



## **GLEN EIRA CITY COUNCIL**

### **SPECIAL COUNCIL MEETING**

under s84(3) of the Act

**TUESDAY 8 SEPTEMBER 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 TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA**

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

**PROCEDURAL MOTION**

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting;
2. adjourns the meeting to be reconvened on Wednesday 9 September at 7.30pm via livestreaming on Council's website, in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website.
3. notes, if the Mayor is unable for any reason to attend the Council meeting or part of the Council meeting, the meeting will be chaired in accordance with Rule 13 of the Governance Rules. The Mayor will resume as Chair of the meeting upon return. If a vote is being taken at the time the Mayor will resume as Chair after the result of the vote has been declared.

#### 4. OFFICER REPORTS (AS LISTED)

##### 4.1 VCAT WATCH

**Author:** Kristian Cook, Coordinator Urban Planning

**Trim No:** 20/1193600

**Attachments:** 1. VCAT Watch - Attachment - 1 September 2020 [↓](#)

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#### 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 has been one appeal lodged and two decisions.

The new appeal is against Council's failure to determine the planning permit application at 371-377 Hawthorn Road and 3 Olive Street within the allowable timeframes. Officers dispute the calculation of days undertaken by the applicant and will be making submissions at a Practice Day Hearing listed for 4 September 2020 that the appeal has been lodged prematurely. It is noted that the application has since been refused by officers under delegation.

The two decisions were for minor matters. The first relates to an appeal by the applicant against conditions proposing to modify a first floor setback associated with an extension to a dwelling in the Neighbourhood Character Overlay at 11 Carre Street, Elsternwick.

The second matter was regarding an appeal by a resident against Council's decision to approve a development at 39 Lilac Street, Bentleigh East. In this matter, the Tribunal affirmed Council's decision subject to the inclusion of a condition requiring modifications to a garage.

#### UPDATE ON VCAT HEARING PROCESSES

VCAT has continues to not be able to accommodate face to face hearings. Therefore, all hearings and compulsory conferences are being listed for hearings via telephone, video platform or written submissions on the papers.

### **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.

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

## NEW APPEALS LODGED WITH THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

Address	VCAT Reference	Description of proposal	Type of appeal	Zone	Council decision	Decision delegate	Hearing date
371-377 Hawthorn Road, Caulfield South	P1076/2020	Construction of a seven storey building comprising apartments and a supermarket, use of the land to sell liquor, alteration of access to a road in a Road Zone, Category 1 and reduction in the number of on-site bicycle spaces	s79 (Failure)	C1Z	Refusal	Officer	16/12/2020 (3 days)

## MATTERS BEFORE THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (\*INCLUDING APPEALS AWAITING A DECISION)

Address	VCAT Reference	Description of proposal	Type of appeal	Zone	Council decision	Decision delegate	Hearing date
10-16 Selwyn Street, Elsternwick	P263/2019	Part demolition of the site and construction of a mixed use building of up to 14 storeys; use of the land as a shop, place of assembly and for the sale of packaged liquor	s77 (Refusal)	MUZ1	Refusal	Council	*
51 Hawthorn Road, Caulfield North	P290/2020	Buildings and works including, part demolition, external alterations to the existing building, construction of a four storey addition to the rear of the existing building and a reduction in the car parking requirements	s77 (Refusal)	C1Z	Refusal	Council	*
42 George Street, Bentleigh East	P489/2020	Construction of two (2) double storey attached dwellings.	s77 (Refusal)	NRZ1	Refusal	Officer	*
441 Inkerman Road, St Kilda East	P194/2020	Permit allows: Construction of a building associated with a section 2 use and within a special building overlay and use of the land for accommodation (retirement village). Proposed amendment: Changes to conditions of the permit.	s87A (Amend a permit)	NRZ1	Not yet decided	VCAT	*
9 Faulkner Street, Bentleigh	P293/2020	Construction of a double storey dwelling on a lot less than 300 square metres	s82 (Objector)	GRZ1	NOD	Officer	*
217 Nepean Highway, Gardenvale	P250/2020	Construction of a 9 storey building including 21 dwellings and basement parking, buildings and works within the Special Building Overlay, alteration of access to a road in a Road Zone, use of the ground floor as dwellings and reduction of the statutory parking rate for the office and shops	s77 (Refusal)	C1Z	Refusal	Council	21/9/2020 (2 days)
348-354 Hawthorn Road, Caulfield South	P506/2020	Construction of a 9 storey mixed-use building comprising apartments and a supermarket, use of the land for apartments (frontage greater than 2m), reduction of the car parking requirements and creation and alteration of access to a road in a Road Zone, Category 1	s77 (Refusal)	C1Z	Refusal	Officer	28/9/2020 (5 days)
679-683 Glen Huntly Road, Caulfield	P741/2020	Construction of an eight storey building (containing 52 apartments), use of the land as dwellings and a reduction of the retail car parking requirement	s77 (Refusal)	C1Z	Refusal	Officer	12/10/2020 (5 days)
380 Hawthorn Road, Caulfield South	P702/2020	Construction of a multi storey mixed use building (with 2 basement levels), comprising apartments and shops, use of the land for apartments (frontage greater than 2m), reduction of the car parking requirement for the shop use and alteration of access to a road in a Road Zone, Category 1	s80 (Conditions)	C1Z	NOD	Council	12/10/2020 (3 days)
388-394 Hawthorn Road, Caulfield South	P742/2020	Construction of a 7 storey building above basement car parking comprising one retail space and 35 dwellings and the reduction of the car parking requirement (retail only) and alteration of access to a Road Zone Category 1	s77 (Refusal)	C1Z	Refusal	Officer	19/10/2020 (4 days)

9-13 Derby Road, Caulfield East	P514/2020	Partial demolition of 9 and 13 Derby Road, construction of a 12 storey mixed use building with a basement, use of the land for Accommodation (Student Housing) and reduction of the car parking requirements for the Student Housing and a Food and Drink Premises, on land affected by the Heritage Overlay	s77 (Refusal)	C1Z	Refusal	Officer	18/11/2020 (3 days)
430-434 Neerim Road, Murrumbena	P125/2020	Construction of a nine storey mixed use building, use of the land for a residential building (Student Housing), and a reduction in the statutory car parking requirements	s77 (Refusal)	C1Z	Refusal	Officer	23/11/2020 (5 days)
371-377 Hawthorn Road, Caulfield South	P1076/2020	Construction of a seven storey building comprising apartments and a supermarket, use of the land to sell liquor, alteration of access to a road in a Road Zone, Category 1 and reduction in the number of on-site bicycle spaces	s79 (Failure)	C1Z	Refusal	Officer	16/12/2020 (3 days)
7 Adams Street, Murrumbena	P618/2020	Construction of two double storey dwellings on a lot affected by the Special Building Overlay	s82 (Objector)	NRZ1	NOD	Officer	4/2/2021 (1 day)
12 Wahroonga Road, Murrumbena	P684/2020	Demolition of the existing dwelling, the construction of two new dwellings and tree removal on land affected by the Neighbourhood Character Overlay - Schedule 6	s82 (Objector)	NRZ1	NOD	Officer	16/2/2021 (0.5 days)
22 Wheeler Street, Ormond	P678/2020	Construction of three (3) double storey dwellings on a lot.	s77 (Refusal)	GRZ1	Refusal	Officer	2/3/2021 (0.5 days)
319A Neerim Road, Carnegie	P628/2020	12 lot subdivision	s80 (Conditions)	C1Z	Permit	Officer	2/3/2021 (1 day)
609-611 South Road, Bentleigh East	P858/2020	Development and use of the land for the purposes of a Child Care Centre, including the display of business identification signage and alteration of access to a road in a Road Zone	s82 (Objector)	NRZ	NOD	Officer	18/3/2021 (1 day)
17 Howe Street, Murrumbena	P918/2020 and P919/2020	Construction of 4 dwellings on land affected by a Special Building Overlay	s82 (Objector)	GRZ2	NOD	Officer	25/3/2021 (1 day)
501-503 Hawthorn Road, Caulfield South	P827/2020	Construction of a three storey building containing 16 dwellings over one level of basement car parking	s77 (Refusal)	GRZ2	Refusal	Council	6/4/2021 (3 days)
45 North Avenue, Bentleigh	P771/2020	Construction of three (3) double storey dwellings on a lot	s82 (Objector)	NRZ1	NOD	Officer	8/4/2021 (1 day)

RECENT DECISIONS OF THE VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL									
Address	VCAT Reference	Description of proposal	Type of appeal	Zone	Council decision	Decision delegate	Appeal outcome	Date of VCAT decision	VCAT effect on Council decision
11 Carre Street, Elsternwick	P70/2020	Partial demolition and construction of a double storey extension to the existing dwelling in a Neighbourhood Character Overlay	S80 (Conditions)	RGZ1	Permit	Officer	Permit issued	3/8/2020	Varied
39 Lilac Street, Bentleigh East	P2412/2019	Construction of three double storey dwellings	s82 (Objector)	GRZ1	NOD	Officer	Permit issued	5/8/2020	Varied





## 4.2 PLANNING PERMIT FEES FOR APPLICATIONS WITHIN THE HERITAGE OVERLAY

**Author:** Paul Wood, Manager Urban Planning

**Trim No:** 20/1195956

**Attachments:** Nil

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### PURPOSE AND SUMMARY

To consider the desirability of waiving planning permit application fees for proposals within a heritage overlay area or a heritage property, where an application is required solely due to the property being under that overlay.

### RECOMMENDATION

That Council:

1. notes the report
2. approves a standardised fee waiver under Regulations 9 and 11 of the *Planning and Environment (Fees) Regulations 2016* for planning permit applications within a heritage overlay where an application is required solely due to the property being under that overlay.
3. notes for the purpose of Regulation 21 of the *Planning and Environment (Fees) Regulations 2016* that Council approves a standardised fee waiver on the basis that it is the opinion of the responsible authority that the application or determination of an application within a heritage overlay area and where the application is required solely due to the property being under that overlay, assists the preservation of buildings or places in the State, region or municipal district which are of historical interest.

### BACKGROUND

An objective of planning in Victoria contained at section 4 of *Planning and Environment Act 1987* is to conserve places of cultural heritage significance.

Council adopted the “Glen Eira Planning Scheme Review 2018” on 16 October 2018 which set out a program to review and protect heritage properties within the municipality.

This work is ongoing with several planning scheme amendments either complete or nearing completion, adding to the extent of properties within the heritage overlay.

One of the key concerns when implementing a new heritage overlay is the additional financial burden on the land owner where they would now need a planning permit to do various alterations or additions to their building. From a planning perspective there are prescribed application fees for proposals set by the State Government.

At the Ordinary Council Meeting on 21 July 2020, Council resolved:

- *That officers provide a report that considers the desirability of waiving planning application fees for proposals within a heritage overlay area or a heritage property, where an application is required solely due to the property being under*

*that overlay. The report should set out a mechanism or mechanisms for providing such a waiver.*

## ISSUES AND DISCUSSION

The *Planning and Environment Act 1987* (Act) establishes a framework for planning the use, development and protection of land in Victoria and the Act, along with its subordinate legislation, establishes the mechanics of how planning processes operate.

It establishes that a prescribed planning permit application fee is payable for various classes of applications. It also enables the ability to consider reducing or waiving planning application fees in certain circumstances.

The *Planning and Environment (Fees) Regulations 2016* (Regulations) establishes that

### **20 Power to waive or rebate fee that does not relate to an amendment to a planning scheme**

*A responsible authority or the Minister may wholly or in part waive or rebate the payment of a fee, which the responsible authority or the Minister has received in connection with matters that do not relate to an amendment to a planning scheme, if—*

- (a) an application is withdrawn and a new application is submitted in its place; or*
- (b) in the opinion of the responsible authority or the Minister the payment of the fee is not warranted because—*
  - (i) of the minor nature of the consideration of the matter decided or to be decided; or*
  - (ii) the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
- (c) in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists—*
  - (i) the proper development of the State, region or municipal district; or*
  - (ii) the proper development of part of the State, region or municipal district; or*
  - (iii) the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
- (d) the application relates to land used exclusively for charitable purposes.*

The overarching purpose of applying a heritage overlay is to preserve buildings or places in Glen Eira which are of historical interest. As such the existing framework already provides a mechanism to consider a fee reduction or waiver for proposals within a heritage overlay.

#### Option 1 – applicant initiated request for a fee reduction or waiver

Option 1 would require the permit applicant to request a fee reduction at the time an application is made. It would need to include reasons demonstrating how the proposal assists the preservation of buildings or places in the State, region or municipal district which are of historical interest. The consideration of this type of request for a fee waiver is a delegated function of the Manager and Coordinator Urban Planning.

A benefit of this approach is that it would allow consideration of whether the application or determination assists the preservation of buildings or places in the State, region or municipal district which are of historical interest. In some circumstances, Council refuses planning permit applications on the basis that the works do not preserve or enhance the significance of the heritage place.

Option 2 – apply a standardised fee waiver for planning permit applications within a heritage overlay where an application is required solely due to the property being under that overlay

Option 2 would establish a Council approach to waive planning applications fees required under the Regulations where an application is required solely due to the property being under a heritage overlay.

This option recognises the program of strategic work being undertaken by Council to review places of heritage significance within the municipality is adding to the extent of properties within the heritage overlay. It seeks to balance the importance of preserving heritage places against the obligation of individual land owners to obtain a planning permit to undertake buildings or works where an application is solely due to it now being in a heritage overlay.

This approach would confirm that it is Council's opinion, as the responsible authority for determining planning applications, that a fee waiver would assist the preservation of buildings or places in the municipal district which are of historical interest.

If Council adopts this position, it is required under Regulation 21 of the *Planning and Environment (Fees) Regulations 2016* to record in writing the matters taken into account and which formed the basis of the decision to waive a fee. This report would form the basis of this requirement.

The fee waiver mechanism would be a standardised approach for all applications within a heritage overlay where an application is required solely due to the property being under a heritage overlay. All other planning application fees are applicable when a planning permit is required by another provision of the Glen Eira Planning Scheme.

The mechanism would be introduced through the online lodgement system which automatically calculates and invoices planning application fees. It would need to be adapted for the permit applicant to identify if an application is required solely due to the property being under a heritage overlay. It would also be verified by the allocated planning officer during their initial review of the application.

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

There is a small financial implication from adopting an approach to waive fees for planning permit applications where an application is solely due to it being in a heritage overlay. Proposals of this nature are typically minor in nature, such as, changes to windows, the construction of a front fence or car port. Sometimes proposals can also include a replacement dwelling. If Option 2 was implemented, the estimated reduction in annual fee revenue from planning applications would be approximately \$15,000.

The recommendation is that the fee waiver would only be in respect of fees payable under Regulations 9 and 11 of the *Planning and Environment (Fees) Regulations 2016* and would not exempt the permit applicant from any other fees or charges associated with an application such as the requirement to pay a Metropolitan Planning Levy or fees associated with advertising an application. Some of the other fees and charges are mandatory requirements that cannot be waived.

**POLICY AND LEGISLATIVE IMPLICATIONS**

The policy and legislative implications have been set out in the report. The key matter to note is the requirement to record reasons for applying a fee waiver as required by Regulation 21 of the *Planning and Environment (Fees) Regulations 2016*. If Option 2 is adopted then this report would form the basis of this requirement.

**COMMUNICATION AND ENGAGEMENT**

Council has received feedback as part of recent planning scheme amendment processes about the burden of applying for planning applications as a consequence of a heritage overlay.

No direct communication or engagement has however been undertaken about waiving fees for planning permit applications.

**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 planning framework acknowledges the importance of preserving buildings and places of heritage significance, however in applying a heritage overlay over land, there is additional burden on a land owner who may require a planning application to undertake works on their land solely due to it being in a heritage overlay.

This report considers options to balance the additional planning permit obligations on a land owner against the interests of preserving heritage places.

Given the importance of conserving places of cultural heritage significance as an objective of planning in Victoria, it is recommended that Council adopts Option 2 and introduces a standardised fee waiver for planning permit applications within a heritage overlay where an application is required solely due to the property being under that overlay.

#### **4.3 COMMUNITY ENGAGEMENT PLAN TO DEVELOP ENVIRONMENTAL SUSTAINABILITY STRATEGY 2021-2025**

**Author:** Andriana Kursar, Acting Co-ordinator Sustainability

**Trim No:** 20/1196731

**Attachments:** 1. Community Engagement Plan - Environmental Sustainability Strategy 2021-2025 [↓](#)

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#### **PURPOSE AND SUMMARY**

To present the Community Engagement Plan to develop the Environmental Sustainability Strategy 2021-2025 to Council.

#### **RECOMMENDATION**

That Council notes the Community Engagement Plan to develop the Environmental Sustainability Strategy 2021-2025.

#### **BACKGROUND**

At a Special Council Meeting on Tuesday 5 May 2020, Council passed a motion to declare a climate emergency. Council also committed to ambitious new carbon emission reduction targets of zero net corporate emissions by 2025 and zero net community emissions by 2030.

At the same meeting, Council resolved to receive a future report on the Community Engagement Plan (CEP) to develop the new Environmental Sustainability Strategy (ESS) 2021-2025.

The current ESS 2016-2021 has informed Council's strategic sustainability goals and objectives since September 2016, however Council's decision to declare a climate emergency on 5 May 2020 sets a more ambitious direction. The new ESS will embody this new direction and fulfil Council's commitment to achieve zero net corporate emissions by 2025 and zero net community emissions by 2030 with its scope, purpose, targets and actions. The current ESS 2016-2021 expires on 30 June 2021.

#### **ISSUES AND DISCUSSION**

The Glen Eira community, including households, businesses, schools, community groups and industry, are responsible for generating 99.4% of the municipality's greenhouse gas emissions. Therefore, it is critical the community has the opportunity to put forward their ideas and feedback on what support they need from Council to cut their carbon footprint and live more sustainably.

A comprehensive Community Engagement Plan (CEP) has been prepared and maps out how we will engage and consult with all stakeholders in the community on the next ESS. The CEP includes both face-to-face and online engagement methods, as the nature and extent of future public health restrictions due to COVID-19 are yet unknown.

The next ESS will be a four-year plan. It will take us to our corporate net zero emissions target year, 2025, and will be the midpoint of our community zero net emissions target. The ESS will be made up of high-level goals and objectives. Annual corporate action plans will be developed to put the strategy recommendations into place. A four-year community action plan will also be developed.

The CEP is divided into three main stages:

1. The first stage of community engagement will take place in November 2020. This is the most comprehensive stage. The purpose of this engagement is to gather initial feedback and ideas from the community on key directions, goals and actions.
2. The second stage of community engagement will commence in January 2021. The purpose of this engagement is for the community to provide feedback on the draft ESS 2021-2025.
3. The third and final stage of community engagement will take place in March 2021. The purpose of this engagement is for the community to provide feedback on the final ESS 2021-25, draft Corporate Action Plan 2021-22 and Community Action Plan 2021-2025.

A diverse range of community engagement methods has been outlined in the CEP. These include a Have Your Say page, online and postcard surveys, a movie night launch event, tear-out survey in Glen Eira News, online workshops, school competitions, pop-ups in activity centres and other busy places, Facebook and Instagram polls and visits to Maternal and Child Health and Senior Centres.

Two external consultants will be engaged. One will develop the strategy and action plans and the other will facilitate the first stage of community engagement activities.

The strategy and action plans will be presented to Council for adoption in May 2021.

	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Finalise CEP</b>										
<b>Research &amp; preparation</b>										
<b>Caretaker period</b>										
<b>Initial CE</b>										
<b>Develop draft Strategy</b>										
<b>CE on draft Strategy</b>										
<b>Development of draft Action Plans and final Strategy</b>										
<b>CE on draft Action Plans and final Strategy</b>										
<b>Finalise Action Plans and Strategy</b>										
<b>Presentation to Council</b>										

## FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The allocated budget for the overall development of the new ESS 2021-2025 is \$70,000 for external consultants, promotion and advertising, workshop materials and incentives. The project can be achieved within the existing budget for 2020/2021.

**POLICY AND LEGISLATIVE IMPLICATIONS**

Stage one of the community engagement plan begins in November 2020, outside of the caretaker period.

**COMMUNICATION AND ENGAGEMENT**

The project has been discussed by the Sustainability Advisory Committee at their 5 May and 6 August meetings. The committee provided feedback on the governance structure and the term of the action plans, as well as community engagement principles and strategies.

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Four: Clean and Sustainable

An attractive and sustainable environment for future generations.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

The Glen Eira community, including households, businesses, schools, community groups and industry, are responsible for generating 99.4% of the municipality's greenhouse gas emissions. Therefore, our community is vital in helping to shape the future ESS if we are to successfully achieve our zero net community emissions by 2030.

# COMMUNITY ENGAGEMENT PLAN



Project name	Environmental Sustainability Strategy 2021-2025
Engagement period	November 2020 – April 2021
Prepared by	Andriana Kursar
Approved by	Ron Torres
Date	14 August 2020

## Design

### Context

- We adopted the Environmental Sustainability Strategy 2016–2021 on 19 September 2016
- It sets out how we'll improve our environmental sustainability practices, and how we'll support the community to do the same.
- The ESS expires on 30 June 2021 and work must begin now to develop a new one.
- At a special meeting on Tuesday 5 May, Council passed a motion to declare a climate emergency.
- At this meeting, Council also committed to ambitious new carbon emission reduction targets; zero net corporate emissions by 2025 and zero net community emissions by 2030.

### Scoping statement

Council is committed to strong action on climate change. We've set a target of zero net emissions by 2030. We're developing a new four-year plan to guide our climate action work. Tell us how Council can support you to cut your carbon footprint and live more sustainably.



