under the current legal framework, the Minister does not have the ability to issue directions to CRRT in relation to the carrying out of its functions.

## 2.2 Victorian Auditor-General's Report

In September 2014, VAGO reviewed the management of the Reserve and concluded that CRRT has not been effective in its management of the Reserve. Fifteen recommendations were made regarding modernising governance arrangements and management practices for the Reserve. The recommendations, including six that are the responsibility of the Department of Environment, Land, Water, and Planning, are detailed in **Appendix 1**.

The Auditor-General highlighted in the report that CRRT has not:

- developed a suitable governance framework;
- developed an appropriate land management plan;
- developed a business plan; or
- outlined a process for public reporting on CRRT's activities or financial performance.

CRRT's inability to agree on a suitable governance framework (or on a range of other matters) led the Auditor General to recommend that the department explore alternative management arrangements for the Reserve so that it would be better placed to meet the racing and community (i.e. public park and recreation) purposes of the restricted Crown grant.

Following the tabling in Parliament of the VAGO report 'Management and Oversight of the Caulfield Racecourse Reserve' in September 2014, Adam Fennessy, Secretary, Department of Environment, Land, Water and Planning, wrote to the Victorian Auditor General accepting all 15 recommendations.

## 2.3 Community concerns

In addition to the Victorian Auditor-General's Office (VAGO) report, representations from the community and the City of Glen Eira concerning public access to the Reserve continue to be raised with government, the department, and local members of parliament.

Many community residents believe that access has been restricted to the Reserve and that there has been an unfair focus on racing. Feedback received from local residents and community groups included concerns with the amount of space available for non-racing public recreation use, the fencing, restriction in the times of public use, limited signage, and the gates being locked when they should be open.

The City of Glen Eira has the least amount of public open space of any municipality in Victoria, and as a result many Glen Eira sporting clubs are forced to play outside of the city and are eager to look at ways in which the Reserve could become home to some teams. This would require upgrades and development of sporting facilities within the Reserve.

## 3 Bi-partisan Working Group Approach

### 3.1 Consultation

In addition to reviewing the VAGO Report, the working group adopted a consultative approach and conducted a series of meetings with interested parties, many of whom have been active in the debates that have surrounded the management of the Reserve.

Key stakeholders consulted by the working group in the preparation of this report are as follows:

- The Hon Martin Pakula MP, Minister for Racing;
- Mr Tim Bull MP, Shadow Minister for Racing;
- Mr Brad Battin MP, Shadow Minister for Environment;
- Trustees appointed to manage the Caulfield Racecourse Reserve;
- Melbourne Racing Club;
- Cr. Jim Magee, City of Glen Eira
- The City of Glen Eira;
- Glen Eira Residents Association;
- Glen Eira Environment Group;
- Friends of Caulfield Park;
- Racing Victoria; and
- Department of Environment, Land, Water and Planning (Land, Planning and Approvals branch within the Port Phillip Region and the Legislative Unit).

The working group also completed an early morning tour of the Reserve to observe how horse training is conducted and what impact this has against the other Reserve purposes, specifically public recreational access.

### 3.2 Review

The working group was asked to review the department's and CRRT's progress to date against recommendations 1 – 14 of the VAGO report, detailed at **Appendix 1**.

The working group reviewed relevant submissions that had been provided to the department in the past, and any presentation material provided to the working group during the consultation phase.

The working group also examined governance structures such as the State Sports Centre Trust, the Melbourne and Olympic Parks Trust, and the MCG Trust. In addition, the Chairman also met with the Hon Steve Bracks, who is chairing the newly established Kardinia Park Reserve Trust.

The working group does not reflect on the professionalism of individual trustees. Instead, this report presents the findings of a review of the structure of CRRT and the management of the Reserve under this current arrangement.

## 4 Findings

### 4.1 General

The Caulfield Racetrack is a pillar of the horse racing industry in Victoria. As such, it plays a major role in the Victorian economy and provides a legitimate form of sport, recreation, and employment to thousands of Victorians and visitors. Horse racing has existed at the Reserve for over 130 years. It is important that horse racing continues to flourish at the Reserve. It is also important that community use of the Reserve for public park and recreation purposes is maintained and improved.

It became obvious during the review that the effectiveness of CRRT had been severely limited by the lack of definition around the responsibilities and accountabilities, the representative nature of the majority of the trustee appointments, and a legal view that to be binding, decisions of CRRT must be unanimous. These factors when combined with the current environment have effectively made CRRT unworkable. These circumstances may have contributed to the perceived poor performance of the CRRT.

CRRT is perceived, by many of the key stakeholders the working group heard from, to have managed public access poorly and to have allowed the “acquisition” of public land for training purposes to the detriment of the public park and recreation uses provided for under the restricted Crown grant. Community groups felt that they had poor access to the trustees, were not listened to and their views were ignored. They also commented on the lack of transparency surrounding CRRT’s decision-making, including no publishing of accounts or business plan and no public access to meetings.

The MRC has developed a master plan for the Caulfield Racecourse Reserve. Whilst this is not, in itself, relevant to the working group, it is informative as it provides for the removal of training activities at the venue. The existence of training at Caulfield is authorised by current leasing agreements with CRRT as landlord, for both the Neerim Road stables in the south-east corner and the Western stables in the south-west of the reserve. Training activities limit public access to the Reserve and occupy space that could otherwise be used for community purposes. This is a major cause of the concern that exists within the community.

CRRT and MRC have reached an impasse on the renegotiation of their principal lease covering amongst other things the main grandstand complex. Both parties acknowledged, when they met the working group, that there was no prospect of agreement being reached. It is untenable for one of the showcase race tracks of Victoria to be operating on Crown Land without a current lease. There is little doubt that the failure to execute a new lease is a fundamental issue and underlines the difficulties inherent in the existing land management structure.

Without exception, all stakeholders agreed that the current structure based on representative appointments does not work and creates potential and real conflicts of interest. All stakeholders were open to the concept of a new independent structure which conforms to modern governance standards and accountabilities.

Concerns have also been raised regarding the current land management arrangements, which are not seen to meet present day expected standards of corporate governance. This view is supported by policy advice from the Victorian Public Sector Commission (formerly the State Services Authority) and the Victorian Government Solicitor’s Office to the trustees, particularly in relation to representative appointments and associated conflict of interests.

## 4.2 Terms of Reference 1- Implementation to date of VAGO recommendations

Following consultation with a variety of key stakeholders, the working group finds that CRRT has not taken sufficient action to address VAGO's recommendations.

Of the nine recommendations assigned to CRRT, the working group has determined that CRRT has only partially completed four recommendations (2, 4, 5, and 6), despite repeated requests from the department to focus on the VAGO actions as a priority.

In regard to the remaining recommendations (1, 3, 7, 8, and 9), CRRT has advised the department that due to the ongoing challenges that exist in relation to its governance structure and effectiveness, and the likelihood that the trustees may be removed or CRRT restructured following this review, it has made a decision not to action these recommendations.

The *Reporting Framework* (see **Appendix 2**) which the department first provided to CRRT in May 2015 is designed to assist CRRT to implement VAGO's recommendations and to ensure that the department meets its commitment to introduce more rigorous oversight of the management of the Reserve and set a comprehensive reporting framework. The *Reporting Framework* lists each of the elements required to satisfy VAGO recommendations 1 to 9.

To date, CRRT has not utilised the reporting framework provided by the department, despite continued requests by the department.

Whilst there has been some progress, including the recent implementation of appropriate signage encouraging public access to the reserve whilst this review occurred, CRRT has not taken sufficient action to address VAGO's recommendations.

The working group finds that the department has successfully completed four of the six recommendations assigned to it by VAGO. The work done by this working group will address an additional recommendation assigned to the department (15); however the department is unable to complete recommendation 14 without CRRT completing recommendation 7.

Further detail regarding the status of VAGO recommendations is outlined in **Appendix 1**.

## 4.3 Terms of Reference 2 - Identify options for accelerating implementation

As indicated above, there is little progress on a number of issues and little prospect that further action will be taken by CRRT.

Due to the limitations imposed by the restricted Crown grant, neither the Minister nor the department can issue directions to CRRT to address any particular issue. The department has written requesting action on items but, other than the progress shown in **Appendix 1**, these requests have not been actioned.

It is open to the Minister to request the resignations of the trustees. If the trustees refuse to resign the Minister cannot remove the trustees except by an Act of the Victorian Parliament which revokes the restricted Crown grant.

