



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 19 MAY 2020

AGENDA

**Meeting to be streamed live via
Council's website**

*"The role of a Council is to provide good governance
in its municipal district for the benefit and
wellbeing of the municipal community."*

- S8(1) Local Government Act 2020

Councillors:

The Mayor, Councillor Margaret Esakoff
Councillor Tony Athanasopoulos
Councillor Anne-Marie Cade
Councillor Clare Davey
Councillor Mary Delahunty
Councillor Jamie Hyams
Councillor Jim Magee
Councillor Joel Silver
Councillor Dan Sztrajt

Chief Executive Officer: Rebecca McKenzie

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1. ACKNOWLEDGEMENT

Glen Eira City Council respectfully acknowledges that the Boon Wurrung people of the Kulin nation are the traditional owners of the land now known as Glen Eira. We pay our respects to their Elders past, present and emerging and acknowledge and uphold their continuing relationship to and responsibility for this land.

2. APOLOGIES

3. REMINDER OF DECLARATION BY MEMBERS OF ANY DIRECT AND INDIRECT CONFLICT OF INTEREST OR PERSONAL INTEREST IN ANY ITEMS ON THE AGENDA

Councillors are 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 MEETING OR MEETINGS

Copies of Minutes previously circulated.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 28 April 2020 and the Special Council Meeting held on 5 May 2020 be confirmed.

5. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

6. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS

7. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY**7.1 Advisory Committees****7.1.1 ADVISORY COMMITTEE MINUTES**

Author: Janice Pouw, Coordinator Councillor Business

Trim No: 20/182575

Attachments: 1. Community Grants Advisory Committee - 28 April 2020 [↓](#)

RECOMMENDATION

That the minutes of the Advisory Committee meeting as shown below be received and noted and that the recommendations of the Committee be adopted.

1. Community Grants Advisory Committee Meeting Minutes – 28 April 2020



COMMUNITY GRANTS ADVISORY COMMITTEE MEETING
Minutes

Tuesday 28 April 2020
5.30 pm

Purpose:

To support not-for-profit community-based organisations and groups to carry out projects and activities that contribute to the liveability, accessibility, health and safety of Glen Eira.

Aims:

- Strengthen community connections and collaborations;
 - Develop an accessible and inclusive community;
 - Encourage community initiatives that promote self-sufficiency, innovation and respond to community needs;
 - Help strengthen community capacity to plan and implement services;
 - Support celebration and participation in community life; and
 - Fund projects that deliver meaningful social impact.
-

Assembly of Councillors Record

Meeting opened at 5.32pm (Microsoft Teams Meeting)

1. Present

Cr Dan Sztrajt (Chair)
Cr Anne-Marie Cade
Gaye Stewart – Acting Director Community Wellbeing
Ron Torres – Director Planning and Place
Paul Wood – Group Manager Urban Planning and City Futures
Alex Francis - COVID-19 - Relief & Recovery Services Officer
Sharon Sykes – Coordinator Community Planning and Engagement

Apologies

Cr Claire Davey

2. Declaration of conflict of interest

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

3. Matters considered

- i. COVID-19 Response and Recovery Small Business Grant Program 2020
- ii. Facility Hire Grants

i. **COVID-19 Response and Recovery Small Business Grant Program 2020**

At its meeting on 7 April 2020, Council approved a \$7.3m, COVID-19 Response and Recovery Package for business, residents and community groups. The package includes a \$300,000 allocation for small business grants for technology and innovation support.

The COVID-19 Response and Recovery Small Business Grant Program 2020 offers small to medium businesses grants of up to \$2,000 for costs associated with online and e-commerce activities. The focus of the grant program is to respond to the immediate challenges of COVID-19 and to help build business resilience, cohesion and connectedness, during and after the pandemic. The grants will be approved in a proactive and agile way with a quick turnaround.

The program will open on 21 May and close 31 October 2020 and applicants will have up to six months to expend the grants.

The guidelines for the proposed program are attached (Attachment 1).

Due to the extraordinary, critical circumstances of the COVID-19 Pandemic, and to ensure a speedy application process, the Director Planning and Place will exercise his delegation to approve these grants. The Director, prior to exercising his delegation will circulate each application via email to Councillors. If requested by any Councillor, he will bring the application to the next Assembly to seek advice before proceeding. If no concerns are raised by a Councillor with 24 hours, the Director may exercise his delegation to approve the grant.

This Grants Program will be promoted broadly and directly through trader associations, social media and Council's mailing lists of local businesses.

Recommendation:

That the Committee recommends Council approve the COVID-19 Response and Recovery Small Business Grant 2020 guidelines as shown in Attachment 1.

Moved:

Cr Cade

Seconded:

Cr Sztrajt

Motion Passed Unanimously

ii. **Facility Hire Grant approvals**

The following Facility Hire applications have been approved since February 2020 by the Director Community Wellbeing under delegation. Two have been subsequently cancelled due to COVID-19 restrictions and are expected to be rescheduled at a future date.

Approved and used:

Name	Facility Hire	Purpose	Amount approved	Date approved	Date/s of Activity
McKinnon Primary School	Mackinnon Reserve No 2 Oval	School colour run	\$442	11 February 2020	12 March 2020
Ormond Community Kindergarten	Oakleigh Road Reserve	Obstacle-a-thon	\$442	19 March 2020	14 March 2020

Approved and cancelled due to COVID-19 restrictions (to be rescheduled)

Women's Health in the South East	Duncan Mackinnon Reserve Function Room	Women's Health forum	\$229.50	20 March 2020	5 May 2020
Glen Eira City Choir	Auditorium	Choral concert	\$2,988	11 February 2020	29, 30 and 31 May 2020

Approved and to go ahead if restrictions allow

PFA Kilvington	Auditorium	Community Social evening	\$1,919	4 March 2020	13 June 2020
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Meeting closed at 5.43pm

COVID-19 RESPONSE AND RECOVERY SMALL BUSINESS GRANTS 2020**PROGRAM OVERVIEW**

Applications open 21 May 2020 and will be ongoing until 30 October 2020.

The COVID-19 Response and Recovery Small Business Grant Program 2020 provides grants to eligible businesses for online technical and innovation support.

The focus of the grants is to respond to the immediate challenges of COVID-19 and to help build business resilience, cohesion and connectedness, during and after the pandemic.

Grants up to \$2,000 are offered for:

Costs associated with online and e-commerce activities, including the purchasing of hardware, software and services in any of the following areas:

- website design and development;
- e-commerce platforms (selling online and receiving payments);
- online content development (web pages, mobile apps, audio and visual media);
- digital marketing and promotion;
- supporting hardware and/or software; and
- mentoring and/or training in online and e-commerce activities.

Who can apply?

Any small business registered and operating in Glen Eira can apply - you must meet the following eligibility criteria:

- have a registered Australian Business Number (ABN);
- have an annual payroll of less than \$650,000;
- be registered for GST;
- hold current public liability insurance in a minimum sum of \$20 million; and
- have no outstanding debts to the Glen Eira City Council.

The program will support applications that:

- demonstrate a level of innovation that will lead to business improvement (to deliver better products or services online);
- outline initiatives that are inclusive and respectful to all; and
- demonstrate the development of online and e-commerce capabilities that will benefit the business long term and can continue being utilised post the COVID-19 pandemic.

Applicants that will be procuring from local suppliers in Glen Eira for their proposal will be favourably considered.

It is expected the proposed activity will be completed within six months and preference will be given to those that can be completed in shorter time frames.

The program will not support:

- organisations that are political organisations or that have a political purpose, government departments or agencies, foundations or grant making bodies; and
- current Glen Eira employees, immediate families and their contractors.

Key dates

- Applications open 21 May 2020.
- Assessment – applications will be assessed on an ongoing basis and applicants will be notified of the outcome of their application as soon as practicable.
- Applications are assessed as they are received, and funding will be distributed as soon as is practicable.
- It is expected the proposed activity will be completed within six months after successful funding approval.

What supporting documents are required?

Include any information that helps substantiate your application. Quotes to be provided for all proposed works (email or screenshot including product and agreed cost from the service or equipment provider).

How to apply?

Grant applications are made online by completing an application form through SmartyGrants.

To complete your application, you will need access to a computer, the internet and an email address.

Please read the Guidelines carefully prior to making your application.

Step 1: Open the online application form link at <https://gleneira.smartygrants.com.au>

Step 2: Select the application form – COVID-19 Response and Recovery Business Grants 2020 application form.

Step 3: Start an application – if you need some assistance to complete an application, please refer to the Fact Sheet on Council's website at www.gleneira.vic.gov.au

Help?

For assistance with any aspects of this Response and Recovery business grant program or completing this application please contact City Futures by calling 9524 3333.

7.2 Records of Assembly**7.2.1 RECORDS OF ASSEMBLIES OF COUNCILLORS**

Author: Janice Pouw, Coordinator Councillor Business

Trim No: 20/182546

Attachments:

1. 16 April 2020 Assembly [↓](#)
2. 21 April 2020 Assembly [↓](#)
3. 28 April 2020 Assembly [↓](#)
4. 28 April 2020 Pre-Meeting [↓](#)
5. 5 May 2020 Assembly [↓](#)
6. 5 May 2020 Pre-meeting [↓](#)

RECOMMENDATION

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

1. 16 April 2020
2. 21 April 2020
3. 28 April 2020
4. 28 April 2020 Pre-meeting
5. 5 May 2020
6. 5 May 2020 Pre-meeting

Assembly of Councillors**16 April 2020****Record under S 80 A (2)****Meeting held via video conferencing commenced at 7.05pm****A. Present**

Cr Margaret Esakoff (Mayor)
Cr Tony Athanasopoulos
Cr Anne-Marie Cade
Cr Clare Davey
Cr Mary Delahunty
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt

Council Officers

Rebecca McKenzie
Peter Jones
Samantha Krull
Peter Swabey
Ron Torres
Alexandra Fry
Andrew Barden
Matt Barbetta

B. Matters considered.

1. Apologies – Nil
2. Community Grants Committee - Community Grant Program Response to COVID-19 pandemic

7.15pm Cr Hyams declared a conflict of interest in part of item 2 and left the Assembly returning at 7.17pm once that discussion was complete.

3. Open Space Strategy Refresh - Implementation Approach

7.58pm Cr Silver declared a conflict of interest in a project in item 3 and left the Assembly returning at 8.15pm once discussion on that project was complete.

8.16pm Cr Delahunty declared a conflict of interest in a project in item 3 and left the Assembly returning at 8.25pm once discussion on that project was complete.

4. Open Space Strategy Refresh - Consultation Review
5. Advance OCM Item - VCAT Watch

8.39pm - Assembly adjourned

8.51pm - Assembly resumed

Present via videoconference

Cr Margaret Esakoff (Mayor)
Cr Tony Athanasopoulos
Cr Anne-Marie Cade
Cr Clare Davey
Cr Mary Delahunty
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt

6. Advance OCM Item - Lease with Camelot Traffic School
7. Advance OCM Item - Lease with Scout Association of Australia (Victoria)
8. Advance OCM Item - Lease with Victorian Rail Track Corporation (VicTrack) - Railway Lot 20 Elsternwick
9. Advance OCM Item - Lease and Licence for 965 Glen Huntly Road (Glen Eira Historical Society)
10. Advance OCM Item - Tender 2020.48 - Provision for Internal Audit Services
11. COVID-19 Update
12. General Business
 - i. Director Planning and Place – Additional papers for 28/4/2020 OCM
 - ii. Cr Delahunty – Support services for rough sleepers in COVID-19 context
 - iii. Cr Hyams – Hard copy agenda distribution
 - iv. Cr Esakoff – Bill to enable virtual Council meeting
13. Advance OCM Item - 501-503 Hawthorn Rd Caulfield South
14. Advance OCM Item - Proposed Heritage Protection for 87 and 89 Kambrook Road, Caulfield North

Assembly finished at 10.18pm

Assembly of Councillors**21 April 2020****Record under S 80 A (2)****Meeting commenced at 6.52pm via video conference****A. Present**

Cr Margaret Esakoff, Mayor
Cr Anne-Marie Cade
Cr Clare Davey
Cr Jamie Hyams
Cr Joel Silver
Cr Dan Sztrajt

Council Officers

Rebecca McKenzie, CEO
Peter Jones
Samantha Krull
Ron Torres
Peter Swabey
Paul Wood
Andriana Kursar
Andrew Barden
Janice Pouw

B. Matters considered.

1. Apologies – Cr Mary Delahunty and Cr Tony Athanasopoulos
2. Lord Reserve Pavilion Redevelopment Community Consultation and Design Process

6.58pm Cr Jim Magee entered the Assembly

3. Draft Agenda Items for the 28 April 2020 Ordinary Council Meeting and the 5 May 2020 Special Council Meeting
 - Action on Climate Change
 - Records of Assembly
 - Smoke-free Outdoor Policy
 - Local Economy and Place Making Action Plan
 - Heritage Review of 58 Lumeah Road, Caulfield North

8.39pm Assembly adjourned

8.47pm Assembly resumed via video conference

Present via videoconference

Cr Margaret Esakoff, Mayor
Cr Anne-Marie Cade
Cr Clare Davey
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt

3. Draft Agenda Items for the 28 April 2020 Ordinary Council Meeting and the 5 May 2020 Special Council Meeting continued
 - New Dwellings Approved by VCAT Decisions That Have Set Aside Council's Decision
 - Dog Off Leash Review: Report and Community Consultation Outcomes
 - 2020-2021 Draft Annual Budget
 - Draft Community Plan Commitments 2020-2021 and Draft Strategic Resource Plan 2020-21 to 2029-30
4. General Business
 - Cr Hyams: Heather St car park
 - Cr Silver: Virtual Council meetings
 - Cr Hyams: ANZAC day
 - Cr Sztrajt: COVID-19 social distancing requirements

Assembly finished at 10.35pm

**Assembly of Councillors
Tuesday 28 April 2020
Record under S 80 A (2)**

Meeting commenced at 6.35pm

A. Present

Cr Dan Sztrajt, Deputy Mayor
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver

Via Video Conference

Cr Margaret Esakoff, Mayor
Cr Anne-Marie Cade
Cr Tony Athanasopoulos

Council Officers

Rebecca McKenzie, CEO
Janice Pouw

Via Video Conference

Ron Torres
Peter Swabey
Samantha Krull
Gaye Stewart
Paul Wood

B. Matters considered

1. Apologies – Cr Mary Delahunty

Draft Agenda Items for 5 May 2020 Special Meeting of Council

2. Dog Off Leash
3. Item 4.4 – Lease and Licence for 965 Glen Huntly Road (Glen Eira Historical Society)
4. Item 4.6 – 2020-21 Draft Annual Budget
5. Item 4.7 – Draft Community Plan Commitments 2020-21 and Draft Strategic Resource Plan 2020-21 to 2029-30
6. Item 4.3 – Smoke-Free Outdoor Policy
7. Item 4. Local Economy and Place Making Action Plan
8. Confidential item - Service Agreement with the Victorian Electoral Commission for the Provision of Electoral Services for the 2020 Council election
- 6.56pm Cr Clare Davey entered the Assembly
9. Action on Climate Change

Assembly finished at 7.08pm

Council Pre-Meeting**28 April 2020****Record under S 80 A (2)****Meeting Commenced at 7.08pm****A. Present**

Cr Dan Sztrajt, Deputy Mayor
Cr Clare Davey
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver

Via Video Conference

Cr Margaret Esakoff, Mayor
Cr Anne-Marie Cade

Officers

Rebecca McKenzie – Chief Executive Officer
Janice Pouw

Via Video Conference

Peter Jones
Samantha Krull
Peter Swabey
Ron Torres
Alan Stone

B. Matters considered

1. Apologies – Cr Tony Athanasopoulos, Cr Mary Delahunty
2. Item 9 – Urgent business – Condolence motion
3. Item 10.4 – Public questions to Council
4. Item 8.1 – 501-503 Hawthorn Road Caulfield South
5. Item 8.2 – Heritage Review of 58 Lumeah Road, Caulfield North

Pre-meeting finished at 7.21pm

**Assembly of Councillors
Tuesday 5 May 2020
Record under S 80 A (2)**

Meeting held via video conferencing commenced at 6.20pm

A. Present

Cr Margaret Esakoff, Mayor
Cr Tony Athanasopoulos
Cr Anne-Marie Cade
Cr Jamie Hyams
Cr Jim Magee
Cr Dan Sztrajt

Council Officers

Rebecca McKenzie, CEO
Ron Torres
Peter Swabey
Samantha Krull
Peter Jones
John Vastianos
Janice Pouw
Alexandra Fry

Matters considered

1. Hardship Provisions for Ratepayers
6.23pm Cr Mary Delahunty entered the Assembly
6.26pm Cr Joel Silver entered the Assembly
2. COVID-19 Response and Recovery Small Business Grant 2020
3. Community Grants Advisory Committee Minutes

Assembly finished at 6.33pm

Council Pre-Meeting**5 May 2020****Record under S 80 A (2)****Meeting was held via video conferencing and commenced at 6.34pm****A. Present**

Cr Margaret Esakoff, Mayor
Cr Tony Athanasopoulos
Cr Anne-Marie Cade
Cr Clare Davey
Cr Mary Delahunty
Cr Jamie Hyams
Cr Jim Magee
Cr Joel Silver
Cr Dan Sztrajt, Deputy Mayor

Officers

Rebecca McKenzie – Chief Executive Officer
Peter Jones
Samantha Krull
Peter Swabey
Ron Torres
Andriana Kursar
Janice Pouw
Alexandra Fry

B. Matters considered

1. Item 5.1 - Dog Off Leash Review: Report and Community Consultation Outcomes
2. Item 5.2 – Action on Climate Change
3. Item 5.5 – Local Economy and Place Making Action Plan

Pre-meeting finished at 7.25pm

8. OFFICER REPORTS (AS LISTED)**8.1 244-246 ALMA ROAD CAULFIELD NORTH**

Author: Zachary Van Grondelle, Town Planner

Trim No: 20/179586

Attachments: 1. Decision Plans (including s57a Amendment) [↓](#)

PURPOSE AND SUMMARY

Council has received an application to amend an existing planning permit. The existing permit allows construction of a three storey building comprising 6 dwellings. The proposal increases the number of dwellings to 14 without significant change to the approved three storey building. A new basement is proposed where parking will be provided.

Six objections were received (with one later withdrawn) which relate to impacts to car parking demand in the area, operation of the laneway, setbacks, general character / design detailing concerns, compliance issues and waste management. These are discussed further in the report.

In summary, the proposal does not seek to alter the existing built form significantly. Through the introduction of a basement and resizing of apartments, the yield has been increased which leaves Council little to assess the application against. The required amount of parking has been provided and the development continues to satisfy the objectives of State and local policy, therefore it is considered that the amendments are acceptable.



RECOMMENDATION

That Council issues a Notice of Decision to Grant an Amended Planning Permit for Application No. GE/PP-26989/2014/A at 244-246 Alma Road, Caulfield North in accordance with the following conditions:

1. The permit preamble would be modified to read:

*“Construction of a three storey building comprising **14** dwellings with associated basement car parking”*

2. Deletion of condition 1d as it is no longer relevant and 1g which required an intercom for visitor spaces
3. Further changes to conditions on including modification to the existing conditions and addition of new conditions:

Changes to existing condition 1 requirements

- (b) The side setback of ~~Unit 6~~ **Apartment 202** to be in accordance with Standard B17 for that part of the building that would extend past the rear wall of the dwelling at 248 Alma Road;
- (c) The provision of screening for the first and second floor windows of Bedroom 1 of Unit 4 and ~~Bedroom 2 of Unit 6~~, **and 2 of Apartments 102 and bedroom 2 of 201**, respectively, either in the form of fixed obscure glass or fixed external screens (maximum 25% transparent) to a height of not less than 1.7m above floor level and the height of the screens on the eastern side of the front balconies of Units 4 and 6 to be not less than 1.7m;

Additional condition 1 requirements

- 1j) A ramp apex, 150mm above the level of the laneway, to prevent flooding in the basement;
 - 1k) Any changes required by the Waste Management Plan (required at condition 15);
 - 1l) Addition of an opening in the western wall of the balcony of dwelling 204 for improved solar access;
 - 1m) A ground clearance diagram demonstrating that no vehicle scraping will occur along the ramp.
4. Other changes to the conditions

Changes to condition 9

The car parking allocation for the approved development must be:

- Not less than one (1) car space per one or two bedroom apartment;
- Not less than two (2) car spaces per three (3) or more bedroom apartment;
- ~~Visitor spaces one (1) marked accordingly.~~

5. Additional requirement for a Waste Management Plan to be included at condition 15.

For clarity the full conditions on an amended permit would read as follows:

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 TP02-TP06, revision A, dated 17th December 2019, produced by Terry Harper Architects) but modified to show:
 - (a) A landscape plan in accordance with Condition 2;
 - (b) The side setback of apartment 202 to be in accordance with Standard B17 for that part of the building that would extend past the rear wall of the dwelling at 248 Alma Road;
 - (c) The provision of screening for the first and second floor windows of Bedroom 1 and 2 of Apartments 102 and bedroom 2 of 201, respectively, either in the form of fixed obscure glass or fixed external screens (maximum 25% transparent) to a height of not less than 1.7m above floor level and the height of the screens on the eastern side of the front balconies of Units 4 and 6 to be not less than 1.7m;
 - (d) ...*deleted*...
 - (e) The columns within the car park to be located no less than 250mm and extend no more than 1.0m from the car park aisle and be dimensioned on the plans;
 - (f) Dimensions of all the car spaces and widths of the car park aisles to be shown on the plans in accordance with Clause 52.06 of the Glen Eira Planning Scheme or otherwise to the satisfaction of the Responsible Authority;
 - (g) ...*deleted*...
 - (h) Notes stating that the bicycle storage facilities (eg, racks, hooks, etc) will be provided in accordance with AS2890.3;
 - (i) A 3 metre x 3 metre ground level splay to be provided on the south-west corner of the site at the same level as the footpath. The dimensions of the splay must be noted on the plans and a note must be provided to ensure this section is to be at the same level as the footpath and kept clear of obstructions.
 - (j) A ramp apex, 150mm above the level of the laneway, to prevent flooding in the basement
 - (k) Any changes required by the Waste Management Plan (required at condition 15).
 - (l) Addition of an opening in the western wall of the balcony of dwelling 204 for improved solar access
 - (m) A ground clearance diagram demonstrating that no vehicle scraping will occur along the ramp

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

2. A detailed Landscape Plan must be submitted to Council, to the satisfaction of the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate the following:
 - (a) A survey, including botanical names, of all existing vegetation to be retained.
 - (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
 - (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
 - (d) Landscaping and planting within all open space areas of the site.
 - (e) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
 - (i) Two (2) trees within the front setback;
 - (ii) Two (2) trees within the rear private open space;or four (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. 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.
4. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.
5. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.
6. Prior to the 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.
7. Prior to the commencement of any site works including demolition and excavation, the owner must submit a Construction Management Plan to the Responsible Authority for approval. No works including demolition and excavation are permitted to occur until the Plan has been approved in writing by the Responsible Authority. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority. The Plan must be to

the satisfaction of the Responsible Authority and must provide details of the following:

- (a) delivery and unloading points and expected frequency;
- (b) a liaison officer for contact by owners / residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (c) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (d) any requirements outlined within this permit as required by the relevant referral authorities;
- (e) hours for construction activity in accordance with any other condition of this permit;
- (f) measures to control noise, dust, water and sediment laden runoff;
- (g) measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- (h) any construction lighting to be baffled to minimise intrusion on adjoining lots.

8. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:

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

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

9. The car parking allocation for the approved development must be:

- Not less than one (1) car space per one or two bedroom apartment;
- Not less than two (2) car spaces per three (3) or more bedroom apartment;

10. 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.

11. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note A.
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. 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. This does not apply to the exemptions specified in Clause 62 of the Glen Eira Planning Scheme. Note: This does not obviate the need for a permit where one is required.
14. 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.

15. 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.

Conditions End

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

- A. Residents of the dwellings allowed under this permit will not be issued Residential Parking Permits (including visitor parking permits).
- B. The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

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

- C. This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Glen Eira City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.
- D. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a “title boundary” enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 200mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.
- E. Prior to the commencement of any demolition and/or building works, an Asset Protection Permit must be obtained from Council’s Engineering Services Department.

Engineering Services

- F. Laneway is not lit by Council. any / all public / private lighting in laneway is to be provided and maintained by the development.
- G. Engineering Services encourage the use of rainwater tanks for storage and reuse for toilet and irrigation purposes and or stormwater detention system.
- H. All stormwater runoff must be connected to the Council underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths is allowed.
- I. All relevant Engineering Permits must be obtained prior to any works within the Road Reserve and or stormwater connection to Council's drainage network.
- J. Any modifications, amendments or changes that could impact Council's infrastructure assets are to be discussed with Engineering Services prior to issuing a planning permit.

Building Department

- K. Protection Works notices to be assessed by the relevant building surveyor.
- L. Construction Management Plan required.
- M. Fire rating and sound insulation between units to be assessed by the relevant building surveyor.
- N. Light and ventilation to be assessed by the relevant building surveyor.
- O. Distances of travel to be assessed by the relevant building surveyor.
We anticipate the building will be subject to fire engineering verification with the performance requirements of the Building Code of Australia to permit the extended travel distance to exit (departure from the BCA prescriptive requirements)
- P. Access for people with a disability to be assessed by the relevant building surveyor.
*The ends of the apartment corridors will need to allow for the space required for a wheelchair to turn (i.e. 180 degrees – 1540mm wide x 2070mm long).
Circulation spaces at doorways (entry and to foyer) to comply with AS1428.1-2009.*

Address	244-246 Alma Road, Caulfield North
Title details	Lot 1 on TP405180B & Lot 1 on TP515409F
Restrictions on title	None
Proposal	Construction of a three storey building comprising 14 dwellings with associated basement car parking The amendment consists of modifications to the building including the construction of a basement and the provision of 8 additional dwellings (from an existing 6 dwellings to a total of 14 dwellings).
Zoning and Overlay Controls	General Residential Zone 1 (GRZ1) Parking Overlay 2-3 (PO2-3)
Permit requirements	To construct two or more dwellings on a lot (32.08-6)

Relevant Planning Scheme provisions	Clause 32.08 (GRZ) Clause 52.06 (Car Parking) Clause 55 (Two or more dwellings)
Seriously entertained amendments	None
Notification	Notice undertaken in accordance with Section 52 of the <i>Planning and Environment Act 1987</i> , including 3 notices on site and a notice mailed to 14 surrounding properties
Submissions	Five objections received and are detailed in the report. An additional objection was received and later withdrawn.
Cultural Heritage Management Plan required	None required

RELEVANT HISTORY

A planning permit (GE/PP-18655/2006) was issued at the direction of VCAT on 27th August 2007 for the construction of a three storey building. This permit was never acted on.

A new application was received by Council for construction of a three storey building comprising 6 dwellings which received 2 objections. This proposal was issued a permit (GE/PP-26989/2014) by Council on 22nd October 2014.

Three requests for extensions of time have been approved: in October 2016, for one year, in October 2017, for one year and in June 2019 for two years. The development must now commence before 22 October 2020.

This application is a proposal to amend planning permit GE/PP-26989/2014. The plans that were advertised were amended after notice under section 57a of the Planning and Environment Act. The changes were limited to an updated external material schedule to address some objector concerns raised. The new plans were not advertised as the changes were not considered to cause material detriment to any person. The updated elevations are attached to this report, with no further changes proposed.

CONSULTATION AND ENGAGEMENT

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

- Parking
- Design Detailing and Neighbourhood Character
- Use of the laneway
- Setbacks
- Waste management
- Bicycle facilities
- Garden area compliance

REFERRALS

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

Non-statutory referrals	
Transport Planning	Council's Traffic Engineers support the proposal. Initial comments received required more information regarding use of the laneway. These issues have been resolved and outstanding matters regarding the basement layout are discussed in the 'car parking section' of this report.
Asset Engineering	The application is supported subject to the inclusion of a basement ramp apex due to flooding issues in the laneway. This will form a condition of permit. Other information provided by Council's Asset Engineers is already captured on the existing permit under 'notes'.

ISSUES AND DISCUSSION

The assessment of the proposal has regard to the following:

- Consistency with policy, zoning and neighbourhood character
- Offsite amenity impacts
- Site layout and internal amenity
- Design detailing
- Car parking
- Objector concerns

The proposal is to amend the previously approved development with a number of minor internal and external changes. The proposed changes are discussed more thoroughly in the relevant sections of this report, however in summary, the proposal seeks to increase the number of dwellings from 6 to 14 and to replace the existing at grade carparking layout with a new basement carpark. There is no significant change to the approved building envelope, as the dwellings have been reduced in size. The amended development is provided with the required number of parking spaces.

As the changes to the built form are minor, Council is limited in its assessment of this proposal, strictly focusing on the differences between the endorsed and submitted plans. Additionally, the original application was lodged prior to the introduction of the Better Apartments Design Standards (BADs) at Clause 55.07 and therefore, there is reduced opportunity to assess the internal arrangement of the dwellings.

Consistency with policy, zoning and neighbourhood character

The site is zoned General Residential (GRZ1) and falls under Council's Housing Diversity Area Policy. This has not changed since the original application was approved and neither has Council's general policy direction that supports residential growth in this area. Mid-tier residential growth is still directed to neighbourhood centres such as Alma Village and it is clear that a number of similar developments have been approved and constructed in the immediate area. Alma Village is a vibrant local centre with a number of services which support the local community. Therefore this proposal remains consistent with local policy, despite the higher dwelling yield proposed.

Given that the original application was lodged before the introduction of the minimum garden area requirement, it does not have to comply with this provision. Previously, the development covered 74% of the site. This has been reduced to 64%, due to the introduction of light wells, and an increased rear setback. This is considered to make a positive contribution.

Off-site amenity impacts

The ground floor presents the most significant built change. The total length of wall on the eastern boundary has been reduced from 21.1 metres to 19.4 metres. This results in a larger courtyard area (adjacent to apartment G02), which now has a length of 11.6 metres (previously 9.15 metres) and a depth of 3 metres (previously 2.45 metres). This is a positive outcome for the neighbouring dwelling as well as improving onsite amenity. The rear setback has been reduced from 6 metres to 5, however this is only for a small section (4 metres of bedroom 1 of G03) and then increases to 7.45 metres. This setback is consistent with the floors above and is an appropriate transition to the rear. Previously the western half of the ground floor was taken up by car parking. As the carparking has now been moved to the basement, dwellings have been introduced into this space. This results in no additional built form/building footprint.

At the first and second floors, there is no alteration to the floor plate size. The setbacks along the east boundary remain the same as the endorsed plans (2 metres for the first floor and 4.09 metres for the second floor). The north setback has been maintained at 6.51 metres for both levels. The north facing balcony at the rear of the site has been reconfigured at both levels. The first floor balcony is split into two sections with a total opening to the north of 10.22 metres which is a reduction from the endorsed opening of 11.35 metres. The second floor balcony has shifted westwards, however overall the opening in the building has been reduced (from 8.73 metres to 6.7 metres). The development continues to be built out to the west boundary, although balconies have been introduced within the built form. The height of the development remains the same.

Council's usual assessment of offsite amenity standards is limited to the proposed amendments to the endorsed plans. Given that there is no increase to the building envelope, there are no additional issues regarding overshadowing, loss of daylight, setbacks or walls on boundary. Any impacts from the proposed modification to the west elevation are reduced by the 3 metre laneway and adjoining Council owned car park. This is not a sensitive interface and the proposed changes to the ground floor western façade are designed to secure the development, and mitigate any amenity impacts which may arise from the adjacent commercial land uses.

Overlooking is a relevant consideration to the north and east, given the changes proposed to window openings and balconies. The setback to north boundary is 6.51 metres and the laneway provides an additional 3 metre setback to the adjoining residential properties. This setback eliminates the need for any overlooking measures on the northern elevation. Obscure glazing has been provided to a height of 1.7 metres above the finished floor level along the eastern elevation (first floor) which satisfies the overlooking requirement. While the balcony of apartment 201 has been similarly screened, the east facing windows on the second floor do not require any screening or glazing, as their overlooking arc does not fall on any adjoining habitable windows or private open space areas (this is due to the height and setback of these windows).

Regarding noise impacts, the introduction of basement carparking is considered a positive outcome, given that all noise from vehicles will be generally contained within the basement, as opposed to being at ground level. A roof top service has been included on the submitted plans. This is an acceptable addition as it is positioned in the middle of the roof, away from the adjoining dwellings and screened appropriately.

On balance, the proposed amendments to the building would not cause any amenity impacts to the adjoining residential properties.

Site layout and internal amenity

The layout of the site is generally consistent with the original proposal. Dwellings are accessed from a central corridor at each level, and entry to the building is via a shared foyer entry from Alma Road. This is a secure arrangement and given that a lift is provided, means that all dwellings are accessible. Direct access to the basement car park is also provided via the lift and stair well. A bin area is provided in the basement and provision has been made for other services throughout the site in appropriate locations. A waste management plan (WMP) was not originally required however given the significant increase in dwellings, it is appropriate to now require a WMP. This will be required as a new condition of permit

The table below sets out the proposed secluded private open space (SPOS) for each dwelling, as well as the storage capacity. Ground floor dwellings should have 25m² of SPOS out of a total 40m² of private open space. Upper floors must have 8m² on a balcony. All dwellings meet the SPOS requirements. Dwellings G01, G02 and G04 do not provide an additional open space area however given that there is adequate landscaping space at the front and rear of the site, it is not considered necessary to fulfil this requirement. Five of the dwellings have a northern aspect which is a good outcome. However, dwelling 204 has only a southern aspect which could be fixed by way of a permit condition to create an opening in the western wall of the balcony. This would improve the solar access for this dwelling. While the endorsed plans set out the balcony in the same arrangement, this dwelling (number 5) also had a north facing balcony. The remainder have either western and eastern aspect which is acceptable.

Dwelling	SPOS area (min dimension)	SPOS aspect	Storage capacity
G01	26.5m ² (5.1m)	East and South	7.5 m ³
G02	26m ² (3m)	East	2.9 m ³
G03	45m ² (3m)	North	7.5 m ³
G04	27m ² (3m)	North	6 m ³
G05	41m ² (4m)	West and South	6 m ³
101	11.5m ² (1.8m)	West and South	6 m ³
102	9m ² (1.6m)	North	2.9 m ³
103	8.5m ² (1.6m)	North	2.9 m ³
104	8m ² (2.3m)	West	2.9 m ³
105	14m ² (1.8m)	West and South	2.9 m ³
201	27m ² (1.8m)	East and South	11.5 m ³
202	14m ² (2.1m)	North	7 m ³
203	8m ² (2.4m)	West	2.9 m ³
204	17m ² (2.46m)	South facing	2.9 m ³

Storage is provided for each dwelling in the basement. Seven of the dwellings (G02, 102, 103, 104, 105, 203 & 204) have only 2.9m³ of storage where they should be provided 6m³. This is an acceptable variation, given that each dwelling is provided with some external storage space and there will be additional internal storage space.

All proposed habitable room windows have a window in the external wall of the development, allowing adequate daylight into the dwellings. The bedrooms of G05 rely on a small light court, which is not an ideal outcome but does comply with Standard B27.

Design detailing

The front (south) setback has been reconfigured at ground level to delete the curvilinear walls, however is generally consistent with the approved setback which is maintained on the upper levels. This is an appropriate outcome as it maintains a consistent setback with the other dwellings in the street. Street facing windows have been introduced at ground level, this is a positive addition as they replace solid brick wall and enhance the street activation.

Generally speaking, the proposed development does not appear any different than what was previously approved. The building silhouette is the same and material schedule is generally the same, with an appropriate level of material variation on all elevations. The materials selected are residential in nature (metal and timber cladding, masonry and glass) which will respect the streetscape.

A new landscaping plan has been provided which proposes canopy trees in the front and rear of the site which is consistent with other residential lots in the area. Overall, there is an increased landscaped area in this proposal, which is a positive outcome. There are no canopy trees on adjoining lots which require protective works.

A 2 metre high front fence is proposed along the Alma Road frontage. Given that Alma Road is a busier road, it is appropriate to allow a taller fence. The fence will be setback and hidden behind landscaping which will soften its appearance. This is acceptable.

Car Parking

There are 4x 3 bedroom dwellings and 10x 2 bedroom dwellings proposed. This generates a parking requirement of 18 car spaces, with each 3 bedroom dwelling allocated 2 car spaces and each 2 bedroom dwelling provided with 1 carspace. The proposal provides 18 carspaces at basement level, satisfying the requirements of the Planning Scheme.

Since the original permit was issued, Amendment VC148 has waived the requirement for visitor spaces on sites within 400 metres of the Principal Public Transport Network. The subject land falls into that radius and as such, the visitor spaces provided in the original proposal are no longer required. Therefore, the required amount of parking is provided.

Council's Traffic Engineers have assessed the new basement layout against the Design Standards of Clause 52.06 which is outlined in the table below.

Design Standard 1 - Accessways	
Standard	Assessment
Accessways must:	
(a) <i>Be at least 3 metres wide</i>	✓
(b) <i>Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</i>	✓
(c) <i>Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.</i>	✓
(d) <i>If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.</i>	✓
(e) <i>Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.</i>	✓

Design Standard 2 - Car Parking Spaces	
Standard	Assessment
(f) Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.	✓
(g) A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 of Design Standard 2 of Clause 52.06-9, other than: <ul style="list-style-type: none"> A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. A structure, which may project into the space if it is at least 2.1 metres above the space. 	✓

Table 2: Minimum Dimensions of Car Parking Spaces and Accessways					
Angle of car space to accessway	Min. Accessway width	Car space width	Car space length	Proposed car space width	Assessment
90°	5.8m (6.17m)	2.8m	4.9m	2.9m	• ✓

Design Standard 3 - Gradients	
Standard	Assessment
(h) Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. (i) (j) This does not apply to accessways serving three dwellings or less.	Meets objective and provides appropriate safety
(k) Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.	Refer to table below
(l) Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.	Meets objective and provides appropriate safety
(m) Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.	Meets objective and provides appropriate safety

Table 3: Ramp Gradients				
Type of car park	Ramp length	Maximum grade	Proposed grade	Assessment
Private or Residential Car Park	20.0m or less	1:4 (25%)	1:4 – 1:8	✓

Although a gradient of no more than 1:10 is required for the first five metres of the accessway, the proposed gradient of 1:8 has been assessed by Council's Traffic Engineers and is acceptable. The gradients proposed are acceptable however two conflict points have been identified and as such, a ground clearance diagram is required to demonstrate that no scraping will occur.

The planning scheme does not require any bicycle spaces to be provided, however five are proposed in the basement.

Objector Concerns

Parking

The main issue raised in the objections received was impacts to parking on the wider area. The amended proposal complies with the statutory requirements for car parking (2 spaces for each 3 bedroom dwelling and 1 space for each 2 and 1 bedroom dwelling). Council cannot seek further car spaces or refuse/amend the proposal based on parking issues.

Operation of the laneway

During the construction phase, the operation and impact to the laneway will be managed through a construction management plan which is already required as a condition on the original permit. Council's Traffic Engineers have not raised any concerns regarding the ongoing use of the laneway once the development is occupied, noting that the previous proposal also used the laneway for access. The amended layout provides sight lines either side of the basement ramp and opens up the north west corner of the site which is an improved safety outcome, compared to both the existing conditions and the endorsed plans.

Design detailing and Neighbourhood Character

Concern has been raised regarding the material schedule being too dark for the neighbourhood which is predominately Federation in style. There is also concern raised that the development is too bulky. Both of these concerns are not relevant to Council consideration of this particular proposal given that the amendments do not significantly alter how the development presents to the street. The building envelope is already approved and while the material schedule is proposed to be varied, it is still a darker material palette, generally in accordance with the endorsed plans.

Setbacks (use of party wall)

The issue raised specifically relates to the eastern boundary where the development directly adjoins the party wall of 248 Alma Road. This setback is already approved under the existing permit and therefore is not open for assessment by Council or third parties.

Waste management

Concerns have been raised regarding how the waste management of the development will operate. Given the increase in number of dwellings, it is now appropriate to require a waste management plan, with all required changes incorporated into the plans.

Bicycle Facilities

As the development is under 4 storeys, no bicycle spaces are required. However, 5 are still proposed within the basement.

Garden area requirement

The garden area requirement contains transitional provisions that says applications lodged prior to the gazettal of amendment VC110 do not need to comply. As the original application

was lodged well before the gazettal of VC110, garden area does not apply to this proposal. The visitor parking exemption which was introduced by VC148, does not contain such transitional provisions and therefore, any application is now exempt from the visitor parking requirements, if in the PPTN.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

There are no financial, resource or asset management implications associated with this report.