Negotiables	Non-negotiables
What kind of support the community needs to cut their carbon footprint	Greenhouse emissions reduction targets
How budget is allocated	Available budget
How we take action on climate change	If Council takes action on climate change
Developing and defining the aspirations and priorities	Development of strategy to be completed and endorsed by June 2021

Purpose	
The purpose of the engagement is to collaborate with the community and key stakeholders to understand what support they need to live more sustainably and cut their carbon footprint.	
Objectives	Measurables
Collaborate with a range of people across the City of Glen Eira to understand the needs, aspirations and priorities of our diverse community to inform the design of the Sustainability Strategy 2021-2025	<ul style="list-style-type: none"> <li>• Number of people engaged</li> <li>• Range of engagement – in terms of age categories, gender, suburb and diversity</li> <li>• Quantity of information received from across all stakeholder groups</li> </ul>
The draft Sustainability Strategy and associated action plans accurately represents community opinion	<ul style="list-style-type: none"> <li>• Number and diversity of people actively engaged in the collaboration</li> <li>• Quality of information received from across all stakeholder groups</li> <li>• Community satisfaction with the engagement process</li> </ul>

Key questions
<ul style="list-style-type: none"> <li>• What support do you need to cut your carbon footprint?</li> <li>• What areas should we focus on?</li> <li>• How should Council advocate to the State and Federal governments for stronger climate action?</li> <li>• What role can Council play in responding to the climate emergency?</li> </ul>

Stakeholders	Impact	Interest	Influence	Notes
<i>Stakeholder group</i>	<i>Level of impact the project will have on this group (low/med/high)</i>	<i>Level of interest this group has in the project (low/med/high)</i>	<i>Level of influence this group will have on the outcome (IAP2 level, see below)</i>	<i>Role in the project, including what benefit the group might bring</i>
Residents including: <ul style="list-style-type: none"> <li>Seniors</li> <li>Children</li> <li>Young people</li> <li>Families</li> <li>Ratepayers</li> <li>Neighbourhoods</li> </ul>	High	Medium/high	Involve/ collaborate	Residents have a critical role in the project. We need their feedback on the type of support Council can provide to cut their carbon footprint. They bring the benefit of knowing the Glen Eira community intimately.
Diverse communities including: <ul style="list-style-type: none"> <li>CaLD communities</li> <li>Jewish community</li> <li>Aboriginal and Torres Strait Islanders</li> <li>Disability groups</li> <li>LGBTIQA+ community</li> </ul>	High	Medium	Involve/ collaborate	Diverse communities also have a critical role. Glen Eira is a diverse community and we need everyone's views represented.
Community groups including: <ul style="list-style-type: none"> <li>Sustainability and climate action groups</li> <li>Love Our Street groups</li> <li>Community gardens</li> <li>Community houses and CIS Glen Eira</li> <li>Sport and recreation groups</li> <li>Arts and cultural Groups</li> <li>Women's and men's groups</li> </ul>	High	Medium/high	Involve/ collaborate	Community groups play an important role in mobilising and facilitating community climate action. They are important partners in the project.

Stakeholders	Impact	Interest	Influence	Notes
Education sector including: <ul style="list-style-type: none"> <li>• Secondary schools</li> <li>• Primary schools</li> <li>• Tertiary and international students</li> <li>• Adult education</li> </ul>	High	Medium/high	Involve/ collaborate	Young people have a high level of interest in the project, as they will inherit the community we leave behind. The education sector are important partners as they can also provide pathways for the community to learn more about the impacts of climate change.
Service providers including: <ul style="list-style-type: none"> <li>• Health services</li> <li>• Emergency services</li> <li>• Housing/homelessness services</li> <li>• Welfare/social services</li> <li>• Early years services</li> <li>• Youth services</li> </ul>	High	Medium/high	Involve/ collaborate	Climate change will impact vulnerable communities the most, so service providers play an important role in the project. They bring benefits of having links to vulnerable groups in our community.
Government stakeholders including: <ul style="list-style-type: none"> <li>• Councillors</li> <li>• Local MPs</li> <li>• Neighbouring LGAs</li> <li>• State Government</li> <li>• Council staff</li> </ul>	High	Medium/high	Involve/ collaborate	Government stakeholders are important stakeholders in the project. State Government has a critical role to play in setting ambitious greenhouse gas emission reduction targets.
Business sector	High	Medium/high	Involve/ collaborate	The business sector plays a critical role in the project, as they are responsible for a significant proportion of Glen Eira's carbon emissions. They can also be important champions to

Stakeholders	Impact	Interest	Influence	Notes
				communicate sustainability messages.

### Level of influence

IAP2 Level	Promise to the public	Commitment
Inform	We will keep you informed	
Consult	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	
Involve	We will work with you to ensure your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision	✓
Collaborate	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	✓
Empower	We will implement what you decide	

## Plan

Method	Stakeholders	Promotion	Responsibility	Timing	Notes
Have Your Say page	All stakeholders	Web page	Sustainability Team	November 2020, January 2021, March 2021	Primary method to make communications resources available and gather insights
Postcards with either reply paid return or 'snap and send'	All stakeholders	Have Your Say, Glen Eira News, social media, e-newsletters	Sustainability Team	November 2020, January 2021, March 2021	Gather short insights
Launch event and movie night with brainstorming/ideation activities	All stakeholders	Have Your Say, Glen Eira News, social media, e-newsletters	Sustainability Team	November 2020	Provide a fun way to bring the community together and gather insights via surveys, online word clouds
Tear-out survey in Glen Eira News with 'snap and send'	Residents and other key stakeholders	Have Your Say, Glen Eira News	Sustainability Team	November 2020	Gather short insights, Glen Eira News delivered to all households
Online survey via Have Your Say	All stakeholders	Have Your Say, Glen Eira News, social media, e-newsletters	Sustainability Team	November 2020, January 2021, March 2021	Gather detailed insights
Online workshop	All stakeholders	Have Your Say, Glen Eira News,	Sustainability Team	November 2020	Gather detailed insights in a format that is easily accessible,

Method	Stakeholders	Promotion	Responsibility	Timing	Notes
		social media, e-newsletters			including young adults and families
Short video submissions	Schools, youth	Have Your Say, Glen Eira News, social media, e-newsletters	Sustainability Team	November 2020	A fun way to gather insights from children and young people
School competition for wrap-around advertisements on garbage trucks	Schools	Email to schools	Sustainability Team	October - November 2020	A method in which to engage children in the promotion of the project, as well as gather insights
Pop-ups in busy locations	All stakeholders	Have Your Say, Glen Eira News, social media, e-newsletters	Sustainability Team	November 2020	Using interactive tools to gather insights and making the engagement activity easy and accessible
Survey in Community Voice	Community Voice members	Community Voice	Sustainability Team	November 2020	Gather insights among an already existing engagement group
Facebook and Instagram polls	All stakeholders	Facebook, Instagram	Sustainability Team	November 2020	Gather short insights among social media users who tend to be in younger age groups
Climate action community groups and other highly engaged people to	All stakeholders	Have Your Say, Glen Eira News, social media, e-newsletters	Community groups and members, Sustainability Team	November 2020	Highly engaged members of the community to conduct engagement with their friends and family

Method	Stakeholders	Promotion	Responsibility	Timing	Notes
hold dinner conversations					
Focus groups – residents, diverse communities, business	All stakeholders	Have Your Say, Glen Eira News, social media, e-newsletters	Sustainability Team	November 2020	Gather detailed insights from a cross-section of key stakeholders
Visits to parent groups, playgroups and immunization sessions	Families	Articles in relevant newsletters, social media pages	Sustainability Team	November 2020	Gather detailed insights from families in a way that makes it easy for them to participate
Workshop with Youth Leadership Team	Youth	To be arranged via relevant Council staff	Sustainability Team	November 2020	Gather detailed insights from young people, who have a high level of interest in the project
Visits to senior citizens centers	Seniors, CaLD groups	To be arranged via relevant Council staff	Sustainability Team	November 2020	With the aid of translators, gather detailed insights
Engagement through restaurants, cafes and other businesses	Business, all stakeholders	To be arranged via relevant Council staff	Sustainability Team	November 2020	Restaurants and cafes to help champion the project by making postcards and surveys available

Resources	What is required?	Notes
Budget	\$70,000	The allocated budget for the overall development of the new ESS 2021-2025 is \$70,000 for external consultants, promotion and advertising, workshop materials and incentives.
Time <i>Number of weeks</i>	12 weeks	There are three separate stages of community engagement, and all are four weeks in duration.
Expertise	in-house / external	Staff will develop community engagement materials and assist in facilitating community engagement activities. External consultants will be engaged to develop the strategy, lead the facilitation of community engagement activities and analyse the results of the community engagement

Required	Communication Channel	Date/edition
	Glen Eira News article	November 2020, January 2021, March 2021
	Glen Eira News 'Community Consultation' section	November 2020, January 2021, March 2021
	Community Engagement e-newsletter	November 2020, January 2021, March 2021
	Glen Eira website - homepage banner	November 2020
	Glen Eira website – active engagements	November 2020 – March 2021



	Glen Eira website - face-to-face consultation events added to 'What's On'	October – November 2020
	Facebook – Glen Eira City Council and Sustainable Living in Glen Eira pages	November 2020 – March 2021
	Media release	November 2020
	Sustainability e-newsletter	November 2020, January 2021, March 2021
	Email signature	November 2020 – March 2021
	Promotional video	November 2020
	Flyers at Council facilities – GESAC, Town Hall, libraries, Maternal and Child Health Centers, Service Centre, Senior Centers, Youth Services	November 2020 – March 2021

#### Key messages

- Council is developing a new strategy that will set out how we will achieve our ambitious new greenhouse gas emission reduction targets.
- In 2020, Council declared a climate emergency and committed to strong and fast action on climate change.
- The climate emergency affects us all, and we all have a role to play in responding to, and reducing the impacts of, climate change.
- Council can't do this work alone – it requires a collective effort as a local and global community.
- We need your ideas on how Council can support you to cut your carbon footprint and live more sustainably.

#### 4.4 WEEKLY GREEN BIN ROLLOUT PROJECT PLAN

**Author:** Jennifer Shin, Coordinator Recycling and Waste

**Trim No:** 20/1178175

**Attachments:** Nil

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#### PURPOSE AND SUMMARY

To recommend a project plan and timeframe for the further roll out of the *weekly green bin, fortnightly red bin* service that was trialled in McKinnon-Ormond.

#### RECOMMENDATION

That Council:

1. endorses the plan to commence roll out of the *weekly green bin, fortnightly red bin* to the wider Glen Eira community from 1 July 2021;
2. authorises the Chief Executive Officer to negotiate and execute any necessary variations to contract 2014.021 with Council's kerbside contractor, Solo Resource Recovery (Solo) on behalf of Council should there be a need to vary the frequency and volume of the services delivered by Solo;
3. authorises the Chief Executive Officer to provide notice of any Material Change in Deliveries in the amount of organics as required by clause 2.4 of the agreement (2017.041) between Council and the Metropolitan Waste and Resource Recovery Group (MWWRRG).

#### BACKGROUND

In the *Environmental Sustainability Strategy 2016 – 2021*, Council committed to investigating changes to the frequency of kerbside bin collections to help reduce waste to landfill. A trial to test a *weekly green bin, fortnightly red bin* collection started on 29 October 2019 for 917 households in McKinnon – Ormond.

Outcomes from the trial demonstrated a 91% increase in food scraps in the green bin, a 29% reduction in waste sent to landfill, improved rates of contamination in the yellow bin, continued low rates of contamination in the green bin, and a strong potential to reduce the increasing costs incurred by sending waste to landfill.

On Tuesday 21 July 2020 Council endorsed a phased roll out the *weekly green bin, fortnightly red bin* service to the wider community, through a future report detailing a plan and proposed timeline.

#### Council's Climate Emergency Declaration

Outcomes of the weekly green bin trial showed a further rollout of a *weekly green bin, fortnightly red bin* collection service would contribute to Council's ambitious zero net community carbon emissions by 2030, as carbon emissions for waste are largely calculated based on total tonnes sent to landfill. Every tonne of food waste diverted from landfill represents a reduction of 1.9 tonnes of CO<sub>2</sub> equivalent.

#### Existing bin infrastructure

As a result of Council's early rollout of a universal green bin in 2014, and food organics, green organics (FOGO) green bin service in May 2018, there are approximately 45,000 green bins and more than 16,000 kitchen caddies in Glen Eira.

Compared to most metropolitan Melbourne councils, Glen Eira offers larger red bins at 120L and 240L, instead of the more common 80L and 120/140L red bin sizes. This larger capacity positions Glen Eira to more easily transition to a fortnightly red bin service. Not including shared 240L bins at multi-unit dwellings, approximately 38% of red bins in Glen Eira are 240L.

## ISSUES AND DISCUSSION

The extensive work completed by Council to rollout a universal green bin in 2014, and the subsequent rollout of FOGO in 2018, means the focus of the rollout of the weekly green bin, fortnightly red bin frequency to the wider community can be on creating a comprehensive communication, engagement and education program, based on learnings from the weekly green bin trial and the FOGO rollout in 2018.

### Community engagement and communication objectives

An external consultant will be engaged to create a comprehensive engagement and communication plan to build on previous work completed for the rollout of FOGO and the weekly green bin trial, and address barriers and issues identified through both programs.

One of the key learnings from the FOGO rollout and weekly green bin trial is the need to consider waste services holistically. A change to one type of service or waste stream will affect the whole system. Equal attention on waste habits in the green, yellow and red bins is necessary to ensure a successful transition to a weekly green bin, fortnightly red bin service.

Therefore, the engagement and communication will occur in two stages:

1. The first stage will focus on improving waste avoidance and reduction, reducing contamination in the green and yellow bins, promoting food scrap recycling, and tips on how to manage household waste in general.
2. The second stage will focus on promoting the upcoming frequency change, the reason why the change is coming, and related support and education.

A summary of objectives and potential methods of engagement are listed below.

### Stage One: General waste behaviour change - October 2020 – June 2021

Behaviour change objectives	Learning	Methods of engagement & communication
Improve waste reduction and waste avoidance.	Although no change was made to the yellow bin frequency, some households in the trial area relied on excess red bin capacity to manage their recyclables. Improving waste reduction with campaigns similar to "Halve your waste" is integral to a successful frequency change and will benefit red bin habits and reduce waste sent to landfill.	<ul style="list-style-type: none"> <li>• Development of waste app for Glen Eira</li> <li>• Case studies with enthusiastic Glen Eira residents</li> <li>• Social media competitions and promotions</li> <li>• Promotion at council</li> </ul>

<p>Improve contamination rates and management of bins.</p>	<p>Contamination levels in the trial area reduced in the yellow bin and remained low in the green bin. Changing our waste services will require additional thought from residents and demystifying what can and can't go into the green and yellow bins will greatly support the shift.</p> <p>Other general tips, such as promotion of Council's bulk cardboard collection service, where to recycle soft plastics and the best way to compact recyclables and household waste will further support the rollout.</p> <p>Trial area residents were overwhelmingly uninterested in receiving officers for home visits, and on occasion responded negatively to having officers visit to discuss waste needs.</p> <p>Virtual 1 on 1 education sessions could be offered to those interested.</p>	<p>events where possible</p> <ul style="list-style-type: none"> <li>• Community group sessions and presentations</li> <li>• Webinars</li> <li>• School newsletters and incursions</li> <li>• Promotion in GE News, website and other Council media channels</li> <li>• Engagement with internal staff who are locals</li> <li>• Community pledges</li> <li>• Champions in the weekly green bin trial area</li> </ul>
<p>Increase food scrap recycling/divert more food waste from the red bin into the green bin.</p>	<p>Both the FOGO rollout and the weekly green bin trial demonstrated households that recycle food scraps in the green bin are more likely to be satisfied with a weekly green bin service.</p> <p>Many outside of the trial area that use the green bin for food waste advocate for a weekly green bin service.</p>	

### Stage Two: February 2021 – December 2021

#### Transition and education period

Objective	Learning	Methods of engagement & communication
<p>Educate residents that a change of frequency is coming</p>	<p>Simple, visual messaging should accompany any communication, especially for CaLD communities.</p> <p>Targeting opportunities outside of Council's usual channels of communication is a high priority to capture residents unlikely to</p>	<ul style="list-style-type: none"> <li>• Launch events such as movie night</li> <li>• Community drop in sessions and pop-ups (could be online)</li> <li>• Community</li> </ul>

	<p>normally reach out.</p> <p>Visual bin stickers on the outside of bins indicating the change is a helpful visual reminder and also reinforces the frequency change for residents that don't engage directly with Council. Even if all bins are not stickered, a good percentage of bin stickers on a street will be enough to reinforce the new bin schedule.</p>	<p>champions, especially leaders within CaLD communities</p> <ul style="list-style-type: none"> <li>• Waste calendar 2021/2022 and letters</li> <li>• Advertising via Council media channels, social media, Leader newspapers and local newsletter</li> </ul>
Reinforce best waste practices	<p>Education with bin inspections and tags reinforcing best practices has been highly effective in the trial area in educating what can and can't go into the green and yellow bins.</p>	<ul style="list-style-type: none"> <li>• Educational bin stickers</li> <li>• Educational bin tags</li> </ul>
Report progress and continue to improve diversion and contamination levels	<p>Ongoing updates on progress, tips and advice have continued to improve uptake of FOGO, keep contamination low and create ownership and pride about good waste practices.</p> <p>Some households will return to old habits over time, and regular updates help maintain best practices, and will capture new residents.</p>	<ul style="list-style-type: none"> <li>• Bin checks and audits</li> <li>• Waste truck wrapping</li> <li>• Articles in GE News, website and social media</li> <li>• Community signs and boards in parks and other highly frequented areas</li> <li>• On hold message</li> <li>• Guide for new residents distributed with new residents' kit</li> </ul>

### **Making the switch easy**

A whole systems approach to waste management in Glen Eira will support a successful transition to a *weekly green bin, fortnightly red bin* service by addressing existing gaps and making good waste practices easy for the community.

This could include investigating and promoting sharing platforms, product stewardship programs, at home composting solutions, safe disposal of chemical and hazardous waste, additional recycling hubs and drop-off points, promoting reusables and recycling programs for products that cannot be recycled using Council's kerbside bin service. These actions could reinforce good recycling and waste habits and provide other ways of reducing and diverting waste from landfill.

Improvements to Council's support of these type of initiatives could be addressed in the new Environmental and Sustainability Strategy 2021 – 2025 and related corporate action plans.

### **Multi-unit dwellings (MUDs) and small to medium enterprises (SMEs)**

Council services approximately 1828 SMEs and 7639 MUDs (property locations, not households).

There are significant barriers to managing waste in MUDs, SMEs and mixed-use developments, even without the introduction of a frequency change. Barriers include transient populations that require more frequent education, lack of ownership and higher contamination levels in shared bins, specialised education and communication needs, insufficient bin storage space, insufficient nature strip space, inadequate waste planning and/or no waste management plan, and different levels of waste generation and service needs.

A desktop review, potentially coupled with site visits is necessary for Council serviced MUDs to determine which MUDs (i.e. locations where households do not share bins and the dwelling is semi-detached) could be included in the initial weekly green bin, fortnightly red bin roll out. A timeline for future rollout for other Council-serviced MUDs should be established once the desktop review is completed.

It would not be appropriate to shift SMEs to a fortnightly red bin service. Most businesses that use Council's kerbside waste service do not generate FOGO that can be diverted to a green bin, and many do not have space to store an additional bin. A change to a fortnightly red bin service for SMEs will likely result in amenity issues. It is recommended the service schedule remain the same for SMEs and that Council explores ways to expand its capability in servicing these types of businesses, such as offering larger bins sizes and increasing frequency of collection options. As part of a general review of Council's waste pricing policy, establishing separate commercial waste charges would be appropriate.

Investigation into opportunities such as recycling hubs to support MUDs and activity centres to improve resource recovery is also being explored as part of Council's transition planning to a 4-stream waste service.

A review of Council's waste management plan guide will also be completed to ensure waste services for MUDs and SMEs are created to account for FOGO and appropriate waste generation calculations.

### **Supporting larger households, households with children in nappies and other special waste needs**

The weekly green bin trial demonstrated that an upsized red bin or additional bin where appropriate, for larger households, households with children in nappies and other special waste needs usually resolved issues with fortnightly red bin collection.

A permit system will be established for those eligible for a free or reduced rate red bin or red bin upsize. Eligibility may also include a bin audit to ensure the household is maximising opportunities to divert waste from the red bin into the green and yellow bins.

Other educational resources such as promoting reusable nappies will also be made available.

A reintroduction of 360L yellow bin size will also be considered.

According to census figures from 2016 households of 4 or more people represent approximately 26% of residences in Glen Eira.

## **Household size**

City of Glen Eira - Households (Enumerated)	2016			2011			Change
	Number	%	Greater	Number	%	Greater	2011 to

persons usually resident			Melbourne %			Melbourne %	2016
1 person	13,702	26.2	23.2	13,863	27.8	23.3	-161
2 persons	16,180	30.9	31.4	15,530	31.1	32.0	+650
3 persons	8,694	16.6	17.3	8,014	16.1	17.0	+680
4 persons	9,319	17.8	17.6	8,442	16.9	17.4	+877
5 persons	3,294	6.3	7.1	3,040	6.1	7.2	+254
6 or more persons	1,106	2.1	3.5	1,011	2.0	3.2	+95
<b>Total classifiable households</b>	<b>52,295</b>	<b>100.0</b>	<b>100.0</b>	<b>49,900</b>	<b>100.0</b>	<b>100.0</b>	<b>+2,395</b>

### Review of Council's waste services fees and charges

A review of Council's Waste Pricing Policy will be undertaken prior to roll out to ensure the fees adequately meet the needs of the adjusted waste service.

### Project timeline

Rollout of the weekly green bin, fortnightly red bin service for most residential properties in Glen Eira is proposed for 1 July 2021.

This is the recommended start date as this aligns with the start of a new financial year and allows Council's contractors sufficient time to prepare and acquire additional trucks and make necessary adjustments to the existing fleet. Changing bin frequency during winter will also help residents unfamiliar with FOGO recycling to acclimate to putting food in the green bin during a season when smells in the green bin are less likely.

A high-level summary of actions is below.

	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Finalise engagement/communication											
Communications and engagement (1)											
Caretaker period											
Desktop review of MUDs and SMEs											
Contract negotiation and variations											
Review Waste Pricing Policy											
Annual waste audit (may be delayed)											
Update waste management plan guidelines											
Communications and engagement (2)											
Weekly green bin, fortnightly red bin beings for single residential dwellings and MUDs within scope											

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

Council's contract with Solo will end on 30 June 2023. There are no current options for further extensions without Ministerial exemption until 1 July 2021 when the new Local Government Act 2020 comes into effect.

Under the current agreement, Council will receive an annual rebate if the frequency in Glen Eira changes to a weekly green bin, fortnightly red bin service.

Any other adjustments such as weekly or twice weekly collection of bins for SMEs will require further negotiation.

### Budget

The estimated budget for this project is outlined below.

Description	Note	\$
<ul style="list-style-type: none"> <li><b>Communications and engagement</b></li> </ul>	<ul style="list-style-type: none"> <li>Includes external consultants, printing of collateral, stickers, distribution, signage, truck wrapping and advertising. Does not include staff.</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>\$200,000 – 250,000</li> <li></li> <li></li> </ul>
<ul style="list-style-type: none"> <li><b>Kitchen caddies</b></li> </ul>	<ul style="list-style-type: none"> <li>Kitchen caddies are still in stock, however additional stock may be necessary.</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>\$50,000</li> </ul>
<ul style="list-style-type: none"> <li><b>Bin inspections and education</b></li> </ul>	<ul style="list-style-type: none"> <li>Will be included in the budget for 2021/2022</li> <li>This cost will likely be entirely offset by the rebate/reduction in tonnes sent to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>\$100,000 - \$150,000</li> </ul>
<ul style="list-style-type: none"> <li><b>Additional/new bins, changeovers</b></li> </ul>	<ul style="list-style-type: none"> <li>New bin deliveries will rise.</li> </ul>	<ul style="list-style-type: none"> <li>Estimate will be provided with 2021/2022 draft budget.</li> </ul>
<ul style="list-style-type: none"> <li><b>Operational costs</b></li> </ul>	<ul style="list-style-type: none"> <li>An increase in the number of homes with green bins will mean the cost to service this stream will rise.</li> <li></li> <li>This additional cost will likely be entirely offset by the rebate and reduction in tonnes sent to landfill.</li> </ul>	<ul style="list-style-type: none"> <li>Estimate will be provided with 2021/2022 draft budget.</li> </ul>

### Resourcing

Planning for the further roll-out of the weekly green bin, fortnightly red bin service can be delivered with existing resources. However, two to three additional casual or part-time staff may be necessary to assist with sticker bins, complete site visits, help staff community drop-in sessions and answer specialised enquiries and monitor social media close to launch and during the transition phase.