If all the trustees agreed to surrender the restricted Crown grant and then resign this would resolve the fundamental issues plaguing the current land management structure and enable the establishment of a new, independent land manager with a modern governance structure and accountabilities (e.g. a legislation-specific trust).



Whilst the working group only met with three members of the CRRT including Greg Sword (Chair), Peter LeGrand (MRC) and Michael Lipshutz (City of Glen Eira), it was felt that the trustees resigning may be a viable option if it helped resolve fundamental issues and acted as a precursor to a new, independent, properly constituted organisation appointed to manage the reserve.

The trustees' resignations would avoid the need for legislation to revoke the restricted Crown grant.

#### **4.3.1 The department as interim land manager**

As per **4.3** above, in view of the breakdown in CRRT's ability to operate and effectively manage the Reserve, a possible option for the Minister to consider is to ask the trustees for their resignations.

The working group understands that if all the trustees agreed to surrender the restricted Crown grant and then resign, the Department of Environment, Land, Water and Planning would be the default land manager. The department, as land manager, would be an interim arrangement as precursor to the establishment of a new independent trust or similar organisation as outlined in **section 4.4**.

The department, as interim land manager, has significant advantages. It would enable discussions and negotiations with MRC to settle the lease and licence arrangements. The Working Group understands that the department has a well-established lease determination process that involves the Valuer General Victoria. This matter could be resolved prior to handing the management of the Reserve to an appropriate independent organisation.

Under the CLRA, any leases or licences finalised by the department during this time would need to be approved by the Minister and the Secretary. As the reservation purpose includes public park, the lease would also be required to undergo a parliamentary approval process under the provisions of section 17DA.

The working group felt that the history, complexity and volatility surrounding the Reserve make the department the most appropriate interim manager, as a first step to appointing a new body. It is considered unlikely that capable, well credentialed and independent people would accept appointment to a new body without these significant longstanding structural issues being first resolved.

### **4.4 Terms of Reference 3 - Identify alternative management arrangements**

As stated earlier, there appears to be universal agreement that the current, anachronistic governance structure, which is representative in nature and has very limited, unclear accountabilities is no longer appropriate. There is strong support for an independent body with clear functions, accountabilities, transparency and governance to replace the restricted Crown grant.

Over recent years, the City of Glen Eira, community groups and other stakeholders have raised concerns about a range of issues related to access and management of the Reserve, including the use of the Reserve predominantly for racing purposes to the detriment of community use and public access to the Reserve. The creation of an independent body would provide the local community with confidence that the historical dominance of racing and training at the Reserve has been addressed by government.

The new independent body could be:

- a separately legislated trust (the preferred option of the working group); or
- another legitimate option, such as a Committee of Management appointed under the CLRA.

Whether the new independent body be a separately constituted trust or a committee of management appointed under the CLRA, the same principles should be applied to the appointment of members i.e. that

they need to be independent and have the skills necessary to manage the Reserve in the interests of all stakeholders.

It is also considered that the ideal number of appointees is no more than seven.

#### **4.4.1 Preferred option for the Minister to consider**

The working group considers that the most appropriate new land manager would be a separately legislated trust with specific accountabilities and functions.

This preference is driven by the advantages of a modern legislated trust and the view that a separately legislated trust would have the standing essential to attract people capable of managing one of Victoria's prime assets, in the balanced interests of all parties.

The working group therefore recommends the commencement of a legislative process that will:

- revoke the restricted Crown grant by Act of the Victorian Parliament (if the trustees have not already resigned and surrendered the Crown grant voluntarily); and
- introduce new legislation that establishes an independent trust, with a contemporary governance framework, for the management of the Reserve.

The structure of the new trust could be based on, or indeed mirror, that of some of the well regarded governing bodies that currently exist; State Sports Centre Trust, Melbourne and Olympic Parks Trust, MCG Trust and the newly established Kardinia Park Trust.

New site-specific legislation may, amongst other things, provide for:

- the establishment of the new trust;
- the appointment, remuneration, suspension, and removal of members of the new trust;
- addressing real or potential conflicts of interest of new trustees and the application of relevant parts of the *Public Administration Act 2004*;
- the functions, powers and duties of the new trust, including specific leasing and licensing powers;
- the Minister to make directions to the new trustees on their functions, duties and powers;
- appropriate financial management arrangements, including providing monies that are retained by the new trust (rather than going to the consolidated fund) and spent on the management and maintenance of the Reserve, and annual reporting under the *Financial Management Act 1994*;
- clear head of power to collect fees and charges;
- clarity and transparency on the use of the land for the three different purposes; and
- the inclusion of obligations of the new trust to manage defined parts of the land for the purposes of public park and recreation, including obligations regarding opening hours and ease of public access.

One option to delineate the different uses of the Reserve is to include a plan within the Act that defines the land that may be leased and licenced, and that land which is to be used for public park and recreation purposes. The detail of such a plan would reflect the negotiations with MRC and consultation with the community. Alternatively, the Act could provide a mechanism for a plan to be developed by the new trust and approved by the Minister.

Whilst specific establishing legislation would be required (as opposed to establishing a committee of management under the existing CLRA), the working group is of the view that this would be the most precise method of ensuring that the new land manager has the structure required to meet the challenges of the future and enable VAGO's recommendations to be implemented.

## **4.4.2 Other options considered**

### **4.4.2.1 General**

Should the trustees agree to surrender the restricted Crown grant and resign from their positions, or the Parliament passes legislation revoking the Crown grant, the Minister could appoint a committee of management under the CLRA. This could consist of newly appointed independent members or a currently existing organisation.

If the Minister wished to appoint a committee of management rather than a newly established independent trust, the working group would recommend that this be constituted along the same principles as outlined earlier in the preferred option (4.4.1).

### **4.4.2.2 Appoint an independent skills-based committee of management under the CLRA**

A skills-based committee of management would be subject to a three-yearly appointments process and would likely require Cabinet approval of appointments. Further, to ensure proper financial accountability for the Reserve, it would be important for the *Financial Management Act 1994* and related Standing Directions issued by the Minister for Finance to apply. This would require Instruction 1.2(b) to the Standing Directions to be amended to apply to the committee.

Whilst the working group acknowledges that independent, skills-based committees of management operate effectively throughout the State, the working group is of the view that a specifically legislated trust would be preferable, for the reasons set out in 4.4.1.

The working group considers the challenges and the opportunities presented at the Reserve to be unique and would be better addressed via site specific legislation, as opposed to the CLRA however, the working group acknowledges that a committee of management arrangement under the CLRA is a legitimate option.

### **4.4.2.3 Appoint the City of Glen Eira as committee of management under the CLRA**

The Minister is responsible for administering the CLRA and has a range of powers to assist in overseeing and influencing those appointed to manage Crown land on behalf of the state. Appointing a committee of management under the CLRA is a well-established delegated land management practice.

Whilst the working group acknowledges that Councils are established open space management bodies, and that the City of Glen Eira currently manages 11 Crown land reserves on behalf of the State, the working group notes that the City of Glen Eira has no racecourse management experience and has a strained relationship with MRC.

In addition, the working group considers the challenges and the opportunities presented at the Reserve to be unique and would be better addressed via site specific legislation, as opposed to the CLRA. As such, the working group does not recommend the appointment of the City of Glen Eira as land manager.

### **4.4.2.4 Appoint Parks Victoria as committee of management under the CLRA.**

Whilst the working group acknowledges that Parks Victoria has a proven record of engaging with the community on a range of matters and manages multi-use facilities such as Albert Park, the working group notes that Parks Victoria has no racecourse management experience and predominantly manages Crown land reserves that are Regional or State significant areas of high environmental value.

In addition, the working group considers the challenges and the opportunities presented at the Reserve to be unique, and would be better addressed via site specific legislation, as opposed to the CLRA. As such, the working group does not recommend the appointment of Parks Victoria as land manager.

#### **4.4.2.5 Amend the State Sports Centre Trust Act 1994 to appoint the State Sports Centre Trust as land manager.**

Whilst the working group acknowledges that the State Sports Centre Trust (SSCT) already manages significant sporting facilities (e.g. Melbourne Sports and Aquatic Centre and Lakeside Stadium), that the powers and functions of the SSCT are clearly stated in the *State Sport Centres Trust Act 1994*, and the Minister for Sport has the ability to direct SSCT to carry out its functions under legislation, the working group considers that the SSCT does not have experience managing a Reserve that is both a sporting facility (racetrack) and a community use reserve.