POLICY AND LEGISLATIVE IMPLICATIONS

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

LINK TO COUNCIL AND COMMUNITY PLAN

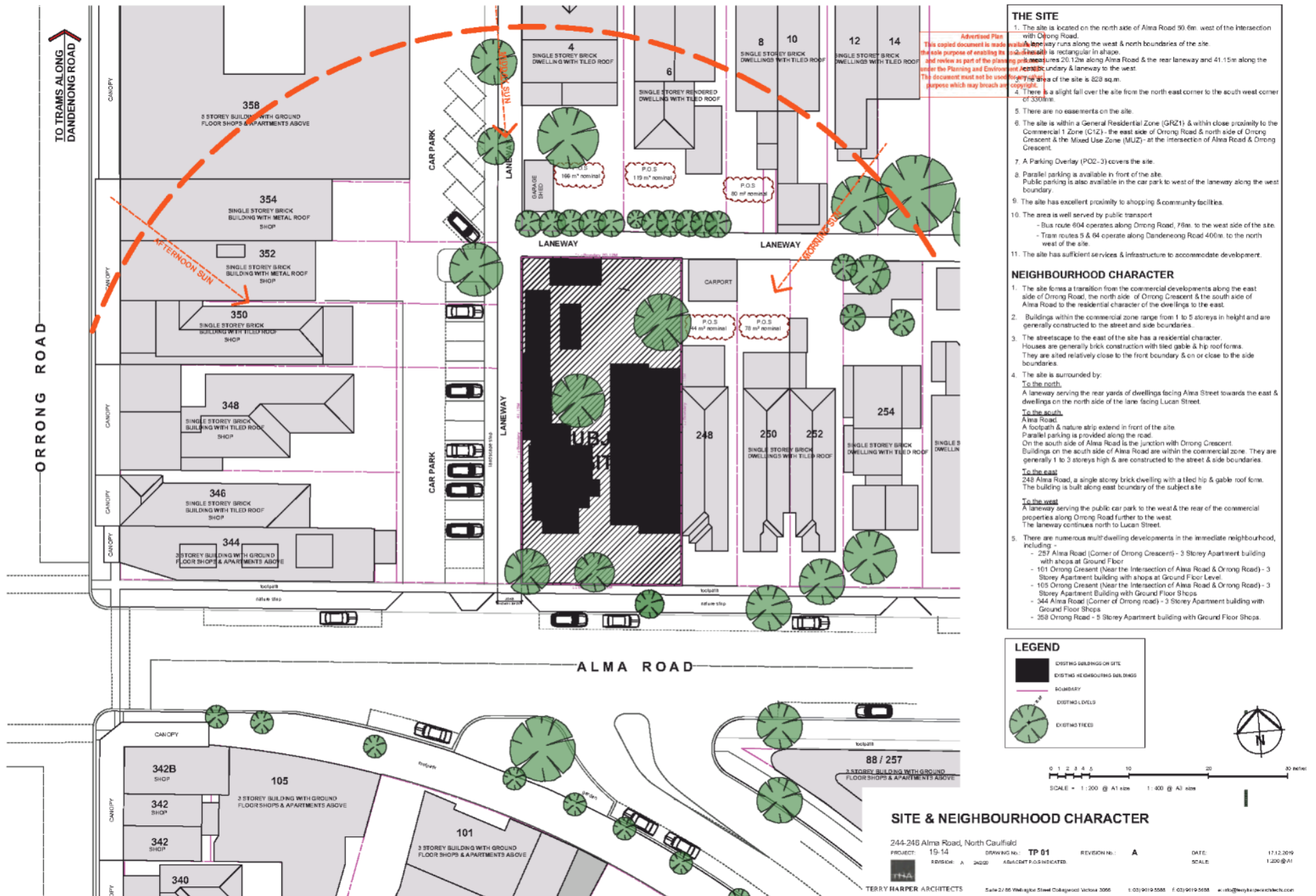
Theme One: Liveable and Well Designed
A well planned City that is a great place to live.

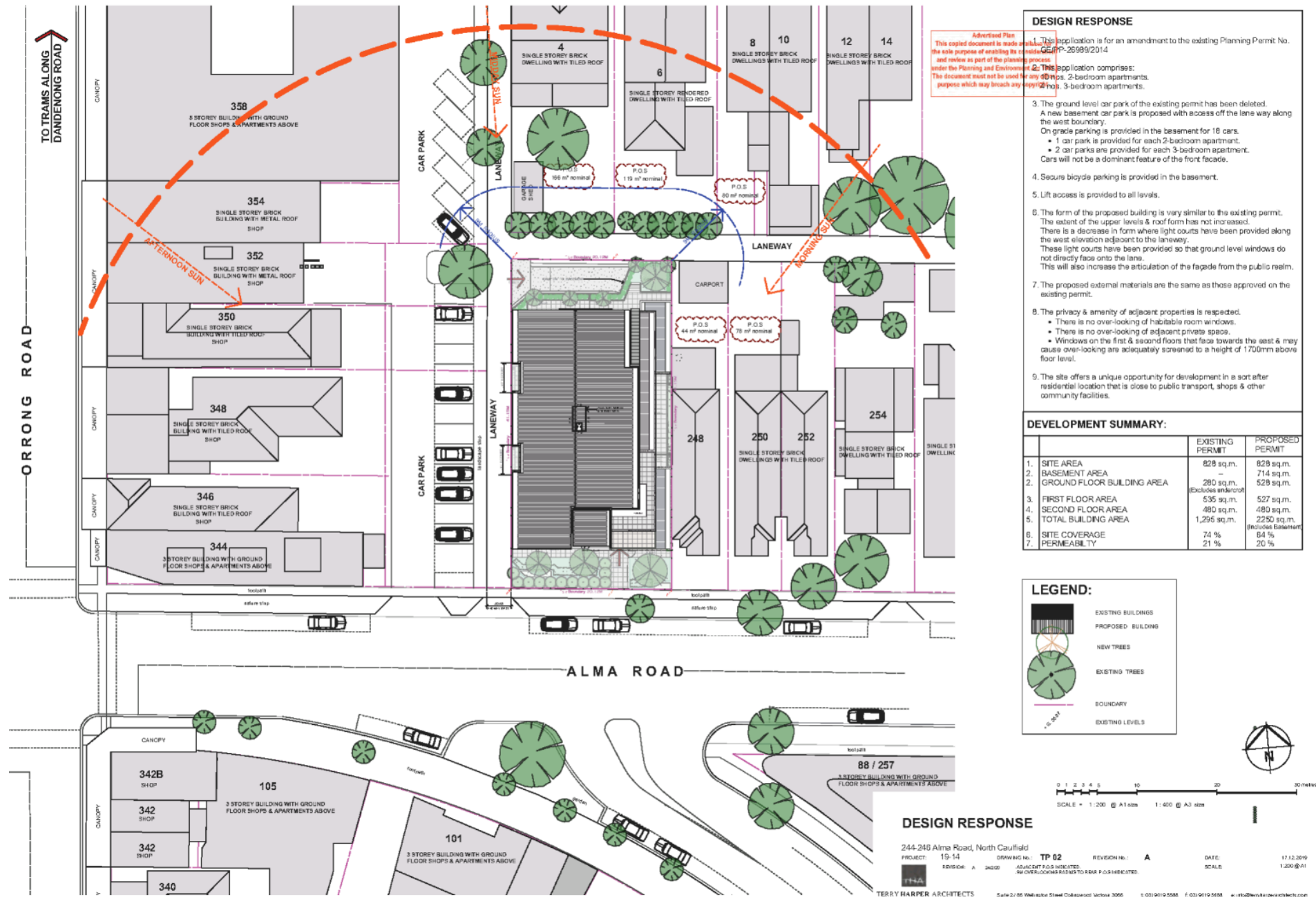
OFFICER DECLARATION OF CONFLICT OF INTEREST

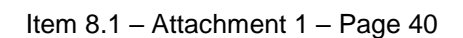
No officers involved in the preparation of this report have any direct or indirect interest in this matter.

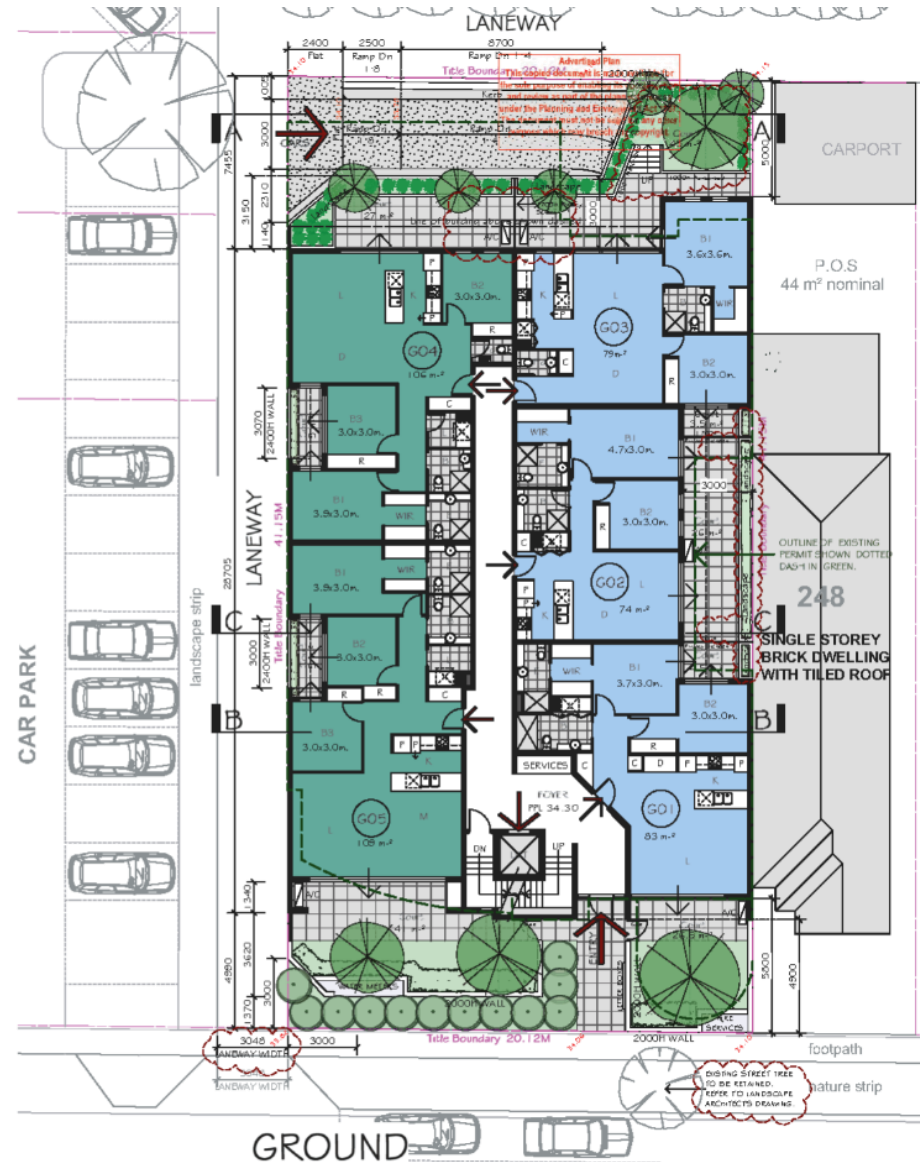
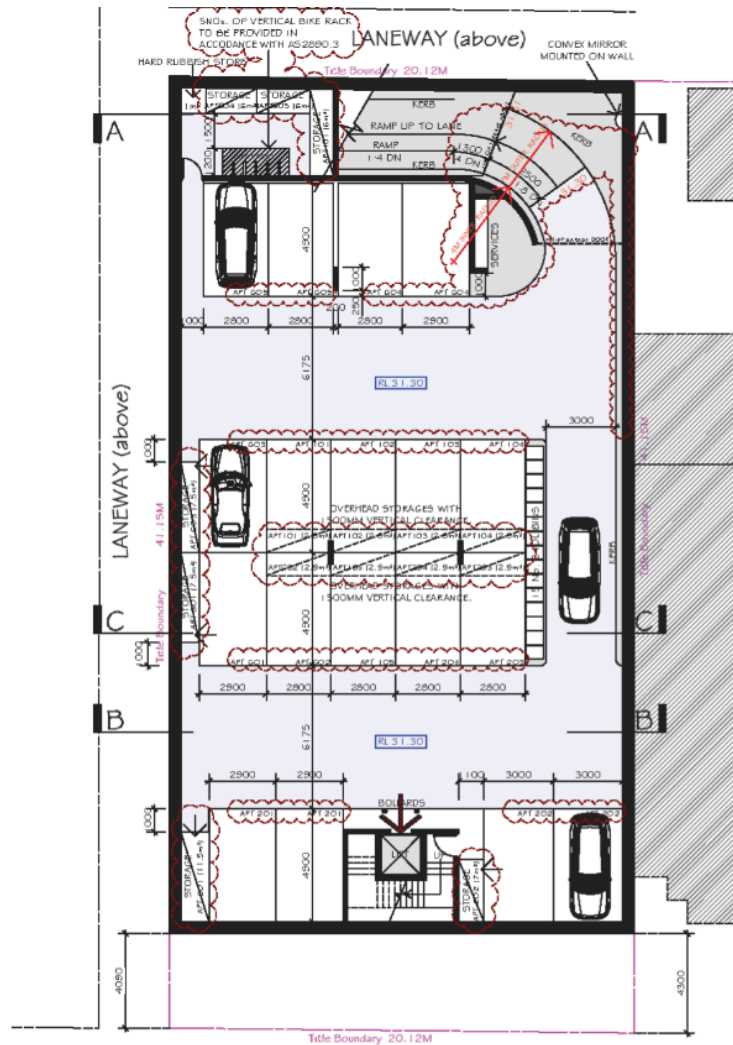
CONCLUSION

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









BASEMENT & GROUND FLOOR PLANS

244-248 Alma Road, North Caulfield

PROJECT: 19-14

REVISION: A

DRAWING NO: TP 03

REVISION NO: A

DATE: 17.12.2019

SCALE: 1:100 @ A1

Scale 2/25 Melbourne Street Coleraine Victoria 3005

Scale 2/25 Melbourne Street Coleraine Victoria 3005

Scale 2/25 Melbourne Street Coleraine Victoria 3005

Scale 2/25 Melbourne Street Coleraine Victoria 3005

Scale 2/25 Melbourne Street Coleraine Victoria 3005

Scale 2/25 Melbourne Street Coleraine Victoria 3005

Scale 2/25 Melbourne Street Coleraine Victoria 3005



1ST & 2ND FLOOR PLAN

244-248 Alma Road, North Caulfield

PROJECT: 19-14

REVISION: A 26/2019

TP 04

REVISION: A

DATE: 17.12.2019

SCALE: 1:100 @ A1

LANDSCAPE LAYOUT TO GROUND FLOOR UPDATED TO MATCH LANDSCAPE

PLAN

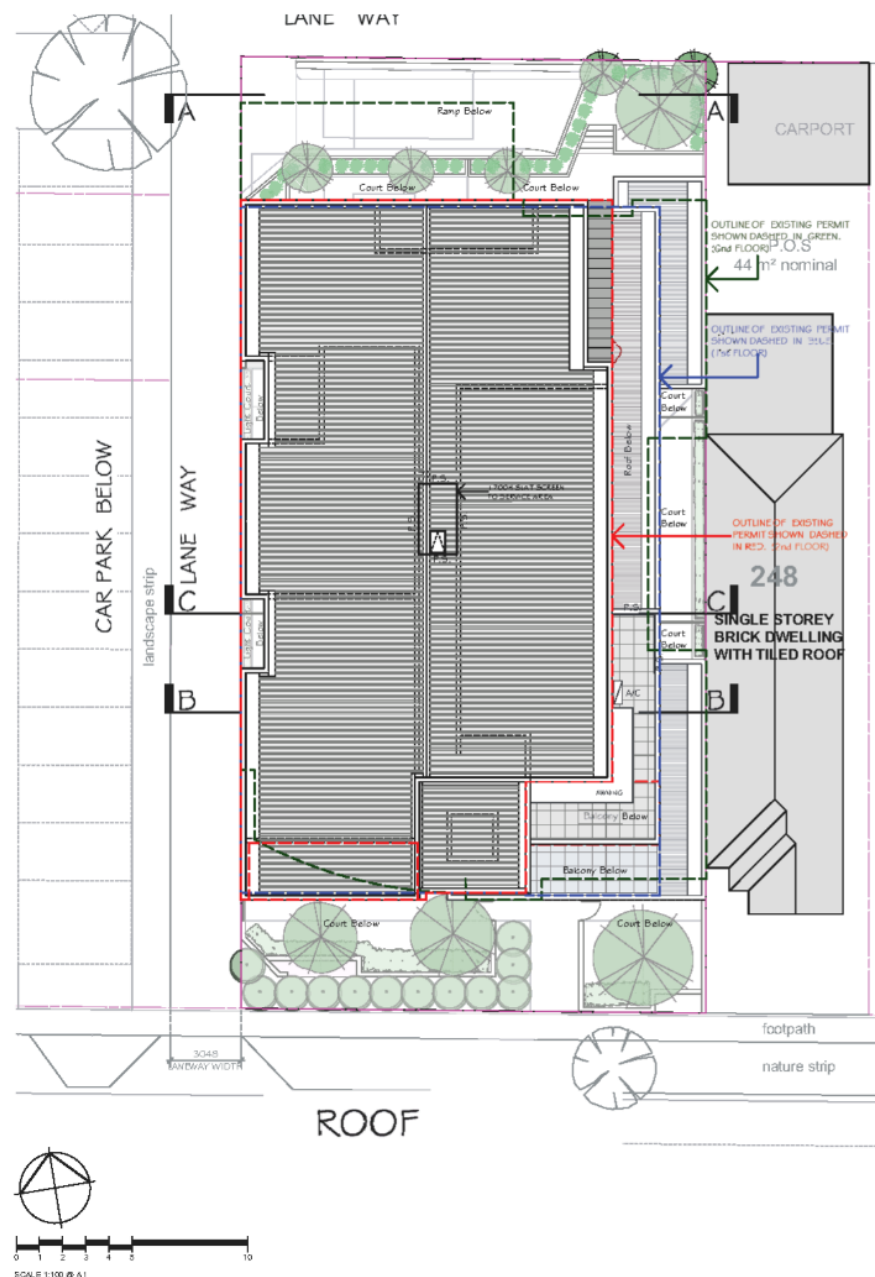
RAMP AND WINDOW TO ART 212 DEED 1 ENGINEER SHOWN.

TERRY HARPER ARCHITECTS

Suite 2/18 Wellington Street Colvale Road Victoria 3086

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e: info@terryharperarchitects.com



Advised Plan
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ROOF PLAN

244-248 Alma Road, North Caulfield

PROJECT: 19-14



REVISION: A 24/20

DRAWING NO.: TP 05

REVISION NO.: A

DATE:

17.12.2019

SECTION A-A & SECTION B-B SHOWN TO FIRST SECTION.

LANDSCAPE LAYOUT TO GROUND FLOOR UPDATED TO MATCH LANDSCAPE PLAN.

SCALE:

1:100 @ A1

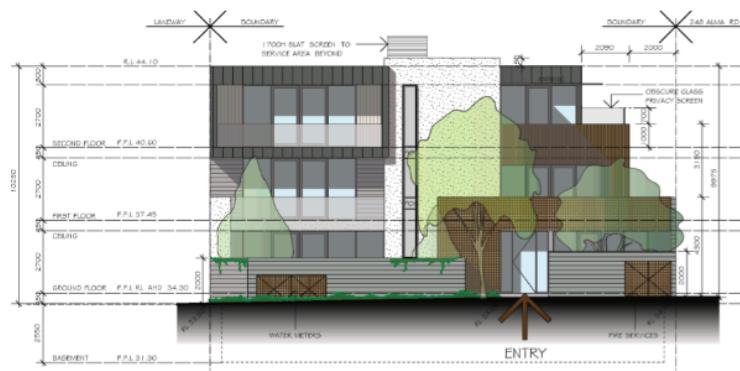
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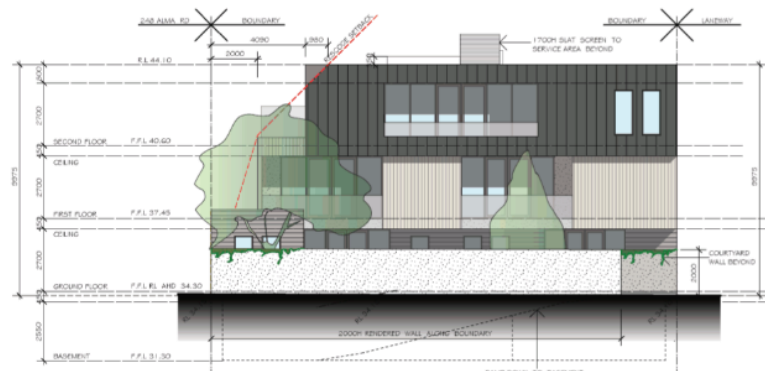
enquiries@terryharperarchitects.com.au



SOUTH ELEVATION



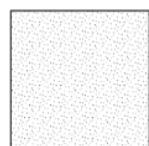
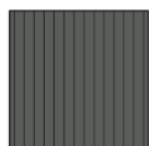
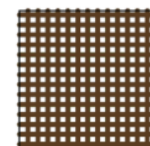
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

ROUGH CAST RENDER /
NAT. CONCRETE FINISHMETAL CLADDING
COLORBOND BASALTFC CLADDING
(TIMBER PROFILE)
WHITE DUCK QUARTERFC CLADDING
(TIMBER PROFILE)
CORTEN RUSTCONCRETE MASONRY
"PEWTER"SELECTED
PERFORATED MESH,
CORTEN RUST
POWDER COAT FINISHFIXED OBSCURED GLASS
BALUSTRADEFIXED OBSCURED GLASS TO
WINDOWS + SCREENS

Plan amended under
S57A of P&E Act

SCALE 1:100 @ A1

ELEVATIONS

244-246 Alma Road, North Caulfield

PROJECT: 19-14

REVISION: C

DRAWING No.: TP 06

REVISION No.: C

DATE: 27.04.2020

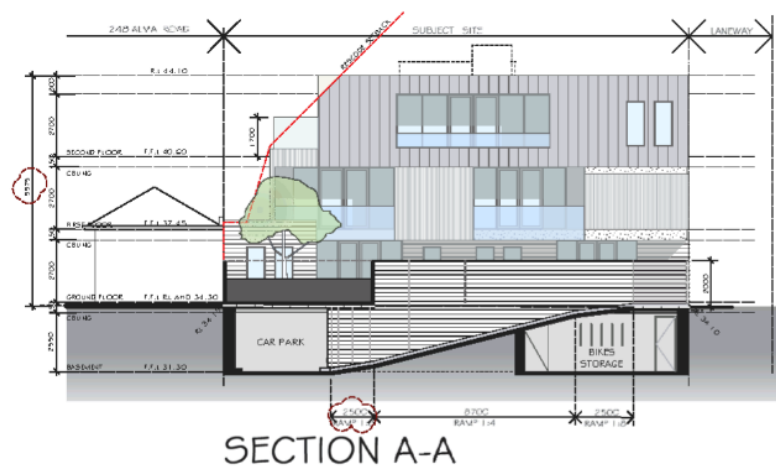
SCALE: 1:100 @ A1

TERRY HARPER ARCHITECTS

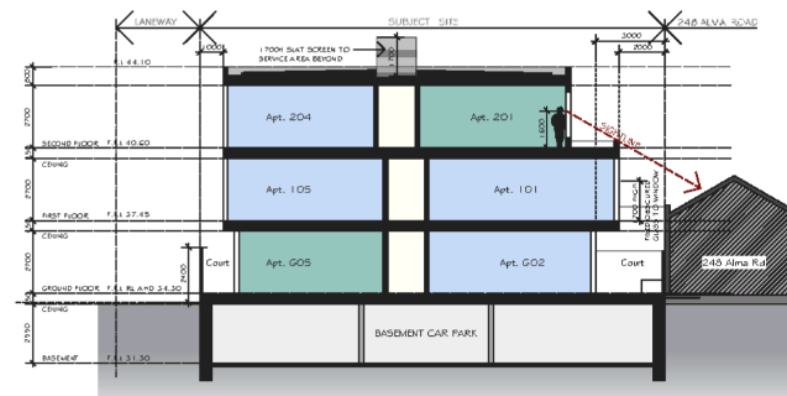
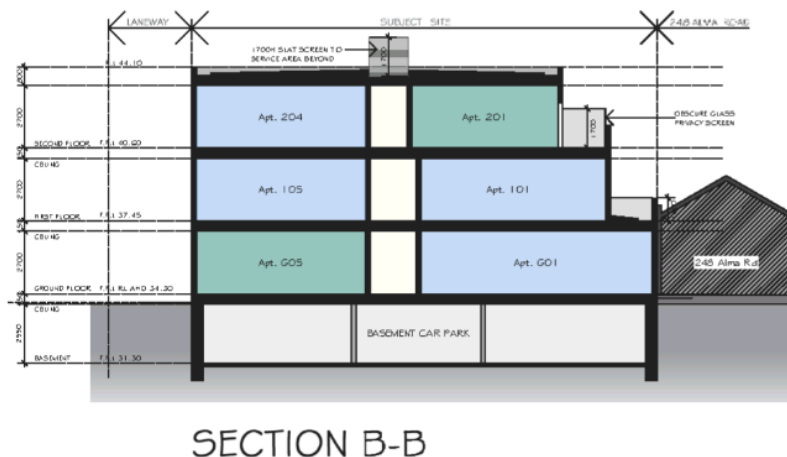
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T: (03) 9419 5555 F: (03) 9419 5555

E: info@terryharperarchitects.com.au



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SECTIONS

244-246 Alma Road, North Caulfield

PROJECT: 19-14

DRAWING NO.: TP 07

REVISION: A 26/20

REVISION NO.: A

DATE: 21.01.2020

SCALE: 1:100 @ A1

FORMER TYPED SHADOW DIAGRAMS CHANGED TO TYPED SHADOW DIAGRAMS.

SECTION A-A & SECTION B-B MOVED FROM TP15 TO TP17.

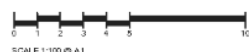
HAR SECTION C-C INDICATES

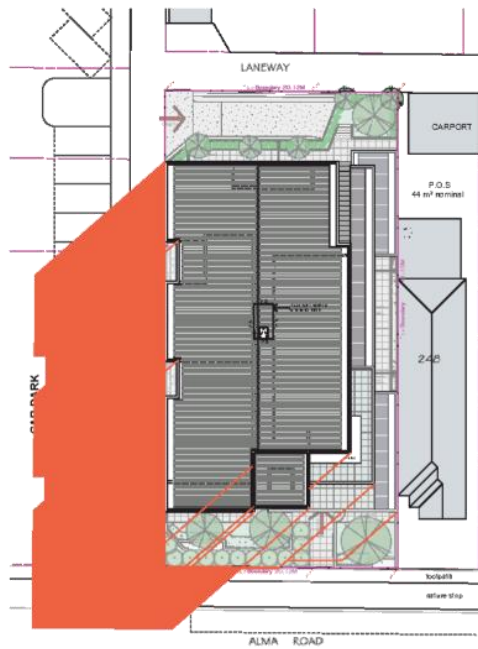
ANNO CORRECTION TO WORKER RAMP GRADIENT ON SECTION A-A TO MATCH FLOOR PAIR.

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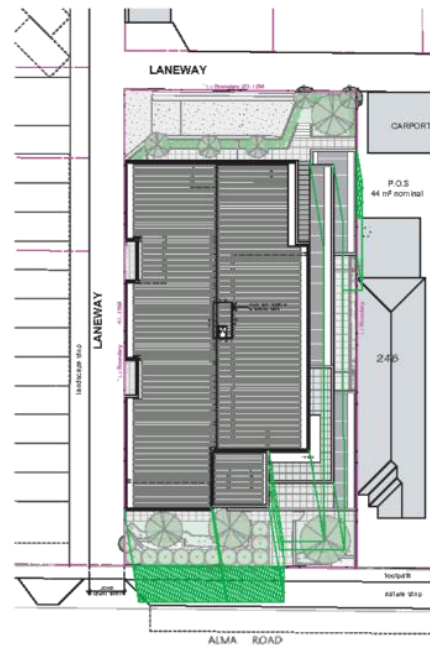
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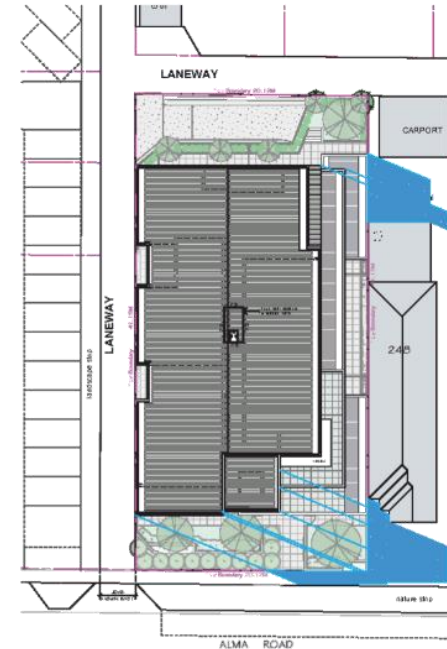




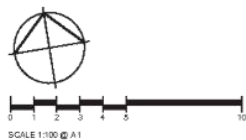
1 SHADOW 9AM
Scale: 1:200



2 SHADOW 12PM
Scale: 1:200



3 SHADOW 3PM
Scale: 1:200



SHADOWS @ SEPTEMBER 23rd				
TIME	EXISTING SHADOW	ADDITIONAL SHADOW	ALTITUDE	AZIMUTH
9am			34	58 EN
12pm			52	0 EN
3pm			34	58 WN

SHADOW DIAGRAMS

244-246 Alma Road, North Caulfield

PROJECT: 19-14 DRAWING NO.: TP 08

REVISION:

REVISION NO.:

DATE:

SCALE:

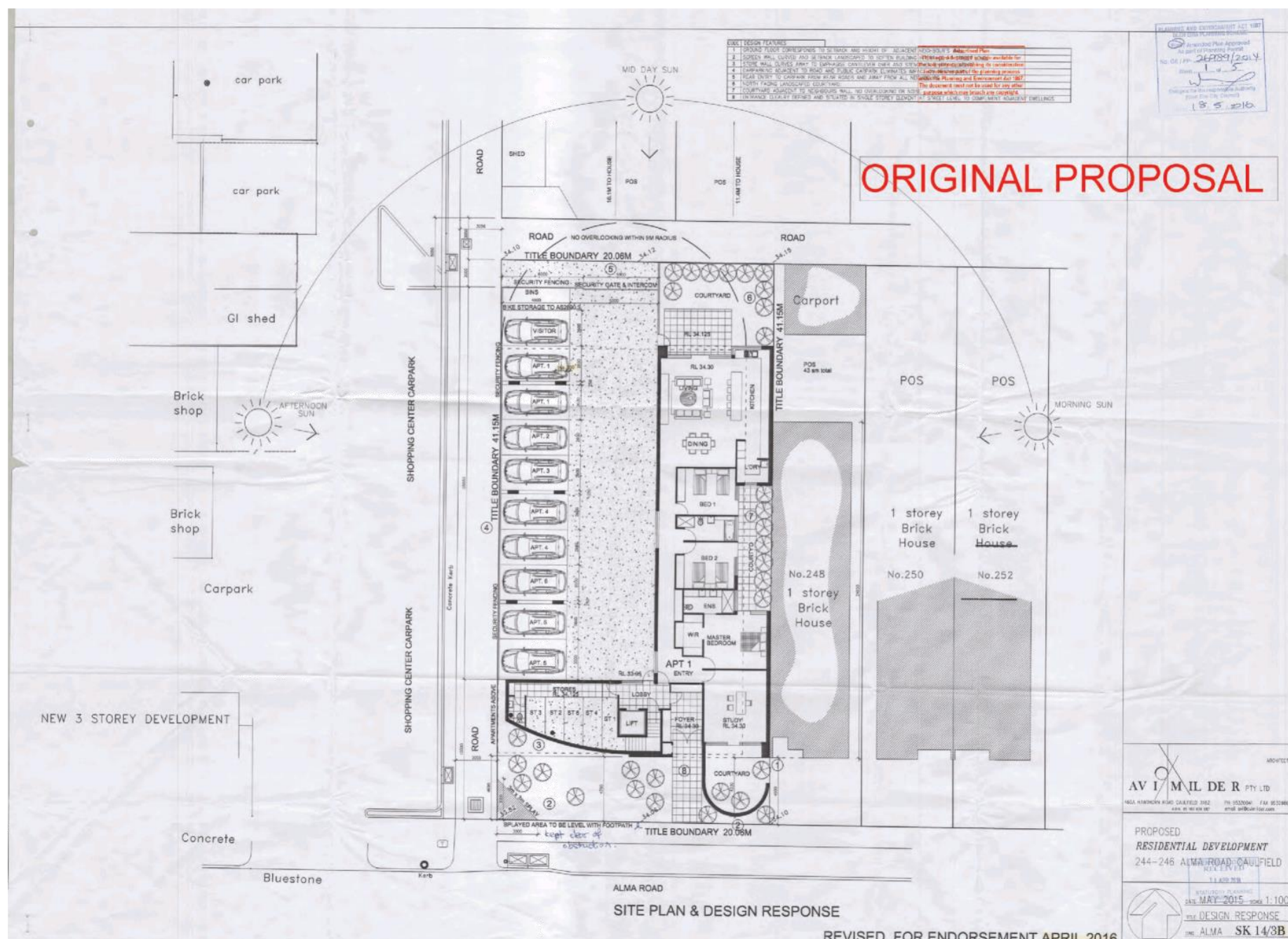
17.12.2019

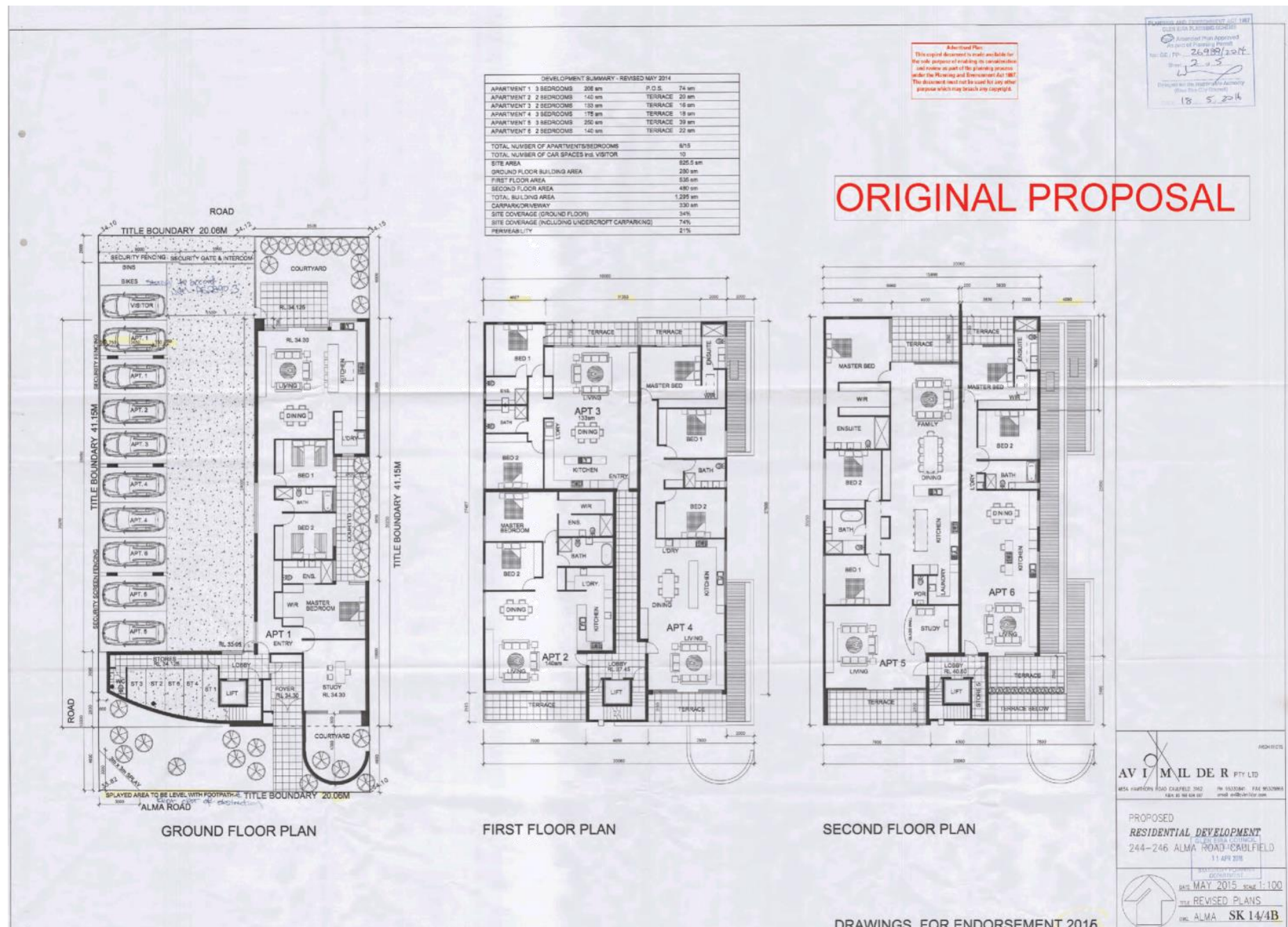
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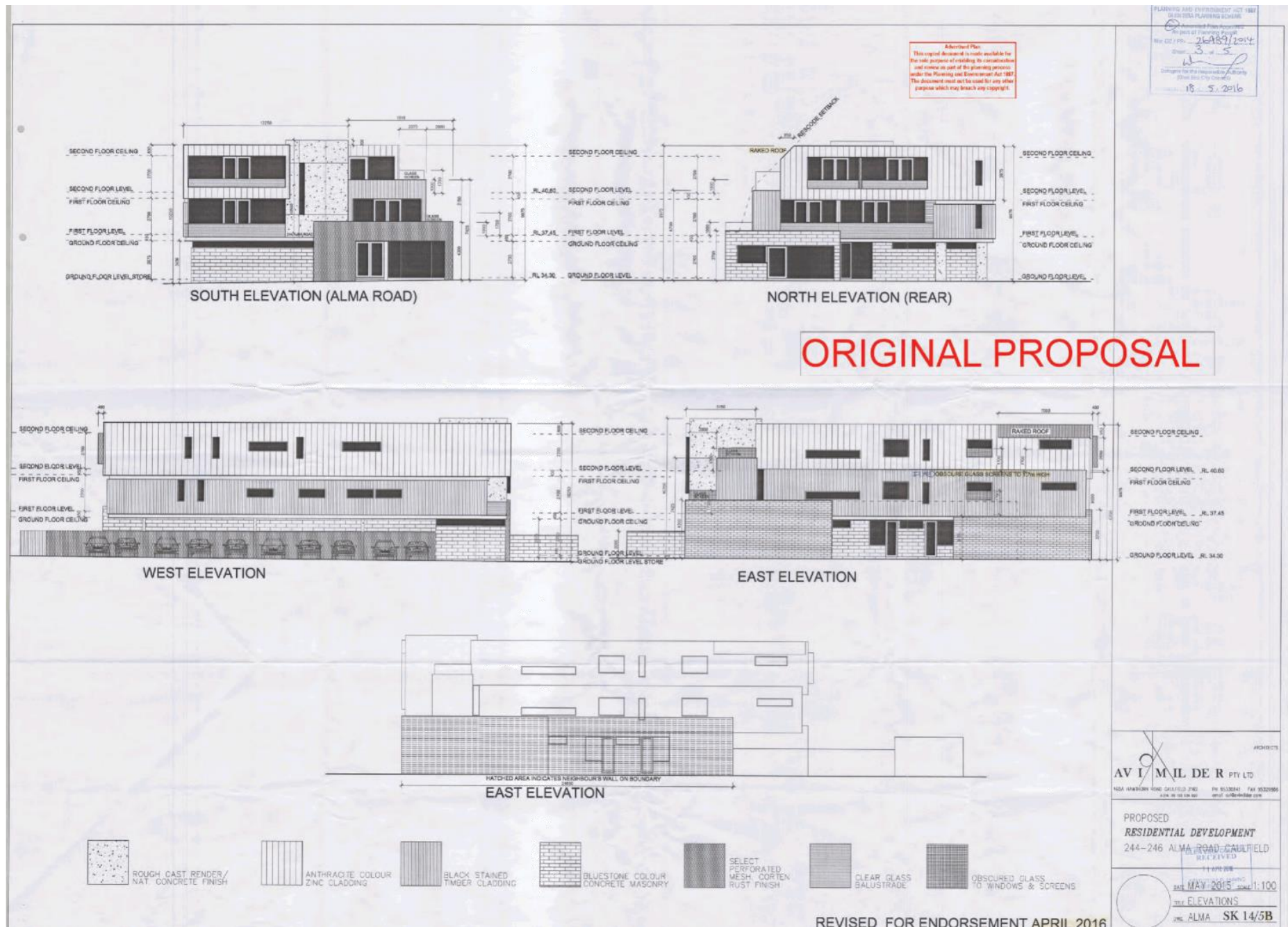
TERRY HARPER ARCHITECTS

Suite 2 / 18 Wellington Street Coleridge Industrial 3086 T: 03 9419 5488 F: 03 9419 5488 e: info@terryharperarchitects.com

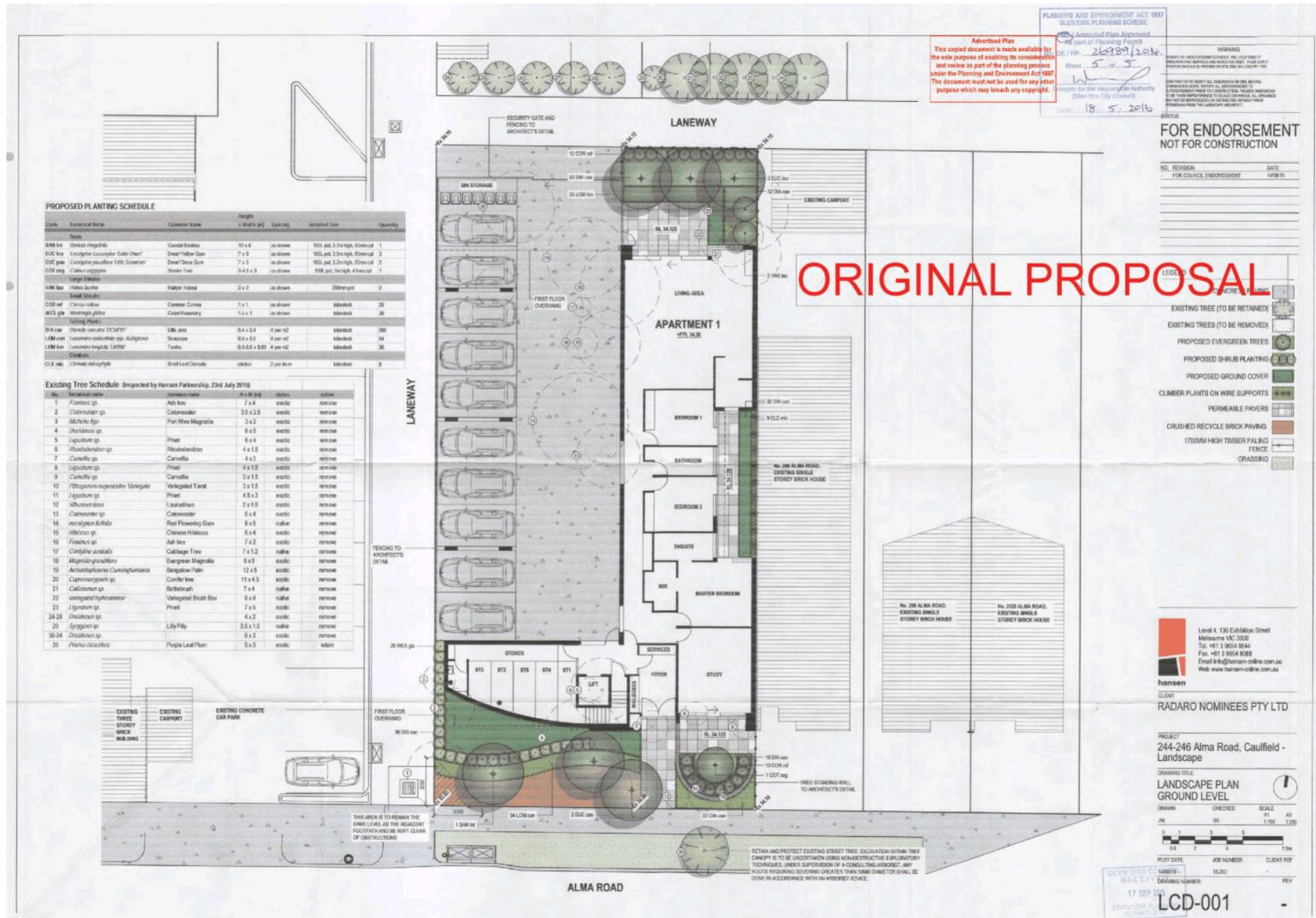


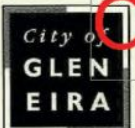












ORIGINAL PERMIT

PLANNING PERMIT
GLEN EIRA PLANNING SCHEME
RESPONSIBLE AUTHORITY: GLEN EIRA CITY COUNCIL

Advertised Plan
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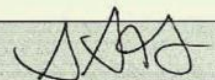
PLANNING PERMIT NUMBER:	GE/PP-26989/2014
ADDRESS OF THE LAND:	244-246 Alma Road CAULFIELD NORTH VIC 3161
APPLICANT:	Radaro Nominees Pty Ltd
THE PERMIT ALLOWS:	Construction of a three-storey building comprising six (6) dwellings with associated car parking in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the commencement of the development, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must generally accord with the plans submitted with the application (identified as Drawing No's. SK14/3, SK14/4, SK14/5 & SK14/6, prepared by Avi Milder Architect and dated July 2014) but modified to show:
 - (a) A landscape plan in accordance with Condition 2;
 - (b) The side setback of Unit 6 to be in accordance with Standard B17 for that part of the building that would extend past the rear wall of the dwelling at 248 Alma Road;
 - (c) The provision of screening for the first and second floor windows of Bedroom 1 of Unit 4 and Bedroom 2 of Unit 6, respectively, either in the form of fixed obscure glass or fixed external screens (maximum 25% transparent) to a height of not less than 1.7m above floor level and the height of the screens on the eastern side of the front balconies of Units 4 and 6 to be not less than 1.7m;
 - (d) The Bedroom 1 window of Unit 4 on the plans to correspond with the elevation drawing;
 - (e) The columns within the car park to be located no less than 250mm and extend no more than 1.0m from the car park aisle and be dimensioned on the plans;
 - (f) Dimensions of all the car spaces and widths of the car park aisles to be shown on the plans in accordance with Clause 52.06 of the Glen Eira Planning Scheme or otherwise to the satisfaction of the Responsible Authority;
 - (g) The provision of an intercom system to be noted on the plans to allow for visitor access to the car park;
 - (h) Notes stating that the bicycle storage facilities (eg, racks, hooks, etc) will be provided in accordance with AS2890.3;


DATE ISSUED: 22 October 2014

SIGNATURE FOR THE RESPONSIBLE AUTHORITY



IMPORTANT – REFER TO NOTES ON LAST PAGE

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PLANNING PERMIT
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Conditions Continued –

(i) A 3 metre x 3 metre ground level splay to be provided on the south-west corner of the site at the same level as the footpath. The dimensions of the splay must be noted on the plans and a note must be provided to ensure this section is to be at the same level as the footpath and kept clear of obstructions.