The current 2020-21 recycling and waste budget can partially fund the roll-out, with an estimated additional \$150,000 for the proposed Communications and Engagement action required to be funded in the 2021-22 draft budget. Other ongoing operational costs such as the cost to service the green waste stream will be provisioned in the 2021-22 draft budget.

## POLICY AND LEGISLATIVE IMPLICATIONS

### Recycling Victoria, a new economy

In February 2020 the State Government released their circular economy policy and action plan which sets the direction for recycling and resource recovery in Victoria for the next ten (10) years. Key targets outlined in the policy include:

- diverting 20% of Victoria's organic waste by 2025 and 50% by 2030;



- reduction of waste by 15% per capita by 2030;
- design waste services to create value from waste
- introduction of a consistent 4-stream kerbside waste system by 2030 (red bin-residual waste, yellow bin – comingled recycling, green bin – food and organics, purple bin – glass).

Glen Eira City Council is well positioned to meet these targets with a universal food and organics (FOGO) recycling service and weekly green bin, fortnightly red bin service.

It is recommended that if Council is satisfied with the overall direction of the *weekly green bin, fortnightly red bin* rollout, that the Chief Executive Officer is authorised to finalise relevant contractual variations.

### **Waste Pricing Policy**

Council's waste pricing policy will be reviewed to ensure waste fees adequately meet the needs of the adjusted waste service.

### **COMMUNICATION AND ENGAGEMENT**

An extensive engagement and communication plan will be prepared by an external consultant. Regular updates and briefings will be provided to Council throughout the project.

### **LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Four: Clean and Sustainable

An attractive and sustainable environment for future generations.

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

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

### **CONCLUSION**

Every tonne of food waste diverted from landfill represents a reduction of 1.9 tonnes of CO<sub>2</sub> equivalent.

A further roll out of the *weekly green bin, fortnightly red bin* service is a clear indicator of Council's commitment to achieving zero net community carbon emissions by 2030.

#### 4.5 SOCIAL PROCUREMENT

**Author:** Pauline Hassakis, Procurement and Contracts Manager

**Trim No:** 20/1198815

**Attachments:** 1. Procurement Policy 2020 [↓](#)

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#### PURPOSE AND SUMMARY

To respond to the request from Cr Hyams at the Ordinary Meeting of 11 August 2020 requesting:

“That officers prepare a report on how Council’s Procurement Policy can be amended to provide that, when officers incorporate social value principles into the purchase of goods and services, appropriate priority is given to ensuring compliance with the principles set out in subclauses (a) to (h) of clause 3. This report is to come to Council no later than the September 22 Ordinary Council Meeting.”

#### RECOMMENDATION

That Council notes the report and approves the changes to the Procurement Policy

#### BACKGROUND

Council’s procurement policy (‘policy’) provides an overview and understanding of the procurement processes at Glen Eira City Council. It ensures that Council’s expenditure on the procurement of goods and services is effective, accountable, ethical, lawful, in line with best practices, and environmentally sustainable.

#### Procurement Policy - Purpose

The purpose of the policy is to ensure that Council’s purchasing activities:

- (a) Maximise the benefit to Council, value for money;
- (b) Comply with all legal, statutory and Council requirements;
- (c) Ensure that Council’s rights and obligations are protected;
- (d) Minimise the risk to Council and the community;
- (e) Maintain a consistent, transparent and auditable process;
- (f) Promote fair competition from suppliers;
- (g) Are approved prior to committing Council funds to external parties unless it is impracticable; and
- (h) Prioritise the purchase of sustainable, recycled and environmentally friendly products wherever practicable.
- (i) Incorporate social value principles into the purchase of goods and services.

These principles are taken into consideration with each procurement activity.

#### ISSUES AND DISCUSSION

Council incorporates social procurement principles as part of the standard procurement process, whilst always ensuring that the other principles such as Occupational Health & Safety, value for money and legislative requirements are complied with. Each procurement

activity has its own evaluation criteria that is assessed to determine whether the service provider/contractor has the ability to deliver services, and comply with requirements such as OHS, financial, social procurement and sustainability.

To ensure that all other principles are considered in combination with social procurement, it is suggested that additional wording (underlined) could be included in Clause 11 of the procurement policy, as follows:

### **Social Procurement**

*Social procurement generates positive outcomes and contributes to building stronger communities through procurement activities. Council is committed to social procurement by:*

- (a) Ensuring all procurement practices are sustainable and strategically aligned with the wider Council objectives;*
- (b) Achieving greater value for money across the community through the use of effective procurement;*
- (c) Explore opportunities in engaging social enterprises and Aboriginal and Torres Strait Islander suppliers for procurement activities where appropriate;*
- (d) Valuing suppliers that identify principles of inclusion, diversity and gender equity;*
- (e) Social procurement to be considered when conducting tender and quotation processes;*
- (f) Enhancing partnerships with other Councils, suppliers and community stakeholders; and*
- (g) Give preferences to local suppliers and/or suppliers which provide social benefits to the local area and/or the broader community.*

*In evaluating all procurement activities officers should ensure that all criteria included in Clause 3 of this Policy are considered in the evaluation process of tenders, contracts and quotations.*

In addition, one minor change in Clause 3 would be to delete the word “and” at the end of point (g) and transfer it to point (h) as follows:

- (h) Prioritise the purchase of sustainable, recycled and environmentally friendly products wherever practicable; and*

A clean version with these changes has been attached.

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

Not applicable

### **POLICY AND LEGISLATIVE IMPLICATIONS**

This report is in accordance with the Procurement Policy and the *Local Government Act 1989*.

### **COMMUNICATION AND ENGAGEMENT**

Not applicable

### **LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Five: Informed and Engaged

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

That Council note the report and approve amendments to the Procurement Policy.

## Procurement Policy

<b>Date first adopted:</b> 10 February 2003  <b>Amended and adopted:</b> 4 November 2009 23 November 2010 22 May 2012 19 March 2013 29 April 2014 28 April 2015 28 June 2016 13 June 2017 12 June 2018 11 June 2019 30 June 2020	<b>Version: 11</b> <b>Next review date:</b> June 2021	<b>Status: Reviewed</b>
<b>Position Title of Responsible Business Unit Manager:</b>	<b>Chief Financial Officer</b>	



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**1. TITLE**

Procurement Policy

**2. OBJECTIVE**

To ensure that Council's expenditure on the procurement of goods and services is effective, accountable, ethical, lawful, in line with best practices, and environmentally sustainable.

**3. PURPOSE**

A substantial percentage of Council funds are expended through the procurement of goods and services.

The purpose of this policy is to ensure that Council's purchasing activities:

- (a) Maximise the benefit to Council, value for money;
- (b) Comply with all legal, statutory and Council requirements;
- (c) Ensure that Council's rights and obligations are protected;
- (d) Minimise the risk to Council and the community;
- (e) Maintain a consistent, transparent and auditable process;
- (f) Promote fair competition from suppliers;
- (g) Are approved prior to committing Council funds to external parties unless it is impracticable;
- (h) Prioritise the purchase of sustainable, recycled and environmentally friendly products wherever practicable; and
- (i) Incorporate social value principles into the purchase of goods and services.

**4. OVERVIEW OF THE PURCHASING PROCESS**

All purchasing policies, procedures and tendering activities are managed centrally. All other procurement activity is decentralised (e.g. sourcing of goods and services and the raising of all purchase orders). Where procurement activity is decentralised individual quotes are obtained in accordance with the policies and procedures. The purchases are placed in the Council purchasing system by the responsible Council officers who have been trained in Council's purchasing system. These purchases are then approved at the departmental level by Council officers who have the appropriate financial delegation.

The purchasing system software is a module of Council's financial management system. Council's purchasing system and the process are overseen by the Procurement and Contracts Manager.

A purchase order must be raised and approved prior to the purchase/commitment of any goods/services with a few exceptions e.g. utility costs; purchasing card purchases or in instances where it is impracticable to raise the purchase order at the time of ordering the goods and services. A minimum of two Council officers are involved in the raising and approving of a purchase order.

Financial delegations are built into the purchasing system workflow process for all staff/officers involved in the raising and approval process of a purchase order, thus providing additional security. The payment process is activated on receipt of an invoice which is scanned and matched against an approved purchase order. Receipt of the goods/services is acknowledged by the relevant officer, by



the authorisation of the invoice and then payment is processed.

One of the key objectives of the purchasing process is to ensure that Council always receives value for money and that orders are raised in such a way that this can be demonstrated (refer to Section 24 – Procurement Thresholds).

## 5. PURCHASING DECISIONS

Purchasing decisions will be made in compliance with section 186 of the *Local Government Act 1989*. This means that "Goods and Services" valued above the specified levels (\$150,000 including GST, and 'Works' valued above \$200,000 including GST, as at the date of this policy) over the term of the contract will be purchased through;

- (a) Publicly advertised tender process or,
- (b) Through contracts approved pursuant to section 186(5)(c) of the *Local Government Act*, including Procurement Australia (PA) contracts, Municipal Association of Victoria – Procurement (MAVP) contracts, other aggregated purchasing/procurement arrangements with other Councils or purchasing bodies, and selected State Government Contracts (SGC) and arrangements approved by the Minister.

Cumulative expenditure over a rolling 2-year period that exceeds: \$150,000 (including GST) for goods and services, and \$200,000 (including GST) for works with any one vendor must be undertaken via either (a) or (b) above.

The delegated authority to call tenders rests with Procurement and Contracts Manager who reports to the Chief Financial Officer. The tender process is a centralised function facilitated by the Procurement and Contracts unit.

For all complex or high value or high-risk procurement activity, a probity advisor may be appointed by the relevant Director or CEO.

Contracts will be awarded in accordance with delegated authority. As at the date of this policy, contracts above \$500,000 for goods and services or \$1,000,000 for insurance, roads and drains require approval by Council resolution.

Purchases less than section 186 thresholds will be subject to a competitive process. These are documented in the Procurement Threshold table under section 24 Procurement Thresholds. Purchases are not to be split to avoid threshold requirements.

It is the responsibility of the approving Council Officer/s to ensure that requirements as per the procurement threshold table are met prior to any approval or a purchase order.

Exemptions for expenditure less than Section 186 thresholds (\$150,000 for goods and services and \$200,000 for works) may be applied in the following circumstances:

- (a) in an emergency situation, including public health, security or safety as a consequence of an unforeseen event or occurrence;
- (b) where the work is highly specialised; and
- (c) where less than three quotations are received due to a lack of suppliers having the ability to carry out the work.

In these instances, a waiver must be sought from the relevant Manager with the appropriate financial

delegation and/or Director prior to any commitment to waive the quotation process to (a) and (b) or waive the minimum requirement of three quotes for (c). It is the responsibility of the approving Council Officer to ensure that "exempt" purchases fall within the total cumulative spend under the section 186 thresholds.

The risk implications to Council on all expenditure (including purchases under \$10,000), must be considered. Corporate Counsel should be consulted where potential risk is identified.

## **6. DELEGATION OF AUTHORITY**

Council has delegated responsibility relating to the expenditure of funds for procurement activities; the purchase of goods and services, acceptance of quotations, tenders and contract management activities. This enables Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity. The delegation of authority is detailed in Councils Instruments of Delegation.

## **7. PAYMENT TERMS**

Council standard payment terms are 30 days from the date on the invoice, unless otherwise arranged and agreed.

## **8. SCHEDULE OF RATES CONTRACTS**

Council's preference is to engage contractors under Lump Sum contracts. Schedule of Rates Contracts (SoR) are supply arrangements intended to meet day to day operational requirements of Council with specific rates for each service. Examples of SoR contract arrangements are: top dressing of ovals with a rate per hectare, tree planting per item and installation of park furniture per item.

These SoR Contracts may be used for standalone capital projects up to section 186 thresholds provided the nature of work is within the scope of the SoR Contracts, and a substantial percentage of the actual SoR contract rate can be directly identified in the quotations.

## **9. OCCUPATIONAL HEALTH AND SAFETY (OH&S)**

Council takes Occupational Health & Safety issues very seriously and has developed an Occupational Health & Safety Manual. Section OH&S- P019 refers to the purchase of goods, which must comply with specified requirements. All staff purchasing goods and services on behalf of Council must familiarise themselves with these requirements. A key element in the OH&S Manual is to determine health and safety requirements prior to the purchase of any equipment, materials or substances and communicate those requirements or specifications to the supplier. Staff will need to consider the following:

- (a) Legal requirements;
- (b) Relevant standards;
- (c) Potential impact on affected personnel;
- (d) Training requirements;
- (e) Changes to work procedures;
- (f) Personal protective equipment; and
- (g) Any other relevant technical data or information.

When raising purchase orders staff must complete the OH&S check list section unless there are absolutely no OH&S considerations.

## 10. SUSTAINABILITY

Council will support sustainability through its purchasing activity and prioritise purchases that maximise waste minimisation, energy efficiency, water conservation and reductions in greenhouse gas emissions.

Value for Money purchasing decisions made by Council are made on the basis of whole-of-life cost and non-price factors including contribution to Council's sustainability objectives.

Council prefers to purchase sustainable, recycled and environmentally preferred products whenever they achieve the same function and Best Value outcomes. Council may spend up to ten percent more for products that provide environmentally sustainable benefits.

Council will support products and new industries which provide sustainable and social benefits.

Council will monitor and report on Council procurement activities and programs that have an impact on or contribute to the environment.

## 11. SOCIAL PROCUREMENT

Social procurement generates positive outcomes and contributes to building stronger communities through procurement activities. Council is committed to social procurement by:

- (a) Ensuring all procurement practices are sustainable and strategically aligned with the wider Council objectives;
- (b) Achieving greater value for money across the community through the use of effective procurement;
- (c) Explore opportunities in engaging social enterprises and Aboriginal and Torres Strait Islander suppliers for procurement activities where appropriate;
- (d) Valuing suppliers that identify principles of inclusion, diversity and gender equity;
- (e) Social procurement to be considered when conducting tender and quotation processes;
- (f) Enhancing partnerships with other Councils, suppliers and community stakeholders; and
- (g) Give preferences to local suppliers and/or suppliers which provide social benefits to the local area and/or the broader community

In evaluating all procurement activities officers should ensure that all criteria included in Clause 3 of this Policy are considered in the evaluation process of tenders, contracts and quotations.

## 12. CHARTER OF HUMAN RIGHTS

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

## 13. CONFLICT OF INTEREST

Council staff must avoid situations in which their private interest's conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their duties as a Council employee.

Council staff must not participate in any procurement activity or in any action or matter associated with the arrangement of a contract (i.e. evaluation, negotiation, recommendation, or approval), in which they or any member of their immediate family has an interest or holds a position of influence or power in a business undertaking tendering for the work.

The onus is on the member of Council staff involved being alert to and promptly declaring an actual or potential conflict of interest to Council. Staff should consult the Code of Conduct on conflict issues.

Council's contract/tender documentation requires Contractors to declare any actual or potential conflict of interest that the Contractor, or any of its employees, agents or sub-contractors may have. Council also requires Contractors to make a declaration in relation to collusive tendering.



**14. FAIR AND HONEST DEALING**

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote. This requires compliance with this policy and associated procedures at all times.

Impartiality must be maintained throughout the procurement process, so it can withstand public scrutiny.

**15. ETHICS AND PROBITY**

Council's procurement activities must be performed with integrity and in a manner able to withstand the closest possible audit scrutiny, and that our processes and decisions are understood and supported by evidence.

Council staff involved in any procurement activity must at all times conduct themselves with the highest professional ethical and integrity standards by:

- (a) Treating all prospective and existing suppliers/contractors with equality and impartiality;
- (b) Presenting the highest standards of professionalism and probity;
- (c) Not seeking or receiving any personal gain;
- (d) Maintaining confidentiality of commercially confidential information;
- (e) Ensuring that any procurement activity is fair, reasonable and accountable; and
- (f) Ensuring that all legal, policy and procedural requirements are met.

**16. GIFTS, FAVOURS AND HOSPITALITY**

Council activities will be conducted professionally and not influenced, or perceived to be influenced, by the receipt or prospect of gifts, favours or hospitality.

Staff are prohibited from seeking gifts, favours or hospitality, whether for their own benefit or the benefit of another staff member, family member or client. Staff should refer to the Gifts, Favours and Hospitality Policy for further details.

**17. PRIVACY**

Council may outsource some of its functions to third parties/suppliers/contractors. Where any such third parties, suppliers or contractors collect, use, have access to or manage personal or health information as part of that arrangement, a contract must be in place with them which includes an obligation to comply with Victorian privacy laws and Council's privacy policy.

**18. CONFIDENTIALITY**

The commercial interests of existing and potential suppliers must be protected. Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material, prices, discounts, rebates, profit, manufacturing and product information.

Commercial in-confidence information received by Council during the procurement process must not be disclosed, except on a need to know basis and otherwise in accordance with legal requirements and is to be stored in a secure location.

This includes, without limitation:

- (a) Information disclosed by organisations in tenders, quotation or during tender negotiations;
- (b) All information that is either marked as or has the nature of being, commercial in confidence; and

- (c) Pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier. Any communication with tenderers during a tender should go through the Procurement and Contracts unit.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised other than authorised pre-contractual negotiations.

## **19. ENDORSEMENTS**

Council staff must not endorse any products or services. Individual requests received for endorsement must be referred to Directors or CEO.

## **20. CONTINUOUS IMPROVEMENT**

Council is committed to continuous improvement and will review the procurement policy on an annual basis to ensure that it continues to meet its wider strategic objectives.

## **21. BEST VALUE**

Council must use Best Value principles in procuring goods and services. Best Value in procurement requires the selection of goods, services and works taking into account both cost and non-cost factors including:

- (a) contribution to the advancement of Council's strategic objectives and priorities;
- (b) non-cost factors such as fitness for purpose, quality, the experience, capacity of the supplier, reliability, innovation, environmental impacts, social benefits, service and support; and
- (c) cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

## **22. PERFORMANCE MEASUREMENT**

Appropriate performance measures have been established to ensure a high level of competitive procurement activity, which is verified through regular reporting. The culture of competitive procurement is also encouraged through the monitoring of purchasing activity and staff training.

## **23. RESPONSIBLE FINANCIAL MANAGEMENT**

The principles of responsible financial management are applied to all procurement activities.

To give effect to these principles, the availability of existing funds within an approved budget, or source of funds, must be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council staff may authorise the expenditure of funds within their financial delegations.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this document.

Independent financial assessments will be conducted for all tenders that are over \$500,000. This will not apply where a financial assessment has been previously conducted during the last 12 months for shortlisted/preferred supplier/s and contractor/s.

## **24. PROCUREMENT THRESHOLDS**

To assist staff in ensuring that their purchasing activities provide the maximum benefit to Council and meet legislative requirements, the following Procurement Threshold table is provided below.

**Procurement Threshold Table**

<b>Purchase Value (GST inclusive)</b>	<b>Method of Purchase</b>	<b>Reason</b>	<b>Refer To</b>
<b>Over \$150,000 for Goods &amp; Services</b>  or  <b>Over \$200,000 for Works</b>	Tender is mandatory or purchase through contracts approved pursuant to S186(5)(c) of the <i>Local Government Act</i> , including PA, MAVP and selected State Government (SG) contracts.	Section 186 of the <i>Local Government Act</i>	Procurement and Contracts Unit.
<b>\$100,000 - \$150,000 For Goods &amp; Services,</b>  or  <b>\$100,000 - \$200,000 For Works</b>	Tender or purchase through contracts approved pursuant to S186(5)(c) of the <i>Local Government Act</i> , including PA, MAVP and selected SG and other aggregators' contracts or 3 quotes, allowable with the written approval from the CEO. CEO can also determine to waive the requirement for 3 quotes; approval must be submitted to the Procurement and Contracts Manager.	Council Policy	Procurement and Contracts Unit.  Quotation conducted via Council's e-tendering portal.  Completed quote forms/documentation must be attached to purchase order.
<b>\$50,001 - \$100,000</b>	3 Quotes, or the use of Council, PA, MAVP, selected SG and other aggregators' contracts. Directors can waive the requirement for 3 quotes as delegated; approval must be attached to the purchase order.	Council Policy	Procurement and Contracts Unit. Quotation conducted via Council's e-tendering portal. Completed quote forms/documentation must be attached to purchase order.
<b>\$20,001 - \$50,000</b>	2 Quotes, or the use of Council, PA or MAVP, selected SG and other aggregators' contracts. Managers/Directors can waive the requirement for 2 quotes; must be within their financial approval limit and the approval must be attached to the purchase order.	Council Policy	Procurement and Contracts Unit. Quotation conducted via Council's e-tendering portal.  Completed quote forms/documentation must be attached to purchase order.
<b>Up to \$20,000</b>	Use of Council Contracts, PA, MAVP, selected SG and other aggregators' contracts. Quotes not mandatory for up to \$5,000. One written quote will be required between \$5,001 and \$20,000. Staff are encouraged to seek competitive quotes to ensure Council receives best value	Council Policy	Responsible Officer



The procurement flowchart as shown "Attachment 1" of this document sets out an overview of the procurement process.

There are a number of exceptions to the process of obtaining competitive quotations. The following are a few examples:

- (a) Some statutory authorities.
- (b) Legal fees are exempted from the provisions of section 186 of the *Local Government Act* and in day to day operations (quotes or tenders could be obtained where practicable);
- (c) In instances where a contractor has already undertaken work and holds either relevant materials (e.g. artwork, research, etc.), specific knowledge or specialist equipment, it may be more cost effective or rational to continue with that contractor for further works without obtaining further competitive quotes, provided that the expenditure complies with S186 thresholds. In such a case, the preferred course is to confirm the further work in writing and emphasise it is on the same Council conditions as the previous work;
- (d) Where the contractor/supplier is known to be the only possible supplier (e.g. purchase of an additional module to a computer program already in use by Council; maintenance agreement for software or proprietary equipment of the supplier or the only licensed dealer in a product) there is obviously no point in obtaining quotations. The Procurement and Contracts Manager should be advised prior to placing a purchase order to avoid the order being queried on audit and ensuring compliance with section 186 of the *Local Government Act*.

If a Council contract exists for goods/services, the contracted supplier must be used. Approval from the Procurement and Contracts Manager must be sought to purchase outside any Council contracts.

As a general rule, quotations sought and managed by staff will be for standard off-the-shelf goods and services with a minimal risk to Council. Irrespective of dollar value any procurement activity that may present a risk to Council, physical or otherwise must be referred to Corporate Counsel prior to proceeding with the purchase.