In addition, the working group considers the challenges and the opportunities presented at the Reserve to be unique, and would be better addressed via site specific legislation, as opposed to the *State Sport Centres trust Act 1994*. As such, the working group does not recommend the appointment of the SSCT as land manager.

#### **4.4.2.6 Appoint a representative community based committee of management for the Reserve under the CLRA.**

Whilst the working group acknowledges that representative community-based committees of management operate effectively throughout the State, the working group is of the view that, given the dynamics, history and unresolved issues at the Reserve, a specifically-legislated trust would be preferable.

A representative based committee of management may be at risk of similar issues to those facing the current trustees, in particular conflicts of interest due to the representation of interest groups.

In addition, the working group considers the challenges and the opportunities presented at the Reserve to be unique, and would be better addressed via site specific legislation, as opposed to the CLRA. As such, the working group does not recommend the appointment of a community based committee of management as land manager.

#### **4.4.2.7 Appoint the MRC as committee of management under the CLRA**

The Minister could appoint the MRC as the land manager of the Reserve. Whilst the working group acknowledges that the MRC has the expertise to undertake such a task, it does not consider this to be a viable option. There is a strong perception amongst the community that racing already dominates the use of the Reserve to the detriment of its other proclaimed purposes and such an appointment would accentuate those perceptions and not be accepted by the community.

In addition, such an arrangement would place the MRC in a position where it was conflicted in virtually every decision it made as the appointed land manager.

#### **4.4.2.8 Introduce new legislation to appoint the MRC as land manager, under arrangements similar to those in place at Flemington Racecourse**

The *Victorian Racing Club Act 2006*, administered by the Minister for Racing, sets out the arrangements for the Victorian Racing Club's (VRC) lease of the Crown land at Flemington, including maintenance requirements and ministerial power to make regulations.

The land at Flemington is expressly reserved for the purpose of a public racecourse and other purposes connected with and for the benefit of horse racing in Victoria, whereas the Crown land at Caulfield is reserved for the purpose of a racecourse and other purposes.

The *Victorian Racing Club Act 2006* has provision for the State to enter into a lease up to 99 years with the VRC.

Whilst the working group acknowledges the arrangements in place for Flemington Racecourse, the working group does not consider this to be a good outcome, as providing the MRC with a 99 year lease and

amending the reservation status to give horse racing greater prominence may exacerbate the real and perceived perception that racing dominates the Reserve over community uses.

## 5 Observations

The working group considers that there are a number of issues that need to be addressed at the Reserve in addition to the appointment of a new land manager.

The following are observations made by the working group that do not specifically relate to its terms of reference but are worthy of comment:

- MRC should have a lease of sufficient length to give it certainty and surety for its planning. Currently it does not have a lease in place for the grandstand area and this needs to be rectified.
- Training facilities currently exist that have never been licensed or under lease. Leases issued under the provisions of section 22 of the CLRA currently exist for the Western Stables and the Neerim Road Stables and expire on 31 March 2019 and 22 April 2029 respectively.
- Where training activities are conducted on unleased or unlicensed Crown land, investigation should be undertaken to ensure adequate insurance coverage is in place.
- Areas that are occupied but not under existing (or previous) lease or licence arrangements should be leased or licensed to avoid doubt and to enhance transparency. However, leases or licences should not be issued that would interfere with the cessation of training at the reserve and the return of the land to community use within a relatively short timeframe.
- MRC has indicated that it wants to remove training from Caulfield within five years of signing a new long term lease. In the event that training is removed there needs to be a requirement on MRC to reinstate these untenured areas for use as public open space.
- The Minister could consider making a condition of any new lease or licensing arrangement that the training be removed from the Reserve within five years of signing of the new lease or licence.
- As part of any lease negotiation, consideration should be given as to whether MRC should make a capital commitment to the development of community sporting and recreation facilities inside the Reserve, once training has been removed.
- MRC has developed quite a comprehensive master plan and CRRT has also commenced such a task. The Minister should consider making the development of such a plan, which takes into account interests of all stakeholders, an urgent priority for the new land manager.

# Appendix 1

## Implementation of VAGO recommendations

Recommendation	Progress to Date
That as a priority, the trustees, in consultation with the department:	
1. Determine the trustees' functions, roles, responsibilities, powers and obligations through an analysis of the existing legal framework and apply this to the management of the Reserve.	CRRT has made a decision not to action this recommendation.
2. Develop and adopt a governance framework, consistent with contemporary standards, that includes the following key elements: <ul style="list-style-type: none"> <li>a statement of duties and obligations of trustees, management plans, a mission statement, business plan and a comprehensive conflict of interest policy</li> <li>business rules for administering the trust and making decisions</li> <li>an induction program for new trustees</li> <li>public reporting on the trust activities including financial performance</li> </ul>	<p>The working group considers that CRRT has successfully:</p> <ul style="list-style-type: none"> <li>adopted a set of business rules for administering the restricted Crown grant and making decisions;</li> <li>developed a conflict of interest register; and</li> <li>developed a statement of duties and obligations of trustees.</li> </ul> <p>CRRT is to be commended for developing a comprehensive set of business rules, with the support of the department and the Victorian Government Solicitor's Office, that reflect good modern governance standards, which the working group understands was a very challenging task given the divisions that exist within CRRT.</p> <p>The working group considers that CRRT <u>have not</u>:</p> <ul style="list-style-type: none"> <li>developed a management plan;</li> <li>developed a business plan;</li> <li>developed an induction program for new trustees; and</li> <li>outlined a process for public reporting on CRRT's activities including financial performance.</li> </ul>
3. Develop an agreed comprehensive action plan to implement the above governance framework that: <ul style="list-style-type: none"> <li>outlines responsibilities and milestones</li> <li>identifies adequate resources for completion</li> </ul>	CRRT has made a decision not to action this recommendation.
4. Identify public safety risks and develop strategies to manage those risks	The working group considers that CRRT <u>has not</u> identified public safety risks and developed strategies to manage those risks.

That the trustees of the Caulfield Racecourse Reserve also:	
5. Implement a land management strategic plan that contains clear and measurable objectives that define future land use and development consistent with the purposes in the Crown grant.	<p>CRRT engaged landscape architects John Patrick Pty Ltd to prepare a Strategic Land Management Plan (SLMP). The working group has reviewed two draft SLMPs, and understands that the SLMP process is well advanced with public consultation taking place during 2015, and further community consultation expected to occur in 2016.</p> <p>The working group considers this pleasing news as it will assist to improve public access to the Reserve and to ensure that the Reserve is managed in accordance with all of its purposes. It will also assist to identify which areas of the land are to be utilised as public open space and which the land are to be leased/licensed to MRC in the future.</p>
6. Upgrade public access and improve signage at all entry access points and within the Reserve to a standard that improves safety and encourages increased community use	<p>CRRT has obtained the views of a number of community stakeholders on the potential land use, development priorities and alternative public access points to the reserve via the community consultation process for the SLMP.</p> <p>CRRT has also implemented vastly improved signage at access points promoting the permitted activities within the reserve and the opening times. This is welcome news, since ongoing representations continue to be made to the department from the community and the City of Glen Eira concerning lack of public access to the Reserve.</p> <p>The working group considered the installation of new signs promoting access to the Reserve to be a high priority for the local community and commends the CRRT for implementing the signs.</p>
7. Develop a comprehensive community engagement strategy to identify community needs and the community's views on potential future land use and development priorities	<p>CRRT has made a decision not to action this recommendation.</p> <p>CRRT has not developed a comprehensive community engagement strategy as outlined in the VAGO recommendation.</p> <p>The consultation undertaken thus far by CRRT has been ad hoc, and not part of a comprehensive community engagement strategy.</p>
8. Finalise and seek approval to amend regulations governing land use at the Reserve to ensure they are an effective tool for the care, protection and management of the Reserve	<p>CRRT has made a decision not to action this recommendation.</p> <p>CRRT advises the working group that it has been unable to reach an agreement with MRC whereby either party can agree on the areas that should be maintained, at what frequency and at what cost.</p>
9. Develop and enforce a maintenance and new works program consistent with the proposed land management strategic plan	<p>CRRT has made a decision not to action this recommendation.</p>