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

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

- (a) A survey, including botanical names, of all existing vegetation to be retained.
- (b) Buildings and trees (including botanical names) on neighbouring properties within 3 metres of the boundary.
- (c) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
- (d) Landscaping and planting within all open space areas of the site.
- (e) Advanced canopy trees (minimum 3.0 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) in the following areas:
 - (i) Two (2) trees within the front setback;
 - (ii) Two (2) trees within the rear private open space;

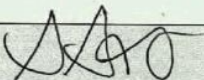
or four (4) trees in locations to the satisfaction of the Responsible Authority.

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

3. 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.


4. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.

5. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

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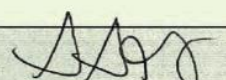
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Conditions Continued –

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


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Conditions Continued –

(e) line-marked to indicate each car space and all access lanes;
 to the satisfaction of the Responsible Authority.

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

9. The car parking allocation for the approved development must be:

- Not less than one (1) car space per one or two bedroom apartment;
- Not less than two (2) car spaces per three (3) or more bedroom apartment;
- Visitor spaces one (1) marked accordingly.

10. 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.

11. The permit holder must inform all purchasers about this planning permit, particularly drawing attention to Note A.

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. 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. This does not apply to the exemptions specified in Clause 62 of the Glen Eira Planning Scheme. Note: This does not obviate the need for a permit where one is required.

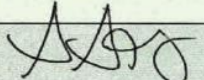
14. This Permit will expire if:

- 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.

DATE ISSUED: 22 October 2014

**SIGNATURE FOR
THE RESPONSIBLE
AUTHORITY**



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ORIGINAL

PLANNING PERMIT

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Conditions Continued –

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

Conditions End

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

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

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

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

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


D. This Planning Permit represents the Planning approval for the development of the land. Side and rear boundary fences do not form part of this Planning approval. The approval for building on a "title boundary" enables the building to be sited precisely on the boundary (as determined by a licensed land surveyor) or within 200mm of the title boundary as per the definition in Clause 55.04-2 of the Glen Eira Planning Scheme. All matters relating to the boundary fences shall be in accordance with the provisions of the Fences Act 1968, i.e. Council will not deliberate on which option prevails but rather the permit holder and adjoining owners will need to cooperatively resolve which of the above outcomes is mutually acceptable.

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

DATE ISSUED: 22 October 2014	SIGNATURE FOR THE RESPONSIBLE AUTHORITY
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PLANNING PERMIT

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Conditions Continued –

Engineering Services

- F. Laneway is not lit by Council. any / all public / private lighting in laneway is to be provided and maintained by the development.
- G. Engineering Services encourage the use of rainwater tanks for storage and reuse for toilet and irrigation purposes and or stormwater detention system.
- H. All stormwater runoff must be connected to the Council underground drainage network. No uncontrolled stormwater discharge to adjoining properties and footpaths is allowed.
- I. All relevant Engineering Permits must be obtained prior to any works within the Road Reserve and or stormwater connection to Council's drainage network.
- J. Any modifications, amendments or changes that could impact Council's infrastructure assets are to be discussed with Engineering Services prior to issuing a planning permit.

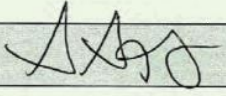
Building Department

- K. Protection Works notices to be assessed by the relevant building surveyor.
- L. Construction Management Plan required.
- M. Fire rating and sound insulation between units to be assessed by the relevant building surveyor.
- N. Light and ventilation to be assessed by the relevant building surveyor.
- O. Distances of travel to be assessed by the relevant building surveyor.
We anticipate the building will be subject to fire engineering verification with the performance requirements of the Building Code of Australia to permit the extended travel distance to exit (departure from the BCA prescriptive requirements)
- P. Access for people with a disability to be assessed by the relevant building surveyor.
*The ends of the apartment corridors will need to allow for the space required for a wheelchair to turn (i.e. 180 degrees – 1540mm wide x 2070mm long).
Circulation spaces at doorways (entry and to foyer) to comply with AS1428.1-2009.*

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8.2 VCAT WATCH

Author: Kristian Cook, Coordinator Urban Planning

Trim No: 20/184442

Attachments: Nil

PURPOSE AND SUMMARY

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

RECOMMENDATION

That Council notes the applications currently before the Victorian Civil and Administrative Tribunal.

BACKGROUND

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

ISSUES AND DISCUSSION

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

Since the previous report there have been no new appeals lodged. There has been one new decision, which is an interim decision for 6-8 Bevis Street, Bentleigh East.

INFORMATION TO NOTE

VCAT and in the impact from the onset of the Coronavirus (COVID-19)

VCAT have not been holding face-to-face hearings up to and including **15 May 2020**, with all existing matters adjourned for the foreseeable future.

VCAT has now begun listing new appeals for hearing dates and notifying Council of new appeals. It is likely that once VCAT commence listing adjourned matters that Council will be served a number of new appeals within a short period of time.

VCAT has begun trialling some hearings via video conferencing, similar to programs such as Zoom or Microsoft Teams. The trial has been used for confined matters and has not been widely rolled out to other matters yet.

It is expected that there will continue to be substantial delays with people getting hearing dates from VCAT.

RECENT VCAT DECISIONS

Address	6-8 Bevis Street, Bentleigh East
Proposal	Construction of a three-storey apartment building, plus basement car park comprising of 22 dwellings.
Council decision	Refusal
VCAT decision	Interim decision
Appellant	Bevis St Pty Ltd

Councillors may recall the most recent application at this site, which was refused at the 9 April 2019 Ordinary Council Meeting (OCM).

The site has been subject to two previous applications that were both appealed to VCAT following Council's refusal. VCAT upheld Council's refusals in both instances.

The most recent application was heard before the Tribunal on 10 February 2020 for 3 days. VCAT have now made an interim decision on the application, which identifies a number of areas of the proposal that require further modification. Should the applicant wish to amend the application further, they must advise VCAT and the parties by 27 April 2020.

The changes required by VCAT are summarised as follows:

- *The deletion of Dwellings 17 and 18. Uncovered balconies may project up to 3.0 metres into the resultant setback to Bevis Street;*
- *Deletion of the sloping elements/angled walls and associated roof elements to both the north and west sides of the second-floor level;*
- *The deletion of that part of the building accommodating the master bedroom and bathroom of Dwelling 20;*
- *Deletion of the overhang to the courtyard of Dwelling 6; and*
- *A minimum 2.5 metre width for the central recess in the Bevis Street elevation, and the recesses in the Filbert Street elevation. The depth of the recesses must not be less than 2.0 metres. This must not result in a reduction of setbacks from any boundary.*

The above changes generally incorporate the recommendations set out in the officer recommendation to the 9 April 2019 OCM, but also incorporate additional changes required by the Tribunal members.

The changes seek to reduce mass and bulk impacts to the property to the east at 10A Bevis Street, however the more substantial changes are to ensure a more appropriate streetscape design response is achieved.

The applicant advised VCAT and the parties on 27 April 2020 that they wish to take up VCAT's offer to amend the plans further as detailed above. VCAT have advised that the amended plans must be circulated to all parties by no later than 11 May 2020. Council and the other parties then have until 9 June 2020 to provide further written submissions in response to the amended plans.

The approach of the interim decision by VCAT is welcomed by officers. Whilst VCAT could have sought to address their issues by conditions, this invariably leads to unknown consequences and restricts the architect's ability to address the changes in a more integrated manner. This is an approach that officers are seeing more and more from Tribunal

members, as VCAT appears to be taking a more facilitative approach to resolving planning disputes, provided it achieves the correct outcome based on planning merit.

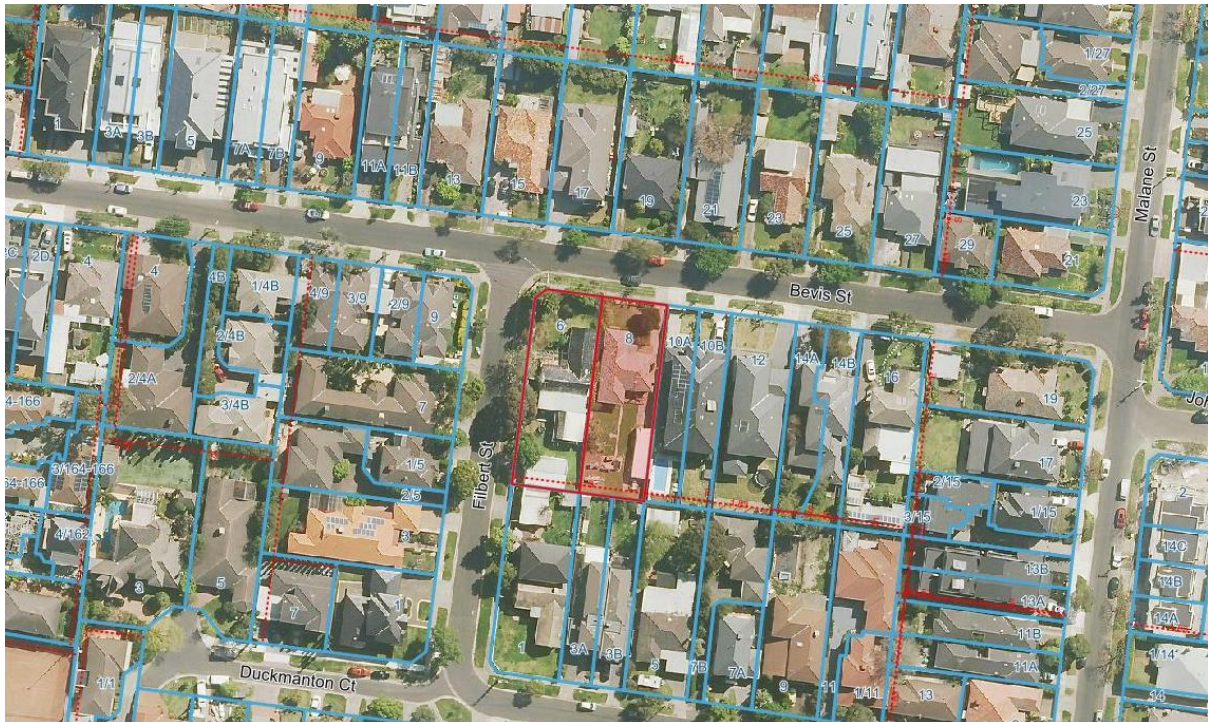


Figure 1 – Aerial view of subject site and surrounding properties

COMMUNICATION AND ENGAGEMENT

There has been no communication or engagement for this report.

LINK TO COUNCIL AND COMMUNITY PLAN

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

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The report provides an update of the applications before VCAT and the recent decisions made by the Tribunal.

8.3 AFTER-HOURS NOISE COMPLAINTS

Author: Luke Fraser, Coordinator Civic Compliance

Trim No: 20/177482

Attachments: 1. EPA Brochure 'A guide to dealing with residential noise' [↓](#)

PURPOSE AND SUMMARY

The purpose of this report is to explore the feasibility and implications of Council officers investigating noise complaints outside the normal operating hours.

It will also explore possible alternative changes and approaches that could work to achieve the aim of effectively improving noise complaint resolutions, particularly for ongoing and problematic cases that have been limited by the current processes.

RECOMMENDATION

That Council:

1. notes the findings of this report on Council officers conducting out of hours noise complaint investigations.
2. notes that officers will further explore streamlining Council operations and procedures for investigating noise complaints, including improvements with working across Council departments.
3. requests officers investigate the creation of a limited *After-Hours Noise Complaints Policy* specific for difficult and ongoing investigations where meaningful action has not been made and that can benefit from after-hours Council involvement, including how to identify such cases, as well as what benefits to the case could be made by doing this. This is to be reported to Council before September 2020.
4. requests officers investigate additional after-hours services that could assist with noise complaints and would act as the step between current procedures and the introduction of a limited *After-Hours Noise Complaints Policy*. The findings are to be reported to Council before September 2020.
5. requests officers investigate an enhanced working relationship with the local municipal Victoria Police branches and develop a procedure for working together to combat after hours noise complaints in Glen Eira.

BACKGROUND

At the 17 March 2020 Ordinary Council meeting, Council resolved:

"That officers prepare a report that explores the feasibility of Council officers investigating and collecting evidence for legitimate and ongoing noise complaints outside of business hours."

Local councils in Victoria have the responsibility of investigating complaints relating to the following types of noise:

- from construction sites, residential and commercial premises;
- that breach the *Environmental Protection Act 1970*;
- that constitutes a public health nuisance; and

- that breach a planning permit condition.

This is dictated by a number of different State Government legislations and acts which provide guidance for councils to investigate and act on these complaints. If a noise is found to be in breach of these acts, most notably the *Environment Protection Act 1970*, the person is guilty of an offence and action can be taken.

Glen Eira City Council currently adopts the industry standard of investigating these noise complaints within operating hours, Monday-Friday, 8:30am-5:30pm. For ongoing noise issues or issues occurring outside of this time period, currently a detailed journal documenting the noise can be made by a resident who wishes Council to investigate.

Council's Civic Compliance officers are available to attend and investigate emergency reports between Monday-Friday, 7:00am-7:00pm and do patrol reports of regular and ongoing noise to gather evidence during these times.

On average, Council receives in excess of 1000 noise complaints per year, the majority of which are effectively resolved through Council's current processes. There are, however, a small amount of cases that become problematic to resolve and do continue with ongoing noise issues. Council has seen a rise in feedback from residents who have undergone this process and felt that more could be achieved if Council investigated issues outside of standard operating hours.

ISSUES AND DISCUSSION

Can Council officers investigate after hours and if so, what can they do?

Glen Eira City Council officers currently process complaints concerning late night noise disturbance during operating hours. In addition to this investigation, residents are also guided to contact Victoria Police where they require immediate relief. This is the standard industry practice for Victorian councils and follows what is prescribed in the relevant State legislation. Some metropolitan councils have additional after-hours services, but this generally relates to unique municipal conditions such as the City of Melbourne (having a high concentration of night-time activities) and Mornington Peninsula Shire (containing popular tourist destinations with short-stay accommodation). Most metropolitan councils that are predominately residential in nature, such as Glen Eira, operate to standard procedures for noise complaints.

If Council was to provide an after hours investigation service, this would require a change to Glen Eira's operating procedures, including changes to staff levels, rostering and relevant Occupational Health and Safety procedures. This is detailed further in this report under the implications on Council resources section.

Investigating noise complaints after hours employs the same procedures that currently exist for investigations within normal operating hours. This involves the officer gathering evidence to determine if there has been a breach of Environment Protection (Residential Noise) Regulations 2018. However, officers are not authorised to enter a premise to ascertain where the sound is coming from or who is responsible for it.

The Environment Protection Authority provides a useful guide to the regulatory context of Noise provisions and advice on how noise complaints can be dealt with. (refer to Attachment 1)

Where there have been reports of an alleged breach of Environment Protection (Residential Noise) Regulations 2018 under section 48A of the *Environment Protection Act 1970*, Council needs to satisfy a number of points-of-proof to take further action listed below:

- Times of noise;
- Dates;

- Location of noise (property address);
- What type of noise;
- Source of noise (if known);
- The duration and intensity of the noise; and
- What habitable room/s the noise is audible from within the complainant's home.

This is normally requested in the form of a Residential Noise Log which is made available to complainants, or by Council officers attending a location to investigate. Council is also required to consider the volume and intensity or duration of the noise, in most cases this would require an onsite noise assessment to occur (listening to the noise to establish if it is audible from a habitable room or if it is in line with the *Environment Protection Act 1970* prescribed appropriate noise levels). In terms of providing evidence of health impacts created by a noise issue, this would be in the form of a Witness Statement in addition to any other medical evidence that could be provided.

Night time noise emitted by domestic spa and swimming pool pumps, air conditioners and heating equipment are regulated by the *Environment Protection (Residential Noise) Regulations 2018* which restrict the times the equipment can operate if the noise can be heard in a habitable room of a neighbouring property.

In instances where ongoing breaches of the *Environment Protection (Residential Noise) Regulations 2018* occur, Council continues to investigate and may take action under the nuisance provisions of the *Public Health and Wellbeing Act 2008 (PHW Act)*.

To prove a breach of *PHW Act*, Council requires the reporter to complete a residential noise log for a consecutive period of 14 days. This assists Council in determining the frequency and duration of the noise. Based on the information provided in the log, an environmental health officer may conduct a site assessment, including noise readings to establish the volume or intensity of the noise. In addition to this evidence, Council also requires the reporter to provide a witness statement detailing the impact of the noise including any supporting evidence such as medical documents.

Council officers can direct offenders to stop unreasonable noise, but this is a direction only. An Abatement Notice can be issued that requires them to stop the noise, however this is currently issued the following business day. The Notice will remain in force for 72-hours under section 48A of the *Environment Protection Act 1970*, and further action can be taken if the noise continues within this timeframe. Under current operating procedures, if a resident calls regarding a noise complaint after-hours, an Abatement Notice is processed and issued the following working day. This process is effective for ongoing noise issues such as residential noise that can take place during Council business hours. However for irregular or isolated events such as music from residential premises, the issue may have ceased by the time the Abatement Notice comes into effect. Council's current approach becomes more of an issue over weekends, if a noise issue occurs on a Friday, such as a music from a loud party, it can continue over the entire weekend before an Abatement Notice is issued, and then generally wouldn't happen again for the 72-hour Notice period until the following weekend.

Having Council officers attend after hours and over weekends to issue an Abatement Notice may assist in further enforcement action being taken if the noise continued that night. This would be beneficial in cases where a particular property had frequent and loud parties on a regular basis. However, to do this, officers would require the personal details of alleged offender/s in order to issue the Abatement Notice and would need to confirm receipt.

This is also the action that can be taken by the Victoria Police during after-hours situations, particularly relating to music from residential premises. Victoria Police is also more effective in responding to noise issues that may have a safety element, such as antisocial behaviour.

This means that the attendance of the Police may be more beneficial than the attendance of Council officers with limited authority and lack of personal protective equipment. The Victoria Police is also able to gather evidence to assist with Council noise complaint investigations.

However Police resources may be stretched, particularly on weekends, meaning the ability to attend to one-off noise issues such as loud parties can be limited. This in turn will also affect Council officers' ability to attend if they require the assistance of the police.

Rooming Houses

In the eyes of the community, rooming houses are often associated with antisocial behavior, excessive noise, the consumption of alcohol and drug use which can affect neighbouring residents. Victoria Police is primarily responsible for the immediate response to matters associated with anti-social behavior or illegal activities to ensure community safety. The profile of people living in rooming houses indicates a higher level of vulnerability including residents with alcohol and drug related issues, mental health issues and criminal records.

Council's *Rooming House Strategy 2019* identified that issues reported to the police by members of the public may be due to a lack of a proactive, responsible property and people management by the rooming house operator. To address this, a number of actions are being implemented including advocacy for increased rooming house standards to provide education and support to operators on effectively operating rooming houses to reduce the amenity impacts on the community.

What impacts will after hours attendance have on noise complaint investigations?

The same procedures and authorisations will apply to Council officers investigating noise issues during standard business hours, as well as after-hours.

The current noise complaint process is considered sufficient for gathering evidence for ongoing residential noise issues. However, the benefits of Council officers attending after hours may include:

- Speeding up the investigation of the offence, especially if it is one that only occurs after-hours.
- For some cases, it may remove the step for residents being asked to record information in a log if Council officers can be present to record the noise issue first hand. In this case, it should be noted that the officer would be attending after hours to record the same information that the resident would send into Council for assessment and may still require them to send in further information and give access to their premises at the time of attendance. However, any investigations under the *Public Health and Wellbeing Act 2008* will still require residents to record and submit information.
- Presence of Council officers investigating a noise related issue may also act as a visual deterrent to some perpetrators, meaning there is a higher chance of noise being stopped, even temporarily, while the investigation continues.
- Council officers have the power under the *Environment Protection Act 1970* to issue a direction to cease noise at the time of the offence and issue an Abatement Notice, with subsequent enforcement action undertaken if further breaches are detected during the following 72-hour period.

The drawbacks associated with Council officers attending after-hours may include:

- The resources required for Council officers to work after-hours and on weekends would require roster changes during normal business hours, which in turn could impact on core responsibilities if new officers are not employed to fill these gaps.

- The financial cost associated with having Council officers working after-hours and on weekends under current award conditions.
- Once an officer takes an after-hours call and drives to the location the noise may no longer be occurring.
- Council officers would need to identify the person/s allowing the noise to occur and the cause of the noise which could pose a number of occupational health and safety concerns - officers are not authorised to enter a residential premise.
- This process would also rely on the offenders co-operating with Council officers which may not always be the case. There may be a perception by some perpetrators that Council officers do not have a high level of authority. Which is true to the extent that officers can only request co-operation and issue an Abatement Notice, compared with Victoria Police who can enter a premises, gather offenders' details, evidence and take possible further action including on the spot penalties and ceasing the noise immediately.
- If a Council issued Abatement Notice is broken within the 72-hour window, officers can only issue a penalty the following business day, with the required evidence of the Notice being broken.
- If officers attend a noise issue that presents a safety issue, or the perpetrators of the noise fail to comply with officer direction, the matter may need to be escalated to Victoria Police.
- If the matter is escalated to Victoria Police, having the Council officer's initial attendance creates a double-up of resources as the police officers have the same authorisations, but with the additional powers to act at the time of the offence, including stronger legislation to issue on the spot fines and stop nuisance noise immediately.

What will be the implications of after-hours attendance on Council resources?

Extending the working hours of the relevant Council officers will have financial and staffing implications.

There will be a significant cost associated with having Council staff working or being on-call after hours and over the weekend. This would vary on the way the procedure would be implemented, such as a full-time commitment, only on-call, working in pairs or only having one officer that works in partnership with Victoria Police when needed. On average, the cost of one full-time Council authorised officer working after hours for one evening would be \$243.20, and over a weekend this could rise to \$972.80.

Consideration must also be given to Council's *Enterprise Bargaining Agreement 2018* and the processes that must be followed if changes to a staff members role are made. The *Agreement* states that:

"Where Council has made a definite decision to introduce major changes in production, program, organisation structure or technology that are likely to have significant effects on employees, it will notify and consult with employees, it will notify and consult with the employees who may be affected and the relevant unions and invite views and/or options in regard to the proposal."

The *Agreement* also requires that Council provides for a 10-hour break between a staff members completion of work and commencement of next ordinary day, without loss of pay. This may result in rostering conflicts and potential for a reduction in coverage during normal business hours for core functions due to increased rostering requirements, and this

potentially could require employment of additional full-time or part-time staff to fill these gaps.

It must be considered that providing a service such as officers attending to out of hours noise complaints would pose an additional high-risk function for the Civic Compliance Unit Risk Register. Approaching alleged offenders to gather evidence can often be met with hostility, particularly when this process is occurring during the night with the possibility of drugs and alcohol involved. Council would need to invest in additional training and Personal Protective Equipment to help mitigate this risk.

Other risk mitigation measures Council would need to consider are either having two Council officers working together, or if an officer is working alone just to gather data, they would need the assistance of Victoria Police to engage with a suspected noise perpetrator if the situation arose. For example, if a situation was deemed to be unsafe, such as an out-of-control party with anti-social behaviour, Council officers would have no authority to intervene and this situation would require the attendance of police. If Police resources are stretched, particularly on weekends, they may be unable to attend, meaning the Council officer/s will be unable to continue working.

If Council operating procedures were to be changed to allow officers to investigate noise complaints after hours, changes to the relevant Council policies, procedures and risk assessments would need to be made first, and requirements of the employee Enterprise Bargaining Agreement followed before any action could commence.

What other changes could be implemented in conjunction with, or instead of, after-hours attendance?

There are different levels of implementing after hours procedures for Council officers to investigate noise complaints, each with associated pros and cons and implementation requirements that would need to be further detailed if the decision was made to explore that option. There are also alternatives that could be explored that could offer improvements to the existing procedures for noise complaints, but don't involve after hours officer attendance.

These could include:

- Having a full-time roster of Council officers working after hours to investigate noise complaints, either collecting evidence for existing investigations or responding to new complaints as they arise at the time.
- Having the ability for Council officers to work after hours to collect evidence for difficult or ongoing investigations where meaningful action has not been made and that could benefit from after-hours Council involvement. A new Council policy would need to be created that clearly outlined how you would define one of these cases for after-hours work and only where it is believed sufficient evidence can be collected and the issue resolved.

Melbourne City Council and Moonee Valley Council both employ a specific officer to deal with complaints. They are limited with after-hours procedures, but having a dedicated officer makes it easier to investigate and gain sufficient evidence, with the possibility of attending after hours.

Port Phillip City Council uses an officer after hours phone (rather than direct to after-hours customer service) where officers can record evidence at the time without attending the location. The evidence is then investigated by an officer the following business day.

- Council engages a third-party contractor to collect evidence for noise complaints after hours. The contractor would not have the authority to engage with perpetrators, enter a premise or issue an Abatement Notice. They would only have the ability to gather

evidence that can then be used to build a case and prosecute offenders. Victoria Police would need to attend if the noise had to be resolved at the time, or the situation presented a safety issue.

Mornington Peninsula Shire has a similar procedure for conducting after hours noise complaints in problem short-stay accommodation areas. This operates to some success for prosecuting ongoing noise issues from problem properties.

- Enhance the working relationship between Council and local municipal Victoria Police branches with the aim to improve police officer response and action to noise complaints that happen after hours. As police officers are authorised to direct offenders to stop unreasonable noise, as well as gather evidence for Council investigations to ongoing issues, police officers could attend after hours instead of Council officers and potentially offer the same results. However, Police resources may be stretched, particularly on weekends, meaning their ability to attend for one-off noise issues such as loud parties can be limited.

The Victorian State Government has recently implemented the police no sirens service, 'when you need us, but not the sirens', which can also assist with out of hours noise complaints. There is a new number for residents to call when they require the police, but it is not an emergency, such as a noise issue. Council could work to promote this new service in our community and the benefits associated with after-hours noise complaints, as well as working with the local municipal Victorian Police branches to make sure the service is working effectively in Glen Eira.

- At the end of 2019, Council officers conducted an initial review of internal procedures relating to noise complaints and found that improvements to the way they are currently conducted could be made that may improve Council's performance and result in better outcomes for residents. This related to the ability for Council officers to investigate noise complaints, typical timeframes of Council investigations and the challenges of working across Council departments when the noise issue could apply to different legislations. Further reviewing and refining the existing procedures may offer a similar impact to working after hours, but without the associated costs and resource implications.

Darebin City Council is looking to undertake a similar review to see if noise complaint issues can be resolved more efficiently by improving existing procedures.

- Working with other agencies, or assisting residents in working with other agencies, that operate under different State legislation and acts, but are designed to address similar issues. For example, real estate agents can issue breach notices to tenants if they break noise regulations and after three strikes, their lease could be reviewed potentially resulting in eviction.

Port Philip City Council refer noise complaints relating to commercial premises directly to the Environment Protection Authority Victoria who employ an 'Officer for the Protection of the Local Environment' to investigate and resolve these cases.

- Advocating for improvements to State legislation and acts to give councils more authority or power to act on frequent and ongoing noise complaints. This includes the challenge of a Council issued Abatement Notice which only lasts for a period of 72 hours, which can give complainants the impression they are 'going around in circles' to resolve their issue. It would be difficult to have changes to State legislation and acts implemented without additional support from other councils or relevant authorities such as the Municipal Association of Victoria.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The increased financial and Council resource requirements of having staff work after hours, the need to employ additional staff to fill any rostering gaps that arise with longer working hours or the costs associated with contracting third-party companies to investigate after hours noise complaints. For example, on average, the cost of one full-time Council authorised officer working after hours for one evening would equal at least \$243.20, and over a weekend this could rise to \$972.80.

Risks associated with Council officers investigating noise issues after hours. Officers would need to work in pairs or have Victoria Police in attendance if working individually. Changes to after-hours work would need the development of new after-hours work assessments and procedures to align with Council employee policies.

The financial, resource and risk implications would need to be further explored specific to which procedural change to after-hours noise complaints Council implements.

POLICY AND LEGISLATIVE IMPLICATIONS

The following legislations and policies are applicable for the enforcement of noise complaints:

- *Glen Eira Local Laws 2019*
- *Environment Protection Act 1970*
- *Environment Protection (Residential Noise) Regulations 2018*
- *Public Health Nuisance Council Policy*
- *Public Health and Wellbeing Act 2008*
- *Planning and Environment Act 1978*
- *State Environment Protection Policy (Control of Noise from industry, Commerce and Trade) No. N1*
- *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N2*
- *Enterprise Bargaining Agreement 2018*
- *Occupational Health and Safety procedures*
- *Risk Assessments*
- The possible creation of a new *After-Hours Noise Complaints Policy*

COMMUNICATION AND ENGAGEMENT

As this is an analysis of potential implications for changes to officer operations, no community engagement or communication is intended at this stage.

If a new after-hours policy was adopted, this would then be promoted to the broader municipal community so they were aware of the changes and new actions that can be taken.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Three: Safe, Healthy and Inclusive

A strong and safe community that connects people and enhances health and wellbeing.

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

There has been a steady increase in noise complaint requests to Council, as well as an increase in residents who have felt the current procedures for conducting noise complaints could be improved. On average Council receives in excess of 1000 noise complaints per year, the majority of which are effectively resolved through Council's current processes. There are, however, a small amount of cases that become problematic to resolve and do continue with ongoing noise issues.

Implementing after hours Council officer investigations of noise issues is one possible change to improve the process of noise investigations. However, there are both opportunities and constraints associated with the introduction of after-hours investigations.

Before implementing changes to Council's operating procedures for the investigation of noise complaints, it is important to understand the implications associated with this change comparative to the impact on improvements to noise investigations.

It is important to also understand that a complete procedure-wide overhaul and streamlining of Council's noise complaint investigations, including investigation and reporting methods as well as improvements with interdepartmental co-ordination could be implemented to potentially achieve a similar level of improvement, with relatively minimal resource implications.

It is also worth noting that an enhanced working relationship with relevant Victoria Police local municipal branches may help to resolve some of these ongoing problematic cases as police officers have greater power and authority to intervene above the authorisations of Council officers.

A combination of different procedure changes and working relationships, both within Council and externally, may work to achieve the aim of effectively improving noise complaint resolutions, particularly for the small number of ongoing and problematic cases that have been limited by the current processes.

Annoyed by noise?

A guide to dealing with residential noise

ENVIRONMENT PROTECTION AUTHORITY



Environment
Protection
Authority Victoria



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This booklet can help you find the best way to address common residential noise issues. The table at the end of this booklet lists **prohibited times** for noisy equipment used on residential premises.

Residential noise

It is a fact of life that we all make noise, whether we are talking to others, playing music, entertaining, working around the house or just going about our daily business.

What is enjoyable to one person may be annoying to another. Too much noise can reduce people's quality of life and, in some extreme cases, even destroy it entirely.

Residential noise is one of the most common sources of noise for Victorians and the most annoying.

Noisy neighbours

Often the best approach for dealing with noisy neighbours is to talk to them and work together on a solution to settle the problem.

Approaching your neighbour

You may feel anxious about approaching your neighbour, but remember that they are sometimes not even aware that they are disturbing you. Talking about the noise early on can help make neighbours aware of the problem and be more considerate in future.

Residential noise and the law

Section 48A of the *Environment Protection Act 1970* (EP Act) makes it an offence to cause **unreasonable noise** from any residential premises. Residential noise may be considered unreasonable at any time of the day, depending on its volume, intensity and duration, and the time, place and other circumstances in which it is emitted.

The Environment Protection (Residential Noise) Regulations 2018 list specific types of equipment and times their use is prohibited (see the table at the end of this booklet). The times depend on the type of equipment being used and the day of the week; however, some equipment may still be too loud even when used during the appropriate times (see Page 6 under the heading 'Any noise may be unreasonable' for more information).

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Tips for talking to your neighbour

Before you approach your neighbour, plan what you are going to say. If you are pleasant and keep calm then they are more likely to respond positively.

Pick the best moment - try to find a time when you can remain calm and your neighbour will be most likely to listen to, understand and resolve your concern.

The best approach might be to explain how the noise disturbs your need for peace, relaxation or sleep, and how this makes you feel. Try to focus on what you are hearing, rather than what your neighbour is doing. You could suggest a reasonable action that may help solve the problem by asking 'would you be willing to...?'.

If talking to your neighbour does not resolve the problem, or if you feel intimidated and worried they may become aggressive, you do have other options available.

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If your problem isn't easily resolved

Formal mediation can be a good way to work through the issue together, or you may seek help from police or your local council.

Police and council officers can direct offenders to stop unreasonable noise. A direction can remain in force for up to 72 hours. Failure to comply with a police or council direction is an offence and offenders may receive on-the-spot fines.

Local council can also take action under the nuisance provisions of the *Public Health and Wellbeing Act 2008* (PHW Act). Councils are obliged to investigate noise nuisances.

For people living in apartments, their owners' corporation must have procedures under the *Owners Corporations Act 2006* to help deal with grievances. These can facilitate communication between neighbours or when making a formal complaint. Also, under the *Residential Tenancies Act 1997*, renters must avoid disturbing the peace and comfort of their neighbours. Landlords may take action against tenants who break these rules. For more information, contact Consumer Affairs Victoria on **1300 55 81 81**.

The Dispute Settlement Centre of Victoria can also assist in resolving noise problems. This organisation helps people settle their disputes in a cooperative and lasting way. Mediation relies on both parties to the dispute being willing to discuss the problem in the presence of a mediator. Services are free and confidential.

You may also take legal action yourself under the PHW Act or EP Act. You should consult a solicitor if you are considering this course of action.

Help from police or council

If you contact your local council or the police, they can listen to and form an opinion about the noise. Their assessment will consider all the factors of the noise (see 'Residential noise and the law') and how it impacts on you. To support their assessment and help if the matter is taken to court, they may also ask you to keep a diary of when the noise occurs or they may take noise level measurements.

Police are best placed to respond to late night noise such as parties, or issues where the noisy neighbour might also be threatening.

Councils are most suited to address long-term issues, and machine and animal noise. Investigations of complex issues may require a collaborative approach between both the local council and police officers.



Any noise may be unreasonable

The Regulations list items and times when noise from their use is unreasonable, if they can be heard in a neighbour's home (refer to the 'Prohibited times' table at the end of this publication).

However, noise not listed in the Regulations and noise occurring outside the prohibited times can still be unreasonable in some cases. Typical problems include noisy items such as subwoofers used throughout the day, poorly located air conditioners, equipment that is noisy because it is not maintained, or groups of people talking loudly outdoors at a late-night party.

What is unreasonable can depend on where you live, as residents living in apartments or attached houses expect to hear some noise from normal activity in neighbouring homes.

Neighbours should, however, be considerate of where they live, as closer living means a greater chance of music or general household activities impacting on those around you.

Example

If your neighbour turned on a radio after 10 pm on Monday - Thursday night and you could hear it - and it bothered you - it would be considered unreasonable noise. If your neighbour turned on the radio at 10 am it may not be unreasonable noise because people are generally awake at that time. It could still be considered unreasonable if it was excessively loud, or continued for too long.

A large white number 6 is positioned in the bottom left corner of the page. The background of the entire page is a photograph showing a lawn mower on a grassy area with many fallen yellow and brown leaves. A house with grey siding is visible in the background.

Respect – think before making noise

Many activities around the home may be heard by neighbours, but not all noises are acceptable. A person's enjoyment of their home must not unreasonably interfere with their neighbour's wellbeing. This includes their ability to use both indoor and outdoor spaces on their property.

It is especially important to be considerate when using noisy equipment, as even casual use can create significant and unreasonable impacts.

It's good for neighbours to let each other know if they are planning noisy activities such as renovations or a party. Consider chatting with your neighbours, or leave a note in their letter box. Let them know that you will do your best to minimise your impact on them, and how to contact you if there is a problem.

People are usually less annoyed if they know in advance when the noise will start and end, and that they can approach someone if it causes a problem.