All quotations must be confirmed in writing, be included on Council's "Quote Form" and include all associated costs. Quotations must then be evaluated against pre-determined criteria to enable the selection of a successful offer. It is not mandatory to select the cheapest offer but to select the supplier that offers the overall maximum benefit to Council. This process must be transparent, consistent and documented.

All 'Conditions' for contracts or quotations must be based on Glen Eira City Council's Standard Conditions or be otherwise pre-approved by Corporate Counsel. Any additional/alternative conditions submitted by the supplier with a quotation or tender must be referred to Corporate Counsel for approval prior to commitment to purchase/award.

## 25. USE OF PURCHASING CARDS

All goods and services should be purchased via the corporate purchasing system by raising an order. Periodically, staff will require goods/services from retail outlets, service providers or via electronic means where payment is required at the point of sale. In this instance, Council provides for the purchase via purchasing cards. Only relatively minor items/services (e.g. generally less than \$1,000) should be purchased through a purchasing card. Please refer to the "Purchasing Card" Policy for further details.

**26. RELEVANT LEGISLATION**

*Local Government Act 1989, section 186*

*Local Government Act 1989. section 208C (Best Value Principles)*

*Charter of Human Rights and Responsibilities Act 2006*

*Privacy and Data Protection Act 2014 (Vic)*

*Occupational Health and Safety Act 2004 (Vic)*

*Occupational Health and Safety Regulations 2017 (Vic)*

*Health Records Act 2001 (Vic)*

**27. RELEVANT COUNCIL AND COMMUNITY PLAN GOAL(S)**

Theme 5: Informed and Engaged

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

**28. CROSS REFERENCES TO OTHER POLICIES/DOCUMENTS**

Purchasing card policy and procedures

Occupational Health & Safety Manual

Privacy Policy

Health Records Policy

Staff Employee Code of Conduct

Gifts, Favours and Hospitality Policy

Fraud & Corruption Policy and Procedures

**29. RESPONSIBLE OFFICER**

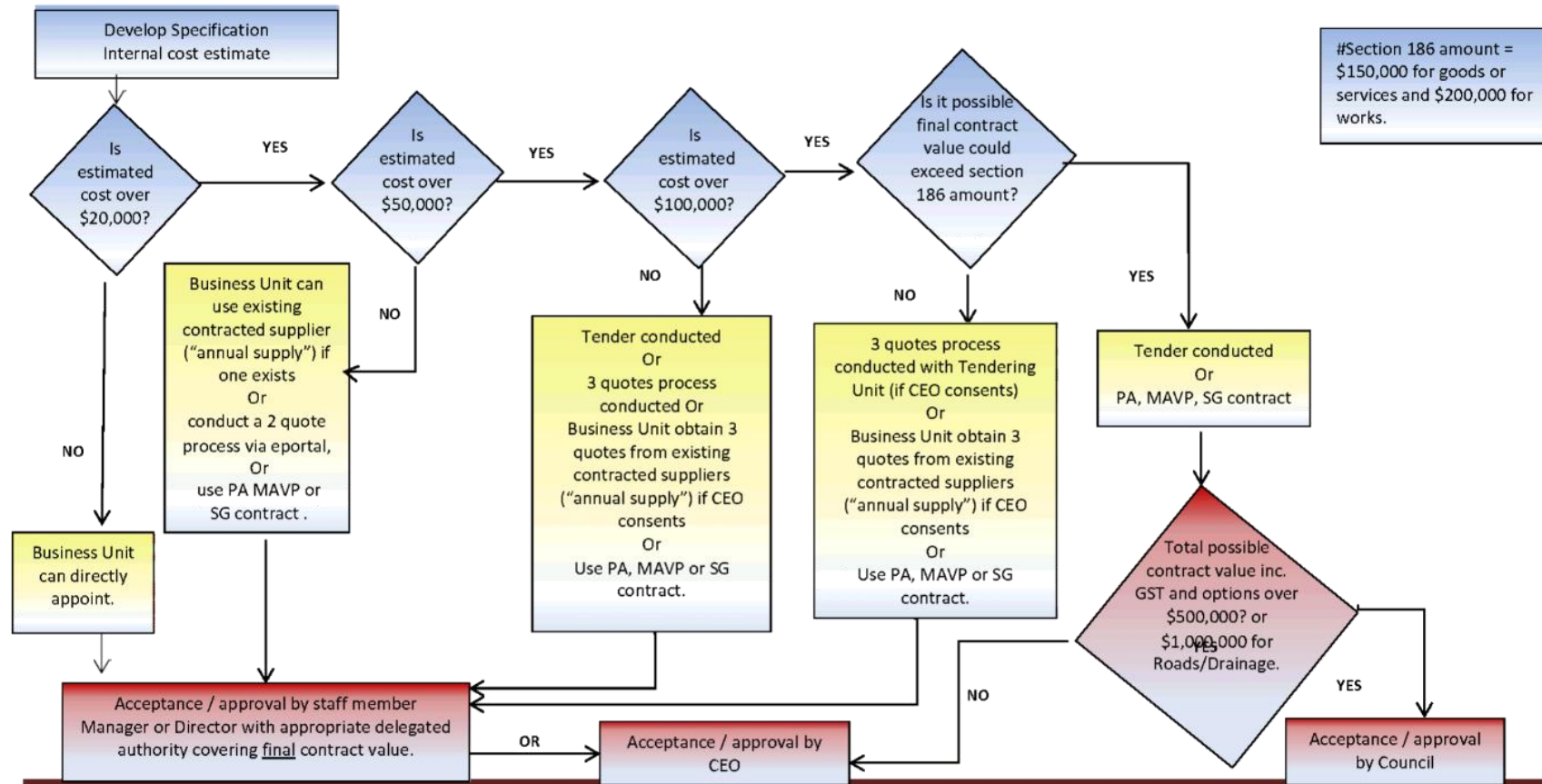
Chief Financial Officer



## PROCUREMENT FLOW CHART

## ATTACHMENT 1

## Construction, Goods, or Services Contracts



Procurement Policy  
Glen Eira City Council

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#### 4.6 MUNICIPAL PUBLIC HEALTH AND WELLBEING ACTION PLAN 2020-21

**Author:** Gaye Stewart, Manager Community Development & Care

**Trim No:** 20/1192302

**Attachments:** 1. *Glen Eira Municipal Public Health and Wellbeing Draft Action Plan 2020-21* [↓](#)

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#### PURPOSE AND SUMMARY

To advise Council of the fourth and final year Action Plan of the of the *Municipal Public Health and Wellbeing Plan 2017-21* and seek endorsement.

#### RECOMMENDATION

That Council endorses the Municipal Public Health and Wellbeing Action Plan 2020-21.

#### BACKGROUND

Local governments must prepare a Municipal Public Health and Wellbeing Plan within 12 months of each general election of Council.

The *Glen Eira Municipal Public Health and Wellbeing Plan 2017-21* was endorsed by Council in October 2017 and has six priority areas that drive Council's actions within a partnership context. These priority areas are:

- Priority one — Demonstrate leadership, advocacy and collaboration
- Priority two — Promote active lifestyles and healthy eating
- Priority three — Respond to family violence
- Priority four — Reduce tobacco, alcohol and other drug consumption
- Priority five — Improve mental health and community connection
- Priority six — Enhance public health protection

The *Glen Eira Municipal Public Health and Wellbeing Action Plan 2020-21* (Attachment One) guides Council's efforts over the next year to enhance the health and wellbeing of our community and reflects the themes and priorities of the *Glen Eira Municipal Public Health and Wellbeing Plan 2017-21*.

#### ISSUES AND DISCUSSION

In order to be responsive to current community needs, the final year *Action Plan* reflects a strong focus on the COVID-19 pandemic, from the perspective of response, community recovery and building resilience. This *Action Plan* builds on the achievements of previous years and the strong commitment by Council to improve the health and wellbeing of the Glen Eira community has put us in a good position to be able to provide effective emergency management for pandemic response and recovery throughout 2020 and into 2021.

Implementation of Council's *Municipal Public Health and Wellbeing Action Plan 2018-20* Achieved 95 per cent of planned actions as at 30 June 2020. Some of the key achievements of the 2018-19 plan are outlined below:

- Enhanced public health protection by conducting 1083 food safety assessments, 11,005 immunisations and 192 public health and wellbeing inspections.
- Delivered a community grants program including new COVID-19 Community Action Grants to respond to hardship being experienced by community groups and the community as a result of the COVID-19 pandemic.

- Engaged in partnerships with key organisations providing collective action around the Prevention of Family Violence with the Footpath Sticker campaign, and the promotion of healthy eating within sporting club settings across Glen Eira.
- Increased engagement of Glen Eira Primary Schools in the promotion of active transport during the Walk to School Active Schools campaign with over 15 schools and 7,500 students participating.
- Delivered health promotion and health and wellbeing workshops including healthy eating, mental health, sustainable living, prevention of family violence training and responsible service of alcohol courses reaching thousands of Glen Eira residents.
- Worked collaboratively with three nearby Councils to deliver a webinar program of 21 sustainability workshops to our community during COVID-19.
- Delivered inclusive physical activity programs for all members of the Glen Eira community including the development of the new GEL Anywhere online programming during COVID-19.
- Provided a suite of activities to support positive ageing to the older adult population through social support activities, education opportunities and exercise programs along with supporting the use of Council facilities for 38 Seniors Citizen's clubs with over 5,000 members.
- Delivered a range of Arts and Culture events incorporating LGBTIQ+ and indigenous programming elements and a transition to online programming during COVID-19.

Many of the actions implemented over the past three years of the *Municipal Public Health and Wellbeing Plan 2017-21* have now been incorporated into operational business of the organisation, which demonstrates success of the *Plan*. There is an opportunity now to focus substantially on the challenges facing our community with regard to COVID-19, and target actions to enhance the strengths of our community and successes of our work to date.

The *Plan* also provides some specific deliverables that sit across Council and foster partnerships to broaden reach and collaborative action for positive outcomes across the Glen Eira community.

The 2020-21 financial year will see the development of a new four-year Municipal Public Health and Wellbeing Plan for endorsement by Council in October 2021.

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

Actions that are outlined in the *Municipal Public Health and Wellbeing Action Plan 2020-21* are incorporated in the budgets of each Department responsible for the delivery of the actions as identified within the *Plan*.

#### **POLICY AND LEGISLATIVE IMPLICATIONS**

The *Municipal Public Health and Wellbeing Plan 2017-21* meets the legislative responsibilities of the *Victorian Public Health and Wellbeing Act 2008* and has regard to the *Victorian Health and Wellbeing Plan 2015-2019* and *Climate Change Act 2010*.

#### **COMMUNICATION AND ENGAGEMENT**

The *Municipal Public Health and Wellbeing Action Plan 2020-21* has been developed in consultation with all departments and teams leading activity within the *Plan*. The *Plan* will build on actions within the previous *Municipal Public Health and Wellbeing Action Plan 2018-20* whilst incorporating community feedback throughout implementation.

#### **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**

The *Municipal Public Health and Wellbeing Action Plan 2020-21* has been developed to build on previous years actions, with specific coherence to the *Municipal Public Health and Wellbeing Action Plan 2018-20*. This *Plan* reflects an emphasis on our response to COVID-19 and is now presented to Council for endorsement.



GLEN EIRA  
CITY COUNCIL

## **Municipal Public Health and Wellbeing Plan**

**Action Plan**  
**July 2020–June 2021**

## INTRODUCTION

This *Action Plan* is a companion document to Council's *Municipal Public Health and Wellbeing Plan 2017–2021*. It outlines how Council will work towards meeting the priorities and strategies identified in the *Plan* over the final year of the four-year plan, from July 2020 to June 2021. Each action is referenced with a responsible business unit and timeframe for completion.

The *Municipal Public Health and Wellbeing Plan 2017–2021* was developed following comprehensive community and stakeholder engagement, which identified the following six priorities:

- Priority one — Demonstrate leadership, advocacy and collaboration
- Priority two — Promote active lifestyles and healthy eating
- Priority three — Respond to family violence
- Priority four — Reduce tobacco, alcohol and other drug consumption
- Priority five — Improve mental health and community connection
- Priority six — Enhance public health protection

During 2020, the Glen Eira community, like most places across Australia and the world, has been significantly impacted by the coronavirus pandemic (COVID-19). A key priority for Council has been emergency recovery and to provide an effective and co-ordinated response that ensures a safe and supportive environment for the Glen Eira community. COVID-19 has had a profound impact on the health and wellbeing of the entire community. This action plan focusses on Council's response to COVID-19 and ongoing priorities to support community health and wellbeing through a community recovery and resilience lens.

It is noted that actions in this plan often cover more than one strategy or priority. For example, actions promoting active lifestyles and healthy eating may also improve mental health. For easy reading, each action has been placed under the priority of best fit.

## TIMELINE

The *Glen Eira Municipal Public Health and Wellbeing Plan — Action Plan 2020–21* contains actions undertaken over a one-year period from July 2020 to June 2021.

Each action is referenced within this timeline.

## PRIORITY ONE — Demonstrate leadership, advocacy and collaboration

This priority recognises the importance of facilitating partnerships, leading local health and wellbeing awareness initiatives, and advocating on behalf of the community to improve outcomes for our community.

The strategies in the *Municipal Public Health and Wellbeing Plan 2017–2021* to take action on this priority are:

- 1 Assist in building strong and effective partnerships with local health and wellbeing service providers to deliver quality outcomes, to align priorities and reduce duplication and fragmentation of effort.
- 2 Increase the availability of public health and wellbeing information in the local community.
- 3 Advocate on behalf of residents to State and Federal Governments for affordable, accessible and appropriate public health and wellbeing services.
- 4 Actively contribute to State and regional health planning networks and forums to assist in planning, promoting and delivering relevant public health and wellbeing initiatives.

In the first three years of the plan, we have demonstrated leadership, advocacy and collaboration in a variety of ways by hosting a wide range of community health promotion workshops on healthy eating, thunderstorm asthma, men's health, falls prevention and several sustainable living events. Council has fostered successful service provider partnerships with Southern Melbourne Primary Care Partnership and Family Violence Working Groups to collaborate and advocate for health literacy, nutrition and the prevention of family violence.

In a COVID-19 environment, this priority is more important than ever. Our community relies on all levels of Government, professionals, experts and organisations for strong and consistent leadership and support. We will build on our relationships with local organisations and networks to provide evidence-based support to the community in response to the vulnerabilities and stresses that have emerged during the pandemic. Council is well placed to lead the capture of historical elements of the COVID-19 crisis so there is a record of what the community experienced across this time.

The following actions highlight our priorities for this next year in leadership, advocacy and collaboration, including a reference to which Priority One strategy each action is meeting.

Priority one: Demonstrate leadership, advocacy and collaboration				
2020–21 Actions	Strategy	Measures	Responsible Department	Timeframe
1.1 Collaborate with State, regional and local emergency management agencies to implement the <i>State Emergency Relief Plan for COVID-19</i> and actively participate in teleconferences to advocate on behalf of residents and businesses.	4	90 per cent attendance at weekly State and regional teleconferences.	COVID-19 Response and Recovery	December 2020
1.2 Host and facilitate COVID-19 pandemic committee meetings and collaborate with local relief agencies to ensure a safe and supported environment for the citizens of Glen Eira during all phases of the COVID-19 emergency.	2	Twelve pandemic committee meetings held, and all agreed actions implemented.	COVID-19 Response and Recovery	December 2020
1.3 Implement Council's <i>COVID-19 Pandemic Action Plan</i> actions and priorities.	2	Completion of 100 per cent of high priority actions.	COVID-19 Response and Recovery	December 2020
1.4 Deliver the <i>Glen Eira COVID-19 Response and Recovery Small Business Grants</i> program to support small businesses experiencing hardship through the pandemic.	1	All grant applications processed within 14 days.	Business and Economic Support	April 2021
1.5 Deliver the <i>COVID-19 Community Action Grant Program</i> across Glen Eira to support community groups experiencing hardship through the pandemic and to support innovative activities that support the community.	1	All eligible grants processed within 14 days.	Community Development and Care	April 2021
1.6 Develop a business hub/portal to provide local businesses with information and resources to assist them during COVID-19, from government, industry, peak bodies and other relevant networks.	2	Business hub developed and implemented.	Business and Economic Support	December 2020



Priority one: Demonstrate leadership, advocacy and collaboration				
2020–21 Actions	Strategy	Measures	Responsible Department	Timeframe
1.7 Launch a COVID-19 Hotline to support residents, businesses and community organisations looking for information, advice and support during the COVID-19 pandemic.	2	Hotline available to Glen Eira residents between 9am and 5pm seven days per week.	COVID-19 Response and Recovery	December 2020
1.8 Communicate effectively with the Glen Eira community throughout the COVID-19 pandemic about health advice, Department of Health and Human Services directives and impacts on Council services.	2	Fortnightly communications on multiple channels, including: Council's website, <i>Glen Eira News</i> , Council's Facebook page, e-newsletters and other appropriate publications.	Media and Communications	December 2020
1.9 Host and facilitate regular meetings of the Community Groups Committee established to inform priority collaborative actions and Council's response and recovery efforts during and after the COVID-19 pandemic.	1	Twelve Community Groups Committee meetings held, and all agreed actions implemented.	Community Development and Care	June 2021
1.10 Collect, share and archive community stories that focus on COVID-19, including footage around Glen Eira during the pandemic.	2	Historical COVID-19 archive developed and made available to the public.	Libraries, Arts and Culture	June 2021

## PRIORITY TWO — Promote active lifestyles and healthy eating

This priority recognises the importance of encouraging regular physical activity and promoting the consumption of safe and nutritious food.

The strategies in the *Municipal Public Health and Wellbeing Plan 2017–2021* to take action on this priority are:

- 1 Promote National, State and regional campaigns and initiatives to raise awareness of the importance of healthy eating and physical activity.
- 2 Continue to enhance the built environment of our City and partnerships with local community and sporting organisations to provide safe, accessible, inclusive environments for physical activity.
- 3 Promote the availability of safe, healthy and nutritious food in the City.
- 4 Encourage people to consume recommended daily intake of fruit and vegetables and reduce consumption of sweet drinks and unhealthy food.

In the first three years of the plan, we have promoted active lifestyles and healthy eating by conducting healthy eating behavioural nudge trials to encourage healthier cafe choices at Leisure Centres and sporting clubs in Glen Eira. Council successfully launched Active Parks which encouraged the community to exercise throughout Glen Eira parks. In 2019, promoted the national Active April campaign which saw 3,169 Glen Eira community members register and participate. A range of active ageing programs such as Activate Lite at Glen Eira Leisure were delivered and promotion of Active Schools' Walk to School Program resulted in 15 Glen Eira schools and 7,500 students participating. Water consumption was actively promoted by providing hydration stations and free reusable water bottles at all major Glen Eira events. In early 2020, when the COVID-19 pandemic restrictions emerged the GEL Anywhere program was launched, an online exercise program which saw 400,000 minutes of videos viewed and more than 19,000 people following on social media platforms. Glen Eira's Neighbourhood Sustainable Gardening Program has also seen increased participation since 2019.

In a COVID-19 environment, this priority presents challenges for our community because of restricted movement away from home and has become increasingly important as both exercise and diet contribute to mental health and wellbeing. Council has adapted many of its priority actions in active lifestyles and healthy eating to be accessed from home and online, including the GEL Anywhere online exercise program. For many, healthy diets have suffered because of lockdown and lack of motivation to maintain good health even though access to healthy food, ingredients and nutritious meals has remained throughout. Council's promotion of buying and growing healthy food has reached broadly across the community and remains an important focus for the coming year.

The following actions highlight our priorities for this next year in active lifestyles and physical activities, including a reference to which strategy each action is meeting.

Priority two: Promote active lifestyles and healthy eating				
2020–2021 Actions	Strategy	Measure	Responsible Department	Timeframe
2.1 Expand delivered meals program to assist vulnerable residents who are unable to access food while isolating during COVID-19.	3	Delivered Meals program expanded by 25 per cent.	Community Development and Care	December 2020
2.2 Promote healthy eating in partnership with Nutrition Australia with a focus on food, immunity and mental health during and following the COVID-19 pandemic and its impact on the community.	1 4	A healthy nutrition campaign delivered to the Glen Eira community and promoted via <i>Glen Eira News</i> and Council's Facebook page.	Community Development and Care	June 2021
2.3 Deliver 'GEL Anywhere' as an alternate way to access physical activity during and after the COVID-19 pandemic.	1	100 online exercise classes delivered.	Glen Eira Leisure	June 2021
2.4 Work with key partners to cross-promote physical activity options and programs for older adults during and after the COVID-19 pandemic.	1	Two meetings with key partners held and promotion of programs in newsletters and Glen Eira News.	Glen Eira Leisure	December 2020 June 2021
2.5 Promote the importance of good nutrition at all times and encourage children to increase their consumption of fruit and vegetables and reduce consumption of artificially sweetened beverages during and after the COVID-19 pandemic.	4	Nutritional information provided to parents and children at Maternal and Child Health Key Ages and Stages visits.	Family, Youth and Children's Services	December 2020 June 2021
2.6 Adapt the <i>Neighbourhood Sustainable Gardening Program</i> in response to limited movement of the community during COVID-19 by upskilling local volunteers within the community.	3	Delivery of gardening advice by volunteers to households to increase connectedness and food security.	Climate and Sustainability	June 2021

## PRIORITY THREE — Respond to family violence

This priority recognises that Council's impact in family violence prevention is best delivered in collaboration with local organisations and by improving access to information and services to reduce family violence.

The strategies in the *Municipal Public Health and Wellbeing Plan 2017–2021* to take action on this priority are:

- 1 Provide community leadership to prevent violence against women.
- 2 Promote and participate in National, State and local initiatives that raise awareness of family violence.
- 3 Foster joint planning and action with local support organisations to reduce the incidence of family violence.
- 4 Provide community information and referral to support families at risk of family violence.

In the first three years of the plan, Council's commitment to respond to family violence between 2017–2020 has been demonstrated through the delivery of family violence training to staff and the community through Active Bystander training, a gender equity e-learning module and the continual active service provider partnerships formed with Southern Melbourne Primary Care Partnership and Family Violence Working Groups. Training is also in place to assist frontline Council staff to recognise and respond appropriately to disclosures of violence. Glen Eira's Maternal and Child Health team continued to conduct Key Ages and Stages visits during the COVID-19 pandemic ensuring mothers completed a family violence risk assessment. In 2019, Council also endorsed the next two-year *Family Violence Prevention Action Plan*.

In a COVID-19 environment, this priority has become even more critical. The State Government requires in Council's health and wellbeing planning to specify measures to prevent family violence and respond to the needs of victims of family violence in the local community. Reports from service providers reveal that reports and referrals relating to family violence and relationship breakdown has increased significantly compared to before COVID-19. The lockdowns resulting in everyone spending more time at home has meant that for some people, this has represented a greater risk in experiencing family violence or abuse. Council acknowledges the increase in government funding to support services and increase emergency accommodation options and will continue to work actively in providing leadership and support to our community to prevent family violence.