<p>to:</p> <ul style="list-style-type: none"> <li>• identify and quantify work to be undertaken</li> <li>• specify standards to be met</li> <li>• detail frequency and location of works</li> <li>• acquit work undertaken and costs incurred</li> <li>• implement regular reporting against progress.</li> </ul>	
That as a priority, the department:	
<p>10. Introduces more rigorous oversight of the Caulfield Racecourse Reserve</p>	<p>The department has:</p> <ul style="list-style-type: none"> <li>• established a detailed reporting framework, as set out in recommendation 11;</li> <li>• provided a letter from the Secretary of the department to CRRT, which explains the purpose of the reporting framework and sets oversight expectations regarding written progress reports from CRRT;</li> <li>• attended all CRRT meetings to observe CRRT's operation and performance; and</li> <li>• met regularly with the Chair and Secretary of CRRT to discuss current and emerging issues.</li> </ul>
<p>11. Establishes a comprehensive reporting framework including:</p> <ul style="list-style-type: none"> <li>• reports on progress on achieving land use and development priorities</li> <li>• reports on progress against the business plan</li> <li>• financial statements prepared in accordance with Australian Accounting Standards</li> </ul>	<p>The department has developed a 'Reporting Framework' (<b>Appendix 2</b>) and provided it to CRRT. The framework, which forms the basis of the department's increased oversight of the management of the Reserve, does the following:</p> <ul style="list-style-type: none"> <li>• itemises the actions to be taken by CRRT to satisfy recommendations 1 to 9 and, in future, to ensure that the Reserve is managed in accordance with modern standards of good public sector governance; and</li> <li>• specifies quarterly written progress reports by CRRT. It also includes quarterly discussions between representatives of the department and the Chairperson and Secretary of CRRT, and an annual meeting between senior departmental executives and CRRT.</li> </ul> <p>The framework establishes a performance monitoring and reporting regime for the management of the Reserve. The reporting framework enables both CRRT and the department to more clearly gauge CRRT's progress in implementing each of the elements in recommendations 1 to 9.</p> <p>Its purpose is to ensure that:</p> <ul style="list-style-type: none"> <li>• appropriate action is taken by CRRT to satisfy the recommendations; and</li> <li>• in future, the Reserve is managed in accordance with modern standards of good public sector governance, consistent with the principles and obligations in the <i>Public Administration Act 2004</i>.</li> </ul> <p>The framework sets out:</p> <ul style="list-style-type: none"> <li>• reporting arrangements, in the form of written reports and meetings; and</li> <li>• reporting elements, which focus on recommendations 1 to 9 and related requirements.</li> </ul>



	Despite repeated requests, the working group notes that CRRT has not adopted the reporting framework for its use, and has only provided brief ad hoc updates regarding the VAGO actions to the department.
12. Works with the trust to secure the commitment of all trustees to comply with a set of governance standards that reflect contemporary practice.	The department worked with CRRT to secure its commitment to develop and comply with modern governance standards. The department has also been meeting regularly with representatives of CRRT to discuss progress towards implementation of the recommendations.
That the department also:	
13. Closely monitors the trust's progress in implementing its governance framework and actively supports the trust in the development process	<p>The department provided a range of guidance materials to CRRT that it has developed to assist portfolio agencies to meet their legal and good practice obligations. The guidance materials included:</p> <ul style="list-style-type: none"> <li>• Gifts, benefits and hospitality Model Policy;</li> <li>• Code of conduct Model Policy;</li> <li>• Guidance Note – Code of Conduct</li> <li>• Dispute Resolution Model Policy;</li> <li>• Meetings and Decisions Model Policy;</li> <li>• Conflict of interest Model policy;</li> <li>• Guidance Note – Conflict of Interest (about the model policy);</li> <li>• Guidance Note – Conflict of Interest (An overview);</li> </ul> <p>To further assist CRRT in its development of governance documentation, the department encouraged CRRT to obtain additional governance resources from On Board, the department's governance website for portfolio agencies. The department also provided feedback to CRRT on its SLMP and the set of business rules it adopted, including advising CRRT to obtain its own independent legal advice regarding decision making of CRRT.</p>
14. Ensures the trustees' revision and update of regulations for the Caulfield Racecourse Reserve are undertaken in accordance with the appropriate administrative procedures so that the regulations are valid and enforceable	<p>The department advised the working group that it has not completed this action, as it is dependent on CRRT completing recommendation 7, which CRRT has indicated that it will not be completing at this time.</p> <p>With the inability of the department or the Minister to instruct CRRT to complete recommendation 7, there is little the department can do.</p> <p>The department have indicated its intention to complete this action in partnership with a new land manager.</p>
15. Explores alternative management arrangements for the Caulfield Racecourse Reserve so that it is better placed to meet the racing and community purposes of the Crown grant.	Not considered by the working group, the working group notes that its report will enable the department to complete recommendation 15.

## Appendix 2

### VAGO recommendations: Management and Oversight of Caulfield Racecourse Reserve

#### Reporting Framework - Summary Chart of action items for the TRUSTEES

##### **Background**

This *Reporting Framework* is provided by the Secretary of the Department of Environment, Land, Water and Planning (DELWP) to the Trustees of the Caulfield Racecourse Reserve in accordance with **recommendation 10** ('introduce more rigorous oversight') and **recommendation 11** ('establish a comprehensive reporting framework') of the September 2014 report of the Office of the Victorian Auditor-General (VAGO) into the 'Management and Oversight of the Caulfield Racecourse Reserve'.

##### **Purpose**

The purpose of this *Reporting Framework* is to ensure that:

- appropriate action is taken by the Trustees to satisfy **recommendations 1 to 9** of the VAGO report (and related requirements); and
- moving forward, the Caulfield Racecourse Reserve is managed in accordance with modern standards of good public sector governance, consistent with the principles and obligations in the *Public Administration Act 2004*.

##### **Reporting arrangements**

The reporting arrangements are as follows:

###### **Written reports**

- (a) On a quarterly basis, the Trustees will provide the Secretary of DELWP with a detailed, written report on their progress in achieving each of the 'reporting elements' listed below.
- (b) To ensure the successful implementation of this *Reporting Framework*, the Secretary (or his/her representative) may from time-to-time advise the Trustees of the need to provide an additional written report in relation to some or all of the 'reporting elements'.

###### **Meetings**

Meetings will occur between representatives of DELWP and the Trustees and/or their representatives to discuss the Trustee's progress in implementing the *Reporting Framework* and other matters relating to the good governance of the reserve, as follows:

- (c) A meeting will occur on at least quarterly between DELWP governance officers and the Trustee's Chairperson and Secretary. The corresponding written report (see above) will be provided to the Secretary of DELWP at least 10 business days prior to the scheduled date of the meeting (unless a shorter timeframe is otherwise agreed).
- (d) A meeting will occur at least annually between senior DELWP executives and the Trustees.
- (e) To ensure the successful implementation of this *Reporting Framework*, the Secretary (or his/her representative) may from time-to-time advise of the need for additional meetings to occur in relation to some or all of the 'reporting elements' and other matters relating to the good governance of the reserve.

###### **Updating of Reporting Framework**

From time-to-time the Secretary may update this *Reporting Framework* to ensure that it continues to best meet its purpose.

## Reporting elements

The reporting elements, which focus on VAGO's **recommendations 1 to 9** and related requirements, are as follows:

Rec.	VAGO recommendation	REPORTING ELEMENT	Timeframe	PROGRESS
That as a priority, the <u>Trustees</u> of the Caulfield Racecourse Reserve, in consultation with the Department:				
1.	<b>Legal framework</b> <b>Determine</b> the trust's functions, roles, responsibilities, powers and obligations through an analysis of the existing legal framework and <b>apply</b> this to the management of the reserve.			
		1(a) Determine functions		
		1(b) Determine roles		
		1(c) Determine responsibilities		
		1(d) Determine powers		
		1(e) Determine obligations		
		1(f) <b>Apply</b> above legal framework.		
2.	<b>Governance framework</b> <b>Develop</b> and <b>adopt</b> a governance framework, consistent with contemporary standards, that includes the following key elements:			
	<ul style="list-style-type: none"> <li>a statement of duties and obligations of trustees, management plans, a mission statement, business plan and a comprehensive conflict of interest policy</li> </ul>	2(a) Statement of duties and obligations of trustees		
		2(b) Management plans		
		2(c) Mission statement		
		2(d) Business plan, including (as per recommendation 11, Reporting Framework):		