Understanding the impacts of noise

Over time, noise can cause significant impacts on anyone's health and wellbeing – especially when it disturbs sleep. Noise can lead to anxiety, stress and other health impacts, even if they don't occur all the time. It can also make people irritable or aggressive. It is important to be aware of these impacts, especially if a neighbour has been affected for some time before they approach you.

Vulnerable people (such as the elderly or ill, parents with young children, shift workers or those who work or study at home) can be the ones most impacted by noise. It's not always possible to avoid noise affecting these neighbours, because some noise is normal or may even be unavoidable during the day. However, it is important to be aware of the needs of others. If there is a conflict, both neighbours should agree on what reasonable things they can do to reduce the noise.

Tips for reducing noise

With music, it's often only the bass noise that bothers neighbours. Turning down bass controls or turning off subwoofers can control the noise, or try using headphones late at night.

Try not to play loud music at times when your neighbours are most sensitive, such as early morning or late at night.

Outdoor music should be kept to a reasonable level.

For parties, keep night music indoors and move guests inside later at night. Ask guests to be quiet when they leave.

Try to keep speakers and noisy appliances away from walls or floors shared with neighbours.



Residential construction noise

The provisions for unreasonable noise also apply to residential premises and apartments under construction. Residential construction equipment such as jackhammers and power tools are covered by the prohibited times in the Regulations.

The Regulations set a wide range of times for both builders and residents to use noisy equipment, but continuous, intrusive work throughout the non-prohibited times is likely to be considered unreasonable.

Noise from equipment used in normal working hours and other site activities can also be unreasonable in some cases. Early-morning deliveries, idling engines, site preparation or loud talking can unreasonably disturb neighbours. Also, people are often annoyed when the noisiest activities are carried out first thing in the work day. 'Broadcasting' radio sound across the site is another common issue.

The Environment Protection (Residential Noise) Regulations 2018 have special provisions for some types of large-scale residential construction. See the EPA website or call EPA for further information. Contact your local council to report residential construction noise.

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Motor vehicles noise

The unreasonable noise provisions of the EP Act also apply to motor vehicles on residential premises, such as vehicles left idling for a time or at a volume that could be considered unreasonable. The prohibited times in the Environment Protection (Residential Noise) Regulations 2018 do not apply to vehicles when moving in or out of the premises, but extended warm-up of vehicles is not allowed during the prohibited times.

Noise from recreational vehicles, mini-bikes and trail bikes used on residential premises, including large rural living allotments, is also considered residential noise and the unreasonable noise provisions of the EP Act apply (refer to the 'Residential noise' section of this publication). Even if the vehicle complies with the levels in the vehicle noise regulations, the noise can still be unreasonable if it is intrusive for too long at neighbouring homes.

Fixed domestic items and home occupation noise

Noise from items such as domestic air conditioners, swimming pool equipment, spas, ducted heating, internal vacuum system and home occupation is subject to Section 48A of the *Environment Protection Act 1970* and the Environment Protection (Residential Noise) Regulations 2018.

Noise from any fixed domestic item must not be audible within a habitable room of any other residence during **prohibited hours** prescribed by the Environment Protection (Residential Noise) Regulations 2018 (see table at the end of this booklet).

During **non-prohibited hours**, such noise audible beyond the boundary of the residential premises must not exceed the background noise level by more than 5 dB. EPA's *Noise control guidelines* (publication 1254) describes how to assess noise from fixed domestic items.

What to do if you have a noisy air conditioner

If you have a noisy air conditioner, consider the following:

Does the unit need maintenance or replacing? Older units may need a clean or maintenance, or you may find it better and cheaper to replace it with a newer model.

Can you install a barrier or enclosure? These can be effective ways to reduce noise if a unit is well-maintained and working properly.

Do you have to restrict the hours you use the unit? If the noise is annoying you neighbours at night, then you may have to switch it off during the prescribed hours.

Move the motor? If you need to run the air conditioner and there are no options for maintenance, barriers or enclosures then you may be required to relocate the unit further away from neighbours.

If the unit is causing unreasonable noise, then you may be required to take action to reduce the noise. It is more practical and cheaper to properly design and install an air conditioner than to try to fix problems later.

Visit EPA's website epa.vic.gov.au for information on choosing and installing an air conditioner.



Barking dogs

The *Domestic Animals Act 1994* covers noise from dogs or cats.

A dog or cat can be regarded as a nuisance if they create a noise that persistently or continuously disturbs a neighbour.

Ongoing issues should be reported to your local council. If the council determines there is a nuisance under the Animals Act, they can give a notice to the owner to prevent the nuisance or can issue a fine for the offence. Court action is also available in some cases.

Appropriate investigation of noise

If you feel that authorities have not appropriately assessed the noise or its impacts, you can ask to discuss this with a senior officer, or ask about other options you have for looking into the investigation process.

The Victorian Ombudsman has good advice on how to lodge concerns to government agencies (www.ombudsman.vic.gov.au), and on their role in this process.

Prohibited times

Environment Protection (Residential Noise) Regulations 2018

Group	Prescribed items	Prohibited times
1	<ul style="list-style-type: none"> Motor vehicles (but not when entering or leaving a site). Lawnmowers or other grass-cutting devices. Any equipment with an internal combustion engine not in group 2. 	<p>Monday to Friday before 7 am or after 8 pm.</p> <p>Weekends and public holidays before 9 am or after 8 pm.</p>
2	<ul style="list-style-type: none"> Electric power tools, chainsaws or circular saws. Gas or air compressors. Pneumatic power tools, hammers or other impacting tools or grinding equipment. 	<p>Monday to Friday before 7 am or after 8 pm.</p> <p>Weekends and public holidays before 9 am or after 8 pm.</p>
3	<ul style="list-style-type: none"> Home heat pumps. Swimming pool, spa or water pumps except when used to fill a header tank. Home heaters (including central heating and hot water systems). Vacuum cleaners. 	<p>Monday to Friday before 7 am or after 10 pm.</p> <p>Weekends and public holidays before 9 am or after 10 pm.</p>
4	An air conditioner, evaporative cooler or split system used for cooling.*	<p>Monday to Friday before 7 am and after 11 pm.</p> <p>Weekends and public holidays before 9 am and after 11 pm.</p>
5	<ul style="list-style-type: none"> Musical instruments. Electric audio goods, including stereos, radios, TVs and public address systems. 	<p>Monday to Thursday before 7 am or after 10 pm.</p> <p>Friday before 7 am or after 11 pm.</p> <p>Saturday and public holidays before 9 am or after 11 pm.</p> <p>Sunday before 9 am or after 10 pm.</p>
6	<ul style="list-style-type: none"> Electrical goods not in group 2, 3 or 4, including gardening tools. Not equipment for personal care or grooming, or for food heating, cooling or preparation. 	<p>Monday to Friday before 7 am or after 8 pm.</p> <p>Weekends and public holidays before 9 am or after 8 pm.</p>

*Air conditioning noise is exempt from the residential noise regulations during a heat health alert.

Prohibited times apply when the noise can be heard inside a habitable room of another residence.

Residential noise can still be unreasonable outside the prohibited times.

Further information

Dispute Settlement Centre of Victoria

Enquiry line: 1300 372 888
disputes.vic.gov.au

Consumer Affairs Victoria Victorian Consumer & Business Centre

113 Exhibition Street
Melbourne VIC 3000
1300 55 81 81
consumer.vic.gov.au

Environment Protection Authority Victoria

Level 3, 200 Victoria Street, Carlton, VIC 3053
GPO Box 4395, Melbourne, VIC 3001
1300 372 842 (1300 EPA VIC)
epa.vic.gov.au



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Publication number 406.8 issued November, 2018
This replaces publication 406.7 issued October, 2017



**Environment
Protection
Authority Victoria**



8.4 AMENDMENT TO THE ORDER UNDER SECTION 26(2) OF THE DOMESTIC ANIMALS ACT - ADDITIONAL OFF-LEASH AREAS

Author: Andrew Barden, Manager Recreation and Open Space

Trim No: 20/177593

Attachments: 1. Draft Order under Section 26(2) of the Domestic Animals Act [↓](#)

PURPOSE AND SUMMARY

To present Council with an amendment to the Order previously made by Council on 2 July 2019 under section 26(2) of the Domestic Animals Act 1994. The amendment is to include additional off-leash areas identified in the Dog Off-leash Areas within Glen Eira report and considered by Council at the 5 May 2020 Special Council Meeting.

RECOMMENDATION

That Council:

1. resolves to make an Order under section 26(2) of the Domestic Animals Act 1994, as set out in Attachment 1, to include additional off-leash areas identified in the Dog Off-leash Areas within Glen Eira report adopted 5 May 2020; and
2. authorises officers to undertake the necessary processes to formalise changes to the Order.

BACKGROUND

In 2019, Council officers engaged Harlock Jackson Pty Ltd to undertake a review of the 2011 Dog Off-leash Areas in the City of Glen Eira report. The review identified additional open space areas that would be suitable to be designated as off-leash and would assist to meet increasing demand from the Glen Eira community.

Following an extensive community consultation process, Council endorsed the Dog Off-leash Areas within Glen Eira report at the 5 May 2020 Special Council Meeting including for the proposed off-leash areas to be formalised.

ISSUES AND DISCUSSION

Under section 26(2) of the Domestic Animals Act 1994, Council may, by resolution, make an Order in relation to dogs (or cats) in public places within the municipality. Any Order by Council must be published in the Victorian Government Gazette and in a newspaper circulating the Glen Eira municipal district.

The most recent Order by Council was made on 2 July 2019. Council is now required to amend the Order to include areas not previously designated off-leash. Following the 2019/2020 review of off-leash areas and the community consultation process, Council has endorsed the following open spaces to be included in the Order:

- Wattle Grove Reserve, McKinnon;
- Mackie Road Reserve, Bentleigh East;
- Rosanna Street Reserve, Carnegie; and
- Springthorpe Gardens, Murrumbeena

Rosanna Street Reserve, Wattle Grove Reserve and Springthorpe Gardens have been endorsed as off-leash areas (6am – 9am) on an initial 12 month trial. At the conclusion of the trial, officers will provide feedback to Council to determine the ongoing use of this reserve and make any relevant amendments to the Order.

It should be noted that Council also endorsed additional off-leash areas be provided at the following open spaces, however as these are extensions to existing off-leash areas, the locations are already cited in the current Order:

- Bailey Reserve, Bentleigh East;
- Halley Park, Bentleigh;
- Glen Huntly Park, Caulfield East;
- Marlborough Street Reserve, Bentleigh East; and
- EE Gunn Reserve, Ormond.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

These changes will increase the number of off-leash areas that require patrols by Council officers. Whilst the proposed small changes do not have a large impact on resource management, it is anticipated that the addition of these off-leash areas will offset the dog off-leash areas where conflict is common, and hopefully reduce the existing levels of confrontation.

Further to the above, the changes will require short term investment in site upgrades, such as installation of signage and fencing alterations (e.g. removal of gates and sections of fencing).

POLICY AND LEGISLATIVE IMPLICATIONS

The power to make an order relating to the restraint of dogs in public places within the municipality is given to Council under section 26(2) of the Domestic Animals Act 1994. The development of any new leash free area requires an amendment to the current Order made on 2 July 2019.

COMMUNICATION AND ENGAGEMENT

An extensive community consultation process on the proposed new dog off-leash areas was undertaken for a period of 6 weeks from 19 August to 30 September 2019. Feedback received through the consultation process indicated strong support for the implementation of the proposed new and amended dog off-leash areas.

If Council resolves to make the attached Order, officers will formalise changes and notify the community in accordance with the Domestic Animals Act 1994, including through the Victorian Government Gazette and local newspapers.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Three: Safe, Healthy and Inclusive

A strong and safe community that connects people and enhances health and wellbeing.

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

Additional dog off-leash areas in the city of Glen Eira will assist to meet community demand and offset the dog off-leash areas where conflict is common. The formalisation of new dog off-leash areas endorsed by Council in the Dog Off-Leash Areas within Glen Eira report requires an amendment to the Order previously made by Council on 2 July 2019.

GLEN EIRA CITY COUNCIL

Order Pursuant to Section 26(2) of the **Domestic Animals Act 1994**

Notice is given that the Glen Eira City Council, at its Ordinary meeting held on 19 May 2020, resolved to make the following order under section 26(2) of the **Domestic Animals Act 1994**.

1. Definitions

In this order:

- 'Owner' has the same meaning as in the **Domestic Animals Act 1994**;
- 'Dog off-leash Area' means the whole or part of a reserve designated by signage and on Council's website as being available for the unleashing of dogs at the time(s) signposted

2. Dog off-leash areas within Glen Eira

The following reserves have designated dog off-leash areas:

Allnutt Park (McKinnon)	Bailey Reserve (Bentleigh East)	Bentleigh/Hodgson Reserve (Bentleigh)
Boyd Park (Murrumbeena)	Caulfield Park (Caulfield North)	Centenary Park (Bentleigh East)
Joyce Park (Ormond)	Duncan MacKinnon Reserve (Murrumbeena)	East Caulfield Reserve (Caulfield East)
EE Gunn Reserve (Ormond)	Glen Huntly Park (Caulfield East)	Greenmeadows Gardens (St Kilda East)
Harleston Park (Elsternwick)	Hopetoun Gardens (Elsternwick)	Halley Park (Bentleigh)
King George VI Memorial Reserve (Bentleigh East)	Lord Reserve (Carnegie)	McKinnon Reserve (McKinnon)
Marlborough Street Reserve (Bentleigh East)	Moorleigh Community Village Reserve (Bentleigh East)	Murrumbeena Park (Murrumbeena)
Packer Park (Carnegie)	Princes Park (Caulfield South)	Victory Park (Bentleigh)
Crown Allotment 2031 (Pawfield Park) (Caulfield East)	Wattle Grove Reserve (McKinnon)	Mackie Road Reserve (Bentleigh East)
Rosanna Street Reserve (Carnegie)	Springthorpe Gardens (Murrumbeena)	

3. Time limits in Certain Dog off-leash Areas

A dog may only be exercised in accordance with Clause 3 between the hours of 6.00 am and 9.00 am at the following reserves, or at parts of the following reserves as signposted:

- a) Harleston Park (Elsternwick);
- b) Hopetoun Gardens (Elsternwick);
- c) Greenmeadows Gardens (St Kilda East);
- d) Springthorpe Gardens (Murrumbeena); and
- e) Rosanna Street Reserve (Carnegie).

4. Dog owner's obligations

The Owner of any dog must:

- a) comply with Council's Community Local Law 2019;
- b) keep the dog under effective control by means of a chain, cord or leash, not exceeding 1.5 metres in length, while the dog is in any public area of the municipal district of the Council, except in dog off-leash areas identified in this Order (and subject to any time limits set out in this Order);
- c) keep the dog under effective control when in a dog off-leash area by means of:
 - (i) carrying a chain, cord or leash not exceeding 1.5 metres in length, sufficient to bring the dog under effective control; or
 - (ii) effective voice or hand control of the dog so as to be able to promptly place the dog on a chain, cord or leash if that becomes necessary whether to comply with the provisions of this Order or for any other reason.
- d) when exercising in a dog off-leash Area designated by Council, bring the dog under control by means of chain, cord or leash if the dog roams, or is likely to roam, to within 20 metres of:
 - (i) the principal location of an organised sporting event (training or competition);
 - (ii) a play equipment area (unless the play equipment area is fenced off such that access to that area by the dog is prevented);
 - (iii) the entrance of a school during school hours and 15 minutes prior to and after school hours;
 - (iv) the principal location of an organised public meeting;
 - (v) a permanent barbecue or picnic area (unless the permanent barbecue or picnic area is fenced off such that access to that area by the dog is prevented); or
 - (vi) if the dog does or is likely to worry, threaten, rush or attack any person or other animal.

REBECCA MCKENZIE
Chief Executive Officer

8.5 QUARTERLY SERVICE PERFORMANCE REPORT

Author: Jacqueline Moro, Corporate Performance & Reporting Coordinator

Trim No: 20/195161

Attachments: 1. Quarterly Service Performance Report Q3 2019-20 [↓](#)

PURPOSE AND SUMMARY

The Quarterly Service Performance Report has been developed to provide a reporting structure that is meaningful, progressive and based on business intelligence principles.

The Quarterly Service Performance Report provides trend analysis and insights on the effectiveness and efficiency of Council services from January to March 2020.

RECOMMENDATION

That Council notes the Quarterly Service Performance Report for the period ending March 2020.

BACKGROUND

The State Government's introduction of the 'Know Your Council' website has raised residents' expectation of the information provided by councils. Residents have an increasing expectation of being provided fast, accurate and meaningful reporting of Council's progress. This was reinforced through community consultation as part of the development of the 2017–2021 Council and Community Plan.

ISSUES AND DISCUSSION

In addition to reporting on this year's performance the report includes updates on the incomplete commitments from last year.

Some items of note include:

- The completion of community consultation for the Elsternwick Community Hub to explore the experiences and services the community would like to see included in the Hub;
- The adoption of a new Parking Policy and Residential Parking Permit System Policy at the Ordinary Council Meeting of 17 March 2020;
- Endorsement to proceed to concept design for Carnegie Swim Centre redevelopment;
- Ministerial Authorisation received to progress the Structure Plans for Bentleigh and Carnegie to the next stage of implementation;
- 81% of Planning Applications were decided within the 60 day statutory timeframe;
- Further progress was made in the delivery of initiatives under our Reconciliation Action Plan, including a successful event to recognise and celebrate Parbin-Ata Louisa Briggs; and
- An 11% increase in food waste recycling through green bins.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

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

It should be noted that this report covers the period in which the COVID-19 pandemic was declared and therefore starts to reflect some of the resultant financial impact on Council's operations. A clearer picture will be shown in the April – June Quarterly Report.

POLICY AND LEGISLATIVE IMPLICATIONS

The Quarterly Service Performance Report ensures compliance with statutory requirements legislated under:

- *Local Government Act*;
- Victoria Auditor General's office (VAGO); and
- Service specific quality and assessment standards.

COMMUNICATION AND ENGAGEMENT

The Quarterly Service Performance Report has been developed in consultation with the Community Consultation Committee and Councillors to provide consistent and transparent information on Council's commitments to its community. Once endorsed by Council, the final report will be published on Council's [Community Dashboard](#).

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Glen Eira Council's Quarterly Service Performance Report aims to respond to community's expectation of being able to access a clear and transparent snapshot of Council's progress for the year to date.



GLEN EIRA
CITY COUNCIL

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

QUARTERLY SERVICE PERFORMANCE REPORT

QUARTER ENDING MARCH 2020 • WWW.GLENEIRA.VIC.GOV.AU

CHIEF EXECUTIVE OFFICER OVERVIEW

Welcome to our third Quarterly Service Performance Report for 2019–2020. This report covers the period 1 January 2020 – 31 March 2020.

You will all be acutely aware that on 16 March, a State of Emergency was declared due to the public health concerns presented by the COVID-19 pandemic. The pandemic, and the resultant directives of the Chief Health Officer have resulted in several changes to Council services, including closures of some of our facilities and the postponement of several initiatives, events and works. While the impact of the pandemic will be demonstrated more clearly in the quarter four (April – June) report when it is issued, this report does reflect some of the early consequences of the unanticipated change in our operating environment.

Progress worth noting this quarter includes:

- The completion of community consultation for the Elsternwick Community Hub to explore the experiences and services the community would like to see included in the Hub;
- The adoption of a new Parking Policy and Residential Parking Permit System Policy at the Ordinary Council Meeting of 17 March 2020;
- Endorsement to proceed to concept design for Carnegie Swim Centre Redevelopment;
- Ministerial Authorisation received to progress the Structure Plans for Bentleigh and Carnegie to the next stage of implementation;
- 81% of Planning Applications were decided within the 60 day statutory timeframe;
- Further progress in the delivery of initiatives under our Reconciliation Action Plan, including a successful event to recognise and celebrate Parbin-Ata Louisa Briggs; and
- An 11% increase in food waste recycling through green bins.

For those impacted by COVID-19, Council endorsed a \$7.3 million Response and Recovery Package to provide immediate financial relief to residents, businesses, sporting clubs and community groups. The Package contains a range of financial concessions, including the ability to defer rates without penalty interest, waivers to certain fees, rent relief for Council community tenants and several new grant programs. If you would like to access this Package or would like to learn more, please visit Council's website or call our Customer Service team on 9524 3333.

Please stay safe during this challenging time and remember to be kind to yourself and others. Glen Eira has a strong community spirit, and we will safeguard that for the future by looking out for our friends, family and neighbours; shopping local and supporting our local businesses; and taking time to look after ourselves by exercising, keeping abreast of the latest public health information, and following the directives of the Chief Health Officer.

We welcome your oversight of our performance through a range of means, including this Quarterly Report. I encourage you to keep up-to-date with how we are tracking against the commitments we have made to you and hope that you find this information insightful. If you have any feedback, please don't hesitate to email me at mail@gleneira.vic.gov.au.

Regards,
Rebecca McKenzie Chief
Executive Officer

FINANCIAL OVERVIEW

Council's financial position is presently sound, however the impact of COVID-19 on Council's forecast operating result for 2019-20 will be significant. The operating result year-to-date is lower than was anticipated when the annual budget was set however the balance sheet position and the cash position remain favourable.

While Council has always enjoyed a sound financial position, we are already experiencing a detrimental impact on previously reliable income streams as a result of the outbreak. Facility closures, changes to programming, reduced revenue and unanticipated increased expenditure will all have an impact on Council's long-term financial position and liquidity. On 7 April 2020, Council endorsed the 'COVID-19 Response and Recovery Package' which contains a mix of both financial concessions and new initiatives. In the 2019-20 financial year it will be resourced through re-prioritisation of existing budgets and the re-allocation of resources (staffing and budgetary) from activities now unable to be progressed due to COVID-19. The value of initiatives is estimated at \$2.8m for 2019-20 and this has been reflected in Council's amended forecast.

At the end of March 2020, the performance against budget from ordinary activities showed an unfavourable variance of \$623,000, due to lower than anticipated income of \$261,000 and an unfavourable variance in operating expenditure of \$362,000. This is mainly due to: better than anticipated income received for statutory fees and fines \$1.48 million and other income \$146,000. Unfavourable income items include user fees \$641,000, contributions \$599,000, interest received \$359,000 and government grants \$109,000. Favourable variances in expenditure items include: employee costs \$779,000, materials and consumables \$752,000, insurances \$257,000, grants and subsidies \$150,000, maintenance \$91,000 and contractors \$80,000. Unfavourable expenditure items include doubtful debts \$1.6 million and utility services \$130,000.

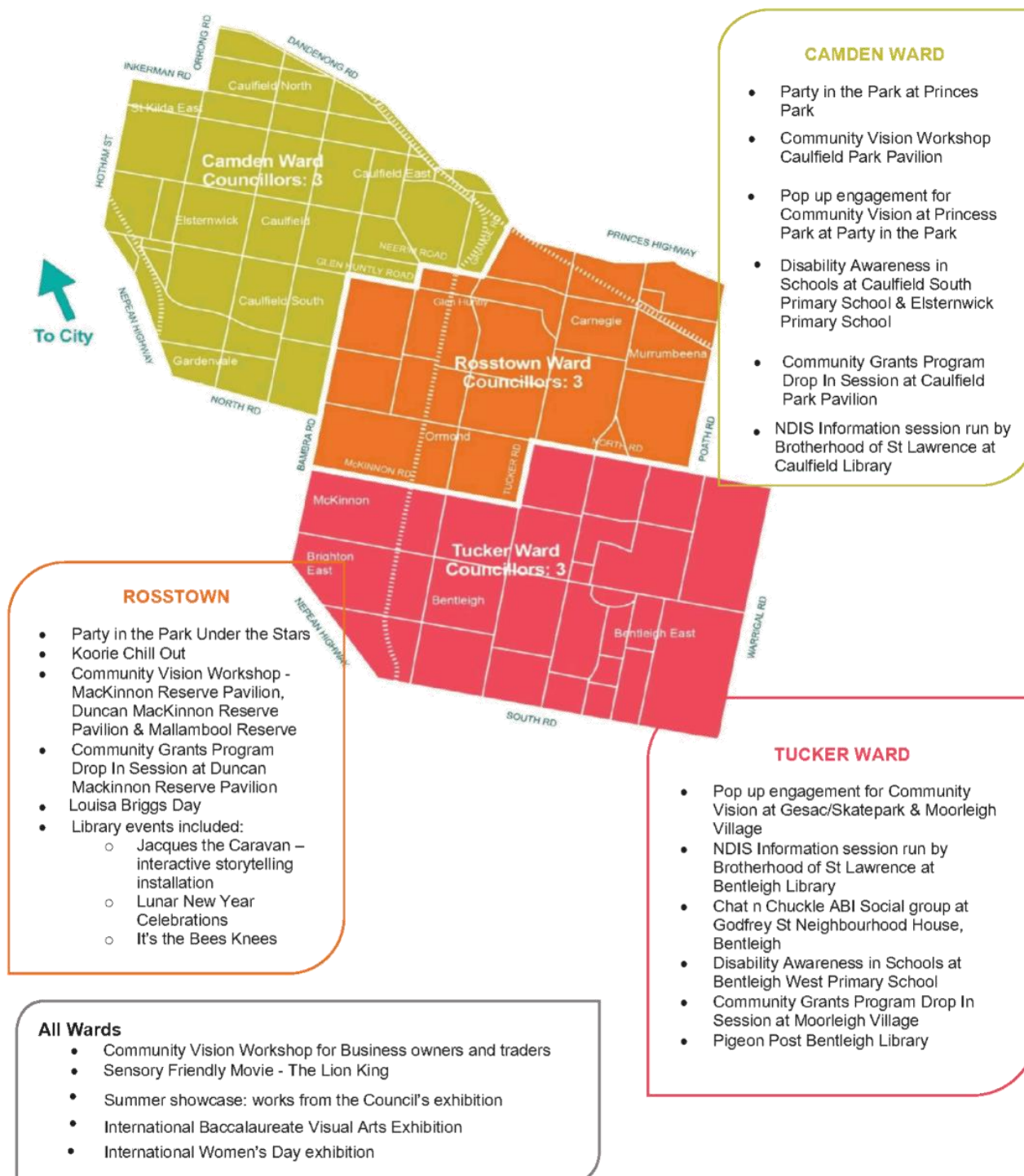
The forecast result expected for the financial year is a surplus of \$8.03 million compared with the original adopted 2019-20 Annual Budget of \$18.31 million. Annual budget to forecast movements to date shows a decrease in operating revenue of \$8.55 million and an increase in operating expenditure of \$480,000.

The Council's current asset ratio, a measurement of our financial strength, decreased to 1.38. This means for every \$1 of current liability, the Council had \$1.38 in current assets to meet those commitments. The Council remains financially well positioned and the 2019-20 surplus provides further financial flexibility to meet the city's future service and infrastructure funding needs.

The table below details Council's forecast performance based on the Victorian Auditor-General Financial Sustainability Risk Indicators.

FINANCIAL SUSTAINABILITY RISK INDICATORS	Objective	2018-2019 Actuals based on VAGO Parliamentary Report	2019-20 Annual Budget as at 31 March 2020	2019-20 Annual Forecast As at 31 March 2020	2019-20 Risk Based on Annual Forecast as at 31 March 2020	COMMENT
Net Result	To generate surpluses consistently greater than 0%	13.38%	9.75%	4.48%	Low	Council is generating positive surpluses.
Underlying Result	Ability to generate surplus in the ordinary course of business-excluding non-recurrent capital grants and non-monetary asset contributions to fund capital expenditure from net result. Low risk indicator to be more than 5%	12.00%	8.30%	4.46%	Medium	Council is generating positive surpluses to fund operations.
Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. Low risk indicator is to be greater than 1.0	1.40	1.44	1.38	Low	Council's forecast to 30 June 2020 indicates a Liquidity Ratio of greater than 1.0.
Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue	9.84%	7.62%	7.80%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
Internal Financing	Generating enough cash from operations to fund new assets. Low risk indicator is to be greater than 100%	140.77%	107.42%	84.63%	Medium	The COVID-19 pandemic has severely impacted Council's operating result for 2019-20 with facility closures, reduced revenue and unanticipated expenditure increases. This has affected the internal financing indicator.
Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. Low risk indicator is to be more than 1.5	1.79	2.00	1.86	Low	Council operates at a low level of risk with respect to capital replacement.
Renewal Gap	To ensure there is sufficient spending on Council's asset base. Low risk indicator is to be greater than 1.0	1.28	1.49	1.49	Low	Council spends sufficient funds on its asset base.

WHAT'S BEEN HAPPENING AT A LOCAL LEVEL



Major events cancelled in the interest of public health due to COVID-19

- Party in the Park at Bentleigh Hodgson Reserve
- International Women's Day- A disability specific event on disability and family violence at Caulfield Town Hall Gallery; and a Business Breakfast also to be held at the Caulfield Town Hall Gallery.

MAJOR PROJECT UPDATES

Eat Street [Bentleigh Structure Plan]

- **Project Status** : Deferred
- **Project Comment** : Detailed design is substantially underway and nearing completion. The project will go to public tender for construction in late 2020 with works due to commence in early 2021 after the peak trading period.

Bentleigh East Kindergarten Upgrade

- **Project Status** : Implement
- **Project Comment** : Contract for the construction works has been awarded. Construction is planned to be completed by end January 2020. All outstanding works are now completed. Completion date 14 April 2020.

Safe Cycling Corridor Pilot (Integrated Transport Strategy)

- **Project Status** : Initiate
- **Project Comment** : The development of a draft corridor plan is underway with the first stage being the identification of priority road scenarios. A community reference group, a technical advisory group and an impacted business group have been established to consult on and have direct input into the development of the draft corridor plan.

Neerim Road Streetscape

- **Project Status** : Initiate
- **Project Comment** : Concepts are being further refined in response to discussion with local traders and requirements of service authorities (VicRoads and South East Water). Consultation with traders and community planned to occur in early 2020.

Murrumbeena Park Community Hub Development

- **Project Status** : Plan
- **Project Comment** : The architect, and design team has been formally appointed and planning has commenced on detailed design which is on track to be completed by May 2020.

Elsternwick Community Hub [Elsternwick Structure Plan]

- **Project Status** : Initiate
- **Project Comment** : Community consultation to explore the kinds of experiences and the types of services the community would like to see at the new Hub has been completed. The feedback and information from the engagement is being used to develop concept designs.

New open space - Aileen Ave

- **Project Status** : Plan
- **Project Comment** : Council has approved the formal road discontinuance of Heather Rd for the proposed Aileen Ave Park on the 7 April meeting. Further soil testing has been undertaken due to isolated soil contamination. Minor areas that can be managed onsite under capping layers. Design for the functional layout for access to 1 York Street and park is 90% complete. Revised overland path flow (storm-water) 90% complete. Detail landscaping design 90% complete.

Lord Reserve and Koornang Park Masterplan Implementation

- **Project Status** : Initiate
- **Project Comment** : A Landscape architect has been engaged to prepare concepts and options around the eastern end (east of Carnegie Swim Centre). As outlined in the master plan this will include a multi-purpose space, explore the car-park layout and improvements to the north eastern entrance. Awaiting on Community Reference Group input into Nth/East corner design. Grant funding being sought for Koomang Park nets. Lord Reserve cricket nets will be replaced in new location prior to Lord Pavilion works in October.

Carnegie Market [Carnegie Structure Plan]

- **Project Status** : Deferred
- **Project Comment** : Progression of a permanent Carnegie Market has been deferred and is currently on hold. Works are progressing on plans for a Community Space' pilot at the former Neerim Road Furniture Warehouse.

Carnegie Swim Centre Redevelopment

- **Project Status** : Initiate
- **Project Comment** : Community consultation outcomes were presented to Council in late February. Council endorsed the project team to commence concept design for Option B (with the diving pool). A further community consultation is planned for the middle of the year, where the architectural concept, traffic and parking analysis will be presented to the community.

Selwyn Street Cultural Precinct [Elsternwick Structure Plan]

- **Project Status** : Initiate
- **Project Comment** : Concept design for precinct is progressing in line with design program and is governed by a special advisory committee charged with overseeing the design of the precinct. The appointment of the creative team and artist to commence work on the integrated commemorative art is in progress.

Stanley Street - Elsternwick Multi-deck car park [Elsternwick Structure Plan]

- **Project Status** : Initiate
- **Project Comment** : Currently in early stages of planning and feasibility.

Lord Reserve - Pavilion Development

- **Project Status** : Initiate
- **Project Comment** : Detailed design stage has commenced with a completion date set for June 2020. Following on from this stage, construction is proposed for FY 2020/21.

Bentleigh Library Improvement & Integration [Bentleigh Structure Plan]

- **Project Status** : Plan
- **Project Comment** : The tender for detailed design has now been awarded to the successful consultant. Detailed Design stage has now commenced with a completion date set for August 2020. Following on from this stage, construction is proposed for FY 2020/21.

Bleazeby Street Multi-Deck car park [Bentleigh Structure Plan]

- **Project Status** : Plan
- **Project Comment** : Currently in early stages of planning and feasibility.

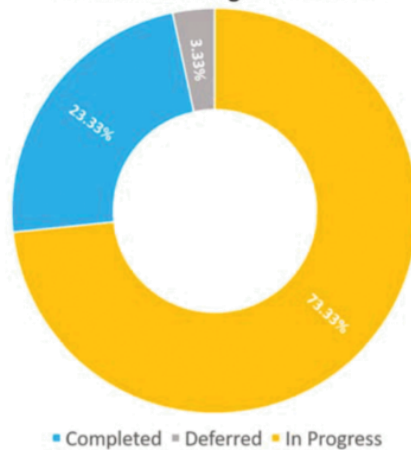
PERFORMANCE AT A GLANCE

The Council Plan 2017–2022 sets out five themes where Council will focus its efforts to enhance community experience over the next five years. These themes were developed in consultation with the community. The following section of this report tracks our performance in delivery against those five themes.

PROGRESS AGAINST GLEN EIRA COUNCIL AND COMMUNITY PLAN COMMITMENTS

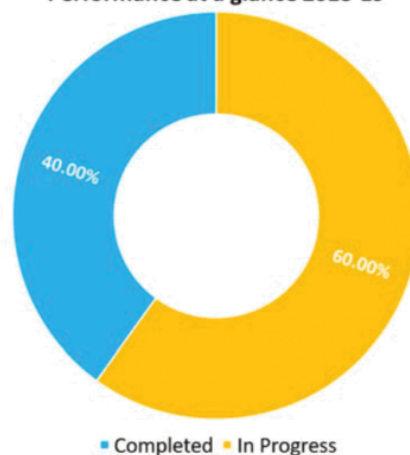
Total Number of Community Plan commitments for 2019-20	60	%
Completed	14	23.33%
Deferred	2	3.33%
In Progress	44	73.33%

Performance at a glance 2019-20



Total Number of Community Plan commitments brought forward from 2018-19	15	%
Completed	6	40%
In Progress	9	60%

Performance at a glance 2018-19



LIVEABLE AND WELL DESIGNED

A WELL PLANNED CITY THAT IS A GREAT PLACE TO BE

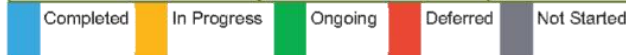
COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
Improve the experience of new businesses seeking Council permits through implementation of the Better Approvals program	90 per cent of planning permit decisions for businesses will be made within 50 statutory days.	Business based applications can fall within two processing pathways; either a regular planning application or a VicSmart planning application. So far, this financial year, an average of 89 per cent of regular planning decisions and 93 per cent of VicSmart applications have been made within statutory timeframes, with the number of average days taken to determine the respective applications being at 50 days for regular applications and 8 days for VicSmart applications.
We will commence the construction of the new Eat Street in Bentleigh	Construction of the new Eat Street in Bentleigh commenced by June 2020.	Detailed design is nearing completion. Construction of the new Eat Street to be delayed until after the peak trader period (Christmas 2020) and will commence in early 2021.
We will continue the implementation of our structure plans for Elsternwick	We will seek authorisation to commence the planning scheme amendment process for Elsternwick Structure Plan planning controls by 30 June 2020.	The implementation of the Elsternwick Structure Plan had been placed on hold pending the outcome of the planning scheme amendment request that has been submitted to the Minister for Planning for the implementation of the Bentleigh and Carnegie Structure Plans. This authority has now been received. Accordingly, Officers will return to work on preparation of the Planning Scheme Amendment documentation.
We will continue the statutory implementation of our structure plans for Bentleigh	We will submit the Bentleigh planning scheme controls (including the quality design guidelines) to the Minister for Planning for approval by 1 April 2020.	In response to correspondence received from the Minister for Planning dated 4 November 2019 to reframe Amendment C184, Council at its Ordinary Council Meeting of 4 February 2020 endorsed a revised Amendment C184 documentation package and adopted the Bentleigh Structure Plan Addendum February 2020. This package was lodged with the Minister for Planning on 5 February 2020 for the purposes of obtaining authorisation to prepare and exhibit the Planning Scheme Amendment. Advice from the Minister for Planning that conditional authorisation was approved was received 30 March 2020.
We will continue the statutory implementation of our structure plans for Carnegie.	We will submit the Carnegie planning scheme controls (including the quality design guidelines) to the Minister for Planning for approval by 1 April 2020	In response to correspondence received from the Minister for Planning dated 4 November 2019 to reframe Amendment C184, Council at its Ordinary Council Meeting of 4 February 2020 endorsed a revised Amendment C184 documentation package and adopted the Carnegie Structure Plan Addendum February 2020. This package was lodged with the Minister for Planning on 5 February 2020 for the purposes of obtaining authorisation to prepare and exhibit the Planning Scheme Amendment. Advice from the Minister for Planning that conditional authorisation was approved was received 30 March 2020.
We will create a new community space on the site of the old furniture warehouse in Neerim Road Carnegie	Implementation and activation of a new open space area on the old furniture warehouse site in Carnegie by June 2020.	The new community space, at this stage, is currently planned to be activated by June 2020. This may be impacted by COVID-19.
We will develop, consult and implement policies and controls that protect heritage and the character of our residential areas.	Council will complete the 'Hidden Gems' Heritage Review and seek Minister authorisation to exhibit the planning controls by 1 April 2020.	The focus of this review is post war architecture. In this three-month period the heritage consultant has completed the draft heritage citations and draft heritage review report. The draft heritage citations have been provided to the landowners of the sites identified as having potential heritage significance under this project for their information and comments.
We will endorse and plan to implement Council's Social and Affordable Housing Strategy.	We will complete 80 per cent of first year commitments by June 2020.	Council has developed a planning framework for securing affordable housing contributions, completed a feasibility study on its own social housing and is working with many other councils in maximising the quantity of social and affordable housing in Glen Eira and across the Melbourne metropolitan area.
	Our Social and Affordable Housing Strategy will be endorsed by Council in 2019.	The Social and Affordable Housing Strategy and Implementation Plan for Year One was endorsed by Council on 16 October 2019.
We will further progress the development of a community focused multi-use recreation precinct for Lord Reserve, Carnegie Swim Centre and Koornang Park, Carnegie.	We will complete detailed design on redevelopment of Carnegie Swim Centre.	After the consultation over summer was completed, Council endorsed redevelopment option B (with the dive pool) to progress to concept design with a further planned community consultation in June. Consultation will be put on hold until after the COVID-19 restrictions are lifted. This will result in a project delay overall.
	We will complete detailed design on Lord Reserve Koornang Park Masterplan	A Landscape Architect has been appointed to commence concept design of elements in the masterplan.
We will improve safety and walkability in Bentleigh laneways	Implementation of Bentleigh vibrant laneway project by June 2020.	Construction has now commenced on the Bentleigh Laneway Project. Bin enclosures have been constructed to remove the unsightly and unsafe large skip bins from the laneway. In addition, lighting is being installed to provide a safe environment at night for pedestrians in the area. To increase the general amenity of the area murals have been painted on the walls of adjoining businesses. It is expected that this project will be completed by 30 June 2020.

We will invest a minimum of \$30M through Council's Capital Works Program	More than \$30M spent on Capital Works Program for 2019-20	Actual Year to Date (YTD) expenditure is \$22M which represents 49% of the full year capital budget of \$45.18M and is in line with expenditure forecasts.
We will progress the Elsternwick community hub concept.	To further develop feasibility and prepare concept design.	Community consultation completed regarding the kind of experiences and the types of services the community would like to see at the new Hub. This information is now being used to develop concept designs.
We will progress the redevelopment of the Bentleigh Library and Youth Hub	Complete detailed design for the new Bentleigh Library and Youth Hub	Detailed design has now commenced with a completion date set for August 2020. Construction is proposed for FY 2020/21.
We will work with the Victorian Planning Authority to manage growth in the municipality in a way that involves the community and stakeholders, and addresses development, open space, business and transport.	Implement the structure plan in the planning scheme for East Village by 30 June 2020.	The Planning Panel hearing for Planning Scheme Amendment C155 was conducted on 2 December 2019. The Panel report is expected was received by Council in late January 2020, and subsequently released for community information. Officers are preparing a report focused on the progression of the Amendment, which will be presented to Council on 30 June 2020. In the ensuing period, Officers are undertaking updates to the implementation package, including such activities as updating the development contribution rates and refinement of road configurations.
	Adopt structure plans for the Caulfield Station Precinct and Glen Huntly by 30 June 2020.	Council officers have been working with the Victorian Planning Authority (VPA), who are preparing the draft Caulfield Station Precinct Structure Plan. The VPA have advised that the project has been delayed, and Council should expect to receive the draft document in late June as opposed to April 2020. This delay, along with a progress report, was communicated to Councillors at an Assembly meeting in early March 2020. Council is leading the Glen Huntly project. Officers have made solid progress during this reporting period in the preparation of the draft Structure Plan, and to place the draft Structure Plan before Council in June 2020 prior to commencing community engagement on the Plan.