The following actions highlight our priorities for this next year in responding to family violence, including a reference to which strategy each action is meeting.

Priority three: Respond to family violence				
2020-2021 Actions	Strategy	Measure	Responsible Department	Timeframe
3.1 Provide telephone support, advice and assistance through the Maternal and Child Health Hotline about positive family relationships and family violence during COVID-19.	4	Maternal and Child Health Hotline available between 9am and 5pm five days per week.	Family, Youth and Children's Services	June 2021
3.2 Provide prevention of family violence messaging to the community and information about availability of support services including specific responses and messages established during the COVID-19 pandemic.	2	Family violence prevention information provided on Council's website and through social media posts each month.	Community Development and Care	June 2021
3.3 Include gender breakdown wherever possible in data collection regarding COVID-19 impacts and analyse in response and recovery planning in the leadup to Council's first Gender Equality Action Plan.	1	Complete draft Gender Equality Action Plan.	Community Development and Care	June 2021
3.4 Maintain active partnerships with Women's Health in the South East and Municipal Association of Victoria Preventing Violence Against Women Network.	3	Attend 90 per cent of meetings and implement regional messaging campaign.	Community Development and Care	June 2021
3.5 Conduct risk assessment with mothers who attend a Glen Eira Maternal and Child Health Service and provide access to support services as needed, particularly as risks may be increased for some families because of COVID-19.	4	100 per cent of all mothers receive a family violence risk assessment.	Family, Youth and Children's Services	September 2020 December 2020 March 2021 June 2021



## PRIORITY FOUR — Reduce tobacco, alcohol and other drug consumption

This priority recognises the importance of reducing the impact of smoking, alcohol and other drugs on the community.

The strategies in the *Municipal Public Health and Wellbeing Plan 2017–2021* to take action on this priority are:

- 1 Promote awareness of the dangers of smoking, alcohol and drug use.
- 2 Encourage a reduction in smoking rates in Glen Eira.
- 3 Implement the Victorian Tobacco Act 1987 and provide education and enforcement in relation to the sale and advertising of tobacco in local premises, and monitoring smoke free dining and smoke free outdoor areas.
- 4 Continue to work with and support local community and sporting organisations to promote responsible serving of alcohol, promote smoke free environments and a safe drinking culture.

In the first three years of the plan, Council's priority to reduce tobacco, alcohol and other drug consumption was demonstrated by the completion of tobacco inspections and education provided in line with the Department of Health and Human Services Tobacco Education and Enforcement Program funding agreement. All major Glen Eira events have specific signage advertising a 'smoke free' environment. Council has also supported 37 sporting clubs' accreditation with the *Good Sports Program* to provide a safe and health promoting sports club environment. A *Peer Leadership Program* was delivered by TASKFORCE on alcohol and other drug consumption with a successful attendance rate from nine schools in Glen Eira.

Reliance on addictive substances such as tobacco, alcohol and other drugs has become a more critical issue during COVID-19 environment, where people are experiencing greater levels of stress and hardship. Council will continue in its efforts to reduce use and minimise harm caused through smoking, alcohol consumption and drug use.

The following actions highlight our priorities for this next year in reducing tobacco, alcohol and other drugs, including a reference to which strategy each action is meeting.

Priority 4: Reduce tobacco, alcohol and other drug consumption				
2020-2021 Actions	Strategy	Measure	Responsible Department	Timeframe
4.1 Develop and implement a campaign to increase understanding of the impact of alcohol consumption and drug use on mental health.	1 2	Campaign promoted through a range of communication channels including social media and a Fact Sheet available on Council's website.	Community Development and Care	June 2021
4.2 Identify emerging local issues during and after COVID-19 relating to tobacco use, alcohol and drug use with a particular focus on young people (10-25 years) through round table discussions with partners.	1	Development and delivery of an agreed initiative with community partners.	Family, Youth and Children's Services	June 2021
4.3 Conduct community consultation to assess viability of creating additional smoke free areas within high traffic areas.	3	Consultation complete and smoke free zones introduced in up to three Glen Eira activity centres.	Community Safety and Compliance	June 2021

## PRIORITY FIVE – Improve mental health and community connection

This priority recognises the importance of social inclusion and improvement of mental health in the community.

The strategies in the Municipal Public Health and Wellbeing Plan 2017–2021 to take action on this priority are:

- 1 Work in partnership with local community organisations to deliver information and seminars to improve mental health.
- 2 Provide opportunities for increased social connectedness through participation in arts and culture, recreation, sporting and other community activities.
- 3 Support local community organisations to provide local cultural events and festivals.
- 4 Promote inclusion of diverse groups including people with disabilities, people who identify as Aboriginal or Torres Strait islander people, culturally and linguistically diverse communities and LGBTIQ community members.

In the first three years of the plan, Council has been committed to improving mental health and community connection by hosting an annual Volunteer Recognition Ceremony and Citizen of the Year Awards. Community engagement and a successful launch of the East Bentleigh Community Garden at Moorleigh Village demonstrated community connection and commitment by a dedicated group of local residents. Council has delivered a range of older adult recreation and social programs to support positive ageing and social connectedness. In 2018-19, Council's Senior Citizen Centres saw attendance of more than 6,180 seniors and booked out events during our annual Seniors' Festival. During the COVID-19 pandemic, Council collaborated with other Councils to deliver sustainability webinars keeping the community socially connected and updated. A Social Distancing Support Program was implemented in 2020 during the COVID-19 pandemic focusing on supporting young people and achievable goal setting. Council provided playgroups and support sessions under the Small Talk program which continued virtually through the pandemic.

During the COVID-19 pandemic, many people have experienced stress and anxiety caused by unemployment or under-employment, financial hardship, health issues, change of work and/or education environments because of restrictions and lockdowns. COVID-19 has required that people physically distance which has created social isolation and loneliness. As we emerge from the restrictions and the pandemic itself, there will be a need for people re-connect and start spending time re-kindling that sense of belonging to neighbourhoods and communities that existed before COVID-19.

The following actions highlight our priorities for this next year in improving mental health and community connection, including a reference to which strategy each action is meeting.



Priority 5: Improve mental health and community connection				
2020-2021 Actions	Strategy	Measure	Responsible Department	Timeframe
5.1 Promote positive mental health strategies for small business owners and community groups during the COVID-19 pandemic.	1	Access provided to the Employee Assistance Program for all small businesses and community groups and promoted via Council's website, <i>Glen Eira News</i> , social media and e-newsletters.	Business and Economic Support	December 2020
5.2 Implement COVID-19 <i>Community Activation and Social Isolation Initiative (CASI)</i> to assist residents to maintain important connections with family, friends, and community and build new social connections and networks of support in their local communities during the COVID-19 pandemic.	1	Fortnightly reports to the Department of Health and Human Services regarding the number of residents provided with support.	COVID-19 Response and Recovery	December 2020
5.3 Promote social connection and support through innovative programs in response to the COVID-19 pandemic.	1 2	More than 40 young people supported through the Glen Eira Youth <i>Social Distancing Support Program</i> .	Family, Youth and Children's Services	December 2020
		Forty online programs delivered through libraries, arts and culture and for national and state-wide celebrations.	Libraries, Arts and Culture	June 2021
5.4 Promote community connection through the <i>Glen Eira Be Kind</i> campaign to enable safe and effective ways to create and strengthen community spirits and reduce the negative social and mental health impacts of isolation during COVID-19 pandemic.	2	Ten stories from the Glen Eira Be Kind Campaign shared with the Glen Eira community via Council's website, <i>Glen Eira News</i> , Council's Facebook page and Instagram page.	Media and Communications	December 2020

Priority 5: Improve mental health and community connection				
2020-2021 Actions	Strategy	Measure	Responsible Department	Timeframe
5.5 Provide support for vulnerable people to access technology and guidance about how to interact online to improve social connectedness during and after COVID-19.	2	Pilot project conducted as part of a social support initiative.	Community Development and Care	April 2021
5.6 Provide parents with opportunities during and after COVID-19 restrictions to build parenting skills, social support networks and connect with other parents in a supported environment.	2 4	Weekly playgroup is held (online or face to face) and individual support sessions delivered under the <i>Small Talk</i> program.	Family, Youth and Children's Services	September 2020 December 2020 March 2021 June 2021
5.7 Provide community groups with the opportunity to complete training on mental health and suicide prevention.	1	More than 75 community group members/leaders complete the program.	Community Development and Care	June 2021
5.8 Deliver a Community Kindness Campaign to encourage community connection and good mental health throughout the pandemic and to assist with community recovery.	2	Delivery of an on-line community hub with activities and weekly challenges.	Community Development and Care	January 2021
5.9 Build understanding and community capacity to support mental health initiatives within sporting club settings while COVID-19 restrictions limit the opportunities for regular sporting activity.	1 2	Delivery of a mental health initiative as determined through engagement with sporting clubs.	Recreation and Open Space	April 2021

## PRIORITY SIX – Enhance public health protection

This priority recognises the need to protect the community from transmissible disease and assist the community to respond to and recover from natural disasters.

The strategies in the *Municipal Public Health and Wellbeing Plan 2017–2021* to take action on this priority are:

- 1 Protect the community from illness through education and enforcement of public health standards at local food premises, rooming houses, tattooists, beauty therapy businesses and local swimming and spa pools.
- 2 Respond to community concerns about local issues that may be dangerous to health.
- 3 Co-ordinate, promote and deliver immunisation programs to protect the community from vaccine preventable disease.
- 4 Review Council's Emergency Management Plan, Heatwave Plan, Flood Plan and Pandemic Plan, and provide the community with up-to-date information to better respond and recover from emergencies and extreme weather events.

In the first three years of the plan, Council has enhanced public health protection by administering immunisations and conducting annual food safety risk assessments of registered food businesses within the municipality. Council analysed 100 per cent satisfactory water samples in accordance with the Public Health and Wellbeing Act 2008 and investigated public health nuisance and residential asbestos complaints along with committed work to regular maintenance of footpaths reducing any defects. Heatwave and flood safety information were distributed to all Council facilities as per the Emergency Management Plan and relevant sub-plans.

During the COVID-19 pandemic, impact on public health has been the most substantial impact and the highest priority to be addressed. Council's emergency management pandemic response was triggered in early 2020 and remains an active and responsive priority of Council's work. Since the COVID-19 pandemic began, Council's Pandemic Committee meets weekly to manage response and recovery planning and implementation.

The following actions highlight our priorities for this next year in enhancing public health protection, including a reference to which strategy each action is meeting.

Priority 06: Enhance public health protection				
2020-2021 Actions	Strategy	Measure	Responsible Department	Timeframe
6.1 Plan for the delivery of a COVID-19 mass vaccination program in consultation with local hospitals, community health centres and local general practitioners.	3	Completion of mass vaccination plan.	Family, Youth and Children's Services	June 2021
6.2 Implement initiatives to support volunteers during and after the COVID-19 pandemic by developing and distributing <i>COVID Safe Volunteer Guidelines</i> .	2	All Council volunteers and community organisations receive the <i>COVID Safe Volunteer Guidelines</i> .	Community Development and Care	December 2020
6.3 Enact the <i>State Emergency Relief Plan for COVID-19</i> , including food relief, psychosocial support, accommodation, health and medical assistance.	2	All Department of Health and Human Services requests for emergency relief and recovery support are responded to within 24 hours.	COVID-19 Response and Recovery	December 2020
6.4 Deploy Council Community Ambassadors to assist Victoria Police with monitoring Council parks, open spaces and activity centres to improve community compliance with COVID-19 restrictions and directives of the Chief Health Officer.	3	Daily patrols of Council parks, open spaces and activity centres are conducted.	Community Safety and Compliance	December 2020
6.5 Provide ongoing support to multi-dwelling properties and shared residential properties including rooming houses and student accommodation to prevent and reduce the transmission of COVID-19.	2	All high-risk properties provided with COVID Safe information.	COVID-19 Response and Recovery/Public Health	December 2020
6.6 Respond to the Department of Health and Human Services' restrictions and directives regarding closure of Council facilities to protect the community from spread of COVID-19.	2	All directives communicated to the community via Council's website, <i>Glen Eira News</i> and social media.	COVID-19 Response and Recovery	December 2020

Priority 06: Enhance public health protection				
2020-2021 Actions	Strategy	Measure	Responsible Department	Timeframe
6.7 Provide vaccinations to infants and school children in accordance with the National Immunisation Schedule.	3	8,000 vaccinations provided to infants and school children.	Family, Youth and Children's Services	June 2021
6.8 Deliver influenza vaccination sessions to the community to build community resilience to illness.	3	Ten community influenza vaccinations sessions conducted.	Family, Youth and Children's Services	June 2021
6.9 Prepare and provide the community with accessible and current information on Council's <i>Emergency Management Plan</i> .	4	Information about Council's <i>Emergency Management Plan</i> posted on Council's website and distributed as required.	COVID-19 Response and Recovery	June 2021
6.10 Provision of crisis support information for the community in response to COVID-19 through a <i>Recovery and Response Guide</i> containing local community support.	2	Guide developed, distributed and promoted via Council's website, <i>Glen Eira News</i> and social media.	COVID-19 Response and Recovery	December 2020



#### 4.7 RECONCILIATION ACTION PLAN

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**Trim No:** 20/1192776

**Attachments:** 1. *New Glen Eira Reconciliation Action Plan Development Plan Attachment 1* [↓](#)

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#### PURPOSE AND SUMMARY

To provide a summary of achievements of Council's first Innovate Reconciliation Action Plan 2018-2020 and advise Council of the proposed development plan for Council's second Innovate Reconciliation Action Plan 2021-2023.

#### RECOMMENDATION

That Council:

1. notes the achievements in implementing Council's first Reconciliation Action Plan 2018-2020; and
2. endorses the new Glen Eira Reconciliation Development Plan (Attachment 1 of the report) for Council's second Innovate Reconciliation Action Plan 2021-2023

#### BACKGROUND

The Glen Eira Reconciliation Action Plan (RAP) October 2018 – October 2020 Innovate - was endorsed in October 2018.

The plan was developed using Reconciliation Australia's framework based on five dimensions: race relations; equality and equity; institutional integrity; unity and historical acceptance and three pillars: Relationships; Respect and Opportunities.

The plan was developed in partnership with a Reconciliation Action Plan Advisory Group made up of Traditional Owners, community leaders and community members, an internal Reconciliation Action Plan Working Group and overseen by Traditional Owners.

There are four levels of RAPs: Reflect; Innovate; Stretch and Elevate. The work towards reconciliation Glen Eira had carried out prior to applying for Reflect endorsement, so impressed Reconciliation Australia that Council was permitted to skip the Reflect level and move straight to the Innovate level.

Glen Eira's vision for reconciliation is for a unified, respectful and thriving community that embraces Australia's First Peoples for their experiences of the past, their resilience in the present and their aspirations for the future.

Glen Eira's first RAP is nearing completion, and the preliminary work for development of the second RAP has commenced.

#### ISSUES AND DISCUSSION

There have been many achievements and learnings in implementing our first Reconciliation Action Plan 2018-2020, below are the highlighted achievements across the two-year plan which is still being implemented.

#### 2018 – 2019



- Established the RAP Advisory Group and RAP Working Group to assist in guiding implementation of the RAP.
- Official Launch of the RAP in December 2018.
- Celebration of National Reconciliation Week (NRW) 2019 through a series of events.
- Development of a training plan and communications and engagement plan.
- Participation in a wider range of events such as The Long Walk, Close the Gap and Remembrance Day.
- Engagement of staff through distributing the significant date's calendar, Knowledge Hour for National Sorry Day, NAIDOC Week celebration and workplace Facebook posts.
- Flags erected at the Town Hall in the main entrance, garden entrance and Council chambers.
- Acknowledgements, Welcome to Country and Smoking Ceremonies have been held at significant Council events and activities including Citizenship ceremonies and festival and exhibition launches.
- Indigenous Hip Hop workshop held in partnership at Bentleigh Secondary College.

**2019 – 2020**

- Recruitment of an Aboriginal Civic and Cultural Officer to oversee and support implementation of the Reconciliation Action Plan.
- Cultural Awareness Training for: Councillors and Executive Management Team; RAP Advisory and Working Groups; and all Council staff.
- Implementation and communication of cultural protocol document including launch.
- Indigenous Cultural and Intellectual Property training with participation from Stonnington, Bayside and Kingston Councils
- Koorie Chill Out – January 26 family event featuring a Welcome to Country and Smoking Ceremony, music, cultural dance, activities for children and free bar-b-que dinner
- Successful participation Party in the Park Sustainability event with Aboriginal cultural activities
- Louisa Briggs Day – in celebration of important Boon Wurrung ancestor including an Award to an inspiring local resident working towards reconciliation
- You Can't Ask That Reconciliation Week internal staff event with prominent Indigenous panellists and a video of Council staff talking about what reconciliation meant to them – including CEO and Director of Community Wellbeing.
- Indigenous content included in Seniors publications
- Reconciliation Week community event featuring Welcome to Country and Smoking Ceremony, music and cultural activities
- Indigenous History Report of Glen Eira – initial stage has been completed and publication will be used as the basis for future engagement activities including worksheets, markers and a walking tour app

The reconciliation journey continues with the following actions in progress:

- Conducting a cultural audit of the Town Hall
- Expanding Councils webpage on Aboriginal heritage and reconciliation.
- Planning for a Learning Stone site development at Mallanbool Reserve.
- Exploring the development of an Aboriginal and Torres Strait Islander staff recruitment and retention strategy.

**PLANS FOR DEVELOPING COUNCIL'S SECOND RAP**

The new Reconciliation Action Plan seeks to further establish Glen Eira as a culturally safe place to live, work and visit. The intent of the new RAP is to consolidate and build upon the



internal work achieved to date, take on board the learnings gained, and to focus on increasing our community impact and reach.

The new RAP is intended to raise our approach in supporting community settings (schools, workplaces, service providers), community groups and individuals to participate in Council's vision for reconciliation, seeking to educate and promote opportunities to potential RAP partners within Glen Eira.

Activity	Timeline
1. Council endorsement of development plan	September 2020
2. Draft first copy of new RAP. <i>This will be based on engagement activities already occurring through Have Your Say, Community Voice, RAP Advisory Group, RAP Working Group and meetings with Boon Wurrung Foundation traditional owners</i>	September/October 2020
3. Submit first draft to Reconciliation Australia for conditional endorsement (6 weeks minimum turnaround for feedback)	October 2020
4. Present first draft of new RAP to Council, following conditional endorsement by Reconciliation Australia for any feedback and amendments	December 2020
5. Take RAP back to Reconciliation Australia with any amendments from Councillors	December 2020
6. Present final RAP for endorsement by Council	February 2021

The drafting of a RAP is an iterative process which requires various drafts for endorsement with opportunities for feedback provided from both Reconciliation Australia and Council. The current pandemic is a disrupter in the process.

## FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Actions outlined in the *Glen Eira Reconciliation Action Plan 2021 – 2023 Innovate* will be incorporated in the budgets of each department responsible for the delivery of the action.

## POLICY AND LEGISLATIVE IMPLICATIONS

The *Glen Eira Reconciliation Action Plan 2021 – 2023 Innovate* aligns with relevant policies and plans of Council.

## COMMUNICATION AND ENGAGEMENT

Council's Reconciliation Action Plan is developed working in partnership with a Reconciliation Advisory Group made up of Traditional Owners, community leaders and community members, an internal Reconciliation Working Group and overseen by Traditional Owners.

The Have Your Say platform will be utilised and promoted through the Glen Eira News, our website and social media. The next Community Voice survey has RAP development content included and sending direct emails to residents who have expressed an interest in Indigenous activities at local events is scheduled.

## 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**

Council's first Reconciliation Plan has made significant progress, but there is still much to be done to achieve our vision for a unified, respectful and thriving community that embraces Australia's First Peoples for their experiences of the past, their resilience in the present and their aspirations for the future.

The proposed focus on activity in the next RAP is to reach out further into the community to partner and grow commitment at a broader level. The development plan outlines how we will work with Reconciliation Australia in their requirements to achieve a RAP that aligns with their framework and intentions, and Council values for this document.

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## New Glen Eira Reconciliation Action Plan Development Plan

The development of Glen Eira's second Reconciliation Action Plan (RAP) 2021-2023 has commenced. Since May, monthly meetings have taken place with the RAP Advisory Group to determine content, bi-monthly RAP Working Group meetings and wider Community engagement is taking place throughout August.

### DEVELOPMENT STEPS

Due to the current pandemic there are indicative timelines provided as it is dependent on the availability of Reconciliation Australia to provide feedback and endorsement at various steps in the process. Advice provided from Reconciliation Australia is that their timeframes may be longer than usual due to the pandemic.

Activity	Timeline
1. Council endorsement of development plan	September 2020
2. Draft first copy of new RAP. <i>This will be based on engagement activities already occurring through Have Your Say, Community Voice, RAP Advisory Group, RAP Working Group and meetings with Boon Wurrung Foundation traditional owners</i>	September/October 2020
3. Submit first draft to Reconciliation Australia for conditional endorsement (6 weeks minimum turnaround for feedback)	October 2020
4. Present first draft of new RAP to Council, following conditional endorsement by Reconciliation Australia for any feedback and amendments	December 2020
5. Take RAP back to Reconciliation Australia with any amendments from Councillors	December 2020
6. Present final RAP for endorsement by Council	February 2021

### BACKGROUND

There are four progressive levels for a Reconciliation Action Plan approved by Reconciliation Australia:

- 1. Reflect                      2. Innovate                      3. Stretch                      4. Elevate.**

The work towards reconciliation that Glen Eira had carried out prior to applying for Reflect endorsement in 2018, so impressed Reconciliation Australia that Council was permitted to skip the Reflect level and move straight to the Innovate level.

The RAP Advisory and Working Groups have proposed to develop a second Innovate RAP. This was thought most appropriate as the first level (Reflect) was skipped and the first Innovate RAP had been predominantly internally or Council focussed.

### RECONCILIATION AUSTRALIA FRAMEWORK

The Glen Eira Reconciliation Action Plan 2021 – 2023 (Innovate) will be developed using Reconciliation Australia's framework based on five dimensions:

Race relations	Equality and equity	Unity	Institutional integrity	Historical acceptance
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and three pillars:

Relationships	Respect	Opportunities.
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**ENGAGEMENT**

The plan is being developed in partnership with Glen Eira's Reconciliation Action Plan Advisory Group made up of Traditional Owners, community leaders and community members, and the internal Reconciliation Action Plan Working Group Chaired by Council's nominated RAP Champion – the Director of Community Wellbeing.

Engaging with the community is an essential element in the development of a RAP. Community engagement is in progress using Have Your Say, Community Voice, RAP Advisory Group, RAP Working Group and meetings with Boon Wurrung Foundation traditional owners

Council's commitment is that all our work to develop reconciliation initiatives will be done in collaboration with the Boon Wurrung Foundation representing the Traditional Owners and Custodians of the land upon which Glen Eira resides.