<i>Rec.</i>	<i>VAGO recommendation</i>	<i>REPORTING ELEMENT</i>	<i>Timeframe</i>	<i>PROGRESS</i>
		<ul style="list-style-type: none"> <li>Strategic plan</li> </ul>		
		<ul style="list-style-type: none"> <li>Annual business plan</li> </ul>		
		2(e) Comprehensive conflict of interest policy		
	<ul style="list-style-type: none"> <li>business rules for administering the trust and making decisions</li> </ul>	2(f) Business rules for administering the trust and decision-making, including (but not limited to) board policies on:		
		<ul style="list-style-type: none"> <li>board meetings and decision-making</li> </ul>		
		<ul style="list-style-type: none"> <li>code of conduct</li> </ul>		
		<ul style="list-style-type: none"> <li>gifts, benefits and hospitality (responding to / making offers of gifts, benefits or hospitality, internal or external)</li> </ul>		
		<ul style="list-style-type: none"> <li>dispute resolution</li> </ul>		
		<ul style="list-style-type: none"> <li>performance assessment.</li> </ul>		
		<ul style="list-style-type: none"> <li>conflict of interest policy, as listed above in 2(e).</li> </ul>		
	<ul style="list-style-type: none"> <li>an induction program for new trustees</li> </ul>	2(g) Induction program including: <ul style="list-style-type: none"> <li>induction program session(s)</li> <li>induction package</li> <li>one on one introductory session with chair</li> <li>mentoring arrangement.</li> </ul>		
	<ul style="list-style-type: none"> <li>public reporting on trust activities including financial performance</li> </ul>	2(h) Public reporting on trust activities, including: <ul style="list-style-type: none"> <li><b>Annual report</b> to be provided to the Minister and subsequently published on the Trustees website. (Report to cover the matters specified by DELWP, based on items in the model report issued by the</li> </ul>		

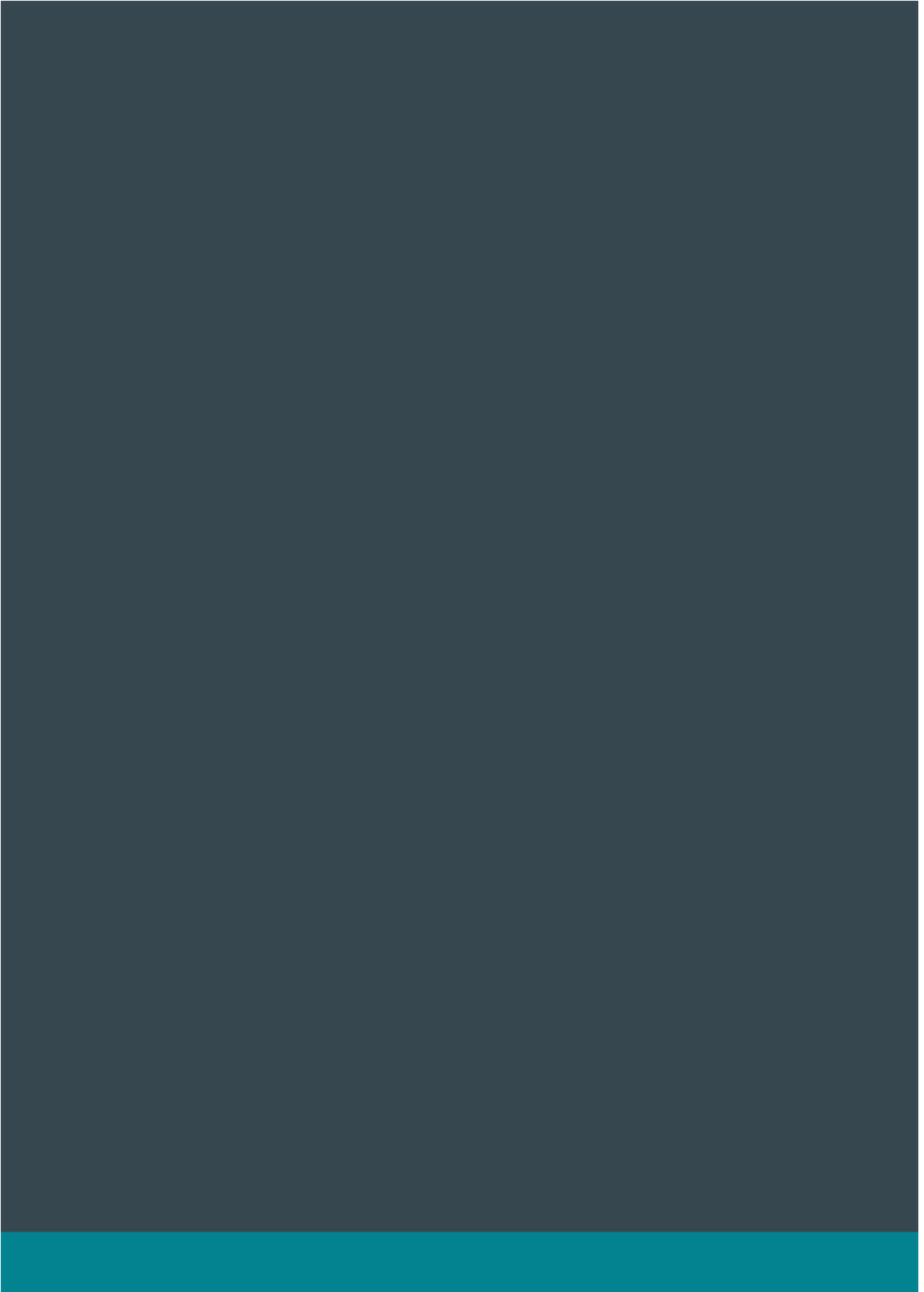
<i>Rec.</i>	<i>VAGO recommendation</i>	<i>REPORTING ELEMENT</i>	<i>Timeframe</i>	<i>PROGRESS</i>
		Department of Premier and Cabinet) <ul style="list-style-type: none"> <li>other public reporting as advised by DELWP.</li> </ul>		
		2(i) Public reporting on financial performance: <ul style="list-style-type: none"> <li>as advised by DELWP, to be included in annual report (above)</li> <li>also note requirements in relation to financial statements (next below).</li> </ul>		
	<ul style="list-style-type: none"> <li>PLUS (as per recommendation 11, Reporting Framework):</li> </ul>	2(j) <b>Financial statements</b> prepared in accordance with Australian Accounting Standards (as per recommendation 11), including: <ul style="list-style-type: none"> <li>Annual statements</li> <li>Other statements as advised by DELWP.</li> </ul>		
	<ul style="list-style-type: none"> <li>PLUS (as per recommendation 11, Reporting Framework):</li> </ul>	2(k) <b>Annual audit</b> by VAGO.		
	<ul style="list-style-type: none"> <li>PLUS (as per recommendation 11, Reporting Framework):</li> </ul>	2(l) Other performance and/or financial reports, as advised by DELWP.		
	<ul style="list-style-type: none"> <li>PLUS (as per recommendation 11, Reporting Framework):</li> </ul>	2(m) Compliance with any Ministerial statement of expectations, directions, guidelines, etc. issued by the Minister for Environment, Climate Change, and Water.		
<b>3.</b>	<b>Action plan (governance framework)</b> Develop an agreed comprehensive <b>action plan</b> to implement the above governance framework that:			
	<ul style="list-style-type: none"> <li>outlines responsibilities and milestones</li> </ul>	3(a) Agreed action plan with responsibilities and milestone		
	<ul style="list-style-type: none"> <li>identifies <b>adequate resources</b> for completion</li> </ul>	3(b) Adequate resources for completion of action plan		

<i>Rec.</i>	<i>VAGO recommendation</i>	<i>REPORTING ELEMENT</i>	<i>Timeframe</i>	<i>PROGRESS</i>
	<b>Land management strategic plan</b> Implement a <b>land management strategic plan</b> that contains clear and measurable objectives that define future land use and development consistent with the purposes in the Crown grant.			
		5(a) Develop a land management strategic plan with clear and measurable objectives		
		5(b) <b>Implement</b> land management strategic plan		
	<b>That the <u>Trustees</u> of the Caulfield Racecourse Reserve also:</b>			
<b>4.</b>	<b>Public safety</b> Identify <b>public safety risks</b> and develop strategies to manage those risks			
		4(a) Identify public safety risks		
		4(b) Develop strategies to manage public safety risks identified		
<b>5</b>	<b>Land management strategic plan</b> Implement a <b>land management strategic plan</b> that contains clear and measurable objectives that define future land use and development consistent with the purposes in the Crown grant.			
		5(a) Develop a land management strategic plan with clear and measurable objectives		
		5(b) Implement land management strategic plan		
<b>6.</b>	<b>Community use</b> Upgrade <b>public access</b> and improve <b>signage</b> at all entry access points and within the reserve to a standard that improves safety and encourages increased community use.			
		6(a) Upgrade public access		

<i>Rec.</i>	<i>VAGO recommendation</i>	<i>REPORTING ELEMENT</i>	<i>Timeframe</i>	<i>PROGRESS</i>
		6(b) Improve signage to encourage community access/use and improve safety		
<b>7.</b>	<b>Community engagement strategy</b> Develop a comprehensive <b>community engagement strategy</b> to identify community needs and the community's views on potential future land use and development priorities.			
		7(a) Community engagement strategy that identifies community needs/ views on future land use & priorities		
<b>8.</b>	<b>Regulations</b> Finalise and seek approval to amend <b>regulations</b> governing land use at the reserve to ensure they are an effective tool for the care, protection and management of the reserve.			
		8(a) Finalise proposed amendment to regulations		
		8(b) Seek approval for amendment		
	<ul style="list-style-type: none"> <li>PLUS (as per recommendation 14)</li> </ul>	8(c) Liaise with DELWP to ensure that the revision and updating of the regulations is undertaken in accordance with the appropriate administrative procedures, so that the recommendations are valid and enforceable.		