Completed
 In Progress
 Ongoing
 Deferred
 Not Started

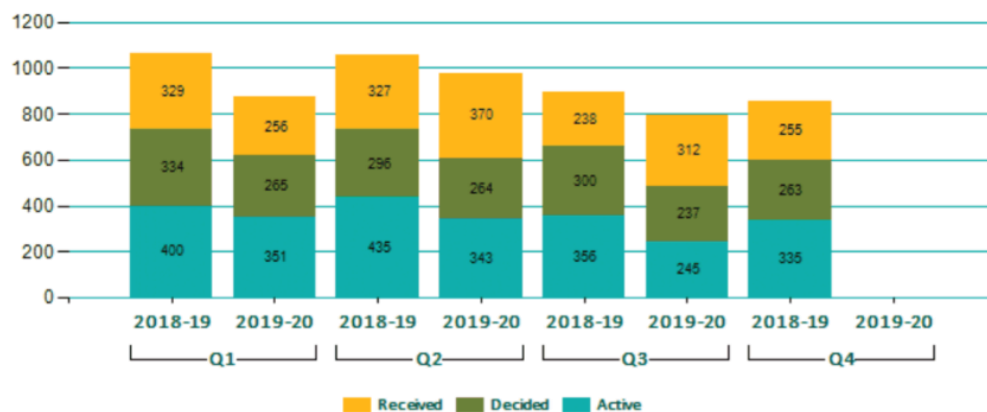
Progress against 2018/19 commitments

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
We will commence the statutory implementation of our structure plans for Bentleigh, Carnegie and Elsternwick.	Panel process concluded and amendments submitted to the Minister for Planning for approval	Amendment C184 for the Bentleigh and Carnegie Activity Centres was lodged with the Minister for Planning for authorisation to prepare and exhibit the amendment in January 2019. In November 2019 correspondence was received from the Minister for Planning requiring that Amendment C184 be reframed. Council endorsed a revised C184 amendment package on 4 February 2020 and adopted addendums to both the Bentleigh and Carnegie Structure Plans. The Minister provided conditional authorisation in March 2020. For the Elsternwick Structure Plan progressing a planning scheme amendment package has been on hold waiting the outcomes of authorisation for Bentleigh and Carnegie. Now that this has been provided, work can commence again.
We will develop, consult and implement policies and controls that protect heritage, and the character of our residential areas.	Major Heritage review amendment to be endorsed by Council and submitted to the Minister for planning for authorisation	Heritage Planning Scheme Amendments have progressed for the Bentleigh and Carnegie Structure Plan areas (commercial and residential) and for Murrumbeena Village, with exhibition of the Bentleigh and Carnegie heritage amendment taking place over 30 January to 2 March 2020 and a report to Council on submissions received in relation to exhibition of the Murrumbeena Village heritage amendment in February 2020. The Elsternwick heritage amendment was lodged for authorisation in March 2020. Landowners of properties covered by the Post-War and Hidden Gems heritage project have been advised of the heritage review and heritage citation prepared for their property. The reviews for Caulfield Station Precinct, Glen Huntly and Caulfield East is underway. The heritage Planning Scheme Amendment C182 for the former ABC site in Gordon Street Elsternwick was approved by the Minister for Planning in February 2020 and gazetted into the Glen Eira Planning Scheme in March 2020.
We will further progress the development of a community focused multi-use recreation precinct for Lord Reserve, Carnegie Swim Centre, and Koornang Park, Carnegie.	Community consultation on concept plans for Carnegie Swim Centre and endorsement by Council	Community consultation on concepts for Carnegie Swim Centre closed on 31 January 2019. A Community Reference Group has been established and has been meeting to inform the concept design process.
	Community consultation on concept master plan for Lord Reserve/Koornang Park and endorsement by Council	The Lord Reserve and Koornang Park Masterplan was adopted at the 25 June Council meeting.

We will guide better buildings in Glen Eira through the implementation of our Quality Design Guidelines.	Public exhibition of permanent planning controls which seek to implement the Quality Design Guidelines	Implementation of the Quality Design Guidelines for Bentleigh and Carnegie was proposed to be carried out through the Structure Plan Planning Scheme Amendment C184. Advice received from the Department of Environment, Land, Water and Planning officers in relation to this planning scheme amendment in 2019 was that the Quality Design Guidelines must not be a background/reference document or referred to in the Glen Eira Planning Scheme, but that relevant sections can be translated into the zone and overlay controls. This approach has been followed with the revised drafted amendment C184 documents that were endorsed by Council at its meeting of 4 February 2020 for the purposes of obtaining authorisation to prepare and exhibit the planning scheme amendment.
We will progress the development of a new vibrant community hub in Elsternwick.	Community consultation undertaken on feasibility and proposed components of the new community hub by June 2019.	Community engagement on components of the Elsternwick Hub was completed in 2019. Community feedback will be used to inform the concept design development.
We will refresh Glen Eira City Council's Municipal Strategic Statement to reflect recent strategic planning work, including the Activity Centre, Housing and Local Economy Strategy (July 2017)	Council adoption of planning scheme amendment and submission to Minister of Planning for approval	Council officers are presently reviewing local planning content of the Glen Eira Planning Scheme to ensure it reflects approved land use and development strategies and plans and to reflect new format requirements for planning schemes.
		

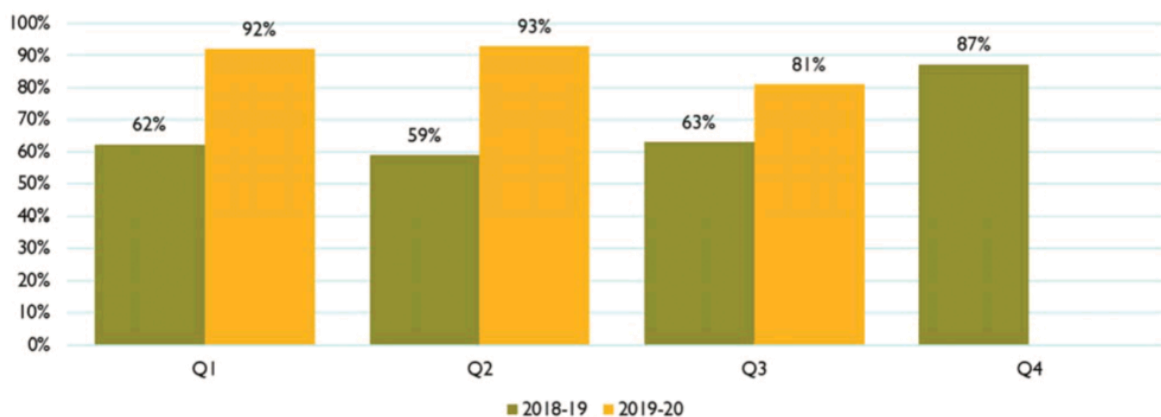
SERVICE PERFORMANCE INDICATORS - PLANNING

Applications Received and Decided



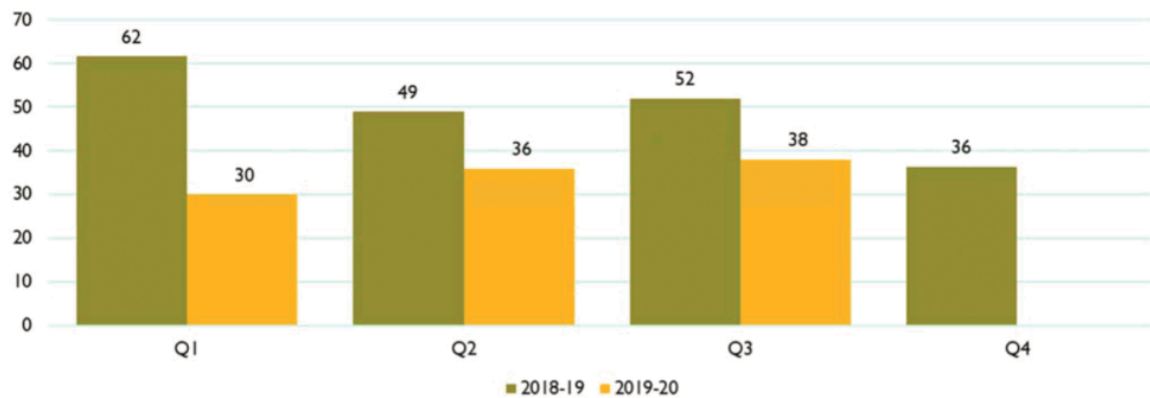
Comment: The number of applications received and determined is slightly lower than the previous quarter and it is notable that the number of active applications is reducing. There has been a reduction in applications due to uncertainties in the property market.

Applications Completed within 60 Statutory Days



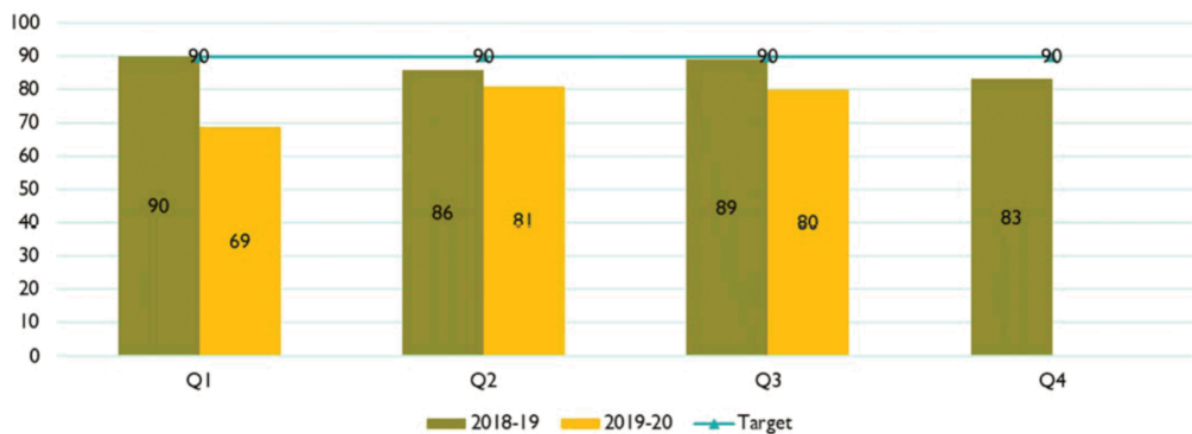
Comment: The percentage of applications within timeframes is still tracking well and is much higher than the previous year. There is typically a drop in the number of applications determined within timeframes at the end of the year due to not advertising applications over the holiday period.

Average Statutory Days Per Determination



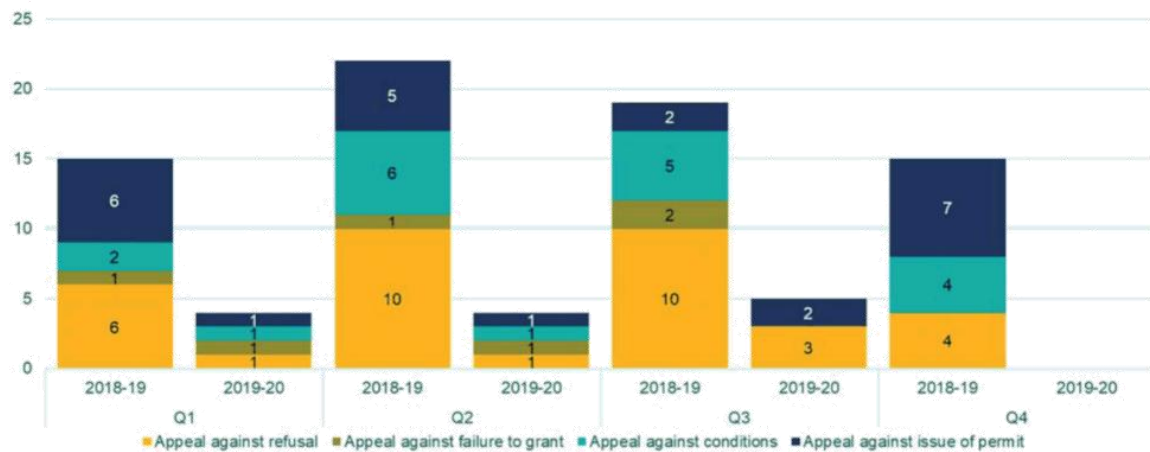
Comment: This quarter has seen a slight increase in the average Statutory days in which a planning decision is made. This is due to applications not being advertised over the holiday period. Glen Eira is still performing at a high level throughout Victoria in relation to the time taken in processing an application.

Average Days to Determination (Gross)



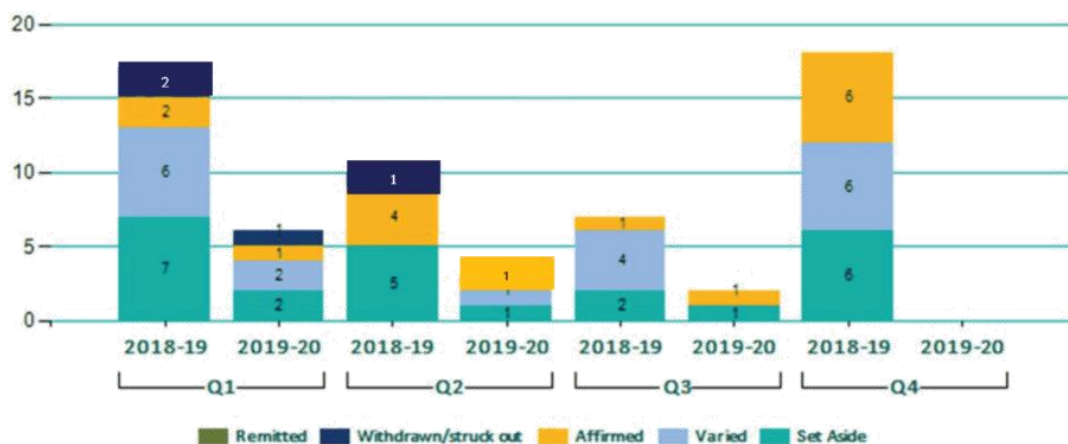
Comment: The average number of days to determine an application has remained steady this quarter and is tracking under target.

VCAT Appeals and Reasons for Appeals



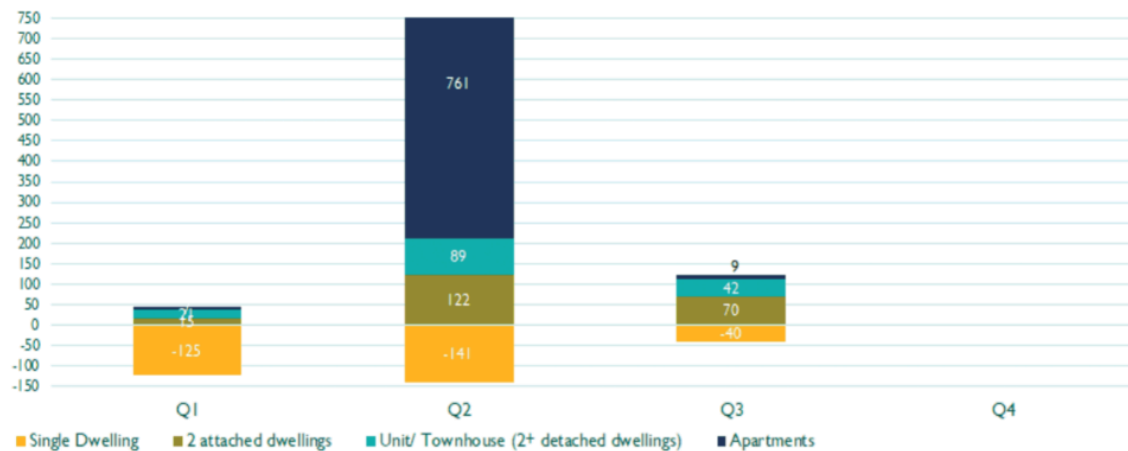
Comment: The number of applications appealed to VCAT remains low compared to last year. It is noted that the Urban Planning process focusses on negotiating the right outcome before a decision is made to limit the number of appeals to the Tribunal.

VCAT Decisions



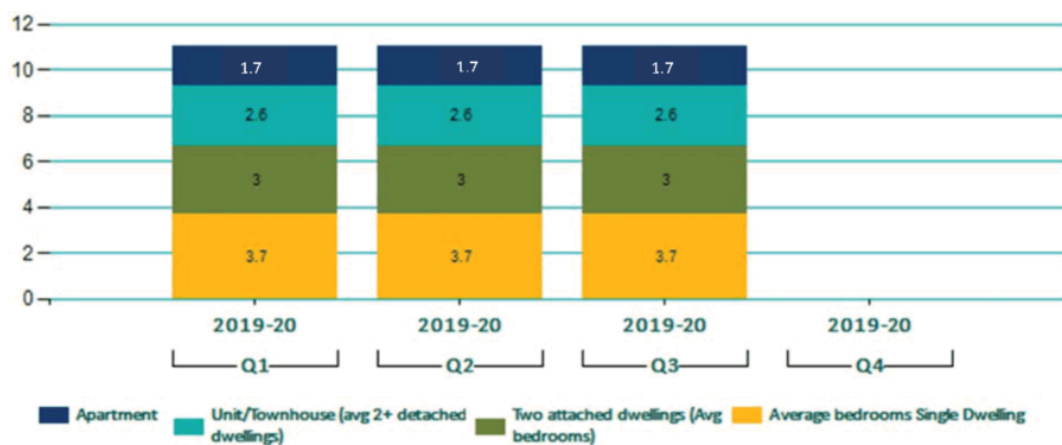
Comment: The number of applications appealed to VCAT remains low compared to last year and subsequently the number of decisions is low.

Trend in Available Housing Stock



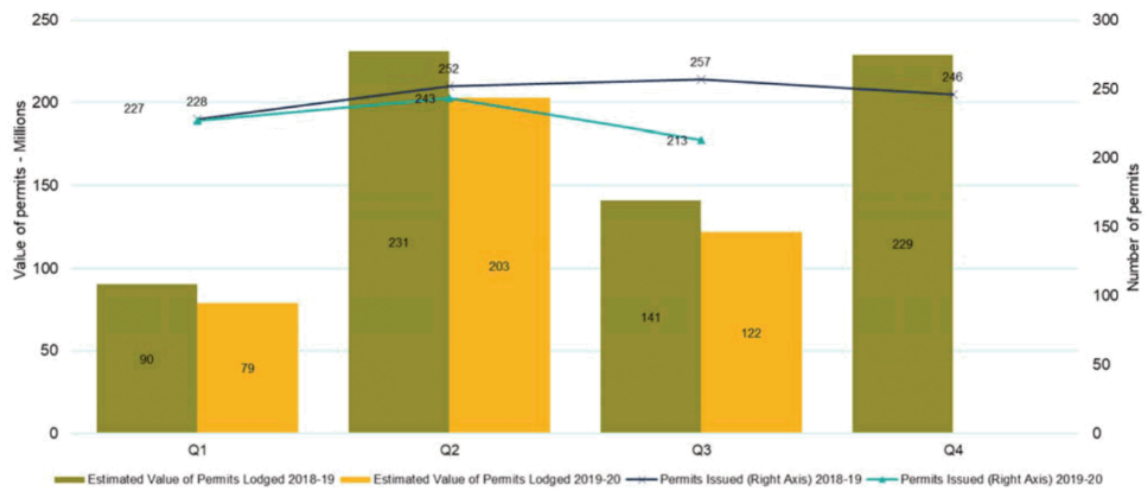
Comment: The annual trend is seeing a reduction in the number of single dwellings as land is developed for more medium to high density. The additional dwellings constructed in this quarter are predominantly two attached dwellings or apartments.

Average Bedrooms per Dwelling Type



Comment: We continue to see the average bedroom numbers per dwelling remain at 3-4 for houses and 1-2 for apartments.

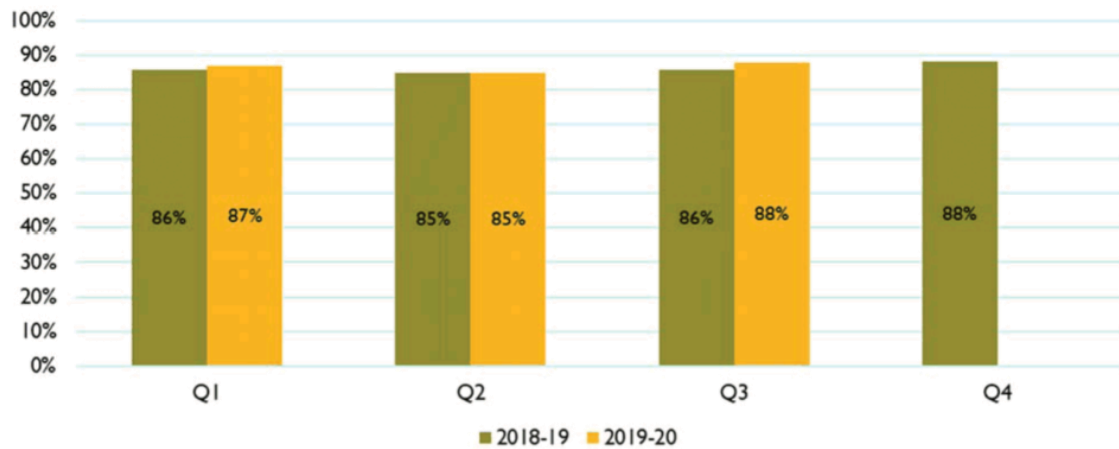
Estimated Value of Planning Permits Lodged



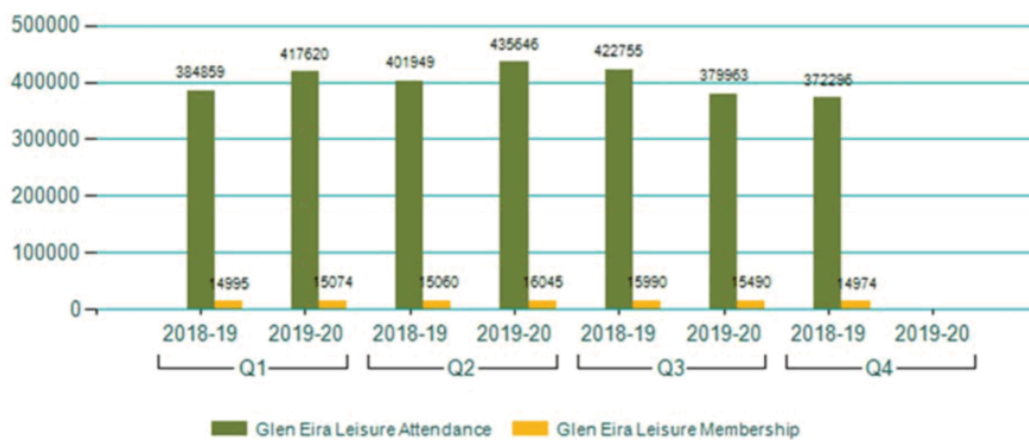
Comment: The estimated value of planning permits lodged this quarter has slightly decreased. Permits issued for this quarter has also decreased slightly compared to the previous quarter however this is consistent with the same time last year.

SERVICE PERFORMANCE INDICATORS - GESAC

GESAC Overall Service Improvement Program Score



GESAC Membership and Attendance



Comment: Centres closed on 23rd March with swim school and stadium closing the week earlier. Attendances greatly affected before closures as well.

ACCESSIBLE AND WELL CONNECTED

A CITY THAT IS EASY TO MOVE AROUND, WITH SAFE TRAVEL OPTIONS AND WALKABLE NEIGHBOURHOODS

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
We will commence implementation of the action plans for walking and cycling based on the principles of the Integrated Transport Strategy	Commence implementation of the walking strategy action plan	At the 17 December 2019 Ordinary Council Meeting, the Walking and Accessibility Action Plan was adopted by Council. The implementation of this action plan has commenced including actions: • 1.2 Continue Council's program of assessing the Disability Discrimination Act compliance of our activity centres and prioritise actions. (Elsternwick & Carnegie assessment recently completed and action plans adopted by Council) • E.1 Continue to educate the community in relation to walking by funding a series of initiatives and programs. (Walk to school 'golden ticket' program run with 15 Glen Eira primary schools in October)
	Commence implementation of cycling strategy action plan	At the 17 December 2019 Ordinary Council Meeting, the Cycling Action Plan was adopted by Council. The implementation of this action plan has commenced including actions: • 1.1 Implementation of a Safe Cycling Corridor Pilot Project. Investigate an appropriate route to establish a Safe Cycling Street to link the St Kilda Road Corridor and the Djerring Trail. (Inkerman Rd selected as corridor – corridor plan in preparation, however the project design has been paused in response to COVID-19) • 1.3 Investigate completion of missing sections of cycling routes in Glen Eira. (Frankston Rail Trail from Glen Huntly to Caulfield being investigated as part of Caulfield structure plan development and early LXRA investigations)
We will complete and review the transport pilot projects in line with our new Integrated Transport Strategy, with a focus on creating safer and walkable neighbourhoods	Commence implementation of the pedestrian safe neighbourhood project pilot in Bentleigh East, by 30 June 2020	Concept and traffic designs have been prepared. Speed reduction requests have been submitted to the Department of Transport seeking approval. The neighbourhood Plan will be finalised with landscape design consultants; however, community consultation will be put on hold in response to COVID-19.
	Complete community and stakeholder consultation and a 'corridor plan' for the safe cycling corridor project by 1 March 2020.	Council's focus at the moment is on responding to the current health issue and supporting vulnerable people, businesses and organisations in the Glen Eira community. As such, all scheduled activities including community and stakeholder consultation for the development of a Cycling Corridor plan have been postponed.
We will construct a number of new footpaths throughout the municipality, creating connections where there are missing footpaths	Construct 1km of new footpaths in prioritised locations across the municipality.	Footpath program 2019-20 has been delivered successfully.
We will manage car parking guided by the new Parking Policy	By 1 April 2020, commence implementation of a new residential parking permit framework, as adopted in the Parking Policy and Local Law	The Parking policy was endorsed at the 17 March Council meeting and is available on Council's website.

Completed In Progress Ongoing Deferred Not Started

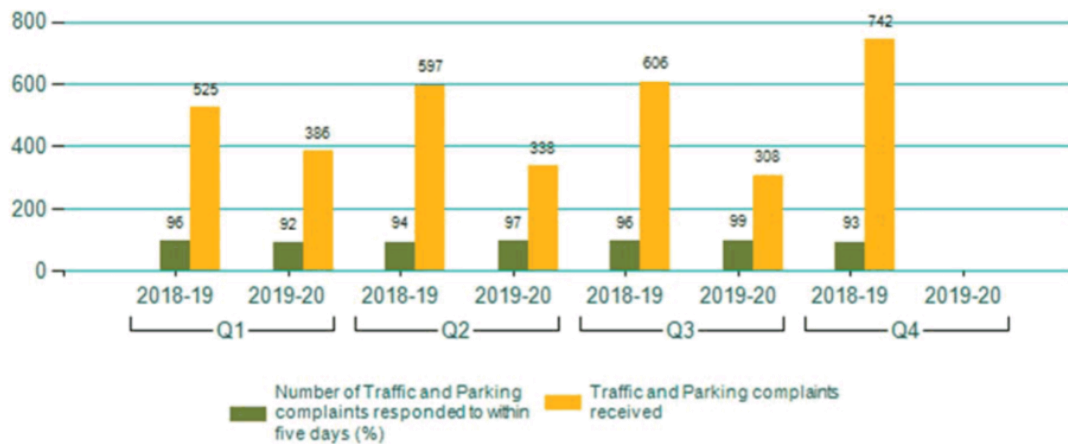
Progress against 2018/19 commitments

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
We will develop and implement a new car parking policy based on the principles of the Integrated Transport Strategy	Adopt the Car Parking Policy	The Glen Eira Parking Policy and Residential Parking Permit System Policy were adopted at the Ordinary Council Meeting of 17 March 2020. Implementation of this policy has commenced, including actioning applications for parking restrictions in local streets.
We will develop pilot projects in line with our new Integrated Transport Strategy, with a focus on creating safer and walkable neighbourhoods	Pilot one pedestrian safe neighbourhood project	Council consulted with the community on the Pedestrian Safe Neighbourhood Plan between 28 June and 4 August 2019. Work on the design for the treatments within the study area is underway incorporating feedback received from the community. The next round of consultation is planned for May 2020.
	Pilot one corridor improvement for safe cycling	Draft corridor plans are currently in development.

We will update our action plans for walking and cycling based on the principles of the Integrated Transport Strategy.	Update and endorse a revised Walking Action Plan and Cycling Action Plan.	At the 17 December 2019 Ordinary Council Meeting, the Walking and Accessibility Action Plan and the Cycling Action Plan were adopted by Council.
We will work with the Level Crossing Removal Authority to implement upgrade works to Neerim Road, Murrumbidgee in line with community feedback and Council endorsed designs.	Commence the upgrade of Neerim Road, Murrumbidgee streetscape works	Concepts for Neerim Road streetscape are currently being prepared for discussion with the traders and residents.
Completed	In Progress	Ongoing
		Deferred
		Not Started

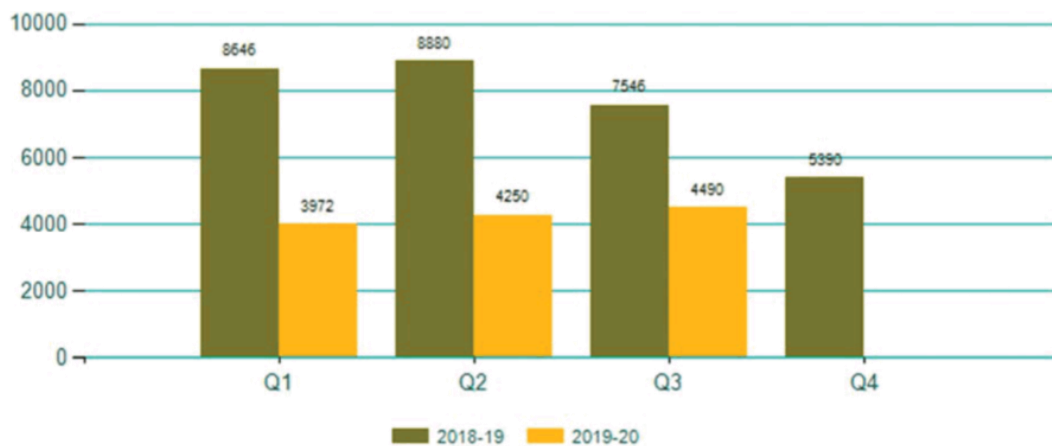
SERVICE PERFORMANCE INDICATORS - TRAFFIC AND SAFETY

Percentage of Traffic and Parking Complaints Investigated Within 5 Days



Comment: A total of 308 complaints / investigations were received in the last quarter (87 in January, 143 in February and 78 in March). These figures are a lot lower than the figures for the same period last year. The complaints have decreased for this period which could be attributed to the holidays in January and the COVID-19 pandemic in the March figures. We continue striving to respond to each complainant within 5 days to ensure service excellence

Footpath Improvements (M2)



Comment: The footpath capital works budget for 2019-20 is less than 2018-19. Works were accelerated in 2018-19 due to favourable weather conditions and contractor availability. The 2019-20 program is on track in line with budget.

SAFE, HEALTHY AND INCLUSIVE

A STRONG AND SAFE COMMUNITY THAT BRINGS PEOPLE TOGETHER AND ENHANCES HEALTH AND WELLBEING

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
Council will provide digital kiosks in two activity centres. These spaces will allow customers to complete transactions, find information about Council, its services, events and amenities	Two digital kiosk spaces implemented by June 2020	We are installing one digital kiosk in each of Bentleigh and Carnegie libraries. The hardware has been purchased and software is currently being tested. However due to the Coronavirus (COVID-19) outbreak, the kiosks were unable to be installed in March 2020. The kiosk will not be delivered until such time as the Libraries reopen.
We will build a Community Shed at Moorleigh Village	Community Shed at Moorleigh Village completed by June 2020	The "Moorleigh Community Shed Project" is currently on site and is progressing well. The main structure has been installed and the roof covering is in place. The estimated date for completion is July 2020.
We will continue to implement all-abilities access in Council managed community facilities, aligned with Council's Disability Action Plan 2017-2021	Implement upgrades to ensure all-abilities access at Bentleigh Reserve Pavilion	In progress. Will be completed before the end of June 2020.
	Implement upgrades to ensure all-abilities access at Caulfield Pavilion	In progress. Will be completed before the end of June 2020.
	Implement upgrades to ensure all-abilities access at McKinnon Reserve Pavilion	In progress. Will be completed before the end of June 2020.
	Implement upgrades to ensure all-abilities access at Packer Park Pavilion	In progress. Will be completed before the end of June 2020.
We will develop health and fitness programs in community venues to expand our reach	We will implement a Dive in and Learn to Swim eight-week program for culturally and linguistically diverse communities.	The grant application for this program was unsuccessful. We ran the program regardless commencing in late February with a Pilot of 4 participants. The 5-week program was cut short due to COVID-19 restrictions and the aim is to restart the program once the restrictions are eased. The participants loved the program and were very thankful council was starting such an initiative.
	We will engage 400 participants in our Active Parks programs	We ran another Active Parks program starting in Feb 2020 which ran for six weeks. The overall attendance for this program was 478 which was a great result. The program has been well received and we plan to continue this program throughout the year once COVID-19 restrictions are eased.
We will develop role descriptions for all categories of Council volunteers and deliver training programs to build their capacity to support the community	Role descriptions developed for all categories of volunteers	Work on a role description for each category has commenced and is intended to be delivered by 30 June 2020.
	We will develop a volunteer induction program and commence rollout by June 2020	Progress has been made on a volunteer induction program however it is unlikely to be implemented until COVID-19 restrictions have been lifted.
We will engage our community through a diverse program of events and activities	We will deliver 50 programs to the community including; literacy based and community interest programs in Libraries, cultural and celebratory events at indoor venues and outdoor in Council's parks and gardens to engage the community.	In Q3, Libraries, Arts and Culture continued to engage the Glen Eira communities through 22 specially curated programs, bringing the year to date count to 112. Five arts and cultural events were held in Council venues, parks and gardens. These included two Party in the Park events which attracted 12,000 visitors, as well as gallery openings and exhibitions. In addition to the regular, ongoing programming sessions at the libraries, there were seventeen specially curated community programs including the annual summer reading club for children; creative art and storytelling workshops; STEM workshops; and a talk by indigenous academics. Programming at the libraries ceased on 12 March, and the libraries closed from 23 March in response to government directions to help combat the spread of COVID-19. Art events were similarly halted in March.
We will implement our Glen Eira Youth Strategy	We will complete 90 per cent of first year commitments by June 2020	State and Federal restrictions on non-essential gatherings, the extended school holiday period in Victoria and current social distancing requirements in response to COVID-19 has delayed the progress of some actions in the Glen Eira Youth Action Plan 2019-2020. Currently 16 actions (43%) have already been completed and 10 actions (27%) are still on track. Unfortunately, 8 actions (22%) are now behind schedule have been postponed to a later date to evaluate alternative methods of delivery. Highlights of the Youth Strategy Action Plan's 3rd quarter include; the launch of the Glen Eira Youth Services' 2020 school based programs including the new 'Girl Up' and 'Man Cave' school programs; More than 10% of the teaching staff at Bentleigh Secondary College successfully trained in Youth Mental Health First Aid as part of phase 1 of the Teen Mental Health First Aid project and the launch of the 2020 Youth iPad Survey with 427 response so far.

We will implement our 'Innovate' Reconciliation Plan	We will complete 90 per cent of 2019-2020 activities	The 2019-20 Reconciliation Action Plan has 50 actions: 78% of those are complete or on target, 10% are due to commence and 12% are behind schedule. Highlights in the third quarter of 19/20 include 'Koorie Chill Out' event held in recognition of our First Nations people on 26th January. 'Louisa Briggs Day' community event held on 1st March as our first Ngargee (an Aboriginal and Torres Strait Islander celebration day).
We will increase compliance activity around building sites to improve safety and amenity during major construction works	Decrease in the number of complaints received from neighbours by 10 per cent	Council has received a 27% decrease from Q2 to Q3 in customer requests relating to major construction sites. This is partly due to the new year holiday period and a decrease in construction activity during COVID-19
We will increase park patrols with a focus on educating owners about the importance of cleaning up after your dog	Increase the number of park patrols in 'hot spot' locations by 10 per cent	A decrease in park patrols during Q3 was due to OHS risk for Civic Compliance Officers during COVID-19. Patrols should see a significant increase during Q4 as we have implemented a process for these to be completed safely.
We will support crime prevention in the municipality through the delivery of key activities under our Community Safety Plan 2018-2022	We will complete 90% of second year commitments in our Community Safety Plan	Implementation of the Community Safety Action Plan 2018-2020 is on track with recent achievements including: hosting a 'Coffee with a Cop' quarterly community engagement activity on the 29th January in partnership with Victoria Police and Glen Eira Neighbourhood Watch and launching the Glen Eira Know Your Neighbour Kit in March as part of the annual Neighbour Day campaign.
	We will undertake research on community views of safety as part of a midway check in on our Community Safety Plan to inform future directions	Community Confidence and Feelings of Safety Survey has been completed with Glen Eira Community Voice online panel. The survey findings have been distributed to the community and three community focus groups were scheduled; one took place on 17th March at Town Hall and due to COVID-19 restrictions, the remaining sessions are being conducted online via Council's Have Your Say page.

Completed
 In Progress
 Ongoing
 Deferred
 Not Started

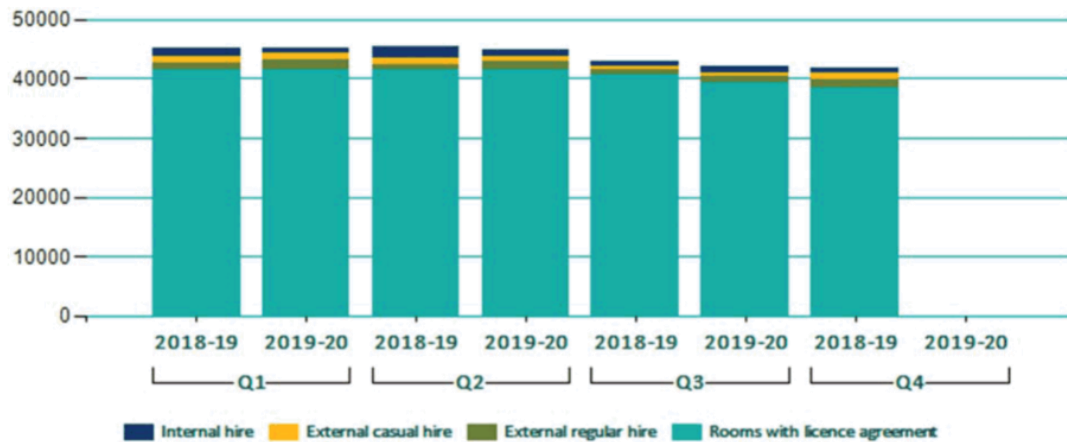
Progress against 2018/19 commitments

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
We will consult the community on the design for a Community Shed at Moorleigh Village.	Concept designs completed and project 'shovel ready' by June 2019	A new commitment has been included in the 2019/20 action plan to ensure this project is completed by June 2020.

Completed
 In Progress
 Ongoing
 Deferred
 Not Started

SERVICE PERFORMANCE INDICATORS - COUNCIL FACILITIES

Utilisation of Council Community Function Rooms



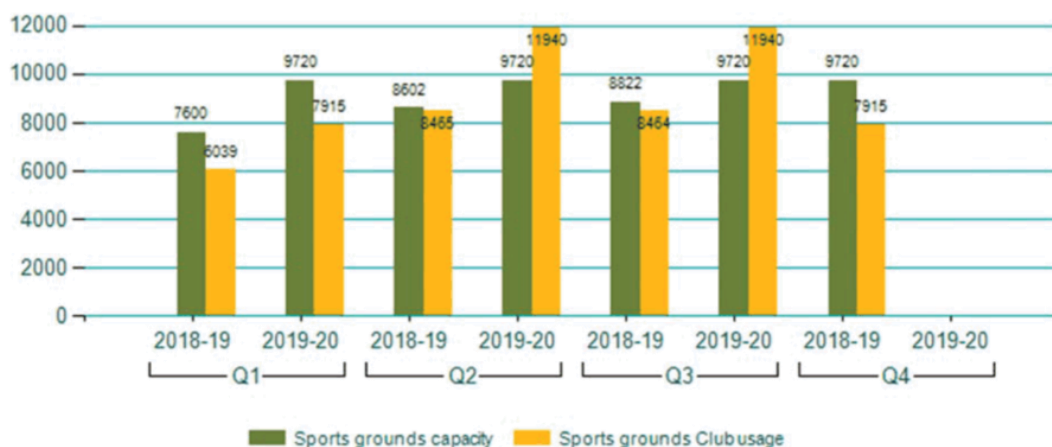
Comment: Figures represent the monthly bookings of Council's eleven Community Function Rooms: Bentleigh McKinnon Youth Centre, Caulfield Park Pavilion and Community Room, DC Bricker Function Room, Duncan Mackinnon Reserve Social Room, East Caulfield Function Room, Glen Huntly Park Function Room, McKinnon Public Hall, Murrumbeena Function Room, Packer Park Function Room, Moorleigh Function Room and the Moorleigh Community Village Centre.