**INTENT OF NEW RAP**

The new Reconciliation Action Plan seeks to further establish Glen Eira as a culturally safe place to live, work and visit.

The intent with the new RAP is to consolidate and build upon the internal work achieved to date, take on board the learnings gained, and to now look further afield, outside Council itself to local schools, community groups and businesses within the municipality.

It will maintain key events whilst working more towards embedding the principles of reconciliation within Council and beyond.

The new RAP will raise Glen Eira's reconciliation approach by supporting community settings (schools, workplaces, services), community groups and individuals to participate in Council's vision for reconciliation, seeking to educate and promote opportunities to potential RAP partners within the City.

The new RAP will also be underwritten by the principles of self-determination and further investigate developing closer relationships with Victorian Aboriginal Community Controlled Organisations. This will be especially effective in relation to Closing The Gap actions.

**RESPONDING TO COMMUNITY NEEDS**

Recent Black Lives Matter activity has prompted residents of the municipality to contact Council through the website feedback form and the Aboriginal Civic and Cultural Officer directly to query Glen Eira's commitment to reconciliation.

Specific concerns regarding the placing of Acknowledgement to Country information on Council's website and in publications has already been addressed and residents' concerns will be taken into consideration during the development of the new iteration of the RAP.



#### 4.8 COMMUNITY SAFETY ACTION PLAN 2020-2022

**Author:** Gaye Stewart, Manager Community Development & Care

**Trim No:** 20/1189006

**Attachments:** 1. *Community Safety Plan Action Plan 2020-2022* [↓](#)

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#### PURPOSE AND SUMMARY

To seek Council endorsement of the *Glen Eira Community Safety Action Plan 2020-2022*.

#### RECOMMENDATION

That Council endorses the *Glen Eira Community Safety Action Plan 2020-2022*.

#### BACKGROUND

The Glen Eira Community Safety Plan 2018-2022 was endorsed in June 2018. This plan identifies the key safety issues and priorities for Glen Eira. The plan was developed, and oversight is maintained through a Community Safety Committee consisting of Community and Council representatives.

Council and its partners implement the four-year strategic plan through a biennial Community Safety Action Plan. The Glen Eira Community Safety Action Plan 2020-2022 is the second iteration of the action plan in this four-year cycle. It will guide Council's and community partners efforts over the next two years to enhance the safety of our community.

The Action Plan adopts a partnership approach focused on improving safety across four priority areas:

1. Theme one – A Strong, resilient and connected community: Promote connection within the community and neighbourhoods to reduce isolation, create support linkages, and foster a sense of belonging and safety.
2. Theme two – Living Safely: Support a safe and secure society and minimise crime and anti-social behaviour.
3. Theme Three – Safe Public Places: Provide safe and activated public places to deter crime and anti-social behaviour and ensure people feel safe when using public spaces.
4. Theme Four – Safe Travel and Transport: Work with the community and partners to improve travel and transport safety for residents, workers and visitors

#### ISSUES AND DISCUSSION

This *Action Plan* is for the term of 2020-2022 and builds upon the achievements of the previous *Community Safety Action Plan 2018-2020* whilst responding to current community safety priorities identified in the *Council and Community Plan 2019-2021*, Council's pandemic recovery plan and emergent issues from engagement activities in the *Community Vision 2040*.

The new *Action Plan 2020-2022* provides a framework for coordinating and implementing actions and initiatives that will maintain and progress safety in the community. It also provides some specific deliverables that foster partnerships to broaden reach and collaborative action for improved safety outcomes across the Glen Eira community.

The Glen Eira Community Safety Committee, which has broad representation from government, key stakeholders and community organisations, will oversee the implementation of this Action Plan.

The previous Community Safety Action Plan 2018-2020 was completed in June 2020, with 94% of actions complete. The 2018-2020 Action Plan successfully delivered key community safety initiatives in collaboration with a range of community safety partners. Some of the key achievements of this plan are outlined below:

- The launch of a Council resource called the Glen Eira Know Your Neighbour Kit, an initiative arising from the Neighbourhood Street Activity Pilot Project, designed to enhance the Community's ability to connect, build friendships, and enhance community safety.
- Provision of over 250 programs and activities for young people which focused on supporting, connecting, and engaging them across a range of interests.
- Completing a community research project where the committee obtained a deeper understanding of the community's confidence and feelings of safety, which has subsequently guided Council's planning of future community safety actions.
- Participation in a range of professional and community networks that enabled Council to raise and advocate for issues relating to the prevention of family violence and reducing harms in the community.
- Improving community access to advice and resources by holding four face to face activities with Victoria Police, Neighbourhood Watch and Council on how to improve the security of homes and cars.
- Implementing a range of activities to mark the 16 Days of Activism and advocate for gender equality and the prevention of violence against women. Activities were undertaken both internally and throughout Glen Eira.
- Continuing to enhance the community's safety in and around car parks through clear and informative signage reminding them to lock their cars and remove their valuables. Signs were installed across 43 Glen Eira car park locations.
- Activating and enhancing the safety of public places, through the Bentleigh vibrant laneway project. The project aims to improve the safety and amenity of the laneway that runs behind the Centre Road shops in Bentleigh to include lighting and pedestrian crossing points at Vickery Street and Bent Street.
- Collaborating and working closely with transport partners to improve safety and accessibility for seniors. A parking policy review was completed and includes provisions for seniors parking. An Accessibility Report on the Elsternwick, Glen Huntly Road and Carnegie, Koornang Road shopping precincts was also completed and provided recommendations regarding accessibility including disability parking options.
- Commenced the development of two pilot projects; Safe Cycling Corridor and the Safe School Neighbourhood which aim to enhance the safety of pedestrians and cyclists throughout Glen Eira.

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

Actions that are outlined in the *Community Safety Action Plan 2020-2022* are incorporated in the budgets of each department responsible for the delivery of the action as identified within the *Action Plan*.

Funding will be sought from external sources to implement certain community safety initiatives contained in the *Community Safety Action Plan 2020-2022*.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

The *Community Safety Action Plan 2020-2022* aligns with relevant policies and plans of Council and State and Commonwealth Governments.

### **COMMUNICATION AND ENGAGEMENT**

The *Community Safety Plan 2018 - 2022* was developed following extensive community engagement process.

The biennial action plan has been developed in consultation with all external partners and internal departments and teams leading activities within the plan.

### **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**

The Glen Eira *Community Safety Action Plan 2020-2022* provides a framework for coordinating and implementing actions and initiatives that will maintain and progress safety in the Glen Eira community.





**GLEN EIRA  
CITY COUNCIL**

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

# **GLEN EIRA COMMUNITY SAFETY PLAN**

## **ACTION PLAN JULY 2020–JUNE 2022**



**GLEN EIRA**

**A CARING CONNECTED  
SAFER COMMUNITY**



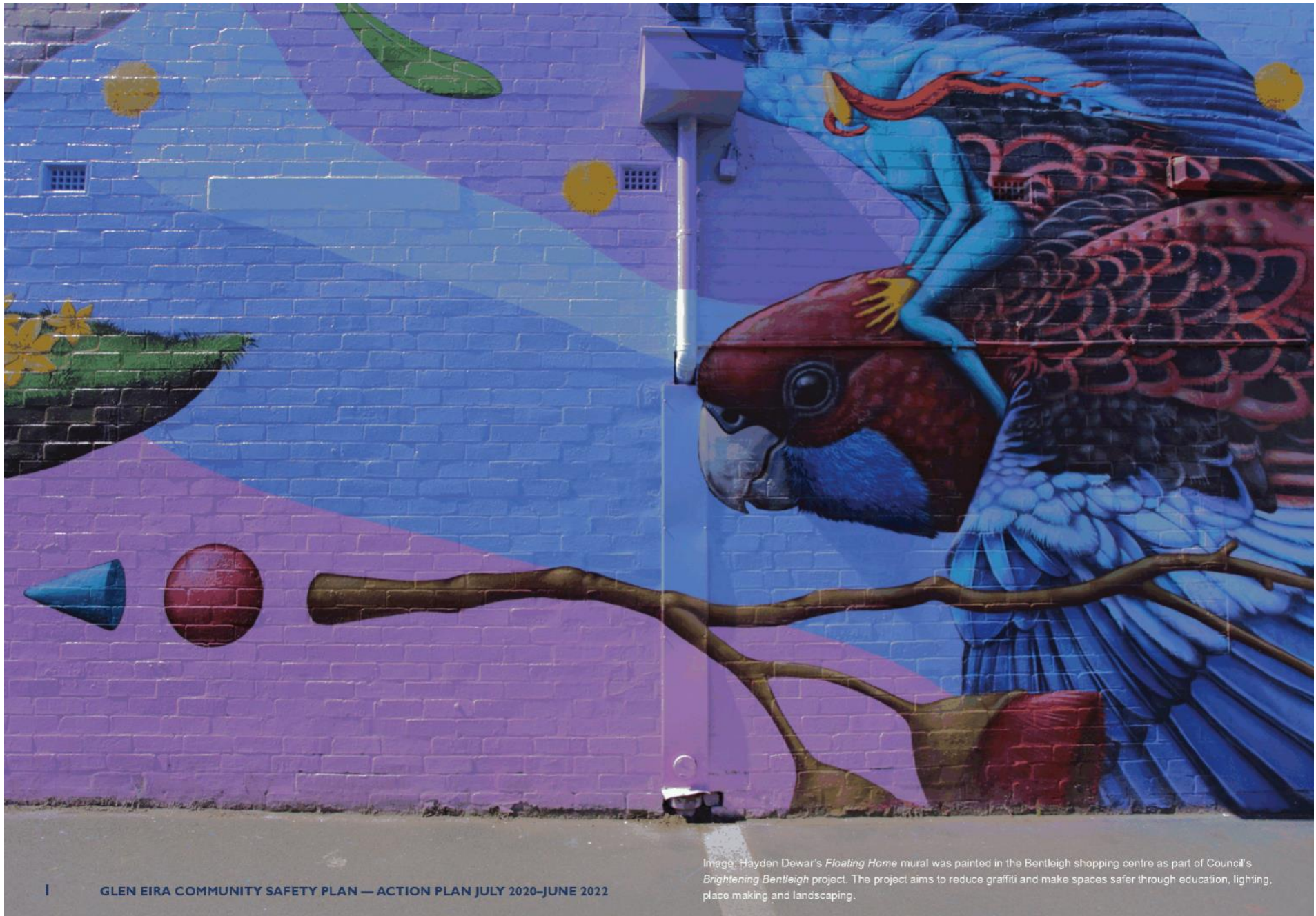


Image: Hayden Dewar's *Floating Home* mural was painted in the Bentleigh shopping centre as part of Council's *Brightening Bentleigh* project. The project aims to reduce graffiti and make spaces safer through education, lighting, place making and landscaping.

I GLEN EIRA COMMUNITY SAFETY PLAN — ACTION PLAN JULY 2020–JUNE 2022

## INTRODUCTION

### WHY A COMMUNITY SAFETY PLAN?

Safety for people residing, visiting or working in Glen Eira is recognised as important to the health and wellbeing of individuals, families and community. Safety allows people to go about their daily lives without fear for themselves or others and enables a strong community that has high levels of active participation. The City of Glen Eira values and enjoys a relatively high quality of life and safety.

The Glen Eira *Community Safety Plan 2018-2022* was developed in consultation with key stakeholders and the community in order to provide a strategic framework for co-ordinating and implementing actions and initiatives that will maintain and progress safety in the community. Four key themes and objectives have been identified to be a focus for the *Plan*.

### GLEN EIRA COMMUNITY SAFETY ACTION PLAN

The *Glen Eira Community Safety Plan* is supported by a biennial *Community Safety Action Plan* which sets out the suite of actions to be undertaken to achieve identified objectives and strategies. The *Community Safety Action Plan 2018-2020* was completed in June 2020 and successfully delivered key community safety initiatives and improvements throughout Glen Eira in collaboration with a range of community safety partners.

This *Action Plan* is for the term of 2020-2022 and builds upon the achievements of the previous *Community Safety Action Plan 2018-2020* while responding to current community safety priorities identified in the *Community Vision 2040*, *Council and Community Plan 2017-2021*, and Council's commitment to the community recovery from the COVID-19 pandemic.

The Glen Eira Community Safety Committee, which has broad representation from government, key stakeholders and community organisations, will oversee and support the implementation of this *Action Plan*.

**This *Action Plan* was endorsed by Glen Eira City Council at the Council Meeting on 8 September 2020.**

#### Theme one



A strong, resilient  
and connected  
community

#### Theme two



Living safely



Safe public  
places



Safe travel  
and transport

#### Theme three

#### Theme four

## KEY MECHANISMS

The *Community Safety Plan — Action Plan 2020–2022* includes a range of methods and mechanisms to achieve the objectives.

The key mechanisms are:

- Policy and planning
- Partnerships
- Knowledge/evidence
- Communication
- Engagement
- Advocacy
- Service and infrastructure delivery

## TIMELINE

The *Glen Eira Community Safety Plan — Action Plan* contains actions that will be undertaken over a two year period from July 2020 to June 2022. Each action is referenced within this timeline.

Actions that have a month and year specified are due for completion by that time.

Actions noted as annual are actions that need to be delivered and reported on in each year of the *Plan*.



## THEME ONE — A STRONG, RESILIENT AND CONNECTED COMMUNITY

**OBJECTIVE: PROMOTE CONNECTION WITHIN THE COMMUNITY AND NEIGHBOURHOODS TO REDUCE ISOLATION, CREATE SUPPORT LINKAGES, AND FOSTER A SENSE OF BELONGING AND SAFETY.**



STRATEGY	ACTION	MEASURE	TIMELINE	LEAD RESPONSIBILITY AND LEAD COUNCIL TEAM	PARTNERS
<b>1.1</b> <b>Encourage and support connections in community and neighbourhoods to reduce isolation; create support linkages; and foster a sense of belonging and safety.</b>	<b>1.1.1</b> Promote and support events, activities, projects and programs that bring community together, foster connections, and increase understanding of culture and faith.  These will include street parties, neighbourhood activities, activities in <i>Cultural Diversity Week</i> , <i>World Harmony Day</i> and <i>NAIDOC Week</i> .	A minimum of five activities occur throughout Glen Eira or online per year.	Annual	<b>Glen Eira City Council:</b> <ul style="list-style-type: none"> <li>• Arts and Culture</li> <li>• Diversity and Inclusion</li> </ul>	Community Security Group  Department of Health and Human Services  Neighbourhood Watch  Victoria Police
	<b>1.1.2</b> Initiate a <i>Glen Eira Good Neighbour Recognition Program</i> .	<i>Glen Eira Good Neighbour Program</i> launched and commenced.  Recognition of good neighbours in <i>Glen Eira News</i> .	June 2021  June 2022	<b>Glen Eira City Council:</b> <ul style="list-style-type: none"> <li>• Community Planning and Engagement</li> <li>• Media and Communications</li> </ul>	Community Security Group  Department of Health and Human Services  Hatzolah — Melbourne  Neighbourhood Houses  Neighbourhood Watch
<b>1.2</b> <b>Develop, maintain and participate in partnerships and networks that promote cohesion in the community.</b>	<b>1.2.1</b> Join and participate in regional and state partnerships and networks that work towards social cohesion, promote diversity and address discrimination including Victorian Local Government Multicultural Issues Network.	Attendance at quarterly Victorian Local Government Multicultural Issues Network meetings.  Support an anti-racism campaign and a cultural awareness raising activity.	Annual	<b>Glen Eira City Council</b> Diversity and Inclusion	

STRATEGY	ACTION	MEASURE	TIMELINE	LEAD RESPONSIBILITY AND LEAD COUNCIL TEAM	PARTNERS
<b>1.3</b> Improve community confidence and feelings of safety and develop effective responses.	<b>1.3.1</b> Regularly update the <i>Glen Eira Community Safety Snapshot</i> ensuring accurate, effective and current data is used to enhance understanding of community safety issues.	Complete <i>Community Safety Snapshot 2021</i> and report to the Community Safety Committee on emerging trends.  Complete <i>Community Safety Snapshot 2022</i> and report to the Community Safety Committee on emerging trends.	June 2021  June 2022	<b>Glen Eira City Council</b> Community Planning and Engagement	Department of Justice and Community Safety Women's Health in the South East Victoria Police
	<b>1.3.2</b> Develop and implement a communications plan including regular <i>Glen Eira News</i> and social media articles.	Quarterly <i>Glen Eira News</i> articles on community safety and monthly social media posts.	Annual	<b>Glen Eira City Council</b> Media and Communications	Community Security Group Neighbourhood Watch Taskforce Victoria Police Women's Health in the South East
<b>1.4</b> Improve understanding of factors that may have a community safety impact and/or drive crime and anti-social behaviour to inform future strategies and planning and develop effective solutions.	<b>1.4.1</b> Repeat the <i>2019–20 Community Confidence and Feelings of Safety Survey</i> .	<i>Survey</i> conducted with a gender equity approach.  Report on survey findings outlines changing trends and is presented to the Community Safety Committee for discussion and use in planning.	October 2021	<b>Glen Eira City Council</b> Community Planning and Engagement	Community Safety Committee Women's Health in the South East

## THEME TWO — LIVING SAFELY

**OBJECTIVE: SUPPORT A SAFE AND SECURE SOCIETY AND MINIMISE CRIME AND ANTI-SOCIAL BEHAVIOUR.**



STRATEGY	ACTION	MEASURE	TIMELINE	LEAD RESPONSIBILITY AND LEAD COUNCIL TEAM	PARTNERS
<b>2.1</b> Develop and work in partnerships with regional and state networks, peak bodies, other agencies and departments to foster joint planning and action to address key community safety issues.	<b>2.1.1</b> Participate in the following networks: <ul style="list-style-type: none"> <li>• Municipal Association of Victoria Local Government Gambling, Alcohol and other Drugs Issues Forum and Preventing Violence against Women Network.</li> <li>• Bayside, Glen Eira, Kingston Youth Network.</li> <li>• Alliance for Gambling Reform.</li> <li>• Women's Health in the South East (WHISE) Bayside and Peninsula Primary Prevention Group.</li> </ul>	Membership of Alliance for Gambling Reform.  Attendance at network meetings.	Annual	<b>Glen Eira City Council:</b> <ul style="list-style-type: none"> <li>• Community Planning and Engagement</li> <li>• Youth Services</li> </ul>	TaskForce  Women's Health in the South East
	<b>2.1.2</b> Four online or face-to-face community safety engagement activities occur across the municipality.	Deliver online and face to face activities four times per year. This could include; <i>Coffee with a Cop</i> , online forums, participation in a community event.	Annual	<b>Glen Eira City Council</b> Community Planning and Engagement	Neighbourhood Watch Victoria Police
<b>2.2</b> Engage and support young people to minimise harms and reduce the risk of adopting criminal and anti-social behaviour	<b>2.2.1</b> Facilitate the <i>Peer Leadership Program</i> .	<i>Peer Leadership Program</i> delivered.	June 2021	<b>TaskForce</b>  <b>Glen Eira City Council</b> Youth Services	Headspace Victoria Police

STRATEGY	ACTION	MEASURE	TIMELINE	LEAD RESPONSIBILITY AND LEAD COUNCIL TEAM	PARTNERS
<b>2.3</b> Support initiatives that seek to support gender equality and prevent and reduce family violence	<b>2.3.1</b> Utilise regional campaigns and messaging from WHISE to support gender equality and reduce family violence.	Partner organisations utilise regional campaigns and messaging relating to gender equity in key communications and activities.	Annual	<b>Women's Health in the South East</b> <b>Glen Eira City Council</b> Community Planning and Engagement	Community Security Group Hatzolah — Melbourne Neighbourhood Watch TaskForce
<b>2.4</b> Actively work within a framework that supports a harm-minimisation approach to drugs, alcohol and other harms in the community.	<b>2.4.1</b> Work in partnership with the Alliance for Gambling Reform to implement campaigns that minimise gambling harm.	One campaign per year.  <b>Year one:</b> focussed on minimising harm from electronic gaming machines.  <b>Year two:</b> focussed on minimising harm from online betting.	Annual	<b>Glen Eira City Council</b> Community Planning and Engagement	Alliance for Gambling Reform
	<b>2.4.2</b> Co-ordinate roundtable discussions with internal and external partners to explore local issues relating to anti-social behaviour including drug, alcohol and tobacco use by young people (10–25 years).	Two roundtable discussions per year.  Recommendation presented to the Community Safety Committee.	June 2022	<b>Glen Eira City Council:</b> • Family Youth and Children's Services • Community Planning and Engagement	Community Safety Committee Local schools TaskForce Department of Justice and Community Safety Women's Health in the South East Victoria Police
<b>2.5</b> Support initiatives that seek to proactively address and reduce incidences of theft.	<b>2.5.1</b> Continue to activate and promote the <i>Driving it Down</i> and <i>Living Safely</i> theft reduction campaigns with key partners.	Three activities delivered per year to actively promote the campaigns, including: • Social media messaging • Distribution of bin stickers • Home safety audit check list • Promotion of car safety messages.	Annual	<b>Glen Eira City Council</b> Community Planning and Engagement	Department of Justice and Community Safety



## THEME THREE — SAFE PUBLIC PLACES

**OBJECTIVE: PROVIDE SAFE AND ACTIVATED PUBLIC PLACES TO DETER CRIME AND ANTI-SOCIAL BEHAVIOUR AND ENSURE PEOPLE FEEL SAFE WHEN USING PUBLIC SPACES.**



STRATEGY	ACTION	MEASURE	TIMELINE	LEAD RESPONSIBILITY AND LEAD COUNCIL TEAM	PARTNERS
<b>3.1</b> <b>Design public places to create safer environments, encourage community use, deter and reduce crime and other incidents.</b>	<b>3.1.1</b> Apply Crime Prevention Through Environmental Design (CPTED) principles to all new Council projects in parks and reserves, including consideration of lighting, clear sight lines and passive surveillance.	Evidence of CPTED assessment for new projects.	Annual	<b>Glen Eira City Council</b> Recreation and Open Space	Community Security Group Department of Justice and Community Safety
	<b>3.1.2</b> Apply Crime Prevention Through Environmental Design (CPTED) principles to Council's planning of public civic spaces.	Evidence of CPTED assessment for new projects.	Annual	<b>Glen Eira City Council</b> City Futures	Community Security Group Department of Justice and Community Safety
<b>3.2</b> <b>Maintain public places to provide safe environments and deter and reduce crime.</b>	<b>3.2.1</b> Undertake checks of public places and open space to identify and address safety issues in partnership with Victoria Police.	Instances of anti-social behaviour or crime reported to Victoria Police and guidance is sought on suitable methods to deter future crime.	Annual	<b>Glen Eira City Council</b> Parks Services	Community Security Group Neighbourhood Watch Victoria Police
	<b>3.2.2</b> Seek funding to undertake graffiti prevention projects in areas identified as priority.	Applications submitted and funded projects completed.	June 2022	<b>Glen Eira City Council</b> Community Planning and Engagement	Community Security Group Glen Eira City Council: • City Futures • Works Depot
<b>3.3</b> <b>Activate public places to create vibrant and accessible environments that encourage public usage and enhance safety and security.</b>	<b>3.3.1</b> Re-activate public spaces as a post-COVID-19 priority, ensuring spaces and places are safe and secure for people to gather for activities and events.	Encourage safe use of public places is encouraged through signage, and social media campaigns.	June 2021	<b>Glen Eira City Council:</b> • Parks Services • Public Health • Media and Communications	Victoria Police