<i>Rec.</i>	<i>VAGO recommendation</i>	<i>REPORTING ELEMENT</i>	<i>Timeframe</i>	<i>PROGRESS</i>
<b>9.</b>	<b><i>Works program</i></b> Develop and enforce a <b>maintenance and new works program</b> consistent with the proposed land management strategic plan to: <ul style="list-style-type: none"> <li>• identify and quantify work to be undertaken</li> <li>• specify standards to be met</li> <li>• detail frequency and location of works</li> <li>• acquit work undertaken and costs incurred</li> <li>• implement regular reporting against progress.</li> </ul>			
		9(a) Develop works program consistent with proposed land management strategic plan		
		9(b) Enforce works program		





**Item 9.10            CONDUCT REFERENCE GROUP TERMS OF REFERENCE AND  
OPERATING GUIDELINES****Author:**            Robyn Taft, Corporate Counsel**File No:**            N/A**Attachments:**        **Conduct Reference Group Terms of Reference and Operating  
Guidelines**

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**PURPOSE AND SUMMARY**

To provide a framework for a Councillor Conduct Reference Group to act as an informal dispute resolution mechanism under the Councillor Code of Conduct.

**RECOMMENDATION**

THAT Council:

- establish a Councillor Conduct Reference Group
- adopt the Conduct Reference Group Terms of Reference and Operating Guidelines
- appoint Cr Mary Delahunty, Cr Margaret Esakoff and Cr Thomas Sounness as members of the Councillor Conduct Reference Group until the end of the current Council term

**POLICY AND LEGISLATIVE IMPLICATIONS**

The Councillor Conduct Reference Group is set up as part of an informal process for managing Councillor disputes. The process is at all times subject to the obligations set out in the Councillor Code of Conduct and the Local Government Act 1989.

**LINK TO COUNCIL PLAN**

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**Item 9.10 (cont'd)****Crs Lipshutz/Delahunty****That the recommendation in the report be adopted.****Cr Lipshutz called for a DIVISION on the voting of the Motion**

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
<b>Cr Lipshutz</b>	<b>Nil</b>	<b>Cr Lobo</b>
<b>Cr Hyams</b>		
<b>Cr Esakoff</b>		
<b>Cr Delahunty</b>		
<b>Cr Magee</b>		
<b>Cr Ho</b>		
<b>Cr Sounness</b>		
<b>Cr Pilling</b>		

**The MOTION was put and CARRIED on the basis of the DIVISION and the Chairperson declared the MOTION CARRIED.****PROCEDURAL MOTION****Crs Lipshutz/Hyams****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.**

**GLEN EIRA CITY COUNCIL**  
**CONDUCT REFERENCE GROUP**  
**TERMS OF REFERENCE AND OPERATING GUIDELINES**

**PREAMBLE**

To ensure best outcomes for the City of Glen Eira and its operation, a Councillor Conduct Reference Group (CRG) has been established. The CRG is established to provide all Councillors with an avenue to escalate concerns about Councillor conduct. The Terms of Reference and Operating Guidelines are subject to the requirements of the Local Government Act 1989 (as amended from time to time) and other applicable legislation.

**1. Role and functions of the Councillor Reference Group**

- A. The CRG provides an avenue to manage concerns regarding Councillor conduct. The CRG is a process which is available under clause 7.1.3 of the Councillor Code of Conduct. It is not a compulsory process and no Councillor can be forced to participate in the CRG process. However, failure to participate will not preclude the CRG from meeting and deliberating in accordance with these Terms of Reference and Operating Guidelines.
- B. The CRG provides an informal process for conflict resolution and is available to deal with matters within its terms of reference prior to the commencement of any internal mediation under clause 7.2 of the Councillor Code of Conduct. Once clause 7.2 is invoked, the CRG cannot be convened.
- C. Matters which may be the subject of a CRG process include:
  - disputes between Councillors
  - conduct by a Councillor which may have breached the General Conduct Obligations in clause 5 of the Councillor Code of Conduct
  - behaviour by a Councillor which impedes the process of good governance.
- D. Where a matter or dispute involves a number of Councillors or involves a contentious or political matter, it may be considered that the CRG cannot be successfully used and is unavailable in the circumstances. The decision on this will reside with the CRG. The CRG will not be convened during the caretaker period.
- E. The CRG may be convened by resolution of the Council, at the request of the Mayor, or at the request of one or more Councillors. The CRG acts collectively, and none of its members may undertake any of the functions as an individual without the authorisation of the group.
- F. The CRG must act within the guidelines and use natural justice principles to examine Councillor conduct.

G. The CRG will perform the following functions:

- hear, investigate and consider concerns raised by Councillor/s about the conduct of one or more Councillors;
- provide the Mayor and/or the Council with a report about that conduct including, where required, a recommendation on how to manage that conduct;
- issue a written warning to Councillor/s when behaviour is perceived to be inconsistent with the Councillor Code of Conduct, the Local Government Act 1989 or any other relevant legislation including without limitation the Occupational Health and Safety Act 2004 and the Equal Opportunity Act 2010;
- provide the Mayor with advice to assist in the oversight and promotion of good relationships;
- mentor or provide counsel to a Councillor following an investigation, report and recommendation;
- assist the Mayor and the Council in determining, subject to relevant legislation, the need to take further action concerning the conduct of Councillor/s including a referral of conduct to a Councillor Conduct Panel within the requirements of the Local Government Act 1989; and
- undertake any other activity related to the above within the limitation of the terms of reference and operating guidelines.

## **2. Natural Justice Principles of Decision Making**

A. The CRG must operate in accordance with the following fundamental principles of natural justice:

- any person the subject of an investigation must be advised of the nature and substance of the allegations against them;
- all parties should be given a fair opportunity to be heard before a conclusion or recommendation is made; and
- the CRG members must not have predetermined the matter or be reasonably perceived as having predetermined the matter.

B. The CRG members must ensure that they have considered all the available evidence and information before coming to any final conclusions or recommendations.

## **3. Operating process of the CRG**

A. The CRG will be convened as set out in 1E above.

B. The CRG may develop its own procedures for managing an investigation.

C. The CRG may request the provision of all relevant information and documentation.

- D. Councillors who are requested to provide information and documents should use their best endeavours to provide them within the requested timeframes.
- E. Meetings between the CRG and a Councillor the subject of the meeting will be conducted in an informal manner with a commitment to honest and open discussions.
- F. All Councillors involved in the process as members of the group or the subject of conduct matter will participate in good faith in the process.
- G. The CRG will provide their report within a reasonable time period of meeting and deliberating.
- H. The CRG recommendations should be respected and acknowledged in the spirit of the good governance principles in the Councillor Code of Conduct.
- I. The CRG recommendations are not binding or enforceable but may form the basis of a Council resolution.

#### **4. Membership of the CRG**

- A. The CRG will comprise three (3) members appointed from the Councillor group, but excluding the Mayor.
- B. Membership of the CRG will be determined by the Council at twelve monthly intervals .
- C. The Mayor of the day will act as an alternate member if there is a conflict of interest in the membership of the CRG, including where a member of the CRG is a party to the matter being considered.

#### **5. Review**

The terms of reference and operating guidelines, functions and effectiveness of the CRG will be reviewed annually by the Councillor group.