Users consist of a mix of community casual hire, regular hire (e.g. judo, ballet, gymnastics and Pilates groups), licence agreements and internal Council bookings.

Licence agreements are in place for rooms at Moorleigh Community Village Centre, Bentleigh McKinnon Youth Centre (YMCA Victoria) and DC Bricker Pavilion (Sandringham Dragons).

Figures exclude the Town Hall and Carnegie Library Rooms.

Sports Ground Utilisation

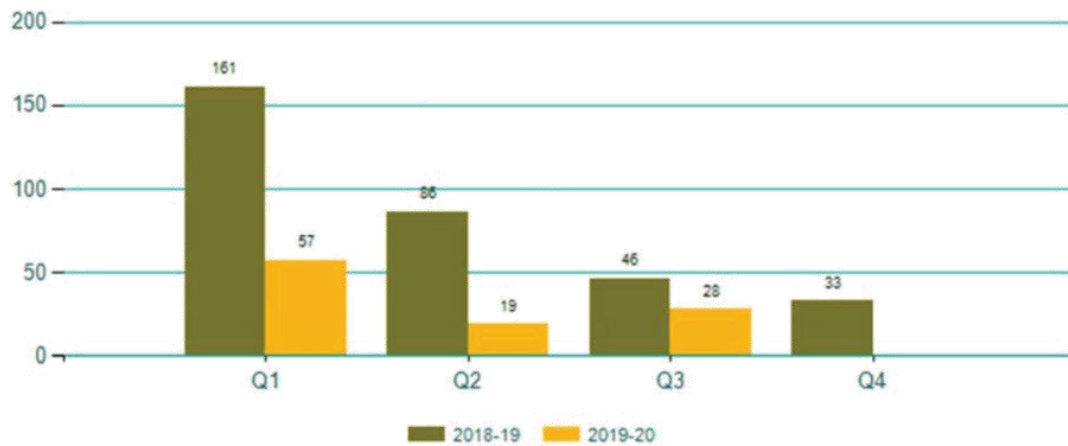


Comment: Sports grounds are maintained and managed to a high standard to maximise capacity.

Informal casual use including dog walking is not included in the statistics. Capacity is not applicable in summer months and is only assessed during winter months (Q3 and Q4). There has been an increase in usage from the previous summer season as summer clubs are now using grounds (not just training nets) for training requirements.

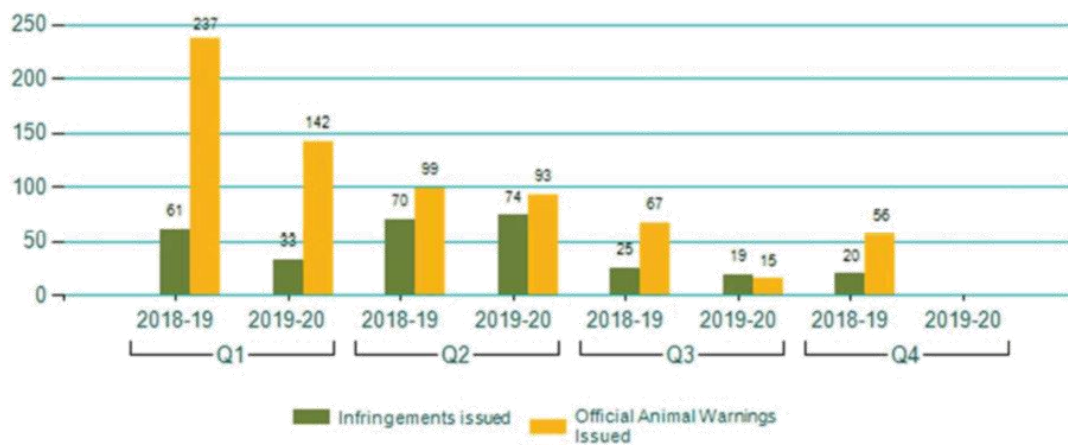
SERVICE PERFORMANCE INDICATORS - LOCAL LAWS

Infringement Notices Issued for Construction Sites



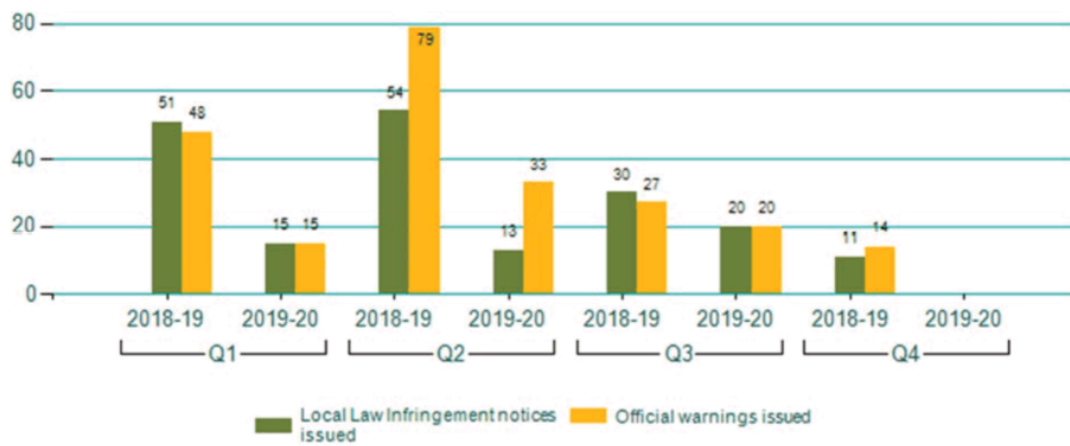
Comment: Enforcement of construction sites remains consistent.

Animal Official Warnings vs Infringement Notices Issued



Comment: Significant decrease due to change in enforcement strategy during COVID-19.

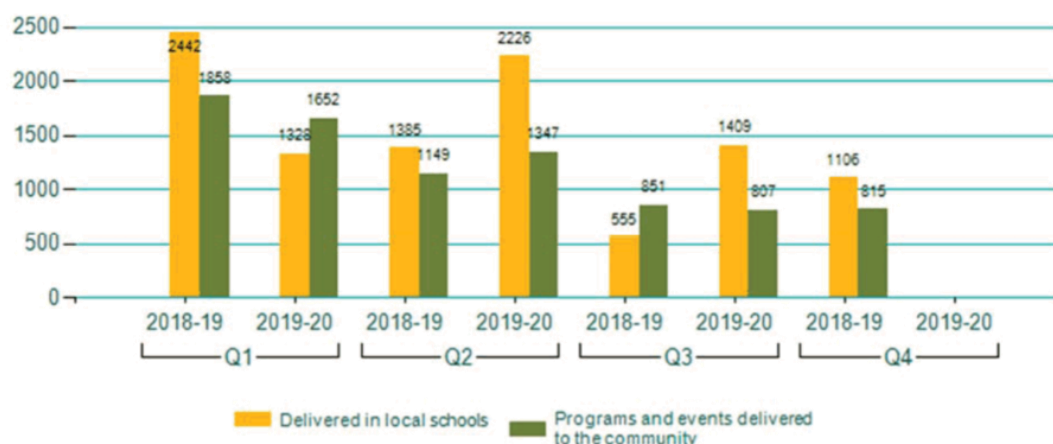
Local Law Official Warnings vs Infringement Notices Issued



Comment: Local Law official warnings remain consistent.

SERVICE PERFORMANCE INDICATORS - COMMUNITY SERVICES

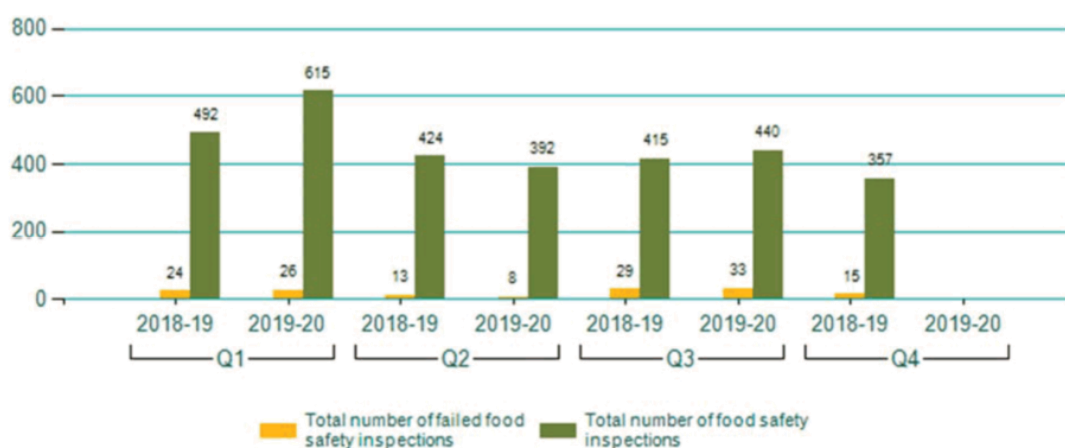
Types of Youth Programs and Attendance



Comment: School based programs delivered by Youth Services include Leadership and Teamwork, Healthy Relationships, Sleep and Technology among others. The major programs delivered during Q3 were the initial Teen Mental Health First Aid pilot program delivered to all year 10 students at Benthleigh Secondary College and Healthy Relationships program (friendship dynamics) delivered at McKinnon Secondary College. While these programs were delivered to a large number of students, Youth Services still had five primary and secondary programs cancelled towards the end of Term 1 due to Department of Education and Training restrictions on external workers entering schools.

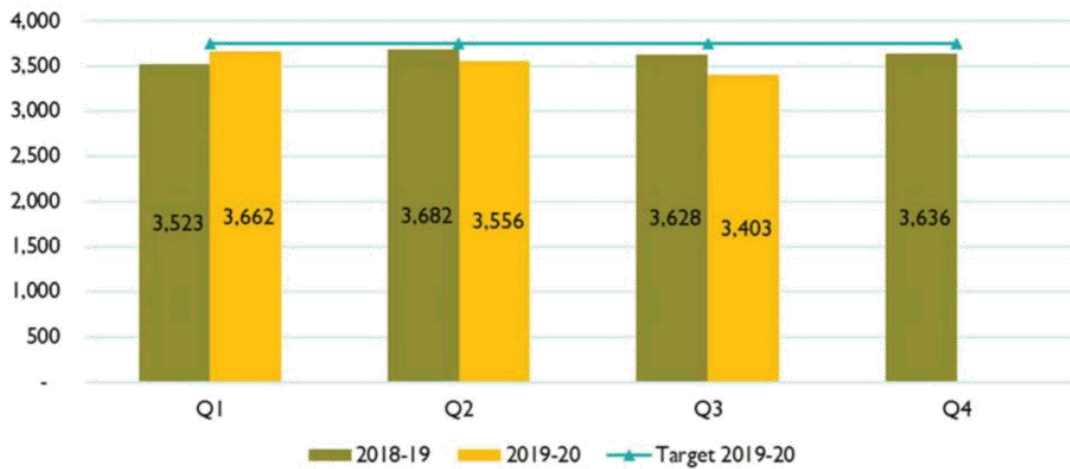
Youth programs and events delivered to the community include the Youth Leadership Team, YouthVoice Committee, Girl Up program, Press Start program, Plugged In program and the Glen Eira Multicultural Youth Network. During Q3 Youth Services also delivered the Summer Teen Holiday program and Ninja warrior activity at February Party in the Park. Unfortunately, some youth programs and workshops were postponed during the last week of March due to social distancing restrictions.

Food Safety Inspections



Comment: The number of failed inspections remains low which is pleasing. A failed inspection is when a deficiency is found by a Council officer that poses an immediate serious threat to public health and must be followed up by the Council. This includes situations where there is a serious risk of food being sold that is unsafe to eat.

Maternal and Child Health Visits



Comment: There are 10 Key Ages and Stages Visits: Home visit, 2 weeks, 4 weeks, 8 weeks, 4 months, 8 months, 12 months, 18 months, 2 years and 3.5 years.

Immunisation Coverage Against Each Cohort

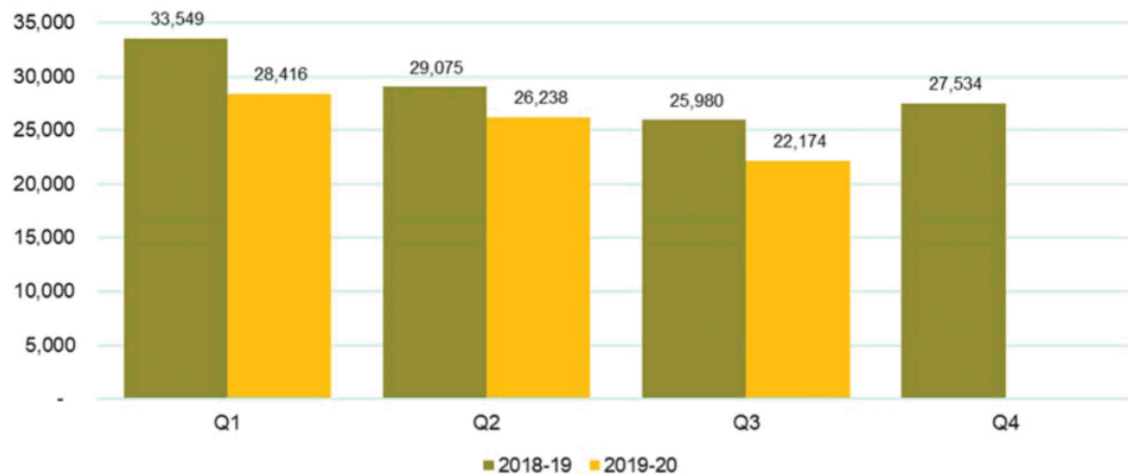


Comment: Cohort 1 – must receive their 2, 4 and 6 months immunisations by their 1st birthday

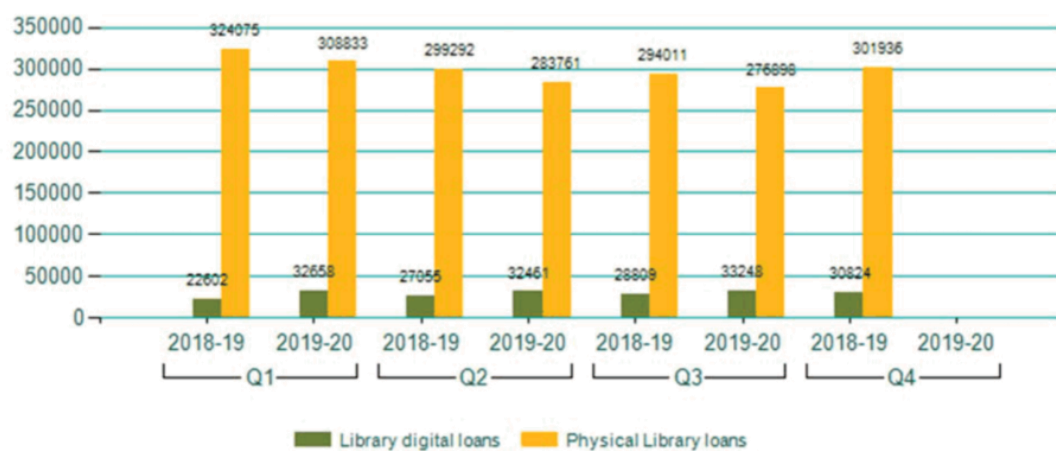
Cohort 2 – must receive their 2, 4, 6, 12 and 18 months immunisations by their 2nd birthday

Cohort 3 – must receive their 2,4,6,12,18 and 4 year old immunisations by their 5th birthday

Council provides 11 community immunisations each month at various locations throughout the municipality. Children receive vaccinations at ages 6 weeks, 4 months, 6 months, 12 months, 18 months and 4 years of age. Council also provides a Secondary School Vaccination program to all Year 7 and Year 10 Students.

In Home and Social Support Hours

Comment: Hours were tracking as per predictions until pre-COVID19. Domestic Assistance has dropped by 40% due to public concern and Social Support has ceased. Typically, these two services equate to approximately 80% of our total deliverables. Alternate hours are being captured as welfare checks and will be captured in the Q4 outputs.

Library Loans

Comment: Loans of physical library items declined 5.81% compared to this period in 2018/19. Book loans remained steady while demand for audio-visual items declined. All library branches were closed from 23 March due to COVID-19.

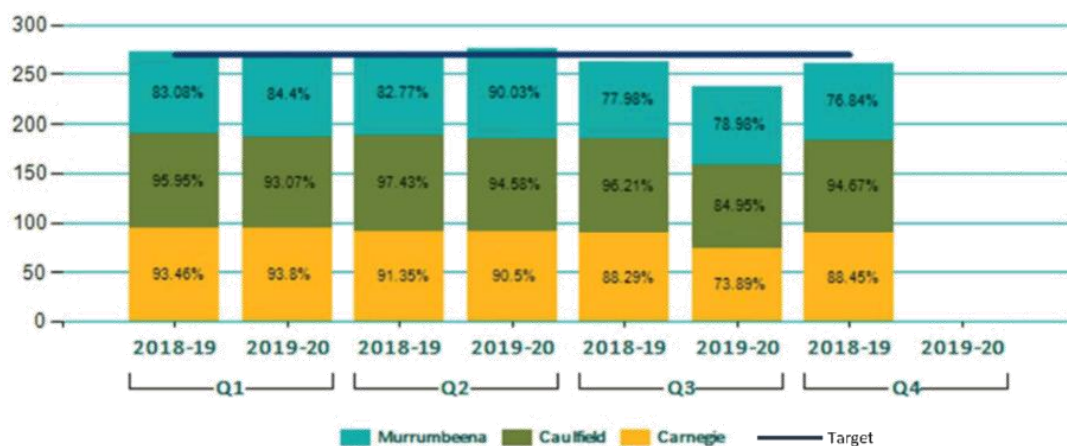
Loans of digital library items continue to increase, with very strong growth in downloadable audio books and magazines.

Library Visits



Comment: The number of visits to the library reduced sharply compared to this period in 2018/19 because all branches were closed to prevent the spread of COVID-19.

Early Learning Centres Utilisation rate



Comment: Utilisation generally lower for the Jan-March 2020 quarter as families return from annual leave and new families orientate their children into the Centres. Numbers expected to drop with the emergence of the COVID-19 Pandemic.

CLEAN AND SUSTAINABLE

AN ATTRACTIVE AND SUSTAINABLE ENVIRONMENT FOR FUTURE GENERATIONS

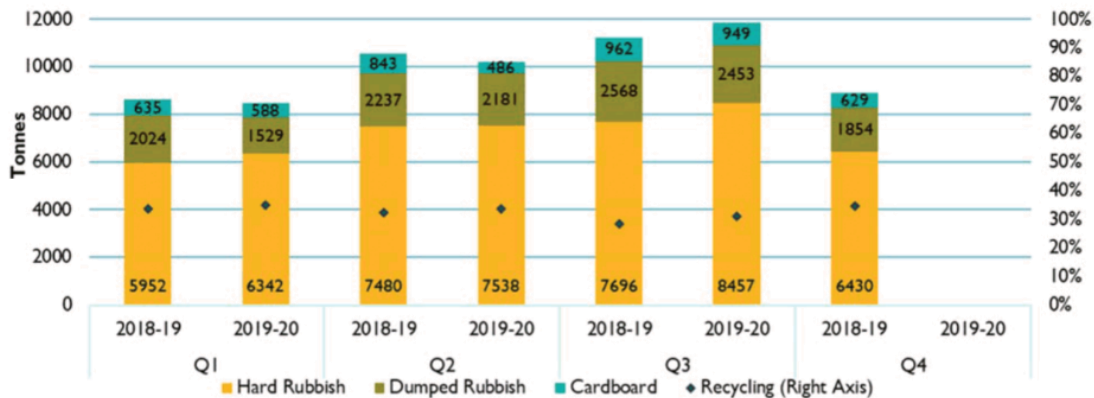
COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
We will commence the implementation of actions from the Tennis Strategy	Install Tennis Australia Book-a-Court system in four locations across Glen Eira	Expressions of interest were sought from all tennis clubs who wished to be considered for installation of the 'book-a-court' system to allow casual access to courts. Six sites have been identified and agreements signed with tennis clubs. Electrical assessments have been undertaken and quotes provided. Preparing for installation.
We will implement our updated Open Space Strategy 2019-2031 priority actions including design and construction of open space projects	Invest \$900k in improvements under the Outer Circle Railway Management Plan	After multiple delays, the Murrumbeena Main Drain Development was completed in March and the land handed back to Council for reinstatement and development. Landscape Architects have completed detailed design & documentation. Irrigation consultant has been appointed and design will be completed in April. Water meter has been upgraded to 50mm supply to ensure proper coverage and pressure for new irrigation system. Demolition and initial reinstatement of Springthorpe Gardens was completed late March. Officers have finalised the procurement processes to secure contractors to carry out the works. With the current climate of uncertainty, it is difficult to put a definitive timeline on these works. However, at this time, we are hopeful to have the majority of the works completed by 30 June this year. The works include (but not limited to): • reinstatement of the path network; • minor demolition of existing vegetation; • creation of new garden beds; • reconstruction of lawn areas; • construction of irrigation system; • new furniture & play equipment; and • construction of new harbour.
	Complete detailed design of a new park in Aileen Avenue Caulfield South	Council has approved the formal road discontinuance of Heather St for the proposed Aileen Ave Park on the 7 April meeting. The preparation of the detailed design for construction of the park is in progress.
We will invest in solar energy generation on Council buildings and support the community to implement initiatives that contribute to our sustainability objectives	Additional solar generation to be installed at Kindergartens (4 sites)	The solar installation works at 4 Kindergarten sites is fully completed.
	Additional solar generation to be installed at Centenary Park Pavilion	The solar installation works at Centenary Park Pavilion is fully completed.
	Additional solar generation to be installed at Council Independent Living Units (ILU's - 6 sites).	Works Will be completed before the end of June 2020.
	Additional solar generation to be installed at Godfrey Street Community House	The solar installation works at Godfrey Street Community House is fully completed.
Five percent of the capital budget for all new and large refurbishment building projects will be allocated to sustainability measures, over and above the minimum required standards	Five percent of Carnegie Swim Centre redevelopment budget allocated to sustainable initiatives and separately reflected in cost plan	Five percent of Carnegie Swim Centre redevelopment budget has been allocated to sustainable initiatives and separately reflected in cost plans.
	Five percent of Murrumbeena pavilion budget allocated to sustainable initiatives and separately reflected in cost plan.	The project team have ensured this requirement has been incorporated into the design and the current cost plan.
We will see an increase in food waste recycling in the municipality.	10% increase in food waste recycling measure through annual waste bin audit.	The annual waste bin audit completed in November 2019 measured an 11% increase of food waste recycled in the Council's green bin, compared to an audit completed during a similar period in 2018.
We will update and refresh a minimum of two key Council community infrastructure strategies relating to recreation, open space and facilities	Dog off-leash areas reviewed, and community consultation undertaken	A review of the Dog off Leash Areas has been undertaken and a report prepared to go to Council on 28 April. Following endorsement of this report, Council will then be presented with an amended Order of the Domestic Animals Act and commence implementation of the new off-leash areas.
	Council endorsement of the Playground Strategy	The Playground Strategy has been deferred to allow for the community consultation phase to be undertaken when social distancing restrictions due to COVID-19 are lifted. This will allow for valuable community input to inform the Strategy and to ensure it reflects community needs.

Progress against 2018-19 commitments

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
We will expand on recent trials of place-based teams to improve amenity in our activity centres. 18/19	High level of satisfaction of traders and/or community with the presentation of our activity centres, measured through a survey.	A Have Your Say survey was made available on Council's website in early July 2019, it was promoted to all Traders Associations and informal trader groups with limited response.
We will protect our valued trees within our city and consult on the establishment of a new tree protection policy and Significant Tree Register (may change subject to Council resolution following consultation)	Complete the development of the tree protection policy and Significant Tree Register (through a Local Law).	The next phase of the Classified Tree Register and Local Law is dependent on community consultation. Due to the COVID-19 restrictions in place, this will be delayed. Revised timelines will be discussed with Councillors.
Completed	In Progress	Ongoing
	Deferred	Not Started

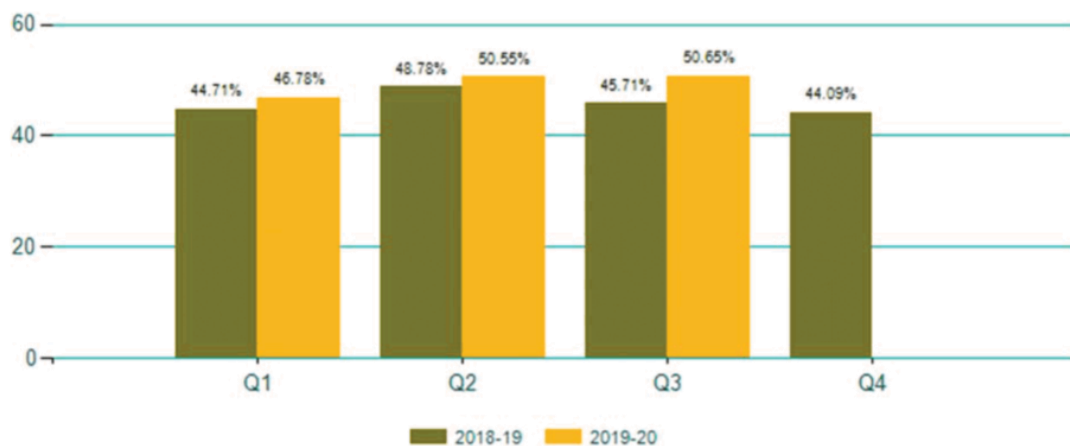
SERVICE PERFORMANCE INDICATORS - RECYCLING

Recycling Diversion Rate for Hard Rubbish and Dumped Rubbish



Comment: The recycling rate diversion rate for hard and dumped rubbish is similar to the previous quarter for the same period last year, although the total number of hard waste collections and tonnes recycled rose due to more people being at home.

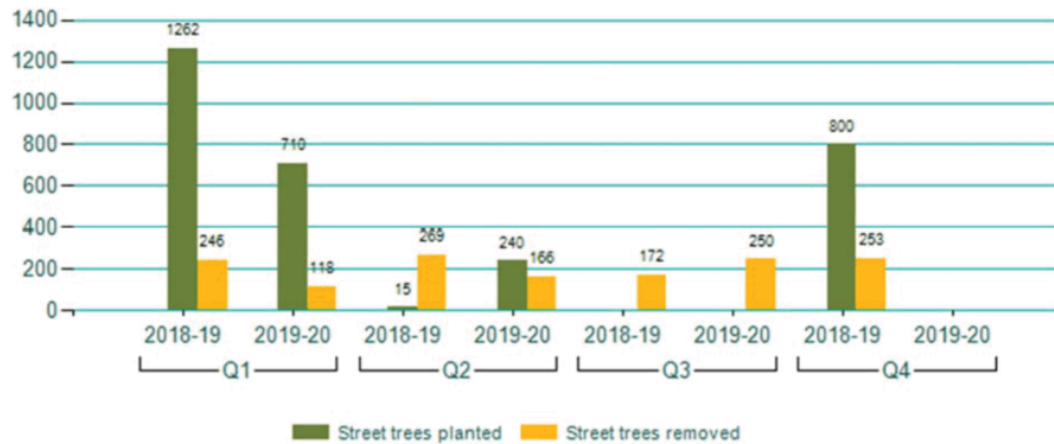
Recycling Diversion Rate for Kerbside Municipal Waste



Comment: The kerbside recycling diversion rate includes co-mingled recycling and food and organic waste recycling data. The average diversion rate was approximately 5% higher than during the same period last year. This is partly due to an increase in food waste recycling and a result of increased green waste tonnes produced by the weekly green bin trial area in McKinnon-Ormond. The total rise in co-mingled recycling and food and organic tonnes may also be due to increased waste generation in residential homes due to more people staying at home, particularly during March 2020.

SERVICE PERFORMANCE INDICATORS - PARKS

Street Trees Removed and Planted



Comment: No trees planted this quarter as the Summer period is traditionally too hot and dry.

Number of trees being removed still following a lower trend due to better tree management practices.

INFORMED AND ENGAGED

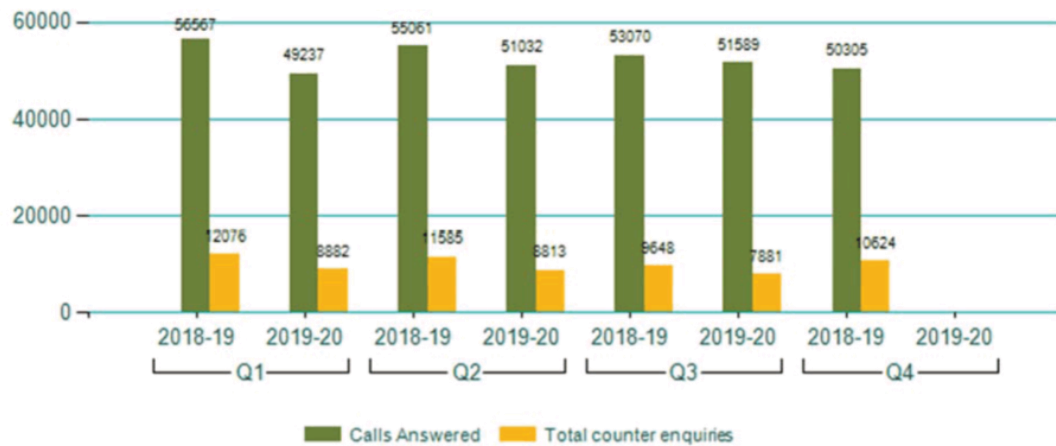
A WELL GOVERNED COUNCIL THAT IS COMMITTED TO TRANSPARENCY AND ENGAGES RESIDENTS IN DECISION-MAKING

COMMITMENT	PERFORMANCE MEASURE	PROGRESS UPDATE AS AT 31 March 2020
Council will improve the ability for community to complete transactions online outside of core business hours	Increase of activity on the home page to reflect a 5% increase in clicks throughs	We are seeing much higher engagement with Council's new website, compared with the old one. Where comparable services existed on the previous homepage, there has been a 47% increase in click-through for those transactions. This, combined with a lower site bounce rate, tells us that people are navigating through the site with more ease and are finding what they want quicker than before.
	5% increase in transaction volume outside of core business hours through Council's website	After-hours transactions are down from last quarter where we saw a 7% increase from the previous year. As at the end of this quarter, the total YTD percentage of online transactions occurring after-hours is 16%. This is a 2% increase from the same time last year.
We will complete the review of our Local Law in consultation with the community.	Local Laws endorsed by Council by November, 2019	Completed. Council endorsed new Local Laws in November 2019.
We will continue to implement our Community Engagement Strategy 2018 - 2021	We will consult with Glen Eira Community Voice on at least six occasions.	A Community Voice survey was conducted in March 2020 asking questions about gambling, gender equality, playgrounds in Glen Eira and some demographic questions to better understand the make-up of our online panel. This contributes to a total of five surveys so far this year.
We will demonstrate our commitment to transparency by increasing the amount of information that is available to the public via various communication modes.	Increased social media presence by posting a minimum of 20 messages per month that inform the community on a range of Council services and events via Council's What's on in Glen Eira Facebook and Instagram pages and an increase in the use of video.	A total of 410 posts and 41 videos have been streamed across Facebook and Instagram showcasing and informing the community of Council's services and events as well as relevant State Government initiatives.
	Improvement in the Community Satisfaction Rating with how Council has performed in making decisions in the interest of the community	Council's performance on this measure in 2019 was 61 as compared to 55 in 2018 and significantly higher than the State-wide average of 55.
We will develop a community vision that represents the aspirations and priorities of our community	We will have a draft Community Vision for Council endorsement by the end of June 2020. This will incorporate engaging with the community to co-design the process and reaching out to capture views from diverse communities.	We completed all the broad-based community engagement activities for the Community Vision on 1 March 2020. We received the Community Engagement Findings Report analysing engagement data of 3890 responses on 10 March 2020. A randomly selected group of 42 community members were chosen to be on the Deliberative Citizens' Panel. The Deliberative Citizens' Panel of 37 (5 dropped out) met on two occasions and began their task of developing a future Community Vision that would "reflect the aspirations of our diverse and growing community". Due to the COVID-19 pandemic a decision was made to pause the work of the panel in mid-March half way through their deliberation. This project is planned to recommence once it is safe for the panel to resume sessions face to face.
We will report quarterly to the community on our progress against all of our promises outlined in this Plan	Quarterly reporting considered by Council in August, November, February and May annually	The second quarter performance report was published on Council's website following the 25 February Council meeting. The third quarter is on track to be published following the 19 May 2020 Council meeting.

Completed
 In Progress
 Ongoing
 Deferred
 Not Started

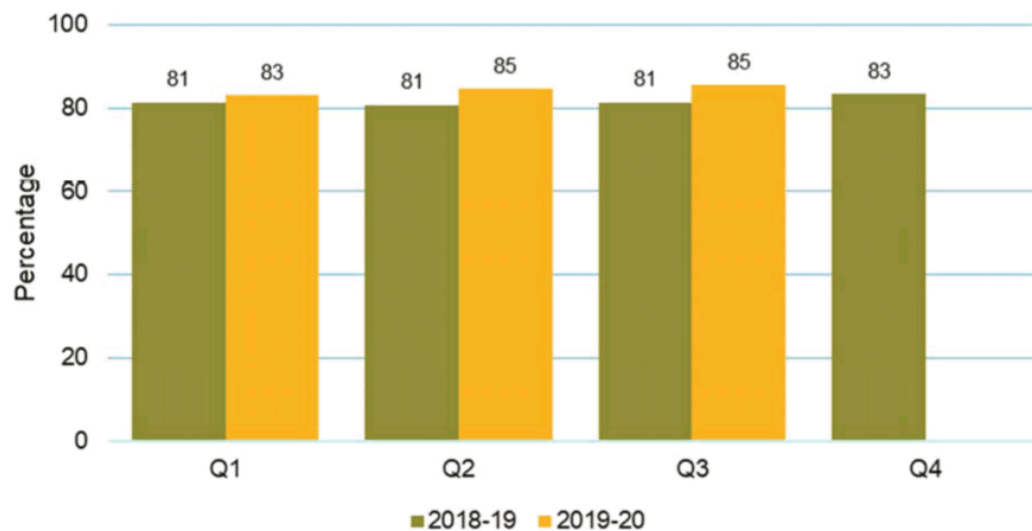
SERVICE PERFORMANCE INDICATORS - SERVICE CENTRE

Calls Answered and Counter Enquiries



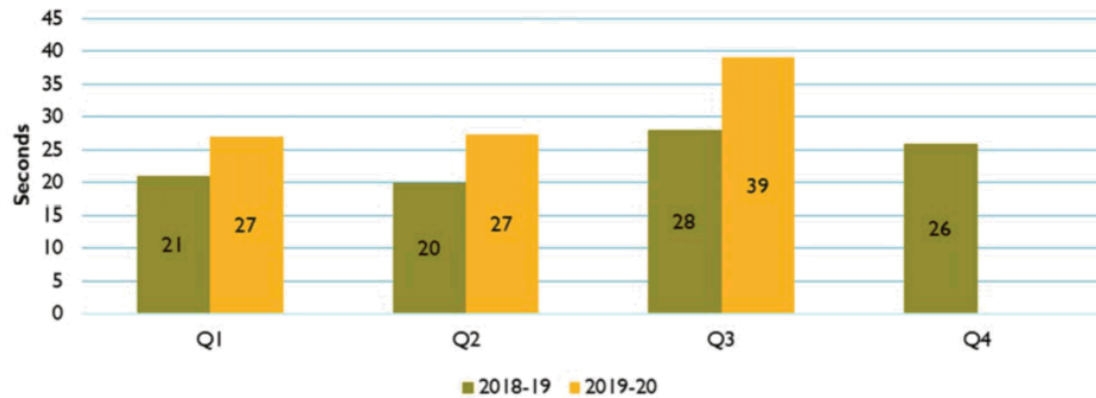
Comment: Total calls and enquiries continue to reduce as compared to last year. "Live Chat" is now available to customers, and we may see a further channel shift away from calls answered.

% First Point of Call Resolution



Comment: First call resolution is always consistent between 80-85%. We are in the process of gathering some data to redefine first call resolution and look at ways to improve this measure across the organisation.

Average Queue Wait Time



Comment: Average queue wait time for Q3 2019/20 was higher than last year mainly due to a very high average queue wait time of 50 seconds in March.

The high queue wait time was due to a number of factors including the customer experience training which involved up to five staff that were unavailable to take calls for the first half of training days, as well as animal registration renewals which were sent out in March causing a spike in calls, Finally during March the COVID-19 pandemic saw some call centre staff relocated to 840 Dandenong Rd, causing some staff to be unavailable at certain times.

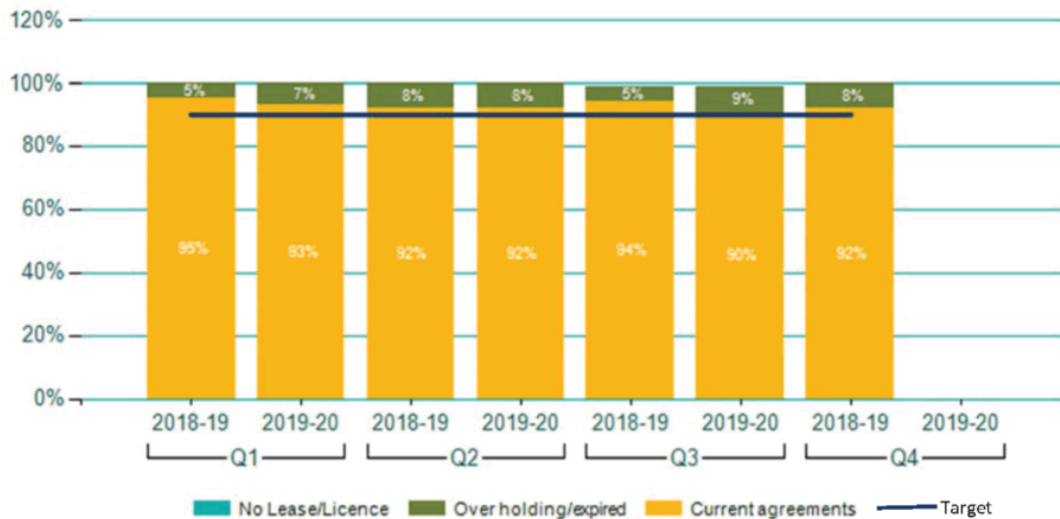
GOVERNANCE

PUBLIC QUESTIONS TO ORDINARY COUNCIL MEETINGS FOR THE PERIOD 01 January 2020 TO 31 March 2020

Average time taken to reply to public questions taken on notice at Ordinary Council meetings	0
Number of Ordinary Council meetings	3
Number of public questions asked at Ordinary Council meetings	5
Number of Public questions ruled inadmissible at Ordinary Council meetings	0
Public questions answered at an Ordinary Council meetings	3
Public questions answered following Ordinary Council meetings (person submitting question not present and/or public question taken on notice)	2

SERVICE PERFORMANCE INDICATORS - BUILDINGS AND PROPERTIES

Status of Lease and Licence Portfolio (Council as Landlord)



Comment: Council administers 88* lease or licence agreements covering a variety of community and commercial tenancies. Our aim is to renew leases and licences ahead of their expiry. If they are not renewed they move to overholding or to a month by month basis.

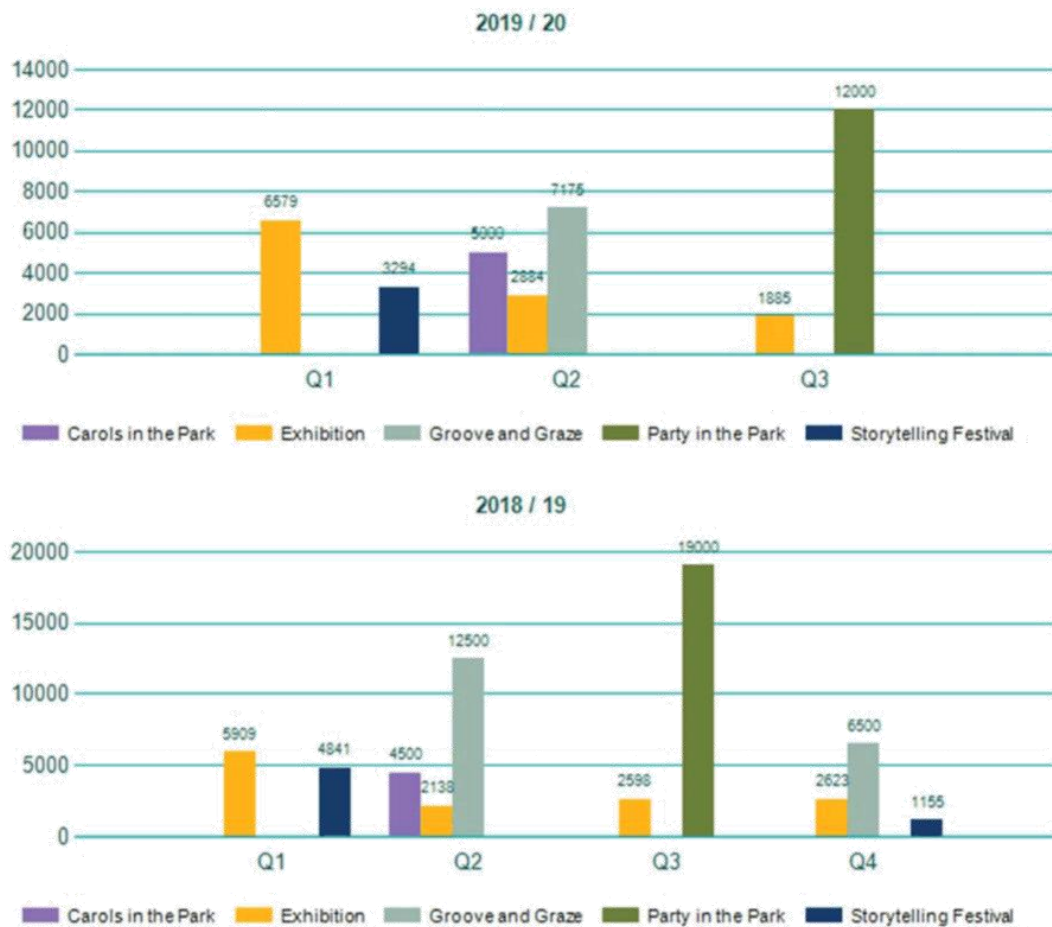
Reasons for agreements not being renewed prior to expiry may be due to detailed negotiation or consideration of long-term strategic issues.