## THEME FOUR — SAFE TRAVEL AND TRANSPORT

**OBJECTIVE: WORK WITH THE COMMUNITY AND PARTNERS TO IMPROVE TRAVEL AND TRANSPORT SAFETY FOR RESIDENTS, WORKERS AND VISITORS.**



STRATEGY	ACTION	MEASURE	TIMELINE	LEAD RESPONSIBILITY AND LEAD COUNCIL TEAM	PARTNERS
<b>4.1</b> Improve the safety of pedestrians and cyclists.	<b>4.1.1</b> Support activities that promote the Victorian <i>Walk to School Program</i> .	Increased number of schools implementing <i>Walk to School Programs</i> .	Annual	<b>Glen Eira City Council</b> Traffic Parking and Safety Children, Youth and Family Services Sustainability	
<b>4.2</b> Enhance safety around railway stations and other public transport nodes.	<b>4.2.1</b> Undertake community engagement on safety and security in and around Glen Eira public transport hubs to determine issues and concerns.	Engagement plan completed and proposed strategy agreed.  Community engagement survey safety issues are addressed, where within Council's control.  An advocacy strategy responding to non-Council controlled safety issues is developed.	February 2021  March 2022	<b>Glen Eira City Council</b> Community Planning and Engagement	Department of Justice and Community Safety  Glen Eira City Council: • City Futures • Recreation and Open Space
<b>4.3</b> Improve road safety for drivers to reduce crash statistics and road injuries in Glen Eira.	<b>4.3.1</b> Develop communication messages to support safer driving in our community.	Two articles per year in <i>Glen Eira News</i> .  Bi-monthly information on Council's social media platforms.	Annual	<b>TaskForce</b>	Glen Eira City Council: Media and Communications  Hatzolah — Melbourne  Victoria Police



**GLEN EIRA  
CITY COUNCIL**

### **Glen Eira City Council**

Corner Glen Eira and Hawthorn Roads, Caulfield

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[www.gleneira.vic.gov.au](http://www.gleneira.vic.gov.au)

#### **National Relay Service**

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

Online: <https://internet-relay.nrs.vic.gov.au>

Teletypewriter (TTY): 13 36 77

Speak and Listen: 1300 555 727

#### **Social media**

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

[www.facebook.com/GlenEiraCityCouncil](https://www.facebook.com/GlenEiraCityCouncil)

##### **@cityofgleneira:**

[www.instagram.com/cityofgleneira](https://www.instagram.com/cityofgleneira)

##### **Glen Eira arts, gallery and events:**

[www.facebook.com/gleneiraarts](https://www.facebook.com/gleneiraarts)

##### **Glen Eira Libraries and Learning Centres:**

[www.facebook.com/GlenEiraLibraries](https://www.facebook.com/GlenEiraLibraries)

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

[www.facebook.com/GlenEiraMaternalandChildHealth](https://www.facebook.com/GlenEiraMaternalandChildHealth)

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

[www.facebook.com/GESAConline](https://www.facebook.com/GESAConline)

[www.twitter.com/GESAConline](https://www.twitter.com/GESAConline)

##### **Glen Eira Youth Services:**

[www.facebook.com/GlenEiraYouthServices](https://www.facebook.com/GlenEiraYouthServices)

[www.instagram.com/gleneirayouthservices](https://www.instagram.com/gleneirayouthservices)

##### **Glen Eira sustainable living:**

[www.facebook.com/sustainablelivinggleneira](https://www.facebook.com/sustainablelivinggleneira)



#### 4.9 AFTER-HOURS NOISE COMPLAINTS POLICY

**Author:** Luke Fraser, Team Leader Civic Compliance

**Trim No:** 20/1194049

**Attachments:** 1. *After-Hours Noise Complaints Policy* [↓](#)

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#### PURPOSE AND SUMMARY

The purpose of this report is to propose a Policy and approach for investigating after-hours noise complaints in an effort to streamline Council operations and procedures and respond to community amenity concerns.

The Policy assists in classifying where an after-hours investigation may be necessary and the process for collaboration with Victoria Police to combat difficult and ongoing after-hours noise complaints.

#### RECOMMENDATION

That Council:

1. notes the report;
2. resolves to implement Option 2 detailed in the report;
3. endorses the draft After-Hours Noise Complaints Policy;
4. requests officers to report back to Council in March 2021 on the achievements and effectiveness of the after-hours noise complaints service.

#### BACKGROUND

At the Ordinary Council Meeting of 17 March 2020, Councillors requested that a report be prepared on the feasibility of Council Officers investigating and collecting evidence for legitimate and ongoing noise complaints outside of business hours.

At the Ordinary Council Meeting of 19 May 2020, officers reported back on their findings. The report made a number of recommendations, with Council resolving that officers:

- a) *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. With this to be reported to Council before September 2020; and*
- b) *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;*
- c) *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.*

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 *Environment Protection Act 1970*;

- that constitutes a public health nuisance; and
- that breach a planning permit condition.

Specific noise requirements are set out in legislation, guidelines and Council issued permit conditions that provide authority for Council to investigate and act on noise complaints.

Annually, Council receives on average 1000 noise complaints, the majority of which are effectively resolved through Council's current processes during regular business hours.

However, there is a very minimal amount of complaints that become problematic to resolve because it is difficult to gather enough evidence to substantiate the allegation, due to the alleged noise occurring after-hours. This results in complaints being unable to be resolved within a reasonable timeframe, resident dissatisfaction, and reoccurrence of the issue.

To provide an effective service, meet community expectations and legislative obligations, it is proposed that an after-hours service be implemented, focused on resolving the small number of complex and 'problematic' noise cases. It is intended that Council and Victoria Police agree on an approach by way of a guideline between the two enforcement agencies. This guideline will outline specific scenarios and identify which investigations are to be undertaken after-hours by Council's Civic Compliance Officers and Environmental Health Officers.

The guideline will also map the field process and provide an understanding of when Police are required to assist Council officers given the inherent risks associated with undertaking duties after-hours.

While some metropolitan Councils have additional after-hours services, this generally relates to unique municipal conditions such as the City of Melbourne (with its night-time economy) and Mornington Peninsula Shire (containing popular tourist destinations with short-stay accommodation). Most metropolitan Councils, like Glen Eira, that are mainly residential in nature, administer their duties relating to noise complaints to industry standard procedures.

## **ISSUES AND DISCUSSION**

A summary of the current process for investigation of noise complaints is provided below as context and to assist Councillors in considering the options presented later in this paper.

### Current process

Following the receipt of a complaint, Civic Compliance Officers currently gather evidence to determine if the allegation is substantiated in terms of a breach of the Environment Protection (Residential Noise) Regulations 2018.

To substantiate the allegation, Officers need to satisfy several points-of-proof prior to taking enforcement action, as follows:

- time/s of noise;
- date;
- 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 complainants' home.

Generally, this is requested in the form of a 'Residential Noise Log' which is made available to complainants or used by Officers attending a location to investigate. Council is also

required to consider the volume, intensity and/or duration of the noise. In most cases this would require an onsite noise assessment (listening to the noise to establish if it is audible from a habitable room or if it is in accordance 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 is provided by the complainant.

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 regulations occur, Council investigates and may act under the nuisance provisions of the *Public Health and Wellbeing Act 2008*.

As with investigations of breaches of the regulations and *Environment Protection Act 1970*, to prove a breach of *Public Health and Wellbeing Act 2008* the informant (Environmental Health Officer) requires the complainant to complete a 'Residential Noise Log' for a consecutive period of 14 days and a witness statement detailing the impact of the noise, including any supporting evidence such as medical documents. This assists the informant in determining the frequency and duration of the noise. Based on the information provided, it is important also that the informant conducts a site assessment, which will capture noise readings to establish the volume or intensity of the noise.

Should the informant form the view that the offence occurred, an 'Abatement Notice' can be issued that requires the accused to cease the noise. 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. This process is only effective for ongoing noise issues that can take place during normal business hours.

Council Civic Compliance Officers conduct shifts between 7:00am to 7pm, Monday to Friday and 9:00am to 3:00pm on a weekend outside of daylight-saving hours. During daylight saving hours, weekday shifts are extended to 8:30pm. During these times, Officers investigate noise complaints, in addition to other duties. (The availability of Glen Eira's Civic Compliance Officers to investigate noise complaints exceeds the industry standard times for investigating noise complaints; being from Monday to Friday, between 8:30am and 5:30pm.)

Environmental Health Officers conduct shifts between 8:30am and 5:15pm, Monday to Friday and generally do not work on weekends. Officers do undertake inspections after-hours and attend festivals, events and undertake club related inspections. In emergency situations, where a fire has occurred, inspections are also undertaken given the risk to public safety. Currently, shift hours do not change during daylight saving. Furthermore, Officers only have access to Council vehicles allocated via the fleet system. The above approach is generally consistent with that of the majority of Victorian Councils.

For noise impacts that are ongoing and occur outside the current operating hours, residents are advised to contact Victoria Police. While police have a role in investigating and undertaking enforcement in relation to noise (generally associated with parties), this is reactive, and they do not generally attend to other residential noise complaints such as those listed above. Police attending to noise cases which generally fall under Council jurisdiction has an immediate and negative impact on police resources and police response times for more urgent matters.

#### Options for consideration in implementing the council resolution of 19 May 2020:

##### **Option 1 - Full After-Hours Service**

Under this option Civic Compliance and Environmental Health Officers would administer duties in accordance with the current process outlined above, however would also attend to all after-hour noise complaints as part of a routine after-hours roster and on-call service.

This means that Officers would respond to 'one-off' noise issues after hours that could have resulted from unique circumstances or a genuine mistake by the person responsible for emitting the noise. Example cases that would need to be responded to under this Option could include dogs barking throughout the night during a lightning storm, a new spa owner unfamiliar with noise regulations, or prolonged heatwave conditions resulting in air conditioners needing to be used for longer periods.

Typically these 'one-off' incidents are effectively dealt with the next day with Officers contacting the owner (noise emitter), educating them on their obligations, and providing them with a reasonable opportunity to comply.

Council Officers would attend to the following types of noise complaints after-hours regardless if they are ongoing:

- construction site/development;
- animal;
- residential (emitted by domestic spa and swimming pool pumps, air conditioners and heating equipment).

Police will continue to investigate complaints regarding residential noise associated with parties and anti-social behaviour.

The service will enable Council Officers to verify the noise as it occurs and minimise the reliance on the complainants' evidence. In some cases, the Officer will be able to issue an 'Abatement Notice' shortly after an offence is detected, with the objective of addressing the behaviour immediately and minimising the offending. In these situations, the Council Officer would need to rely on police to attend the property with the Council Officer to issue the notice in person.

This process may also be an additional enforcement tool for police in situations where a property had frequent and loud parties, or issues experienced with rooming houses as identified in Council's Rooming House Strategy.

Benefits include:

- Council Officers will be able to effectively investigate and exercise powers pursuant to clause 62(2)(a) of the Community Local Law. This relates to animal noise and the obligations of owners to ensure the noise emitted by the animal (outside the hours of 7am to 8pm Monday to Friday and 9am to 8pm Saturdays, Sundays and Public Holidays) does not 'unreasonably interfere with the peace, comfort or convenience of any person';
- Acceleration of the investigation stage of the offence;
- Case strength, as Officers would be able to gather the evidence themselves which will assist in their decision making as to whether the noise is unreasonable;
- The presence of Officers investigating a noise related issue may act as a visual deterrent to some offenders, meaning there is a higher probability of the offending to cease;
- 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';
- More effective enforcement;
- Collaborative working relationship between police and Council;
- Greater resident satisfaction and confidence in Council to resolve noise complaints.



Constraints include:

- Reliance on police to be available to attend properties with Council Officers so an 'Abatement Notice' can be issued at the time the offence is detected or shortly after;
- Reliance on implementing an agreed guideline between police and Council in the context of more pressing police responsibilities;
- Increased industrial relations issues regarding Council Officer safety;
- Resourcing burden as two Officers are required to attend any one complaint;
- Attendance of Officers after-hours to potentially volatile environments would pose greater Occupational Health and Safety concerns including verbal or physical abuse;
- Call-outs will be received with limited time to prepare, which will heighten the risk to Officer safety;
- Additional training of Officers would need to be undertaken to manage the increased occupational health and safety risks;
- Response time can be negatively affected if Officers require assistance or if the on-duty Officer is travelling from outside the municipality;
- No allowance with current financial budget, therefore a midyear variance would need to occur;
- Commitment would be required from existing Council Officers to partake in the service. Failing this, industrial relations issues may occur, and a privatised after-hours service would be required;
- Council Officers' 'working hours' would increase and depending on occupational, health and safety issues, new roles may need to be created to cater for the service;
- The work undertaken would be reactive requiring Officers to attend a premises to listen to the noise from a habitable room. There would be limited opportunity to undertake a proactive and broader assessment of the noise issue.
- Environmental Health Officers do not have specific Council allocated vehicles. To implement the service, at least one additional vehicle would need to be purchased;
- Officers will need to 'check-in' and 'check-out' with a supervisor when attending to after-hours call-outs.

Whilst this option presents some positive outcomes, there are significant challenges or risks that would need to be overcome around staff safety, industrial relations matters, and financial considerations. It is considered that these potentially outweigh the viability of a full, after-hours service.

A service that could be more sustainable and minimise potential risks is one that targets specific types of after-hours noise cases.

### **Option 2 - Targeted After-Hours Service (*Recommended*)**

Under this option, Council Officers would continue to administer duties in accordance with Council's current process. This has proven to be effective in resolving the majority of noise complaints received annually.

However, rather than a 'capture-all' approach, this more nuanced option targets those few cases that are complex, highly disruptive to neighbours, and are ongoing. Broadly, these are cases where there is a reoccurrence of the issue and prior attempts to resolve the

matter, and educate the person responsible for emitting the noise, have failed. These are also cases where the necessary standard of evidence has been difficult to obtain under the current process, and which could benefit from direct involvement of officers after-hours.

Option 2 involves attending to targeted, specifically defined types of after-hours noise cases, as part of a planned inspection or call-out arrangement.

Police will continue to investigate complaints regarding residential noise associated with highly disruptive parties and anti-social behaviour.

Like Option 1, the service will enable Council Officers to verify the noise as it occurs and minimise the reliance on the complainant's evidence. In some cases, the Officer will be able to issue an 'Abatement Notice' shortly after an offence is detected, with the objective of addressing the behaviour immediately and minimising the offending. In these situations, the Council Officer would need to rely on police to attend the property with the Council Officer to issue the notice in person.

This process may also be an additional enforcement tool for police in situations where a property had frequent and loud parties, or issues experienced with rooming houses as identified in Council's Rooming House Strategy.

Benefits include:

- Pre-planning of the after-hours field duties will result in more effective use of Officer time;
- By not reacting to all initial complaints, Officers will be able to educate residents on the regulatory requirements and provide every opportunity for them to comply prior to enacting after-hours inspections and enforcement action;
- Council Officers will be able to effectively investigate and exercise powers pursuant to clause 62(2)(a) of the Community Local Law. This relates to animal noise and the obligations of owners to ensure the noise emitted by the animal (outside the hours of 7am to 8pm Monday to Friday and 9am to 8pm Saturdays, Sundays and Public Holidays) does not 'unreasonably interfere with the peace, comfort or convenience of any person';
- Acceleration of the investigation stage of the offence;
- Case strength, as Officers would be able to gather the evidence themselves for ongoing unresolved matters only;
- The presence of Officers investigating a noise related issue may act as a visual deterrent to some offenders, meaning there is a higher probability of the offending to cease and lower likelihood of it persisting;
- 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';
- Enhanced working relationship with police and Council;
- Enhanced service delivery to Glen Eira residents;
- Effective enforcement where a resolution to a complaint can be determined;
- Greater resident satisfaction and confidence in Council to resolve noise complaints.

Constraints include:

- Similar to Option 1. However, this more nuanced, targeted approach to complex and persistent noise cases is considered a more efficient and effective application of resources, that fills a current operational gap in the Civic Compliance service.

#### Industrial Relations Implications

Regardless of the option that Council chooses, the resources required for officers to work after-hours and on weekends would require roster changes during normal business hours.

This in turn could impact on core responsibilities if new officers are not employed to fill these gaps. In accordance with Council's Enterprise Agreement, consultation with employees will need to occur to discuss changed hours and role requirements. This may delay commencement of the after-hours service as proposed.

#### Implementation

Regardless of the option selected by Council, Victoria Police will retain responsibility for investigating residential noise complaints associated with highly disruptive parties, therefore no change would occur in terms of the type of complaint they manage.

Further consultation would need to occur to clearly identify how and when Council Officers seek assistance from police. It is anticipated that, following consultation, a basic guideline will be developed between the two organisations and providing process and role clarity.

An after-hours noise service would not be promoted as a distinct and separate service as it could be seamlessly integrated as part of regular operational activity.

It is intended that Officers will report back to Council within six months of implementation of the preferred option. The report will outline the achievements, cost and any challenges associated with implementation of the service including:

- Officer response time;
- Effectiveness in resolving the noise complaint;
- Any change in the ability to take enforcement action for detected breaches;
- Any safety concerns and/or further equipment required to ensure Officer safety and minimise associated risks;
- Resident experience;
- Police response time and cooperation with Council Officers;
- Cost to implement;
- Compliance with directives and enforcement tools.

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

No provision has been made in the 2020/21 budget for either option.

##### Option 1 – Full After-Hours Service

On average, the cost of four (4) additional Officers working a full after-hours service equates to approximately \$25K weekly or approximately \$1.3M annually.

##### Option 2 – Targeted After-Hours Service

It is anticipated that this service model would require two Officers. On average, the cost of two (2) Officers providing a planned, targeted, after-hours service equates to approximately \$1K to \$1.5K weekly or ranging from approximately \$60K to \$80K annually.

##### Resource implications include:

The need to employ additional Officers to fill any rostering gaps that arise with longer working hours.

##### Risk implications include:

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 member's completion of work and commencement the 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 the employment of additional full-time or part-time staff to fill these gaps.

Providing the service would pose an additional high-risk function for staff and the organisation. Approaching alleged offenders to gather evidence can often be met with hostility, even during typical working hours. This hostility could be amplified during the night with the possibility of anti-social behaviour and the use of drugs and alcohol. Council would need to invest in additional training and personal protective equipment to help mitigate this risk.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

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

- *Glen Eira Community Local Law 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*

## **COMMUNICATION AND ENGAGEMENT**

Only very preliminary discussions have been held with Victoria Police to date. Council's Environmental Health Officers have worked after-hours with police in the past in an effort to resolve residential noise complaints. Based on these interactions it would be reasonable to assume that Victoria Police will be receptive to the concept of a shared guideline providing clarity on roles and responsibilities in addressing concerns of this nature.

Should Council resolve to endorse one of the two options, consultation will commence with employees in accordance with Council's industrial relations obligations. If satisfactory agreement cannot be reached Council may need to consider alternative service models for providing the after-hours service. A further report will be provided to Council if this occurs.

## **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**

The After-Hours Noise Complaints Policy is a Council initiative that recognises and seeks to address the health and wellbeing impacts of ongoing noise complaints which is occurring after-hours. This will ensure that residents have fair and uninterrupted enjoyment of their home.

Of the 1000 or so noise complaints received annually, the majority of these are satisfactorily resolved through the current process. However, there are a small number of persistent, complex, and disruptive noise cases that could benefit from a targeted, nuanced approach involving after-hours investigation by Officers. It is considered that Option 2 presented in this report has the potential to effectively respond to this need.

## After-Hours Noise Complaints Policy

<b>Date first adopted:</b>	
<b>Dates amended:</b>	
<b>Next review date:</b>	
<b>Position title of responsible business unit Manager:</b>	Manager Community Safety and Compliance
<b>Approved by:</b>	Council
<b>Internal external or both:</b>	Both

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**1. TITLE**

After-Hours Noise Complaints Policy

**2. OBJECTIVE**

To outline the principles that will inform the provision of a limited after-hours service to effectively manage and seek resolution of ongoing noise complaints, enabling Council to fulfil its obligations regarding the administration of enforcement of breaches pursuant to Council's Community Local Law 2019, Environmental Protection (Residential Noise) Guidelines 2018, *Environment Protection Act 1970*, *Public Health and Wellbeing Act 2008* and the *Planning and Environment Act 1987*.

**3. BACKGROUND**

Local Councils in Victoria are responsible for investigating complaints relating to the following types of noise:

- from constructions sites, residential and commercial premises;
- that breach the *Environment Protection Act 1970*;
- that breach Council's Community Local Law 2019;
- that constitutes a public health nuisance; and
- that breach a planning permit condition.

Specific noise requirements are set out in regulations, legislation, guidelines and planning permit conditions which provide authority for Council to investigate and act on noise complaints.

Most noise complaints are effectively resolved through Council's current processes during regular business hours. However, there is a very minimal amount of complaints that become problematic to resolve as it is difficult to gather enough evidence to substantiate the allegation given the alleged noise is occurring after-hours. This Policy addresses those types of cases.

**4. DEFINITIONS AND ABBREVIATIONS**

Term	Meaning
Council	Glen Eira City Council
After-hours complaint	a noise complaint received from a member of the public which is occurring outside of normal shift hours.
Government agencies	Department of Human Services, Victoria Police, emergency services.
Authorised Officer	a person appointed by Council to be an Authorised Officer under section 224 of the Local Government Act 1989
Private land	means any land which is not Council Land

**5. POLICY****5.1 Limited Service**

Council will provide a limited service to manage ongoing after-hours noise complaints.



## 5.2 Identification of complaints which require investigation after-hours

Council will investigate ongoing after-hours noise complaints as part of a planned inspection or call-out arrangement where there is a reoccurrence of the issue and prior interaction with the person responsible for the noise has failed. The following types of noise complaints will be investigated:

- construction site/development;
- animal;
- residential (emitted by domestic spa and swimming pool pumps, air conditioners and heating equipment).

The following criteria will be used in determining to commence an after-hours investigation:

- complaint must be ongoing or persistent complaints have been received regarding the same noise;
- if the noise reported involves an animal and the noise is occurring outside the hours of 7am to 8pm Monday to Friday and 9am to 8pm Saturdays, Sundays and Public Holidays, and the complainant has indicated that the noise emitted interferes with their peace, comfort or convenience;
- the complaint has been investigated during regular business hours and the investigating Authorised Officer believes that the matter is ongoing, and that Council and the complainant would benefit from conducting further investigation after-hours;
- the Authorised Officer needs to investigate the noise after-hours to be able to 'form the view' that an offence has occurred as the supporting evidence provided via other means is insufficient; and
- the Authorised Officer needs to investigate the noise after-hours to satisfactorily resolve and complete the investigation.