August 2016

**10. URGENT BUSINESS - Nil****11. ORDINARY BUSINESS****11.1 Requests for reports from Officers****(a) VCAT Decision 6 – 10 Claire Street, McKinnon**

**Crs Magee/Hyams**

That a report be prepared on the recent VCAT decision overturning Council's decision to refuse an application for a proposed three storey building with 33 apartments. Council's refusal raised concerns with the scale and bulk of the proposal, the impact on neighbourhood character, internal amenity, and non-compliance with ResCode. This follows an earlier VCAT decision for the same site refusing a permit for a three storey building with 34 apartments.

The report should cover the options available to Council to challenge the VCAT decision. The report should also provide an assessment of the potential costs for each option and the likelihood of success.

The MOTION was put and CARRIED unanimously.

**(b) Community safety in Glen Eira**

**Crs Esakoff/Hyams**

In light of the increased crime rates in the South East Metro Region, near the rail corridors of the Frankston, Sandringham and Cranbourne-Pakenham lines, and in particular the areas cited within the Glen Eira region, I request a Report on what Council can do within its realms of responsibility, including advocacy, that would increase community safety in Glen Eira.

The MOTION was put and CARRIED unanimously.

**(c) Manuka Street, Bentleigh East**

**Crs Magee/Hyams**

I have noted that the roundabout intersections in Manuka Street appear to have a different construction than those more recently installed by Council. I request that officers prepare a report advising Council whether these intersections meet current traffic engineering standards. If the response is that they do not, I further request that officers advise what design options are available to update these intersections so that they comply with current standards.

The MOTION was put and CARRIED unanimously.

#### 11.2 Right of reply - Nil

#### 11.3 Councillor questions

Cr Esakoff asked the Director Infrastructure, Environment and Leisure what steps the LXRA have taken to preserve the stations that were demolished on 30 August 2016.

The Director responded that the LXRA has advised that elements of the Carnegie and Murrumbeena stations will be retained and stored to be potentially re-purposed in open space areas, most likely around the stations. This is yet to be designed.

They have confirmed the following elements are being preserved for re-purposing:

- Stations building entrance - Main entrances to the platform station building and platform including gable and lining structure, entry columns and feature timber work.
- Platform canopy structures - Steel truss columns from the platforms including corrugated roof panels and corrugated fascia, roof purlins and sub frames and all roof and awning sheeting.
- Pedestrian Bridge elements - Four main span columns and the main span
- Garden feature stones - Blue stone blocks lining the existing garden beds
- Other materials which are in good condition, such as bench seats, etc.

Cr Magee left the Chamber at 10.15pm.

#### 11.4 Public questions to Council

**From:** D Sztrajt  
**Subject:** Advisory Committees

*"Could I please have a record of how many Advisory Committee meetings each councillor has had in 2016 and how many they have actually attended."*

The Mayor read Council's response. He said:

*"The attached table sets out the answer to your question."*



**SUMMARY – COUNCILLOR ATTENDANCE  
ADVISORY COMMITTEE MEETINGS  
1 JANUARY 2016 TO 19 AUGUST 2016**

<b>Councillor</b>	<b>Number of Advisory Committee Meetings</b>	<b>Number Attended</b>
Cr Neil Pilling	<b>4</b>	<b>4</b>
Cr Mary Delahunty	<b>7</b>	<b>5</b>
Cr Margaret Esakoff	<b>10</b>	<b>10</b>
Cr Kelvin Ho (replaced Cr Karina Okotel in April 2016)	<b>2</b>	<b>2</b>
Cr Jamie Hyams	<b>11</b>	<b>11</b>
Cr Michael Lipshutz	<b>3</b>	<b>3</b>
Cr Oscar Lobo	<b>7</b>	<b>1</b>
Cr Jim Magee	<b>5</b>	<b>5</b>
Cr Karina Okotel (resigned April 2016)	<b>1</b>	<b>0</b>
Cr Thomas Sounness	<b>11</b>	<b>10</b>

**Cr Magee returned to the Chamber at 10.16pm.**

**From:** J Walker  
**Subject:** Centenary Park and Elsternwick Activity Centre

*“1. What is the total cost of construction of the new pavilion at Centenary Park, including –*

- (a) cost of the pavilion building*
- (b) cost of the car park reconstruction*
- (c) cost of landscaping and new outside lighting?*

*2. Why was Elsternwick Activity Centre not included in the proposed interim height controls?”*

The Mayor read Council’s response. He said:

**“Question 1**

- (a) The cost of building works for the Centenary Park Pavilion was \$1.81 million.*

- (b) *The car park reconstruction, including lighting and landscaping, is not yet finalised, however the contract awarded was for a sum of up to \$809,000. The final cost is expected to be less than the contract amount.*
- (c) *General landscape works, including irrigation works were \$107,000.*

*These amounts exclude GST.*

**Question 2**

*During April and May this year, Council carried out extensive community consultation for the Glen Eira Planning Scheme Review – a process that involves a review of Council's current town planning policies and development controls to determine policy gaps and required strategic planning projects for the municipality.*

*The Review informed a Work Plan which includes the completion of three structure plans over four years. It adopts a staged approach to manage resource and time constraints. Based on community feedback, structure plans for Bentleigh and Carnegie activity centres were determined to be the highest priority.*

*Interim controls would only be agreed by the Minister for a specified period of time, likely up to two years. As, based on the current Work Plan, the Elsternwick Structure plan will be finalised outside of this period, there was insufficient strategic justification to seek interim controls for that activity centre at this time."*

**From:** R Manaszewics  
**Subject:** Loan

*"Council has stated that in its restructuring of the \$25 million loan that this will result in a 'net financial benefit' of approximately \$1.7 million. Is this \$1.7 million across the 7 year period or per each year of the new loan?"*

The Mayor read Council's response. He said:

*"The net financial benefit of approximately \$1.7 million is across the 7 year period."*

**From:** R Manaszewics  
**Subject:** Amendments C147 and C148

*"Will council publish the documents/information that provide the strategic justification for its proposed Amendments C147 and C148?"*

The Mayor read Council's response. He said:

*"These amendments have been prepared in response to overwhelming feedback from the community during the extensive community engagement process for the recent Planning Scheme Review. They propose interim built form controls across Bentleigh and Carnegie activity centres in an effort to protect the existing neighbourhood character of the area while more thorough structure plans are prepared and implemented.*

*The future structure planning process will include further extensive community engagement and the exhibition of associated documentation for any proposed controls.*

*Should Amendments C147 and C148 be adopted, Council will request the Minister for Planning to prepare and approve both Amendments pursuant to Section 20(4) of the Planning and Environment Act 1987; a 'fast track' process that exempts the Amendments from exhibition and notice requirements. Therefore, any associated documentation will not be exhibited in this instance.*

*The fast track process for the interim controls is being used to ensure built form controls are implemented quickly and efficiently to ensure the neighbourhood character of the areas is not further eroded while long term controls are prepared by Council."*

**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:**

12.1 under s89(2)(d) 'contractual' which relates to the awarding of the contract for Tender number 2017.002 EE Gunn Reserve Oval Redevelopment, EE Gunn Reserve, Ormond.

<b>Number of tenders received</b>	<b>Five (5)</b>
<b>Number of evaluation criteria tendered against</b>	<b>Three (3)</b>
<b>Estimated contract value</b>	<b>\$950,000.00 (GST excl.)</b>

**The MOTION was put and CARRIED unanimously.**

**Crs Delahunty/Magee**

That the meeting be resumed in open Council.

The MOTION was put and CARRIED unanimously.

#### **OUTCOME OF CONSIDERATION OF CERTAIN CONFIDENTIAL ITEMS**

##### **Item 12.1**

**Crs Esakoff/Lipshutz**

1. That Council awards a contract for Tender number 2017.002 to Turf Renovations Australia Pty Ltd, ACN 082 775 193 as the contractor under Tender number 2017.002.
2. That a contingency is included within the budget of this project to accommodate any variations that may arise to address the issues raised within the Soil Management Plan.
3. That the contract be prepared in accordance with the Conditions of Contract included in the tender.
4. That the contract be executed in an appropriate manner by affixing of the Council Seal.
5. That this resolution be incorporated in the public minutes of this Meeting.

The MOTION was put and CARRIED unanimously.

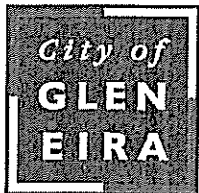
#### **13. CLOSURE OF MEETING**

The meeting closed at 10.26 pm.