Since the last report the new licence to AFL (Sandringham Dragons) has been executed and the licence to YMCA* at Bentleigh McKinnon Youth Centre has ended and the tenant has vacated the premises.

At the end of the quarter all occupiers of council land or buildings had a current agreement, with the proportion of current lease agreements sitting at 90% and those in overholding 10%.

SERVICE PERFORMANCE INDICATORS - EVENTS

Attendance at Major Events



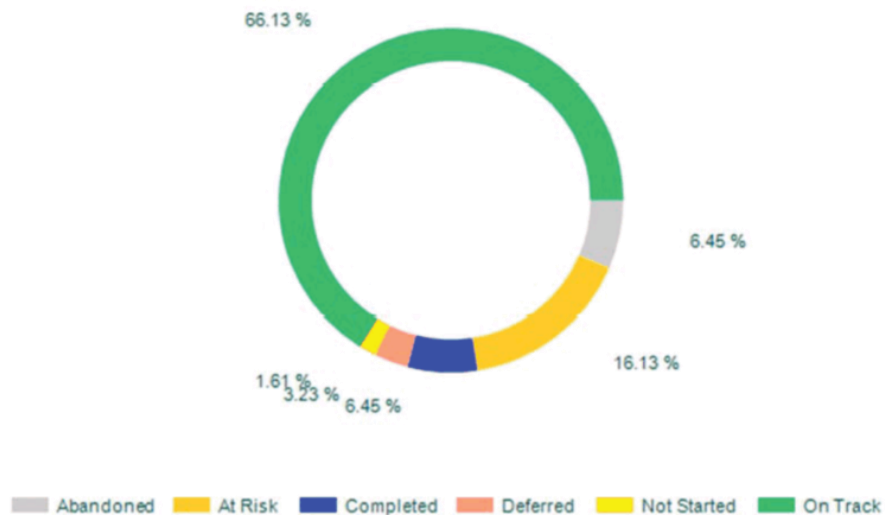
Comment: Attendances are lower than expected as Party in the Park at Bentleigh Hodgson Reserve was cancelled due to Covid-19.

Gallery attendances have gone down due to the cancellation of a major exhibition.

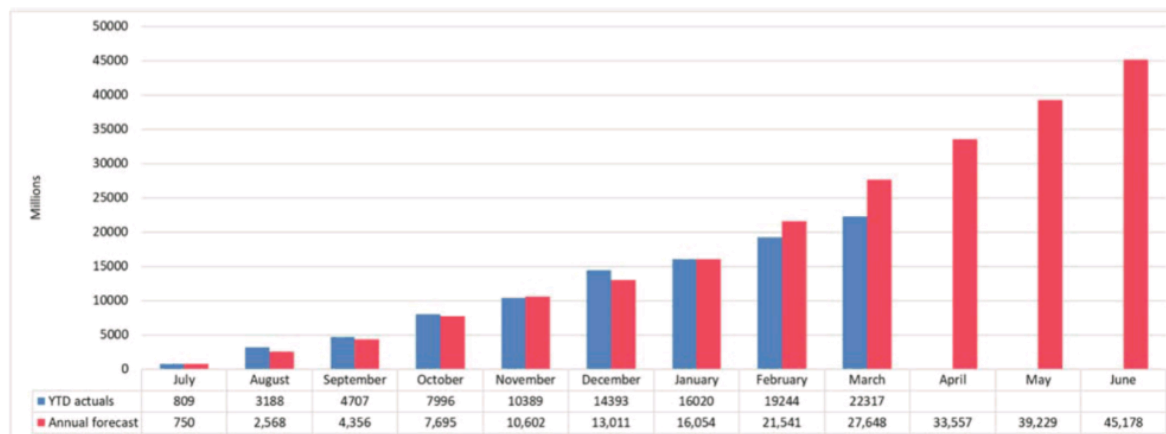
CAPITAL WORKS PROGRAM UPDATE

PROJECTS COMPLETED THIS QUARTER

Status of Capital Works Program



Capital Works expenditure program



CAPITAL WORKS PROGRAM UPDATE

PROJECTS COMPLETED THIS QUARTER

Bentleigh East Kindergarten Upgrade

All outstanding works are now complete and the enhanced facility is now in use and being enjoyed by the community.

COMMUNITY ENGAGEMENT UPDATE

We are committed to engaging on matters that involve:	Consultations conducted	Responses Received
Significant change to services and facilities	1	33
A change in strategic direction	7	375
Changes to existing amenity or character of an area	2	54
Considerable budget implications	0	0
Controversial or sensitive matter	0	0
Key emerging issue	0	0

OVERVIEW

WHAT DID THE COMMUNITY TELL US

Community Voice Survey March 2020

A Community Voice survey was conducted in March 2020 asking questions about gambling, gender equality, playgrounds in Glen Eira and some demographic questions to better understand the make-up of our online panel. This contributes to a total of five surveys so far this year.

In relation to gambling in Glen Eira:

"This is a tricky one, because not all people who gamble fall into trouble. And the gaming lobby is very powerful. But it has to be about minimising harm to self and others, just like road rules and regulations - you can't stop every person from crashing, but you can minimise the impact when it does happen."

In relation to playgrounds in Glen Eira:

"Booran Reserve is testimony to councils understanding of the need and benefit of exceptionally well-planned playgrounds."

"The new stuff is great. Keep rolling it out and make more on rehabbed land or racecourse land or at new development."

In relation to questions about their household:

"I appreciate the opportunity to have a voice in the community, and I believe politicians and councils should continue to seek opinions from within the community, as within a democratic society these institutions are designed to serve the public, and not their self interests as has become a driver in modern politics. Bring back grassroots voices!"

Bluestone Laneway, Kerb and Channel Reconstruction Policy

"As someone who has access to a Bluestone laneway at the back of my property, in an area where heritage properties are being knocked down without thought for modern monstrosities, please leave us something original! These Bluestone paths add character to an otherwise drab area. Replacing these pavers with sawn down, new bluestone, is like washing away history. I don't understand why everyone is so keen to do that nowadays! Our suburb, among many, is losing it's heritage feel."

Open Space Strategy Refresh

"The Elsternwick Plaza is such a valuable community asset. Is it possible to build over the railway line opposite the Classic cinema and have a similar space to the Plaza open space between Gordon Street and Ripponlea grove. Could more planting be done along Glenhuntly Rd shopping precinct to bring more greenery into the neighbourhood. Also can assurances be given that any multi story development along Glenhuntly Road protects the character of existing buildings at street level and new development is set back off the street to ensure sunshine still reaches the street. New development could include roof gardens to ensure the area is kept cooler."

"It would be amazing if the current Allnutt walking / bike track could be extended all the way down to Landcox Park. It would get so much more use by families, for cyclists etc..."

"More open spaces for passive use with indigenous plantings (trees, shrubs and grasses) where native fauna (birds, mammals, reptiles, fish etc) can flourish are really needed. There is also a desperate need for increased spaces where dogs can be walked off-leash."

Community Vision Deliberative Citizens' Panel

"I feel privileged to play a small part in it. Glen Eira staff have been amazing putting up with all of us. We are all very lucky that we live in this beautiful country where each individual voice is heard."

"The Glen Eira 2040 community vision panel has been amazing. People from different walks of life coming together to analyse, discuss and debate the issues that will matter for Glen Eira in 2040. It's been an enjoyable, challenging process and I look forward to when a vision is ready for council to implement on behalf of the people of Glen Eira. That's community and vision in action!"



COMMUNITY ENGAGEMENT UPDATE

OVERVIEW

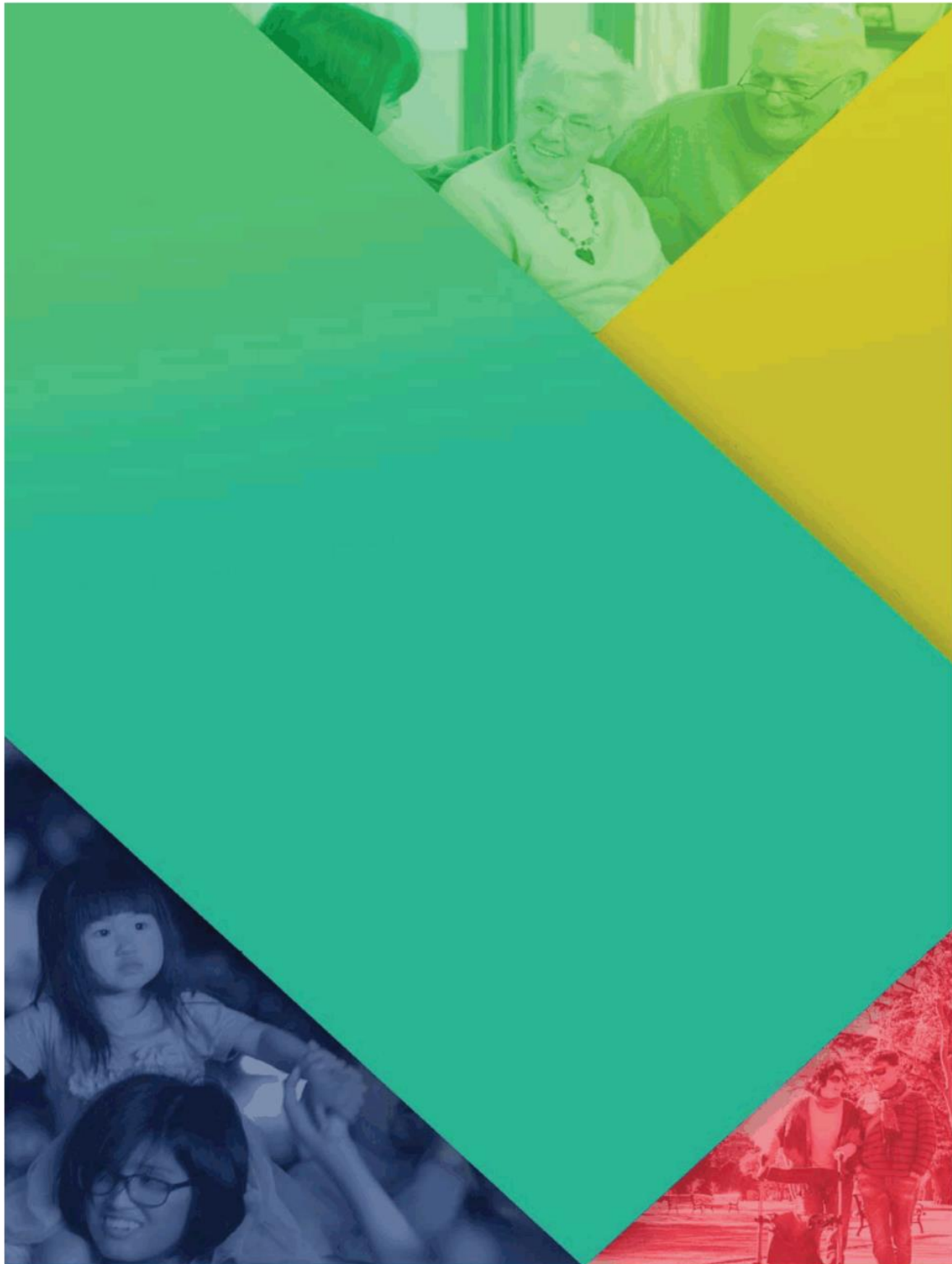
UPCOMING PROJECTS IN THE NEXT QUARTER

Budget: Council is seeking formal submissions from the community in relation to the draft Annual Budget 2020-2021, the Council and Community Plan 2020-2021, including the Strategic Resources Plan 2020-2021. Council hopes to adopt it's Budget and Plan at the June Council Meeting.

Community Voice: Council's online residents' panel, Community Voice, are providing feedback on how Council should engage with the community during the COVID-19 pandemic. We hope to better understand the levels and types of engagement that the community are willing to be involved in during this time.

Community Safety Forums: Council is developing a new draft Community Safety Action Plan 2020-2022. Initial engagement was conducted late in 2019 with Council's Community Voice, and we are now using online forums via Have Your Say to test some of the data received during the initial consultation. The information received will help to inform our actions for the next two years.

Glen Huntly draft structure plan: The *Structure Plan* sets out the long-term vision for the central Glen Huntly area around the railway station. It includes things like development and future land use, transport and parking, types and heights of buildings, employment, open spaces, infrastructure and the preservation and protection of neighbourhood character.



8.6 SUPPLEMENTARY COUNCIL MEETING 16 JUNE 2020

Author: Janice Pouw, Coordinator Councillor Business

Trim No: 20/194460

Attachments: Nil

PURPOSE AND SUMMARY

For Councillors to consider incorporating an additional meeting in the 2020 Council Meeting cycle to hear submissions received in accordance with section 223 of the Local Government Act 1989 for the 2020-21 Draft Annual Budget and the Draft Community Plan Commitments 2020-21 and Draft Strategic Resource Plan 2020-21 to 2029-30 and any other matters set on the agenda for that meeting.

RECOMMENDATION

That Council incorporates as part of the 2020 Council Meeting cycle, a supplementary Ordinary Meeting of Council at 7.30pm on Tuesday 16 June 2020.

BACKGROUND

Each year Council adopts the Council meeting dates for the next calendar year with any additional unscheduled meetings that may be required called by the Mayor or 3 Councillors. These were known as Special Meetings of Council enabling Council business to be transacted in an efficient and timely manner.

ISSUES AND DISCUSSION

On 1 May 2020 Sections 82 to 93B of the Local Government Act 1989 were repealed as part of Stage 2 of the transition to the Local Government Act 2020. Section 84 – Special meetings was one of these. This no longer provides Council the opportunity to hold Special meetings to consider items that fell outside of the adopted meeting cycle.

A supplementary meeting is required to hear submissions received for the 2020-21 Draft Annual Budget and the Draft Community Plan Commitments 2020-21 and Draft Strategic Resource Plan 2020-21 to 2029-30 in accordance with the Local Government Act 1989.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

There are no financial, resource, risk and asset management implications associated with this report.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications associated with this report.

COMMUNICATION AND ENGAGEMENT

Once adopted by Council, the meeting date will be published on Council's website.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

It is proposed that Councillors consider incorporating an Ordinary Meeting of Council for Tuesday 16 June 2020 into the 2020 Council meeting cycle.

8.7 APPOINTMENT OF SIGNATORIES FOR 2019-20 FINANCIAL REPORT

Author: John Vastianos, Chief Financial Officer

Trim No: 20/19544

Attachments: Nil

PURPOSE AND SUMMARY

To appoint two Councillors as signatories to the 2019-20 Financial Statements and Performance Statement.

RECOMMENDATION

That Council appoints the Mayor and Deputy Mayor to sign the 2019-20 Financial Statements and Performance Statement.

BACKGROUND

The State Government has a structured process it applies to approving the end-of-year Financial Report.

Council is required to consider the (proposed) Financial Statements after the external auditors (Victorian Auditor-General's Office - VAGO) have performed their role but before the audit by the Auditor-General is finalised.

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 Councillors and independent Members.

Past practice has been that the Mayor and Deputy Mayor, or one Councillor Member of the Audit and Risk Committee, be the authorised signatories.

ISSUES AND DISCUSSION

The 2019-20 Financial Report will be reviewed by Council's Audit and Risk Committee.

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

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Financial conclusions should not be drawn until after the statements are audited and finalised by the Auditor-Generals Office.

POLICY AND LEGISLATIVE IMPLICATIONS***(i) Local Government Act 1989***

Section 132 (5) - Annual Report preparation:

The Council must ensure that the Performance Statement and Financial Statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by:

- 2 Councillors authorised by the Council for the purposes of this subsection; and
- any other prescribed persons.

(ii) Local Government (Planning and Reporting) Regulations 2014

- Section 18 - Certification of Performance Statement; and
- Section 21 - Certification of Financial Statements.

(iii) Audit Act 1994

Section 9 - Audit opinions on Financial Statements:

The *Audit Act 1994* requires the Auditor-General to form an opinion on your Financial Report and Performance Statement and provide a copy of the audit reports to you and the Minister for Local Government.

COMMUNICATION AND ENGAGEMENT

The Audit and Risk Committee will consider 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.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

That Council appoints the Mayor and Deputy Mayor to sign the 2019-20 Financial Statements and Performance Statement.

8.8 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDING 30 APRIL 2020

Author: Alon Milstein, Financial Accountant

Trim No: 20/1102803

Attachments: 1. April 2020 Financial Mgmt Report [↓](#)

PURPOSE AND SUMMARY

To report Council's finances in the Financial Management Report for the period ending 30 April 2020.

RECOMMENDATION

That Council notes the Financial Management Report for the period ending 30 April 2020.

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 2019-20 Capital Works Program, cash flow and investment reports.

ISSUES AND DISCUSSION

Financial Position

Council's financial position is presently sound, however the impact of COVID-19 on Council's forecast operating result for 2019-20 will be significant. The Balance Sheet currently indicates a satisfactory financial position with forecast total current assets of \$88.43m and total current liabilities of \$62.82m.

Cash and investment holdings at 30 April are \$80.48m. This is higher than originally budgeted and results in a forecast liquidity ratio of 1.41 as at 30 June 2020.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The key financial objectives for Council are:

- Mitigate risks to our community and local economy arising from the impact of the pandemic of COVID-19.
- Manage finances appropriately within the constraints set by the State Government's Rate Capping regime.
- Renew and upgrade our ageing assets and community facilities.
- Maintain essential services at not less than current levels.
- Set fee increases that are manageable and sustainable.
- Invest in continuous improvement, technology and other enablers to efficiency and embrace customer outcomes.
- Keep day-to-day costs manageable and rates below our peers.

POLICY AND LEGISLATIVE IMPLICATIONS

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

COMMUNICATION AND ENGAGEMENT

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

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

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

ATTACHMENT 1:

Financial Management Report for the period ending 30 April 2020

1. Contents

Executive Summary 2

Income Statement..... 6

Balance Sheet..... 7

Capital Works Expenditure Program 13

Financial Strategy 17

Assurance Map 20

ORDINARY COUNCIL MEETING

19 MAY 2020

Executive Summary***for the period ending 30 April 2020*****a) Current Month Budget Result**

At the end of April 2020, the performance against budget from ordinary activities showed an unfavourable variance of \$2.15m due to lower than anticipated income of \$1.52m and unfavourable variance in operating expenditure of \$630k (refer to page 8 for details of the variances).

b) Current Month Forecast Result

The forecast result expected for the financial year is a surplus of \$8.78m compared with the original adopted *2019-20 Annual Budget* of \$18.31m.

The current monthly forecast movement from ordinary activities shows an increase in operating revenue of \$1.82m and an increase in operating expenditure of \$1.02m.

c) COVID-19 Financial Impact 2019-20

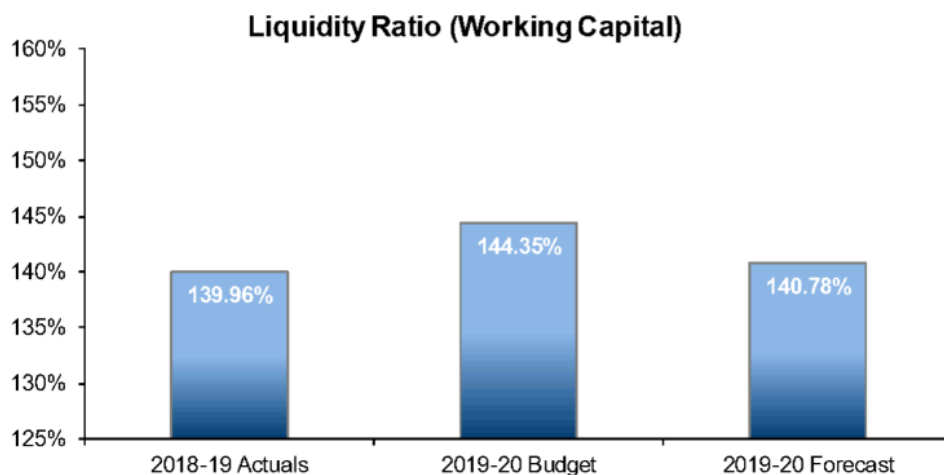
COVID-19 was declared a global pandemic on the 11 March 2020 and a State of Emergency was declared in Victoria on the 16 March 2020. The COVID-19 pandemic has a significant impact on individuals, businesses and government. As a result, the impact of COVID-19 on Council's financial position between March and June 2020 is expected to be substantial.

Liquidity

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

Council will continue to have a large investment in capital works projects. However, capital spend for the remainder of the year may be impacted by the pandemic.

Council is required to hold sufficient cash to cover 'Restricted Assets' such as: Residential Aged Care Deposits, Public Open Space Reserve, Contract Deposits and *Fire Services Property Levy*.



ORDINARY COUNCIL MEETING

19 MAY 2020

d) Open Space**Contributions**

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

Open Space Reserve

Capital projects funded by Open Space contributions meet the conditions of the Open Space Strategy which is mainly focused on increasing open space in identified gap areas and to localities with forecast population growth.

The balance of the Open Space Reserve as at 30 April 2020 is as follows:

Description	2019-20 Current Month Actual	2019-20 Year to Date
Open Space Contributions Received	\$306,090	\$6,856,815
Open Space Capital Expenditure*	-	(\$2,156,758)
Net Movement	\$306,090	\$4,700,057
Opening Balance as at 1 July 2019		\$18,584,749
Closing Balance Open Space Reserve		\$23,284,806

**A review of prior year expenses on eligible open space capital works projects has been concluded. The expenditure in the table above reflects this.*

ORDINARY COUNCIL MEETING

19 MAY 2020

Superannuation – Defined Benefits Scheme***Vested Benefits Index (VBI)***

Defined benefit plans are required by law to have an actuarial investigation at least once every three years. Vision Super monitors the vested benefit position of the defined benefits plan on a quarterly basis.

The VBI is the key index that the super fund regulator, APRA, considers when assessing the financial position of the Defined Benefit Plan. In simple terms, this measures whether there would be enough assets to meet the liabilities of the Defined Benefit Plan if it became necessary to pay all members their total entitlements on a particular day.

Under the superannuation prudential standards, VBI's must generally be kept above a fund's nominated shortfall threshold, currently 97%. The higher the index the less chance of a future call.

For the Plan to be in a satisfactory financial position requires a VBI of 100% or more.

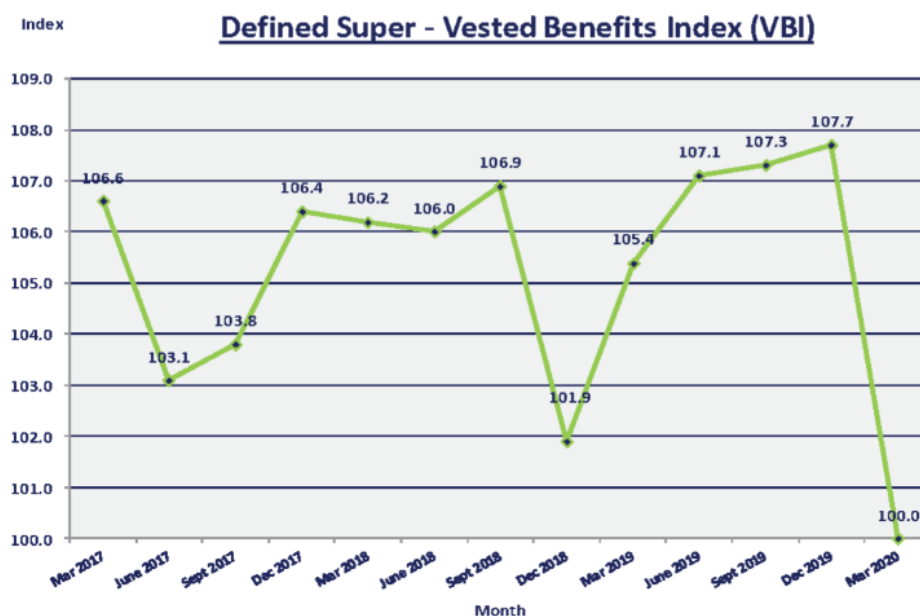
Impact of COVID-19

The impact of COVID-19 has continued to cause significant volatility in investment markets around the world.

Vision Super is continuing to monitor the sub-plan's financial position during this period of extreme volatility. They are also closely monitoring the investment markets to identify potential threats/opportunities that they may be able to avoid/take advantage of to improve the funding position of the sub-plan.

In the event the VBI falls below the nominated shortfall threshold (i.e. 97%), an interim investigation is required to be carried out by the Fund Actuary, unless the next scheduled investigation is due within six months. The next scheduled investigation is as at 30 June 2020.

Below is the estimated VBI updated to 31 March 2020.



ORDINARY COUNCIL MEETING

19 MAY 2020

Forecast adjustments for April 2020***Income from ordinary activities increase of \$1.82m***

The income forecast movement is mainly due to:

- **Grants (Operating and Capital)** – increase of \$1.32m.
Capital grants and contributions include all monies received from State, Federal and community sources for the purposes of funding the capital works program. The increase for May reflects grant funding relating to capital works projects.
- **Statutory Fees and Fines** – relates mainly to fees and fines levied in accordance with legislation and include animal registrations, health act registrations and parking fines.

The increase is mainly due to the recognition of previously issued parking infringements collected during the current period. This is offset by an increase in the doubtful debts expense provision of \$660k. This is no impact on Council's net financial position.

Expenditure from ordinary activities increase of \$1.02m

- **Employee Costs** – increase of \$327k.
This includes all labour related expenditure and on-costs such as allowances, leave entitlements, employer superannuation and Worksafe. The increase is mainly due to the timing of staff recruitment and employee leave provisions.
- **Other Expenses** – the increase of \$664k relates mainly to the provision for parking infringement debtors which is offset by parking infringements collection income, (refer to statutory fees and fines note above).

ORDINARY COUNCIL MEETING

19 MAY 2020

Income Statement

for the period ending 30 April 2020

	2019-20 Year to Date Actual	2019-20 Year to Date Budget	2019-20 Year to Date Variance	2019-20 Year to Date Variance	2019-20 Last Month Forecast	2019-20 Current Month Forecast	2019-20 Current Month Forecast Movement	2019-20 Annual Budget	2019-20 Budget Forecast Variance	2019-20 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's	(%)
Income										
<i>Income from Ordinary Activities</i>										
General Rates	95,613	95,764	(151)	(0.2%)	95,792	95,821	29	95,829	(8)	(0.0%)
Supplementary Rates	434	625	(191)	(30.6%)	953	937	(15)	850	87	10.3%
Waste and Recycling Charges	17,496	17,486	10	0.1%	17,488	17,489	1	17,489	(0)	(0.0%)
Grants (Operating and Capital)	20,747	19,524	1,223	6.3%	23,925	25,248	1,323	24,357	891	3.7%
Interest Received	1,194	1,667	(473)	(28.4%)	1,501	1,431	(70)	2,000	(569)	(28.4%)
User Fees	19,673	22,146	(2,474)	(11.2%)	20,760	20,643	(117)	26,488	(5,845)	(22.1%)
Statutory Fees and Fines	10,083	8,619	1,465	17.0%	9,674	10,371	697	10,265	106	1.0%
Contributions (Monetary)	6,857	7,900	(1,043)	(13.2%)	7,497	7,501	4	9,000	(1,499)	(16.7%)
Other Income	1,423	1,303	120	9.2%	1,694	1,658	(36)	1,557	101	6.5%
Total Income from Ordinary Activities	173,519	175,033	(1,515)	(0.87%)	179,283	181,098	1,815	187,834	(6,735)	(3.6%)
Expenses										
<i>Expenses from Ordinary Activities</i>										
Employee Costs	67,890	69,212	1,321	1.9%	78,507	78,834	(327)	81,703	2,869	3.5%
Materials and Consumables	3,941	4,764	823	17.3%	5,130	5,130	(1)	5,918	787	13.3%
Contractor Payments	29,844	29,608	(236)	(0.8%)	37,385	37,300	84	36,021	(1,280)	(3.6%)
Maintenance	6,184	6,435	251	3.9%	7,880	7,957	(78)	7,632	(325)	(4.3%)
Utility Services	4,236	4,194	(43)	(1.0%)	5,125	5,174	(50)	4,987	(187)	(3.7%)
Insurances	970	1,238	268	21.6%	1,235	1,227	8	1,310	83	6.3%
Other Expenses	8,126	4,950	(3,176)	(64.2%)	8,589	9,253	(664)	5,933	(3,320)	(56.0%)
Grants and Subsidies	1,084	1,258	174	13.9%	1,438	1,428	10	1,304	(124)	(9.5%)
Borrowing Costs	379	366	(13)	(3.5%)	439	441	(2)	439	(2)	(0.4%)
Total Expenses from Ordinary Activities	122,655	122,024	(630)	(0.5%)	145,726	146,745	(1,019)	145,246	(1,499)	(1.0%)
Surplus before non operational activities	50,864	53,009	(2,146)	(4.0%)	33,557	34,353	796	42,587	(8,234)	(19.3%)
<i>Non-operational Activities</i>										
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	407	357	51	14.2%	526	442	(84)	460	(18)	(4.0%)
Written Down Value of Assets Sold/Disposed	924	777	(147)	(18.9%)	1,829	1,756	73	1,718	(38)	(2.2%)
Depreciation and Amortisation	20,366	19,182	(1,184)	(6.2%)	24,228	24,261	(33)	23,019	(1,242)	(5.4%)
Surplus for the period	29,981	33,406	(3,426)	(10.3%)	8,026	8,778	752	18,310	(9,532)	(52.1%)
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.										

ORDINARY COUNCIL MEETING

19 MAY 2020

Balance Sheet*for the period ending 30 April 2020*

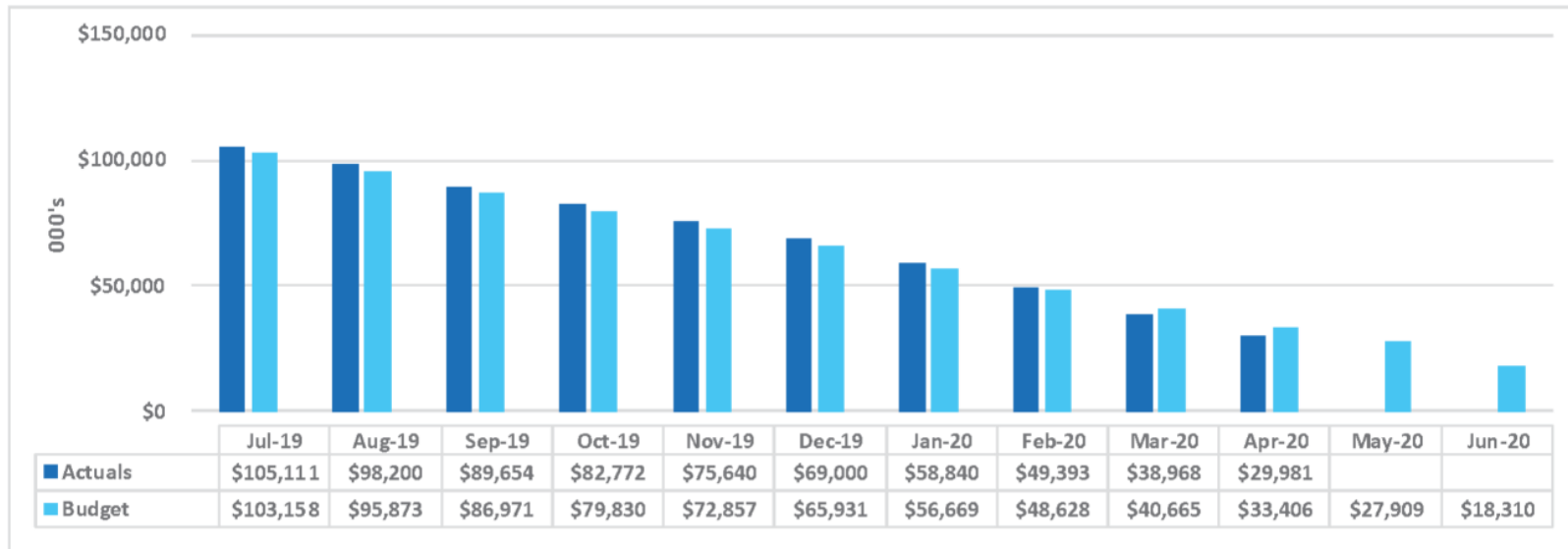
	Actuals 2018-19	Annual Budget 2019-20	Annual Forecast 2019-20	Year to Date Actual 2019-20	Previous Month's Actuals
	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	86,484	76,125	71,650	80,481	85,988
Trade and Other Receivables	14,088	13,815	14,905	36,678	39,871
Other Assets	1,878	1,625	1,878	535	494
Total Current Assets	102,450	91,565	88,433	117,694	126,353
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	2,202,904	2,577,169	2,222,722	2,365,293	2,364,232
Right-of-use-assets	-	-	-	2,716	-
Intangible Assets	1,845	563	1,729	1,690	1,693
Investments in Joint Operations	1,045	1,457	1,045	1,045	1,045
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	2,205,799	2,579,194	2,225,501	2,370,748	2,366,974
TOTAL ASSETS	2,308,249	2,670,759	2,313,934	2,488,442	2,493,327
Liabilities					
Current Liabilities					
Trade and Other Payables	18,431	13,925	7,915	8,234	7,327
Trust Funds and Deposits	36,934	32,353	36,934	39,328	38,971
Provisions	14,283	13,468	14,283	14,683	14,218
Interest-Bearing Liabilities	3,553	3,685	3,685	3,659	3,635
Total Current Liabilities	73,201	63,431	62,817	65,904	64,151
Non-Current Liabilities					
Provisions	1,351	1,360	1,351	1,320	1,357
Interest-Bearing Liabilities	11,304	7,592	7,592	8,231	8,548
Lease Liabilities	-	-	-	2,716	-
Other Liabilities - Joint Operations	2,590	2,820	2,590	2,590	2,590
Total Non-Current Liabilities	15,245	11,772	11,533	14,856	12,495
Total Liabilities	88,446	75,203	74,350	80,761	76,646
Net Assets	2,219,803	2,595,556	2,239,584	2,407,682	2,416,682
Equity					
Accumulated Surplus	962,267	999,560	984,838	987,547	996,840
Asset Revaluation Reserve	1,238,952	1,595,996	1,238,952	1,396,850	1,396,862
Public Open Space Reserve	18,584	-	15,794	23,285	22,979
Total Equity	2,219,803	2,595,556	2,239,584	2,407,682	2,416,682

ORDINARY COUNCIL MEETING

19 MAY 2020

Performance Graphs

Financial Performance
for the period ending 30 April 2020



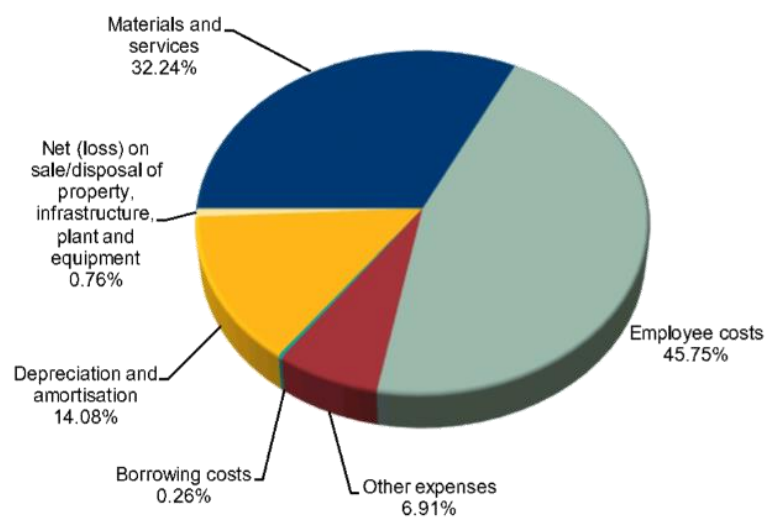
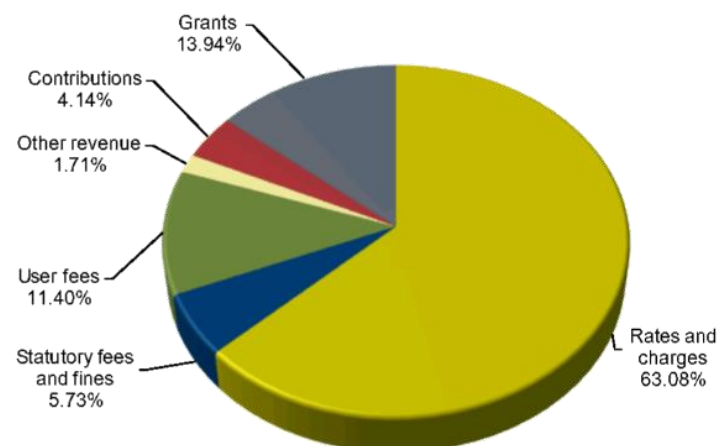
The April 2020 year to date financial performance was \$3.43m lower than the year to date budget mainly due to:

- Better than anticipated income received for Statutory Fees and Fines \$1.47m, Grants \$1.22m and Other Income \$120k. These are offset by a decrease in User Fees \$2.47m, Contributions (Monetary) \$1.04m and Interest Received \$473k.
- Favourable variances in expenditure items including: Employee Costs \$1.32m, Materials and Consumables \$823k, Insurances \$268k, Maintenance \$251k and Grants and Subsidies \$174k. These are offset by increases in Other Expenses \$3.18m, Contractors \$236k and Utility Services \$43k.

ORDINARY COUNCIL MEETING

19 MAY 2020

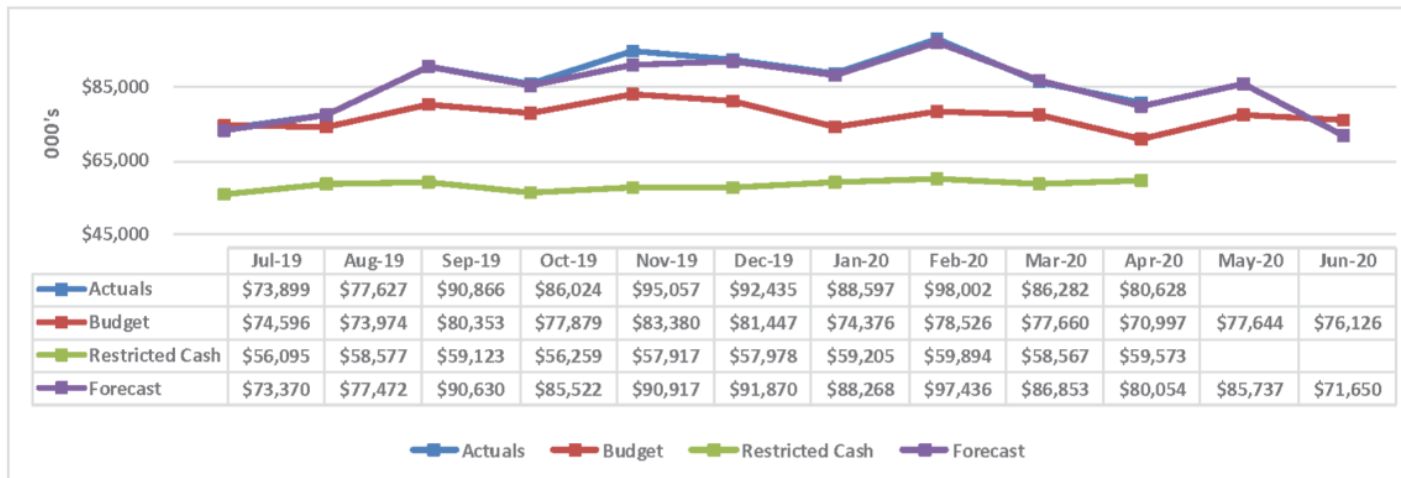
Financial Performance
for the period ending 30 April 2020

2019-20 Forecast categories of expenditure**2019-20 Forecast sources of income**

ORDINARY COUNCIL MEETING

19 MAY 2020

Cash and Investments
for the period ending 30 April 2020



- Council's year to date cash balance of \$80.63m is higher than budget for the current month. Council's forecast position to June 2020 of \$71.65m has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments. In addition, the revised cash flow takes into consideration the impact of COVID-19 for the remainder of the 2019-20 financial year.
- Council has cash assets that are subject to restrictions. Restricted funds as at 30 April 2020 include: residential aged care deposits of \$30.51m, trust funds and deposits of \$5.23m (including asset protection permits), open space reserve of \$23.28m and fire services property levy of \$548k.