CONFIRMED THIS 19 SEPTEMBER 2016

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**CHAIRPERSON**



## Office of the Mayor Cr Neil Pilling

5 September 2016

Ms Olga Sutton

BENTLEIGH EAST VIC 3165

Dear Ms Sutton,

At the Council Meeting on 30 August 2016 you asked the following Public Question:


*"What does the council have planned for the increased amount of kids to be attending Bentleigh Secondary College in the next few years. The school is outdated with lack of facilities and falling results. After consulting with a number of parents who are extremely concerned that McKinnon is being favoured over Bentleigh Secondary which has put significant stress on many parents. Significant difference in results and facilities. Why the GAP? What is proposed?"*

On behalf of Council I provided a response to your Public Question at the Council Meeting. I said:

*"The management of schools is a matter for the State Government, not Council. We suggest you direct your query to Mr Nick Staikos MP, the State member for Bentleigh (03) 9579 7222 or via email [nick.staikos@parliament.vic.gov.au](mailto:nick.staikos@parliament.vic.gov.au)."*

Thank you for your Public Question.

Yours sincerely,

  
CR NEIL PILLING  
MAYOR

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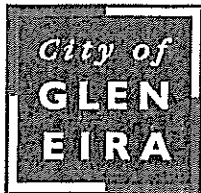
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# Office of the Mayor Cr Neil Pilling

5 September 2016

Ms Chelsie Dickson

CARNEGIE VIC 3163

Dear Ms Dickson,

At the Council Meeting on 30 August 2016 you asked the following Public Question:

*"As discussed, I need to get an URGENT answer to my Council public We have been told by the LXRA the trees along Girdwood Avenue (and I assume Lorne St) will be removed this Saturday. I would like to know if the Environmental Management Strategy required by the GC37 incorporated document supports this removal?"*

*I understand Councils position in relation to the Access Permits under the Roads Management Act, but I want to know, at this stage, if the tree removal complies with the project specific legislation, GC37."*

On behalf of Council I provided a response to your Public Question at the Council Meeting. I said:

*"The final Environmental Management Strategy (EMS) was endorsed by the Department of Environment, Land, Water and Planning (DELWP). It is a high level document outlining the LXRA Project's management approach. As an example, the statements for vegetation included: "to avoid disturbance where practical". The EMS did not include detailed information about the specific areas and locations of trees.*

*The state government's Level Crossing Removal Project Team has advised "this Environmental Management Strategy does support the removal of trees including those at Girdwood and Lorne Streets, and the relevant approvals and consents required by GC37."*

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*Considering the construction planned by the LXR Project, Council officers have not found any options to 'avoid disturbance where practical' in Girdwood Avenue. The location of the viaduct means that unfortunately many of the trees in Girdwood Avenue are directly under the structure, or so close that they won't survive construction."*

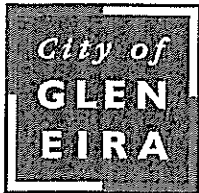
Thank you for your Public Question.

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

5 September 2016

Mr Warren Green

BENTLEIGH VIC 3204

Dear Mr Green,

At the Council Assembly on 30 August 2016 you asked the following Public Question:

*"The recent Officer Report on the Planning Scheme Review 2016 states that issues and opportunities identified from submissions and workshops included: "Control of building heights in activity centres (suggested heights range from 3 storeys to 20+ storeys)". It is noted that the submission and workshop summary in the Council Meeting Minutes (outlined in Appendix 4) makes no mention of community feedback for 20+ storeys and where specific heights are mentioned for activity centres, reference is made only to 3 to 5 storeys. Can Council please provide a response on this inconsistency between the Officer Report and documented community feedback? In the absence of any community feedback on 20+ storeys in activity centres (in Appendix 4) will Council amend the public record on this point?"*

On behalf of Council I provided a response to your Public Question at the Council Meeting. I said:

*"The extensive community consultation process for the Planning Scheme Review involved a series of community engagement meetings together with opportunities to provide written submissions.*

*The Officer Report on the Planning Scheme Review attempted to summarise the numerous written submissions, and the key points made at the community meetings.*

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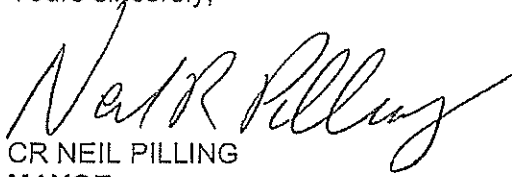
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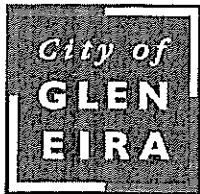
*The discussion about heights ranging from 3 to 20+ storeys occurred at the community engagement meetings between participants. The report correctly acknowledges these as 'suggested heights'.*

*Therefore, there is no need to amend the public record on this point."*

Thank you for your Public Question.

Yours sincerely,

  
CR NEIL PILLING  
MAYOR



# Office of the Mayor Cr Neil Pilling

12 August 2016

Ms Chelsie Dickson

CARNEGIE VIC 3163

Dear Ms Dickson,

At the Council Meeting on 9 August 2016 you asked the following Public Question:

*"GC37 states that prior to commencement of the Skyrail project an Environmental Management Strategy (EMS) should be developed together with local Councils - Section 4.2.1. Has Council participated in the preparation of this document as required by GC37? And what aspects of the document did Council consider when approving the removal of trees along Girdwood and Lorne St? Can Council please provide residents with a copy of this document?"*

On behalf of Council I provided a response to your Public Question at the Council Meeting. I said:

*The Level Crossing Removal Authority (LXRA) shared a draft Environmental Management Strategy (EMS) with Council and sent the final EMS to Council after endorsement by the Department of Environment, Land, Water and Planning. It was a high level document outlining the LXRA Project's management approach, as an example, the statements for vegetation included: "to avoid disturbance where practical". The EMS did not include detailed information about the specific areas and locations of trees. Council has consistently advocated for protection of as many trees as possible.*

*Council's arborist has reviewed the LXRA Project's plans for tree removal in detail and identified a number of locations where we have been seeking protection of more trees. Our experience has been that the LXRA Project team has worked cooperatively with Council's arborist to implement additional protection.*

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*Issuing permits under the Road Management Act is separate to the EMS, but Council has used these permits as an opportunity to impose conditions that make sure as many trees are protected as possible in road areas. In some locations, Council has been able to impose conditions that protect trees, although this hasn't be possible in Girdwood Ave as the trees are under the proposed rail track location or are too close to survive construction.*

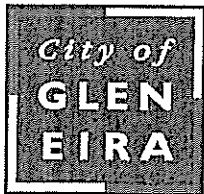
*The EMS is not a Council document and the request for a copy should be made to the LXRA.*

Thank you for your Public Question.

Yours sincerely,

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

CR NEIL PILLING  
MAYOR



## Office of the Mayor Cr Neil Pilling

18 August 2016

Ms Kimberly Herman

ST KILDA EAST VIC 3183

Dear Ms Herman,

At the Council Meeting on 9 August 2016 you asked the following Public Question:

*"We respectfully request the council postpone the vote for this project to hear the concerns of the hundreds of families effected by this potential project. Can we postpone the vote for one month to have a dialogue about this project?"*

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

*"It is not possible from your Public Question to determine the project to which you are referring. I encourage you to email me with a more precise request. You need not wait 3 weeks until the next Council Meeting."*

Thank you for your Public Question.

Yours sincerely,

CR NEIL PILLING  
MAYOR

### Glen Eira City Council

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

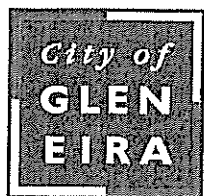
#### Glen Eira City Council

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

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# Office of the Mayor Cr Neil Pilling

18 August 2016

Ms Maree Ridgeway

CARNEGIE VIC 3163

Dear Ms Ridgeway

At the Council Meeting on 9 August 2016 you asked the following Public Question:

*"How will Council address the issue of the LXRA making significant traffic management changes in Lorne Street and Girdwood Avenue Carnegie without consulting residents or Council - how do we access our houses safely if we are parking on the wrong side of the street, where will bins be placed for pick up and drop off and how can we enter Grange Road without the benefit of boom gates/traffic lights creating gaps to enter the road?"*

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

*"Residents can continue to put bins out in their normal locations. Council's waste contractor has been made aware of the disruption and will collect bins from the street as normal (they use a smaller truck in this location, but will wheel bins out by hand if necessary).*

*Concerns relating to safe access of your property and changed traffic conditions should be addressed with the LXRA directly, as they are responsible for these Project works and will be able to advise and potentially address these issues."*

Thank you for your Public Question.

Yours sincerely

CR NEIL PILLING  
MAYOR

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