ORDINARY COUNCIL MEETING

19 MAY 2020

Rates Income and Debtors
for the period ending 30 April 2020

Rate and Charges Income – is an important source of revenue, accounting for approximately 60 per cent of the total revenue received by Council annually. Glen Eira continues to have the second-lowest average rates and charges in metro Melbourne.

Rate Capping - The Victorian Government's *Fair Go Rates System* (FGRS) limits the maximum increase in Councils' average rates. The amount is calculated by dividing total revenue from general rates by the total number of rateable properties in the municipality.

Each year the Minister for Local Government sets the average rate cap increase for Councils.

The cap for 2019-20 was set at forecast CPI of 2.5% (2.25% for 2018-19).

The Minister has announced in December 2019, that the Average Rate Cap for the 2020-21 financial year will be 2.00 per cent.

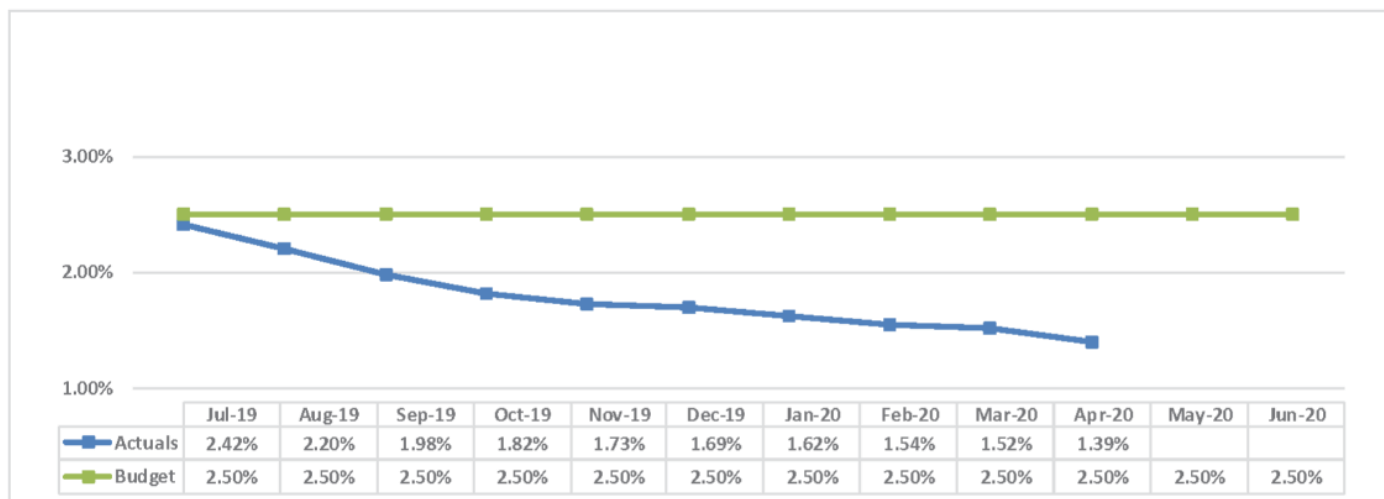
Rate Payments - Rates are paid in four instalments during the year: February, May, September and November. Council's cash flow is impacted by the timing of rate payments. The following table reflects the rate debtors balance as at 30 April 2020.

Rate Debtors	2019-2020 Year to date
	\$'000
Arrears Brought Forward	6,557
2018-19 Rates & Garbage Generated	112,935
2018-19 Fire Services Property Levy	13,385
Total Rates & Charges	132,878
Payments/Adjustments:	
Glen Eira Pension Rebate	(244)
State Government Rebate	(1,845)
Fire Services Property Levy Rebate	(350)
Receipts	(99,261)
Interest	351
Supplementary Valuations	677
Adjustments	(53)
Total Payments/Adjustments	(100,524)
Rates & Charges Balance at Month End	32,353

ORDINARY COUNCIL MEETING

19 MAY 2020

Investment Interest Rates
for the period ending 30 April 2020



Council achieved a return of 1.39% against the budget of 2.50%. Council's interest received on investments will be reduced during 2019-20 due to the impact of COVID-19.

ORDINARY COUNCIL MEETING

19 MAY 2020

Capital Works Expenditure Program

Council's Capital Works Program represents a portfolio of capital projects that have been adopted and formally approved by Council in June as part of the 2019-20 budget process. These projects involve the planning and construction of new assets, renewal, upgrade and expansions for existing infrastructure, plant and equipment and property assets. Included in the program are: strategic projects, roadworks, footpaths and drainage, upgrades of open space and recreational areas and community facilities.

As at the end of April 2020, the capital works expenditure forecast for 2019-20 is expected to be \$45.4m, represented by:

- New capital projects as per the 2019-20 Annual Budget \$37.25m
- External funding sources \$2.8m
- Carry forward projects from 2018-19 \$4.77m
- Capital expenditure forecast adjustments for 2019-20 year-to-date \$572k.

Forecast adjustments for the month of April 2020 resulting in a net increase of (\$215k) include:

a) Forecast increases \$623k

- Additional funding due to tender works higher than the original budget works at Victory Park Pavilion upgrade (\$256k) and Heather Street car park (\$192k).
- Replacement of membership and leisure management software for GESAC (\$78k).
- Outer Circle Railway Management Plan – receipt of funds from Melbourne Water to reinstate the footpaths to existing conditions (\$62k).
- Footpath renewals – additional works undertaken due to increased asset protections received (\$35k).

b) Forecast reductions / savings \$408k

- Super and sub-structure building renewal programs - savings due to scope of capital works being reduced following structural inspections (\$185k).
- Public toilet upgrades at Bentleigh Hodgson – savings due to the original scope being amended to re-use the toilet unit from Murrumbeena Park lowering the original construction costs (\$130k).
- Major play space upgrade at Bentleigh Hodgson Reserve Multipurpose – savings due to tender being under budget (\$40k).
- Street light conversion to LED lighting – savings due to the project being delivered under budget (\$38k).
- Digital Concierge – savings due to costs being undertaken in-house (\$15k).

c) Transfer of savings / funding between programs (nil forecast movement)

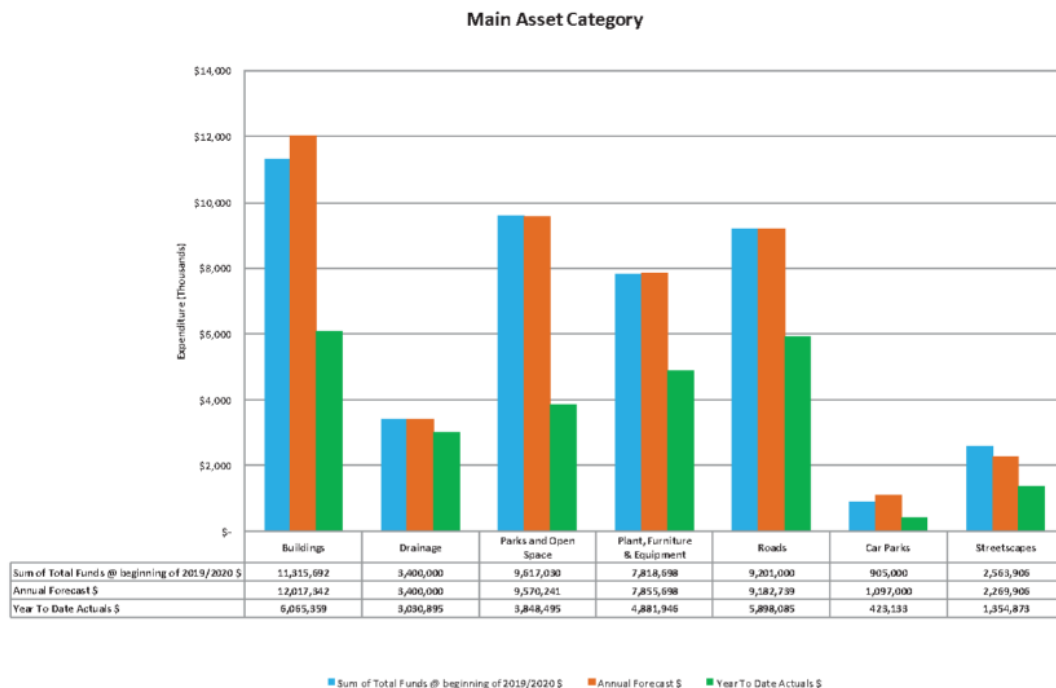
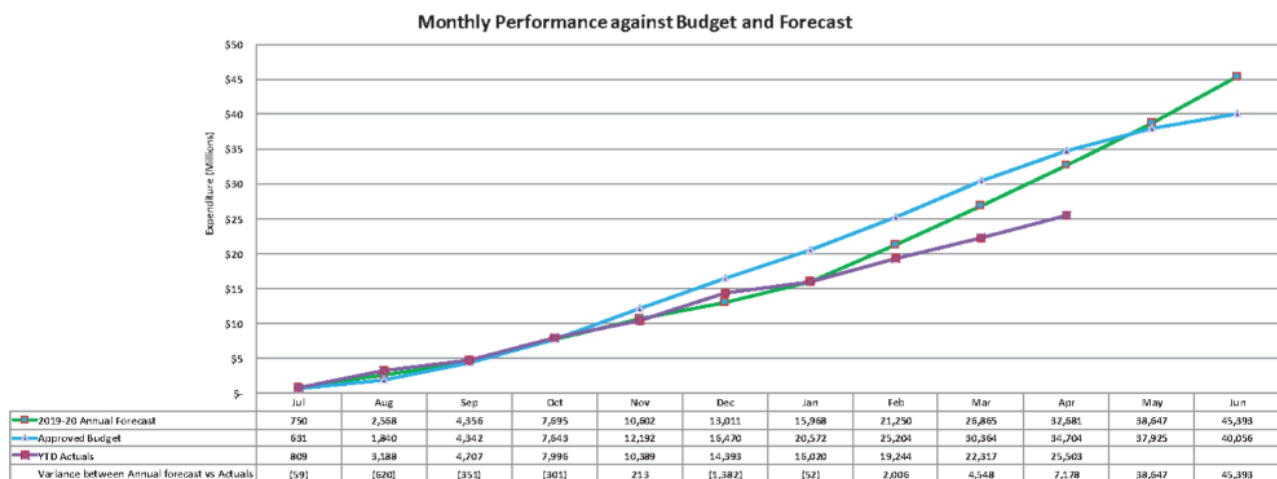
- Sustainability initiatives solar projects – savings of (\$189k) due to works coming under budget. Savings transferred to renewal works at Early Learning Centres (\$159k) and McKinnon Female Friendly Pavilion upgrade (\$30k).
- Savings from the deferral of Carnegie Market being transferred to the Neerim Road Warehouse project (\$150k).
- Savings from the fittings program being transferred to mechanical component renewals to accommodate additional works (\$66k).
- Savings in roof renewal works being transferred to security works at Adult Day Activity and Support Services (\$35k).

ORDINARY COUNCIL MEETING

19 MAY 2020

(b) Capital Works Performance Graphs

The below graphs reflect the 2019-20 budget allocations for the main asset category and performance against budget and forecast.

**Capital Works Program Expenditure**

Council's capital expenditure is behind forecast by \$7.2m mainly due to Road Reconstruction Program \$1.5m, Sports Ground Lighting EE Gunn, Packer Park and Centenary Park \$938k, Murrumbidgee Park Community Hub \$825k, Major Play space Upgrade at McKinnon and Bentleigh Hodgson \$516k, Outer Circle Railway Management Plan Implementation \$475k, Glen Eira Leisure \$356k, and Building Improvements \$308k.

ORDINARY COUNCIL MEETING

19 MAY 2020

Capital Works Program Expenditure
for period ending 30 April 2020

Description	2019-20 Carry Forwards from 2018-19	2019-20 Capital Grant Funding	2019-20 Adopted Annual Capital Budget	2019-20 Budget Plus 2018-19 Carry Forward	2019-20 YTD Work In Progress	2019-20 YTD Forecast	2019-20 YTD Variance	2019-20 Annual Forecast Projected end of June 2020 expenditure	2019-20 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
CAPITAL WORKS: STRATEGIC PROJECTS									
Memorial Holocaust	100,000	-	-	100,000	-	15,000	15,000	100,000	-
Activity Centre Streetscape works	157,000	60,906	721,000	938,906	517,500	670,000	152,500	938,906	-
Bentleigh Structure Plans	-	-	750,000	750,000	492,677	345,000	(147,677)	750,000	-
Carnegie Structure Plan	196,000	-	510,000	706,000	237,805	476,000	238,195	706,000	-
Elsterwick Structure Plan	-	-	750,000	750,000	298,586	380,000	81,414	750,000	-
Integrated Transport Strategy Implementation	-	-	800,000	800,000	205,258	334,000	128,742	544,000	(256,000)
Carnegie Swim Centre Redevelopment	-	-	750,000	750,000	348,059	510,000	161,941	750,000	-
TOTAL CAPITAL WORKS: STRATEGIC PROJECTS	453,000	60,906	4,281,000	4,784,906	2,099,835	2,730,000	630,115	4,530,906	(256,000)
CAPITAL WORKS: GREAT AT GLEN EIRA									
Continuous Improvement & Innovation	206,000	-	275,000	481,000	236,487	386,800	150,313	539,000	58,000
Information Technology-Office 365 & Application Integration	174,000	-	765,318	939,318	583,570	741,018	157,448	939,318	-
Parking Permit Digital Solution	-	-	70,000	70,000	-	-	-	-	(70,000)
TOTAL CAPITAL WORKS: PORTFOLIOS- GREAT AT GLEN EIRA	380,000	-	1,110,318	1,490,318	820,057	1,127,818	307,760	1,478,318	(12,000)
CAPITAL WORKS: RECREATION AND OPENSACE									
Pavilion Upgrades- King George and Victory Pavilions	-	22,137	1,028,863	1,051,000	754,114	1,051,000	296,886	1,307,000	256,000
Pavilion Upgrades- Koomang/ Parker/ Lord Pavilions/EE Gunn	-	-	430,000	430,000	206,825	370,000	163,175	630,000	200,000
Murrumbidgee Park, Kangaroo Road, Murrumbidgee	-	1,000,000	250,000	1,250,000	200,279	1,025,000	824,721	1,050,000	(200,000)
Major Playground Upgrades	60,000	483,260	1,196,740	1,740,000	614,447	1,105,645	481,198	1,570,000	(170,000)
Caulfield Park Master Plan Implementation	-	-	50,000	50,000	5,006	25,000	19,994	50,000	-
Open Space Strategy Implementation - Foch Street - Master Plan Construction	430,000	-	-	430,000	398,272	430,000	31,728	430,000	-
Turf Cricket Wicket Cover Enclosures	-	-	100,000	100,000	74,623	83,000	8,377	83,000	(17,000)
Goal post replacement	-	-	125,000	125,000	-	40,000	40,000	125,000	-
Lord Reserve and Koomang Park Masterplan Implementation	-	-	200,000	200,000	29,153	136,000	106,847	200,000	-
Caulfield Park wedge	-	-	-	-	49,658	-	(49,658)	-	-
New Open Space - Aileen Avenue	-	-	150,000	150,000	81,741	120,000	38,259	150,000	-
Playground Enhancements and Landscape works	-	-	1,195,380	1,195,380	416,773	1,060,000	643,227	1,342,380	147,000
Bicycle Strategy Implementation	-	-	200,000	200,000	21,788	150,000	128,212	200,000	-
Sports Ground Drainage Upgrade - Bailey Reserve (Softball Diamond 1)	-	-	50,000	50,000	29,527	50,000	20,473	50,000	-
Moorleigh Community Village Multi Sports Facility Lighting Upgrade	-	-	250,000	250,000	24,292	187,500	163,208	200,000	(50,000)
Minor Park Improvements	-	-	483,000	483,000	160,604	480,000	318,396	483,000	-
Public Toilet Upgrades	-	-	650,000	650,000	200,600	195,810	(4,790)	520,000	(130,000)
Sportsground Lighting Upgrade-Bailey Reserve (The World Game Facilities funding)	230,300	-	-	230,300	9,177	172,800	163,623	230,300	-
Sportsground Lighting Upgrade	-	481,085	945,765	1,426,850	195,555	1,134,061	938,506	1,134,061	(292,789)
Landscape enhancement works	-	-	30,000	30,000	17,691	20,000	2,309	30,000	-
Landscape Duncan Mackinnon Reserve	610,500	-	-	610,500	661,991	610,500	(51,491)	610,500	-
Caulfield-Dandenong rail corridor	-	-	-	-	(70,868)	-	70,868	-	-
TOTAL CAPITAL WORKS: PORTFOLIOS-RECREATION AND OPENSACE	1,330,800	1,985,482	7,344,748	10,662,030	4,981,248	8,446,316	4,385,068	10,405,241	(256,789)
CAPITAL WORKS: COMMUNITY FACILITIES									
Female Friendly Pavilion upgrade Program	222,600	-	-	222,600	220,363	222,600	2,237	252,600	30,000
Caulfield Early Learning Centre (ELC) & Maternal Child Health (MCH) pram shed	-	-	15,000	15,000	10,979	9,020	(1,959)	15,000	-
Parks Depot Upgrade	-	-	250,000	250,000	105,012	155,000	49,988	215,000	(35,000)
Future Spaces Project	753,000	-	500,000	1,253,000	468,775	-	(468,775)	1,253,000	-
Floor Coverings GESAC Gym	-	-	-	-	48,376	-	(48,376)	-	-
DDA Works	-	-	-	-	6,321	74,919	68,598	82,411	82,411
Mobile Shelving for Elsterwick Library	-	-	50,000	50,000	44,636	50,000	5,364	50,000	-
Caulfield Recreation Centre Change room upgrade	-	-	50,000	50,000	-	-	-	50,000	-
Bentleigh East Kindergarten Upgrade	-	350,000	220,000	570,000	707,642	781,650	74,008	781,650	211,650
Moorleigh Village Community Shed	-	-	1,200,000	1,200,000	848,314	824,500	76,186	1,606,000	406,000
GESAC Civil works	-	-	680,000	680,000	205,293	425,000	219,707	808,000	128,000
Carnegie Children's Multipurpose Room outdoor space upgrade	-	-	30,000	30,000	32,139	30,000	(2,139)	40,000	10,000
Kindergartens and MCH refurbishments	-	-	145,000	145,000	97,239	83,665	(13,574)	158,000	14,000
Kindergartens and MCH refurbishments	-	-	-	-	(134)	-	134	-	-
TOTAL CAPITAL WORKS: PORTFOLIOS-COMMUNITY FACILITIES	975,600	350,000	3,140,000	4,465,600	2,794,955	2,756,354	(38,601)	5,313,661	848,061

ORDINARY COUNCIL MEETING

19 MAY 2020

Capital Works Program Expenditure
for period ending 30 April 2020 (continued)

Description	2019-20 Carry Forwards from 2017-18	2019-20 Capital Grant Funding	2019-20 Adopted Annual Capital Budget	2019-20 Budget Plus 2016-17 Carry Forward	2019-20 YTD Work In Progress	2019-20 YTD Forecast	2019-20 YTD Variance	2019-20 Annual Forecast Projected end of June 2019 expenditure	2019-20 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
CAPITAL WORKS: SUSTAINABILITY									
Sustainability Initiative Initiatives	132,000	-	50,000	182,000	144,378	163,971	19,593	182,000	-
Sustainability Initiatives - Solar Projects			380,000	380,000	127,124	132,684	5,561	191,000	(189,000)
Street Lighting Conversion & Bulking Management System	75,000	-	80,000	155,000	264,497	45,000	(219,497)	117,000	(38,000)
Bin Enclosures			60,000	60,000	70,150	60,000	(10,150)	60,000	-
TOTAL CAPITAL WORKS: PORTFOLIOS-SUSTAINABILITY	207,000	-	570,000	777,000	606,149	401,655	(204,494)	550,000	(227,000)
CAPITAL WORKS: COMMUNITY SAFETY									
Elsternwick Library Staircase			160,000	160,000	37,224	160,000	122,777	160,000	-
Black Spot Safety Program			358,000	358,000	306,561	281,000	(25,561)	358,000	-
Transport Planning			488,000	488,000	153,393	340,000	186,607	350,000	(138,000)
Footpath Program - New			255,000	255,000	204,311	230,000	25,689	255,000	-
TOTAL CAPITAL WORKS: PORTFOLIOS-COMMUNITY SAFETY	-	-	1,261,000	1,261,000	701,488	1,011,000	309,512	1,123,000	(138,000)
CAPITAL WORKS: RENEWALS									
Furniture and Equipment			100,000	100,000	33,709	-	(33,709)	100,000	-
Information Services - Infrastructure and Hardware Renewals			875,300	875,300	961,511	606,864	(354,647)	875,300	-
Superstructure Component Renewal			169,453	169,453	9,203	69,453	60,250	69,453	(100,000)
Fleet and Plant Replacement Program	950,000	-	1,883,483	2,833,483	1,624,284	1,573,997	(50,287)	2,833,483	-
Upgrade library self-service kiosks			50,000	50,000	44,940	50,000	5,060	50,000	-
Bulking Renewals-Electrical/ Mechanical/ External/Hydraulic			112,662	112,662	88,050	106,452	18,402	178,907	66,245
Substructure Component Renewal			122,068	122,068	19,886	37,068	17,182	37,068	(85,000)
Floor Finishes Component Renewal			242,873	242,873	164,036	242,873	78,837	242,873	-
Roof Renewals			267,572	267,572	127,720	160,176	32,456	232,000	(35,572)
Security Component Renewal			27,500	27,500	105,716	27,500	(78,216)	119,072	91,572
Ormond Kinder Upgrade	207,900		207,900	207,900	250,050	159,315	(90,735)	207,900	-
Senior Citizen Centres Renewal of Furniture and Equipment			80,000	80,000	64,957	40,000	(24,957)	80,000	-
Purchase of library collections	-	65,617	844,502	910,119	727,134	740,841	13,707	910,119	-
Footpath Renewal Program			1,700,000	1,700,000	1,541,711	1,416,670	(125,041)	1,735,000	35,000
Kerb and Channel Replacement Program			170,000	170,000	139,008	141,670	2,662	170,000	-
Road Reconstruction Program	180,000	-	3,461,045	3,461,045	1,318,434	2,681,045	1,362,611	3,491,045	(150,000)
Drainage Renewal and Flood Mitigation Program	-	-	3,400,000	3,400,000	3,030,895	3,155,700	124,805	3,400,000	-
Local Road Periodic Resurfacing Program			1,500,000	1,500,000	1,571,608	1,200,000	(371,608)	1,500,000	-
Right-Of-Way Renewal Program			350,000	350,000	27,133	221,000	193,867	350,000	-
Local Area Traffic Management Renewal Program			400,000	400,000	272,985	356,500	83,515	400,000	-
Car Park Renewal Program	55,000	-	650,000	705,000	272,094	555,000	282,906	897,000	192,000
Roads to Recovery	-	338,955	-	338,955	362,942	494,955	132,013	573,694	234,739
Turf wicket replacement			100,000	100,000	9,641	100,000	90,359	100,000	-
Minor Playground Upgrades			305,000	305,000	168,353	220,000	51,647	220,000	(85,000)
GESAC Furniture & Equipment	26,000	-	1,212,478	1,238,478	511,595	689,778	178,183	1,287,478	49,000
Parks Minor Improvements			535,000	535,000	400,623	440,000	39,377	986,000	451,000
Sports Ground Lighting Renewal Program			230,000	230,000	108,751	150,000	41,249	180,000	(50,000)
Fittings/Finishes Component Renewal			466,264	466,264	72,487	317,608	245,121	317,608	(148,656)
Residential Services - Furniture and Equipment			180,000	180,000	102,940	135,000	32,160	180,000	-
Replacement of Child care Equipment			66,800	66,800	87,759	18,000	(69,759)	101,800	35,000
Child care centre refurbishments			45,000	45,000	60,466	20,000	(40,466)	78,000	33,000
Automated Security Gates Glen Works			-	-	55,177	80,000	24,823	80,000	80,000
Half cost fencing			-	-	63,305	-	(63,305)	-	-
TOTAL CAPITAL WORKS: PORTFOLIOS-RENEWALS	1,418,900	484,572	19,547,000	21,370,472	14,399,003	16,287,485	1,888,482	21,933,800	813,328
TOTAL CAPITAL WORKS EXPENDITURE	4,765,300	2,801,960	37,264,066	44,821,326	25,602,786	32,680,609	7,177,823	46,392,926	671,600

ORDINARY COUNCIL MEETING

19 MAY 2020

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 2018-19 the Auditor-General assessed the financial sustainability risk at an individual Council level. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 19 provides indicators for Glen Eira City Council.

(a) Financial sustainability risk indicator

Indicator	Formula	Description
Net result margin (%)	Net result/Total revenue	<p>A positive result indicates a surplus, and the larger the percentage, the stronger the result.</p> <p>A negative result indicates a deficit. Operating deficits cannot be sustained in the long term.</p> <p>The net result and total revenue are obtained from the comprehensive operating statement.</p>
Adjusted underlying result (%)	Adjusted underlying surplus (or deficit)/Adjusted underlying revenue	<p>This measures an entity's ability to generate surplus in the ordinary course of business—excluding non-recurrent capital grants, non-monetary asset contributions, and other contributions to fund capital expenditure from net result.</p> <p>A surplus or increasing surplus suggests an improvement in the operating position.</p>
Liquidity (ratio)	Current assets/Current liabilities	<p>This measures the ability to pay existing liabilities in the next 12 months.</p> <p>A ratio of one or more means that there are more cash and liquid assets than short-term liabilities.</p>
Internal financing (%)	Net operating cashflow/Net capital expenditure	<p>This measures the ability of an entity to finance capital works from generated cashflow.</p> <p>The higher the percentage, the greater the ability for the entity to finance capital works from their own funds.</p> <p>Net operating cashflows and net capital expenditure are obtained from the cashflow statement.</p> <p>Note: The internal financing ratio cannot be less than zero. Where a calculation has produced a negative result, this has been rounded up to 0 per cent.</p>
Indebtedness (%)	Non-current liabilities/Own-sourced revenue	<p>This assesses an entity's ability to pay the principal and interest on borrowings, as and when they fall due, from the funds it generates.</p> <p>The lower the ratio, the less revenue the entity is required to use to repay its total debt.</p> <p>Own-sourced revenue is used, rather than total revenue, because it does not include grants or contributions.</p>
Capital replacement (ratio)	Cash outflows for the addition of new infrastructure, property, plant and equipment/Depreciation	<p>Comparison of the rate of spending on new infrastructure, property, plant and equipment with its depreciation. Ratios higher than 1:1 indicate that spending is faster than the depreciating rate.</p> <p>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 cashflow statement. Depreciation is taken from the comprehensive operating statement.</p>
Renewal gap (ratio)	Renewal and upgrade expenditure/Depreciation	<p>This compares the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation.</p> <p>Ratios higher than 1.0 indicate that spending on existing assets is faster than the depreciation rate.</p>

ORDINARY COUNCIL MEETING

19 MAY 2020

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	Adjusted underlying result	Liquidity	Internal financing	Indebtedness	Capital replacement	Renewal gap
High	Less than negative 10% Insufficient revenue is being generated to fund operations and asset renewal.	Less than 0% Insufficient surplus being generated to fund operations	Less than 0.75 Immediate sustainability issues with insufficient current assets to cover liabilities.	Less than 75% Limited cash generated from operations to fund new assets and asset renewal.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10%–0% A risk of long-term run down to cash reserves and inability to fund asset renewals.	0%–5% Surplus being generated to fund operations	0.75–1.0 Need for caution with cashflow, as issues could arise with meeting obligations as they fall due.	75–100% May not be generating sufficient cash from operations to fund new assets.	40–60% Some concern over the ability to repay debt from own-source revenue.	1.0–1.5 May indicate spending on asset renewal is insufficient.	0.5–1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than 0% Generating surpluses consistently.	More than 5% Generating strong surpluses to fund operations	More than 1.0 No immediate issues with repaying short-term liabilities as they fall due.	More than 100% Generating enough cash from operations to fund new assets.	40% or less No concern over the ability to repay debt from own-source revenue.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

Source: VAGO.

ORDINARY COUNCIL MEETING

19 MAY 2020

Financial Strategy (continued)**Monthly Report Relative to Financial Strategy**

Financial Sustainability Risk Indicators	Objective	2018-2019 Actuals based on VAGO Parliamentary Report	2019-20 Annual Budget as at 30 June 2020	2019-2020 Annual Forecast as at 30 June 2020	2019-2020 Risk based on Annual Forecast as at 30 June 2020	Comment
(1) Net Result	To generate surpluses consistently greater than 0%.	13.38%	9.75%	4.85%	Low	Council is generating positive surpluses.
(2) Underlying Result (%)	Ability to generate surplus in the ordinary course of business, excluding non-recurrent capital grants and non-monetary asset contributions to fund capital expenditure from net result. Low risk indicator to be more than 5%.	12.00%	8.30%	4.84%	Medium	Council is generating positive surpluses to fund operations.
(3) Liquidity	To measure Council's ability to repay short-term liabilities as they fall due. Low risk - indicator is to be greater than 1.0.	1.40	1.44	1.41	Low	Council's forecast to 30 June 2020 indicates a Liquidity Ratio of greater than 1.0.
(4) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	9.84%	7.62%	7.77%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
(5) Internal Financing	Generating enough cash from operations to fund new assets. Low risk indicator is to be greater than 100%.	140.77%	107.42%	85.99%	Medium	Council is restricted in generating cash due to our COVID-19 responses in the short term. Measures to correct this will be sought over the coming months.
(6) Capital Replacement	To ascertain the level of risk of insufficient spending on asset renewal. Low risk indicator is to be more than 1.5.	1.79	2.00	1.87	Low	Council operates at a low level of risk with respect to capital replacement.
(7) Renewal Gap	To ensure there is sufficient spending on Council's asset base. Low risk indicator is to be greater than 1.0.	1.28	1.49	1.49	Low	Council spends sufficient funds on its asset base.

ORDINARY COUNCIL MEETING

19 MAY 2020

Assurance Map

The assurance map considers the key risks to Council in achieving its objectives and performance expectations, and the assurance activities which have been conducted over the operation of controls that apply to those risks. The Assurance Map is indicative of the type of activity in place to provide Council Management with comfort that the control environment is operating as intended. A formal review of strategic risks is undertaken annually by Executive. The risks have been identified, assessed and ranked in order of risk exposure to Council. The assurance map will be updated after every formal review and when assurance activities are proposed or undertaken.

Council's Strategic Risks	Risk Rating	Type of Assurance						Previous and proposed IA activity 2016/17-2017/18, and/or other independent reviews/checks
		Management	External Parties				Internal Audit	
		Management Review /self-assessment	Insurance Coverage	LG Investigations / Compliance Inspectorate	VAGO Performance Audits*	Independent Consultants / External party review	Internal Audit	
1. State Government decisions impacting our community	M							Food Safety (2011/12) Statutory Planning (2013/14) Infringement Management Audit (2018/19)
2. Terrorist Attack – Lone Wolf	H							Security Protocol Review (2014) Building Emergency Management Planning (2017/18) Implementation of Federal Government's Strategy for Protecting Crowded Places from Terrorism 2017 – use of the Crowded Places Security Audit, Self-Assessment Tool and guidelines.
3. Vulnerability to cyber attack	H							Cyber Security Review including mobile devices website management and penetration testing (2016/17) IT General Controls Audit (2018/19)
4. Contracts – contracting process by Council	H							Tendering (2013/14) Contract Management (2013/14) Financial Compliance transaction analysis (annual) Contract Management Review (2016/17) Major Project Management (2017/18) Immunisation Audit (2018/19)
5. Vulnerability to litigious action	H							Risk Management Framework (2015/16) Fraud & Corruption Control (2016/17) Claims Management Review (2016/17) Statutory Planning Legislative Compliance Audit (2018/19)
6. Failure to keep pace with emerging technologies and digital environment	H							IT Strategy (management) (2013/14) Regular penetration testing on the internal and external network infrastructure and external websites IT Sensitive Information (2011/12) IT Security (2012/13, 2014/15) IT General Controls (2015/16) Performance Audit – GECC Transformation Project (2017/18)
7. Vulnerability to significant fraud	H							Fraud Review (2013/14) Financial Controls (2014/15) Risk Management Framework (2015/16) Fraud & Corruption Control (2016/17) Financial Compliance transaction analysis (annual – 2018/19) Payroll (2017/18) Open Space Contributions (2017/18) Community Grant Management Audit (2018/19)
8. Not sufficiently agile to respond to change	H							Change Management Framework Promapp Performance Audit – GECC Transformation Project (2017/18)
9. Failure to effectively plan for the changing demographic of our workforce	M							SafetyMAP recertification (2013/14) OH&S Review (2015/16) Performance Audit – GECC Transformation Project (2017/18)
10. Transformation program fails to deliver anticipated benefits for the organisation and community	M							Performance Audit – GECC Transformation Project (2017/18) Performance Audit (2018/19)

* Reviews performed are ad-hoc and Council may or may not be included in selected sampling
Level of coverage provided where not all aspects of the risk may have been addressed by assurance activity.

Level of coverage: Extensive Partial None

Please note that the External Audit process is designed to enable the AG to express an opinion on the annual financial report. The external audit is not a comprehensive audit of all systems and processes and is not designed to uncover all deficiencies, breaches and irregularities in those systems & processes.

8.9 LEASE OF 6 AILEEN AVENUE, CAULFIELD SOUTH

Author: Amanda Mills, Property Coordinator

Trim No: 20/1109433

Attachments: 1. Location plan [↓](#)

PURPOSE AND SUMMARY

This report seeks Council approval to enter into a new residential lease of Council's property at 6 Aileen Avenue, Caulfield South (the Property). The Property is identified on the locality plan in Attachment 1 and was purchased by Council in 2016 with a view to creating new public open space.

Since November 2016, Council has leased out the Property via a series of residential lease agreements. The most recent tenants moved out at the end of April 2020 in accordance with their lease.

Whilst Council will commence preliminary works to create the new open space later this year, the works directly affecting the house are not due to commence until around January 2021. As such, there is an opportunity to continue to offer the property for rent, albeit on a short-term lease.

RECOMMENDATION

That Council:

1. approves the Council property at 6 Aileen Avenue, Caulfield South (the Property), being let under a residential lease on terms to be negotiated by Council officers;
2. notes that managing agent W24 Pty Ltd (trading as Woodards Elsternwick), has been appointed to manage the Property;
3. delegates to the CEO the power to determine the final terms of the lease for the Property and execute a lease by affixing the Council Seal; and
4. delegates to the CEO the power to execute any other documents required in connection with the lease of the Property.

BACKGROUND

At its Ordinary Council Meeting on 9 August 2016, Council resolved to purchase the Property with a view to creating new open space in Gap Area CS1, under Council's Open Space Strategy.

At a subsequent Ordinary Council Meeting on 15 November 2016, Council resolved to lease out the Property until it is required for its intended purpose as public open space. Tenants have occupied the Property since that time, with the current lease expiring on 27 April 2020. The most recent tenants moved out and with our works to create the public open space still in their early stages, there is an opportunity to offer a short-term lease for the Property.

Council has received several reports in relation to the development of open space in Aileen Avenue, including community consultation on the proposed park and a proposal to discontinue a section of Heather Road. On 7 April 2020, Council approved the discontinuance of a section of Heather Road as part of the process to create a new park.

ISSUES AND DISCUSSION

Option 1

Since 2016 this residential lease has been managed via Woodards. The advice from Woodards is that whilst there is a chance of securing a new tenant, the following current extenuating circumstances:

- COVID-19 and financial stresses that has incurred within the rental market and prospective tenants;
- Short term let – to January 2021; and
- An unfurnished property

will mean that if Council is able to secure a short-term tenant, it would be unlikely to realise the high rental previously obtained. The most recent rent paid for the Property was \$4,273 per calendar month (\$986 per week).

Woodards has received a tenancy application for the Property. Whilst the prospective tenant is comfortable with a short-term tenancy, they can only afford to pay \$800 per week rental. Officers are comfortable with this proposal and recommend Council finalise a new lease on that basis subject to agreement with the prospective tenant.

Option 2

Council may want to explore options to make the Property available to an at-risk family through partnership with an appropriate community provider (or similar).

The feasibility of this would need to be explored as the limited nature of the tenancy could be seen as disadvantageous to a community housing provider as it provides for insecure tenancy which is already an ongoing issue for people with housing stress. The unfurnished condition may also be seen as a disadvantage for emergency housing. However, this option could be explored and presented to Council at its next Ordinary Council Meeting.

If this option is to be pursued, it may require some additional outlay and subsidy by Council to a housing provider.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Council is unlikely to secure the same level of rental as previous, however, continuing to lease the Property until it is needed for its intended purpose provides Council with income and a level of security that the Property is being maintained and is not vacant and lending itself to vandalism.

A new tenant is responsible for all applicable utility charges associated with their tenancy. Council is responsible for insurance, rates, taxes and any maintenance obligations outside those expected of a residential tenant.

POLICY AND LEGISLATIVE IMPLICATIONS

As a new lease will be less than 12 months and have a rental income of less than \$50,000 per annum, there is no requirement to advertise the lease under sections 190 and 223 of the Local Government Act 1989. There are no other policy or legislative implications.

COMMUNICATION AND ENGAGEMENT

Internal communication has included discussions with internal stakeholders on the needs and redevelopment plans for the Property. A short-term lease accords with the project timing.

LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

A well governed Council that is committed to transparency and engages residents in decision-making.

OFFICER DECLARATION OF CONFLICT OF INTEREST

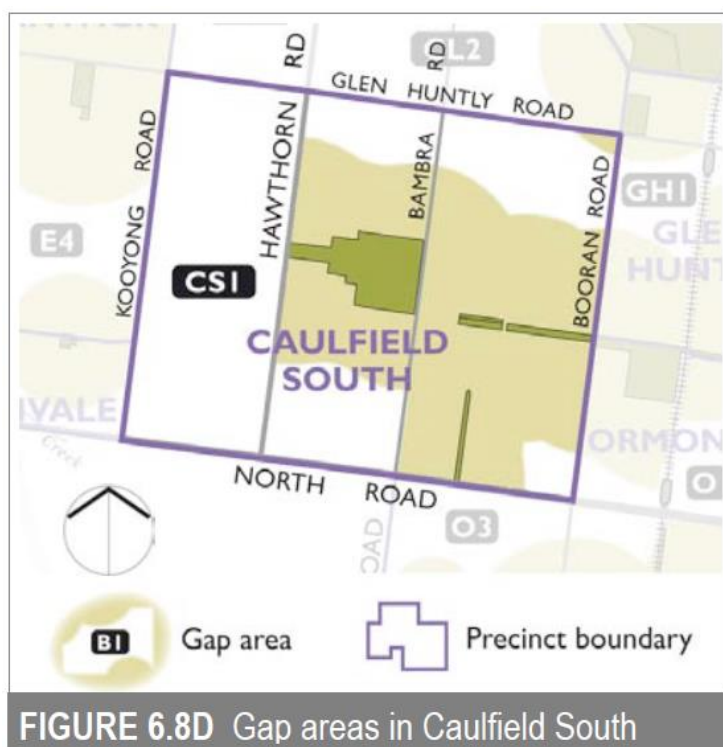
No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

It is recommended that Council continue to lease out the property until Council is able to commence the final stages of its work to create the new public open space.

Locality Plan open space gap areas for Caulfield South

Gap Area CS1 – located between Kooyong and Hawthorn Roads.



9. URGENT BUSINESS

10. ORDINARY BUSINESS

10.1 Requests for reports from a member of Council staff

10.2 Right of reply

10.3 Councillor questions

10.4 Written public questions to Council

11. CONFIDENTIAL ITEMS**RECOMMENDATION**

- A. That pursuant to subsection 77(2)(b) of the *Local Government Act 1989*, Council resolves that the information contained in Items 11.1 and 11.2 are designated as confidential because they are discussing contractual matters pursuant to subsection 89(2)(d) of the *Local Government Act 1989*.
- B. That pursuant to section 66(1) of the *Local Government Act 2020*, Council resolves to close the meeting to the public because a circumstance specified in subsection 66(2)(a) of the *Local Government Act 2020* applies namely that the meeting is to consider confidential information.
- C. That pursuant to subsection 66(5)(a) of the *Local Government Act 2020*, Council resolves to record in the minutes of the meeting that are available for public inspection that the grounds for determining to close the meeting to the public are that the meeting is to:
 - 1. consider Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released; and
 - 2. consider information that is confidential information for the purposes of subsection 77(2)(b) of the *Local Government Act 1989* namely the information has been designated as confidential information by a resolution of Council which specifies the relevant ground or grounds applying under section 89(2) of the *Local Government Act 1989* and the Council has not passed a resolution that the information is not confidential.
- D. That pursuant to subsection 66(5)(b) of the *Local Government Act 2020*, Council resolves to record in the minutes of the meeting that are available for public inspection that the explanation of why the specified grounds of confidential information applies are that the meeting is discussing contractual matters and releasing the confidential information now may jeopardise effective negotiations in relation to this matter.

11.1 Tender 2020.131 Provision of Banking and Bill Payment Services
Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.

11.2 Supply of Electricity to Small Market Sites
Local Government Act 1989 - Section 77(2)(b) together with 89(2)(d); and Local Government Act 2020 – Section 3(1) confidential information (a) and 66.

12. CLOSURE OF MEETING