## 5.3 Collaboration with the Victoria Police

Where Council is unable to resolve or safely investigate or issue enforcement action in relation to a complaint, Council will work with government agencies including but not limited to, Victoria Police, in the following circumstances:

- when two Council Officers are unable to attend the after-hours complaint;
- where the government agency has additional powers and can deal with the complaint in a more efficient, safe and effective manner;
- where Council Officer safety is compromised;
- to hand-deliver an 'Abatement Notice' and/or an infringement notice after-hours;
- where the accused or property is known to police;
- where the government agency has advised Council to not attend without their presence;
- where Council has been unsuccessful and government agency intervention is appropriate to resolve the complaint (for example, if access to a dwelling is required).

## 6. HUMAN RIGHTS CHARTER COMPATIBILITY

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

## 7. ASSOCIATED INTERNAL DOCUMENTS

Council Report – After-Hours Noise Complaints Policy  
Councillors' Code of Conduct  
Council's Fraud and Corruption Policy  
Council's *Protected Disclosure Act 2012* Policy and Procedures  
Victorian Ombudsman *Councils and complaints – A Good Practice Guide*, 2015

## 8. EXTERNAL REFERENCES/RESOURCES

*Charter of Human Rights and Responsibilities Act 2006*  
*Glen Eira Community Local Law 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*



#### 4.10 AUDIT & RISK COMMITTEE BIENNIAL REPORT

**Author:** John Vastianos, Chief Financial Officer

**Trim No:** 20/1143361

**Attachments:** 1. *Audit & Risk Committee Biannual Report (Nov 2019-Aug 2020)* [↓](#)

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##### PURPOSE AND SUMMARY

For Council to note the Audit and Risk Committee Report for the period November 2019 to August 2020.

##### RECOMMENDATION

That Council note the Audit and Risk Committee's Biannual Report for the period November 2019 to August 2020 in accordance with the provisions of the *Local Government Act 2020*.

##### BACKGROUND

The *Local Government Act 2020* received Royal Assent on 24 March 2020. Sections 53 and 54 of the *Local Government Act 2020* has expanded the scope of the Audit and Risk Committee required by Section 139 of the *Local Government Act 1989*, introducing the requirement that Council must approve the first Audit and Risk Committee Charter and establish the first Audit and Risk Committee on or before 1 September 2020.

In accordance with Audit and Risk Committee Charter (section 6 on reporting) and sections 53 and 54 of the *Local Government Act 2020*, the Chairperson will prepare a report to Council through the Chief Executive Officer on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual Financial Report and the annual Performance Statement have been considered and recommended to Council for adoption, such report indicating how the Committee has discharged its responsibilities as set out in this Charter for the previous year.

##### ISSUES AND DISCUSSION

The Audit and Risk Committee considered and approved a report on its work for the period November 2019 to August 2020 at the meeting held on 14 August 2020, and recommended the report be considered at Council for endorsement (refer to Attachment 1).

##### POLICY AND LEGISLATIVE IMPLICATIONS

1. *Local Government Act 2020:*
  - Division 8—Audit and Risk Committee
    - Section 53: Council must establish an Audit and Risk Committee
    - Section 54: Audit and Risk Committee Charter
2. *Glen Eira City Council Audit & Risk Committee Charter (endorsed 11 August 2020)*

##### COMMUNICATION AND ENGAGEMENT

Not Applicable.

##### LINK TO COUNCIL AND COMMUNITY PLAN

Theme Five: Informed and Engaged

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

The Audit and Risk Committee is an important part of Council's commitment to good governance and probity. The actions outlined in this report ensure that Council's approach remains consistent with leading practice.

## GLEN EIRA CITY COUNCIL

### AUDIT & RISK COMMITTEE BIENNIAL REPORT

**For the period November 2019 to August 2020**

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

## 1. Introduction

The Audit & Risk Committee (Committee) was established in accordance with section 53 of the *Local Government Act 2020*. The main role of the Committee is to monitor and advise Council in the areas of: financial and performance reporting, risk management and internal control environment, fraud prevention systems and controls; compliance including policies, procedures, laws and regulations; internal audit; and external audit. The Committee is supported in its role by the advice of internal and external audit, and other assurance providers that may be appointed by management or Council from time to time.

The Glen Eira Audit and Risk Committee Charter and *Local Government Act 2020* requires the Committee to:

- prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
- provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting.

The last report of the Committee to Council was on 17 December 2019 and covered activities of the Committee in its meetings held from November 2018 to August 2019. This report of the Committee covers activities from November 2019 to August 2020 and is the first report under the *Local Government Act 2020*.

## 2. Committee Members

From November 2019 to August 2020, the Committee membership included:

### Independent Members

- Lisa Woolmer (Chairperson)
- Craig Geddes
- Craig Nisbet (end of term 1 January 2020)
- Menchi Schneier (appointed 1 January 2020)

### Councillor Representatives (appointed 13 November 2019)

- Cr Mary Delahunty
- Cr Jim Magee
- Cr Tony Athanasopoulos (substitute member)
- Cr Margaret Esakoff (substitute member)

## 3. Committee Meetings

The Committee meets for approximately three to four hours on a quarterly basis. The number of Committee meetings held, and the number of meetings attended by each Committee member from November 2019 to August 2020 were:

Committee Member	22 November 2019	28 February 2020	27 May 2020	14 August 2020
Lisa Woolmer	1	1	1	1
Craig Nisbet	1	-	-	-
Menchi Schneier	-	1	1	1
Craig Geddes	1	1	1	1
Cr Mary Delahunty	1	1	1	1
Cr Jim Magee	-	1	-	1

The CEO attended three meetings and the CFO attended all meetings, as did representatives from Council's internal and external auditors.

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

#### **4. Committee Activities**

##### ***a) Financial and performance reporting***

During the period, the Committee monitored the 2019-20 financial and performance reporting process including:

- Management papers on expected financial reporting issues such as the impact of new accounting standards and areas requiring judgement or estimate;
- 2019-20 Victorian Auditor-General's Office (VAGO) Audit Strategy Memorandum detailing the approach to the audit of the financial report and performance statement for the financial year ending 30 June 2020.
- Interim and final management letters which outline findings by VAGO from the 2019-20 audit work completed – there were no open high or moderate risk rated findings at year end; and
- 2019-20 VAGO Closing Report which outlines the final audit results.

At the August 2020 meeting, management briefed the Committee on the 2019-20 Financial and Performance Statements and VAGO confirmed their expectation that unmodified audit opinions would be issued on these statements. Key areas of financial statement focus for the Committee in 2019-20 were: the impacts of COVID-19 and associated disclosures; asset valuations; impairment of assets; recoverability of receivables; impact of new accounting standards e.g.: leases; treatment of COVID-19 related funding from State Government; and subsequent events including the impact of ongoing uncertainty in the current environment. The impacts of COVID-19 was also an area of focus in the Committee's review of the performance statement.

##### ***b) Risk Management, Fraud and Internal Control***

Council continues to strengthen its risk management framework. The Committee received business unit risk management reports at each meeting, in line with the rolling program, and providing information on how Council's risk management framework is working in practice. Complementing this rolling program has been a focus on:

- Residential aged care services, with reference to Council's decision to not sell in late 2019, the Royal Commission into Aged Care Quality and Safety, and COVID-19;
- The governance arrangements and management of obligations by the Clayton South Regional Landfill Joint Venture in light of the impacts for Council;
- Business continuity and pandemic planning and response activities in light of COVID-19; and
- Updates on Council's Risk Management maturity improvement program including implementation of a risk register within CAMMS (current systems used for Corporate Reporting and Project Management).



The Committee received information and advice on the internal control environment from multiple sources including management reviews, internal and external audit as outlined in this report. The Committee also received updates on the work of integrity agencies e.g.: Ombudsman Victoria, VAGO, IBAC and the Local Government Inspectorate, and discusses management's assessment of applicable learnings. Information papers on key programs of work such as Glen Eira Transforming Together (GETT) have also been provided to the Committee.

### **c) Compliance**

The Committee has been briefed on, and monitored, management's program to implement the *Local Government Act 2020* (which received Royal Assent on 24 March 2020). This Committee was involved in the development of the new Audit and Risk Committee Charter adopted by Council on 11 August 2020. The Committee looks forward to reviewing its work plan in the coming months to align with the new Charter and requirements of the Act.

Across the period, a number of other updates were considered on regulatory compliance such as:

- the new pool and spa registration and inspection requirements introduced by the Victorian Building Authority; and
- the Ombudsman Victoria report *Investigation into three councils' outsourcing of parking fine internal reviews*, dated 25 February 2020

### **d) Internal Audit**

During the period, the NTT contract for internal audit services ended and Council was required to undertake a public tender for these services, in accordance with Council's procurement policy. HLB Mann Judd were appointed as Council's internal audit services provider from 1 July 2020.

The Committee considered the following reports prepared by Council's internal auditors:

Internal Audit Review	Committee Meeting
i) Fraud Risk Management-Contract Management Review	November 2020
ii) Transactional Analysis Review	November 2020
iii) Recruitment & Employee Vetting Review	February 2020
iv) Sports Grounds Allocations Review	February 2020
vi) Business Continuity Planning Review	May 2020
v) Procurement Review	May 2020
viii) Follow-up Review	August 2020
vii) Web-site Project Review *	August 2020

\* *Note: All reviews above were conducted by NTT except for the Website Review which was undertaken by HLB Mann Judd who were appointed on 1 July 2020.*

In addition, the Committee reviewed the proposed 2020-21 Internal Audit Program and monitored the performance of the internal auditor during the year. The status of implementation of actions by management to address internal audit findings was also monitored at each meeting.

**e) External Audit - Victorian Auditor-General's Office (VAGO)**

Mr Greaves (the Victorian Auditor-General) attended the November 2019 and August 2020 meetings of the Committee to provide an update on key sector themes. The Committee also received updates during the period from Mr Kyvelidis, Sector Director, Local Government (until January 2020) and from Mr Chummar, Acting Sector Director Local Government (from February 2020).

These briefings have been valuable to the Committee as an input to the development of the Internal Audit Program and, to management, to identify areas of focus in management's ongoing monitoring of the risk and internal control framework.

From time to time Council is involved in VAGO performance audits. During the period, the Committee was informed of Council's participation in the *Early Years Management Victorian Sessional Kindergarten* performance audit which is currently in progress.

**5. Acknowledgements**

The Committee acknowledges the work of management, internal audit, external audit and others in supporting it to fulfill its role during the year. The Chairperson also acknowledges the significant contribution of independent and Councillor members both at, and between Committee meetings.



#### 4.11 AUDIT & RISK COMMITTEE MINUTES

**Author:** John Vastianos, Chief Financial Officer

**Trim No:** 20/1118178

**Attachments:** 1. Audit & Risk Committee Meeting Minutes - 14 August 2020 [↓](#)

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#### PURPOSE AND SUMMARY

For Council to approve the Audit & Risk Committee minutes from the meeting held on 14 August 2020.

#### RECOMMENDATION

That the minutes of the Audit & Risk Committee meeting held on 14 August 2020 as shown in Attachment 1 to the agenda report be adopted.

#### BACKGROUND

The City of Glen Eira has established an Audit & Risk Committee (the Committee) pursuant to Section 53 of the *Local Government Act 2020* (the Act) to support Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud prevention systems and control, Council's performance with regard to compliance with its policies and legislative and regulatory requirements, maintenance of a sound internal control environment, and assurance activities including internal and external audit. It acts in this capacity by monitoring, reviewing, endorsing and advising on the above matters as set out in its Charter.

The Committee has no executive authority and no delegated financial responsibilities and is therefore independent of management.

The Committee is not a delegated committee but is directly responsible to Council for discharging its responsibilities as set out in this Charter. The Committee has no delegated authority from Council unless specifically provided by Council from time to time and any such authority shall be temporary and may only relate to specific matters as directed by Council.

#### ISSUES AND DISCUSSION

In accordance with Committee's Charter (section 4.6) and sections 53 and 54 of the *Local Government Act 2020*, minutes will be prepared for all meetings and provided to Council at the first available opportunity after clearance by the Committee Chairperson. The draft minutes will be formally tabled and confirmed by the Committee at the following Committee meeting.

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

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

#### POLICY AND LEGISLATIVE IMPLICATIONS

1. *Local Government Act 2020:*
  - Division 8—Audit and Risk Committee
    - Section 53: Council must establish an Audit and Risk Committee
    - Section 54: Audit and Risk Committee Charter
2. *Glen Eira City Council Audit & Risk Committee Charter (endorsed 11 August 2020)*

**COMMUNICATION AND ENGAGEMENT**

Not applicable

**LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Five: Informed and Engaged

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

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

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

**CONCLUSION**

The Audit and Risk Committee is an important part of Council's commitment to good governance and probity. The actions outlined in this report ensure that Council's approach remains consistent with legislation and leading practice.



GLEN EIRA  
CITY COUNCIL

# GLEN EIRA CITY COUNCIL AUDIT AND RISK COMMITTEE

**Minutes of Friday, 14 August 2020**

**Meeting: 8am, online via Microsoft Teams**

## **Committee Attendees:**

### ***Committee Members***

Lisa Woolmer, Chairperson  
Craig Geddes, Independent Member  
Menchi Schneier, Independent Member  
Cr Mary Delahunty, Committee Member  
Cr Jim Magee, Committee Member

### ***Internal Auditors (HLB Mann Judd Advisory & Accounting)***

Mark Holloway, Partner, Audit & Assurance  
Kapil Kukreja, Senior Manager Risk, Assurance & Advisory

### ***External Auditors (Victorian Auditor-General's Office)***

Andrew Greaves, Victorian Auditor-General  
Sanchu Chummar, Senior Manager Financial Audit  
Megan Du Toit, Manager Financial Audit

### ***Council Officers***

Rebecca McKenzie, Chief Executive Officer  
Peter Swabey, Director Corporate Services  
John Vastianos, Chief Financial Officer  
Peter Jones, Director Community Wellbeing  
Alan Stone, Manager Corporate Counsel  
Diana Vaynrib, Risk Management Coordinator  
Mark Saunders, Executive Manager COVID-19 Response & Recovery  
Gabrielle Zlotin, (Acting) Chief Transformation Officer  
Caroline Trainor, (Acting) Digital Program Coordinator

### ***Apologies***

The Mayor, Cr Margaret Esakoff  
Kevin Chan, (Acting) Senior Manager Data Analytics

### ***Minutes***

Alon Milstein, Financial Accountant

The Committee met at 8am in-camera in discussion of broad issues facing Council and the risk elements thereof. Mr Chummar and Ms Du Toit from the Victorian Auditor-General's Office (VAGO) joined the in-camera discussion at 8:15am.

## AUDIT AND RISK COMMITTEE MEETING MINUTES

14 AUGUST 2020

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**AUDIT & RISK COMMITTEE**  
**Friday, 14 August 2020**  
**8am (via Microsoft Teams)**  
**MINUTES**

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**1. WELCOME AND APOLOGIES**

At 8:30am, the Chairperson opened the meeting and welcomed Andrew Greaves, the Victorian Auditor-General.

Mr Greaves presented an update on the VAGO performance audit program including the report *Responses to Performance Audit Recommendations 2015–16 to 2017–18*. Mr Greaves commended Council for having completed the one recommendation followed up from the *Local Government Service Delivery: Recreation Facilities* audit.

Current VAGO audit focus that is of relevance to the sector includes sexual harassment, road maintenance and fraud, particularly in the context of COVID-19 related grants received and distributed within the Local Government sector. Mr Greaves also noted that Council is participating in the performance audit *Early Years Management in Victorian Sessional Kindergartens*.

Mr Greaves and the Committee discussed the impacts of COVID-19 in a range of areas including systems of internal control, Audit and Risk Committees, and the opportunity to capitalise on learnings to achieve a 'better normal' going forward in terms of remote working as well as other practices such as Business Continuity Planning. Mr Greaves also noted the importance of the Internal Audit function and its critical role in forensic and data analytics for organisations during the pandemic.

Mr Greaves left the meeting at 9am.

The Chairperson formally welcomed:

- Megan Du Toit from VAGO replacing Kevin Chan who is currently on paternity leave.
- Mark Holloway and Kapil Kukreja from HLB Mann Judd who were recently appointed as Council's new Internal audit services provider effective 1 July 2020.

Apologies were noted from Kevin Chan from VAGO and from the Mayor, Cr Esakoff.

The Chairperson reported the following updates relating to the new Audit & Risk Committee:

- On 11 August 2020, Council established the Glen Eira Audit & Risk Committee and approved the Audit & Risk Committee Charter in accordance with the requirements under subsection 53(1) of the *Local Government Act 2020*. The new Charter has been uploaded to Council's website.
- At the time Audit & Risk Committee meeting agenda and papers were issued, the Committee was operating under the Charter established under s120 (1) of LGA 1989.
- The minutes of the Council meeting of 11 August have not been issued as of Thursday 14 August, but it is understood that at this meeting the appointment of independent members was confirmed by Council. Updated letters of appointment have been issued to independent members to formalise this.
- The Council paper of 11 August was silent on reappointment of Councillor members to the Committee, however the Committee was informed of Agenda Item 4.3 at the Special Council Meeting held on 13 November 2019 where Council appointed Councillors to external committees and advisory committees for the year. Members confirmed that it would be reasonable to assume that Cr Delahunty and Cr Magee are reappointed to the Committee and that therefore a quorum exists for the meeting today.



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**AUDIT AND RISK COMMITTEE MEETING MINUTES****14 AUGUST 2020**

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- The Committee also agreed there would be no difference in the agenda and papers tabled under either Charter, so the meeting can proceed following the agenda presented.
- The Committee requested management confirm this is not in contravention of any legal requirements or Council processes, at the next Committee meeting.

**2. DISCLOSURE OF INTERESTS, CONFLICTS, BREACHES OF ANY ACT****2.1 DISCLOSURE OF INTERESTS, CONFLICTS, BREACHES OF ANY ACT**

The Chairperson asked if there were any further updates to the register to be declared and whether any person present was aware of any breaches of any *Local Government Act*, or any other irregularity or matters which should be brought before the Committee.

No other breaches, irregularities or matters were reported.

The Committee noted the Register of Interests of independent members, and that the table will be updated in future to address any specific *Local Government Act 2020* guidance.

**3. CONFIRMATION OF AGENDA**

The agenda of the Committee was confirmed subject to some minor rearranging of the order of the agenda. It was agreed that agenda items 7.1 (IA Status), 7.4 (Follow-up Review Audit from NTT), 8.1.3 (Clayton South Regional Landfill), 8.1.5 (Risk Assurance Map), 8.1.6 (Rolling Risk Program), 9.2 (2020 Audit Committee Work Plan), 9.4 (Audit Committee Charter Review) and 9.5 (Committee Charter Review as per LGA 2020) would be taken as read.

**4. MINUTES OF PREVIOUS MEETING 27 MAY 2020**

The minutes of the previous Audit Committee meeting held on 27 May 2020 were confirmed.

**5. ACTION ITEMS ARISING FROM MINUTES****5.1 ACTION ITEMS ARISING FROM MINUTES**

It was noted the action items arising from the previous meeting had been attended to as recorded in the papers.

**6. EXTERNAL AUDIT****6.1 2019-20 DRAFT FINANCIAL REPORT**

The CFO provided an overview of the 2019-20 Draft Financial Report including:

- Key variances between 2019-20 and Council's Budget in the Financial Statements and Performance Statement;
- Impact of COVID-19 on Council's Financial Statements including the initiatives endorsed by Council as part of the stimulus package;
- Valuations of Council's assets including: land, buildings and land under roads and the subsequent reassessment resulting an adjustment downwards in land values;



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- New or changed disclosures including the treatment of accounting for leases
- Additional items this financial year including: *Working with Victoria* initiative and contingent asset disclosures; and
- Amendments to the Local Government Performance Framework Reporting.

Following the CFO's presentation, the VAGO year-end reports were considered before the Chairperson led a 'page turn' of the statements.

The Committee considered the 2019-20 Draft Annual Financial Statements and Performance Statements in detail and noted the questions emailed from Ms Woolmer and Mr Geddes before the meeting, and management's responses to these, as circulated.

The Committee discussed areas requiring further clarification with management or VAGO including the reasons for variances to budget and/or the prior year, accounting treatments for new items, various disclosures and Council's approach to new areas compared with others in the sector. The Committee suggested some editorial changes to the 2019-20 year-end financial statements.

The Chairperson expressed the Committee's appreciation to both the CFO and the team and to VAGO for their efforts in completing the Annual Financial Statements and Performance Statement, and audit processes.

Following its review of the 2019-20 Draft Annual Financial Statements and Performance Statement the Committee recommended that Council adopts, in principle, the Financial Statements and Performance Statement, subject to final review for subsequent events up to the date of signing, adjustments requested by the Committee at its meeting held on Friday, 14 August 2020 and subject to no significant changes by the Victorian Auditor-General's Office (VAGO).

**ACTIONS**

Management is to provide a response to VAGO and the Committee on its review of any subsequent events (in particular) relating to COVID-19 and any material impacts on the 2019-20 Draft Financial Report prior to the signing of the accounts.

Management to confirm with VAGO the accuracy of Key Management Personnel disclosures.

The Committee to be provided with a copy of the Council paper relating to support packages provided due to COVID-19.

**6.2 VAGO YEAR-END REPORTS**

Mr Chummar presented the Closing Report and Final Management Letter. The Closing Report confirmed the status of completion of audit work and the expectation that, subject to finalisation of minor outstanding matters as listed in the report, unmodified opinions will be issued on the financial and performance statements. The Management Letter outlined that there were no open high or moderate rated control findings identified. The Committee noted the draft Closing Report and Management Letter.

The Committee also noted the questions from Ms Woolmer and Mr Geddes and management's response to these, as circulated. The Committee noted the 2019-20 VAGO year-end reports including the final management report, closing report and draft representation letter.

**ACTION**

Include an update on the status of low rated outstanding external audit recommendations as an Information Paper.

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AUDIT AND RISK COMMITTEE MEETING MINUTES14 AUGUST 2020

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**6.3 CLAYTON LANDFILL (2019-20 DRAFT ACCOUNTS)**

The Committee noted the 2019-20 draft accounts of the Regional Landfill Clayton South Joint Venture, and that officers will advise the Committee of any material changes to the final accounts, together with any impact on Council's financial statements.

The Committee noted advice from VAGO that an unmodified audit opinion is likely to be issued. The Committee also noted the questions from Ms Woolmer and management's response to these, as circulated.

**7. INTERNAL AUDIT****7.1 INTERNAL AUDIT STATUS**

The Committee noted the status of the 2020-21 Internal Audit Program presented by the Internal Auditors.

**7.2 STRATEGIC INTERNAL AUDIT PLAN**

The Chairperson reported that since the last meeting, the internal auditors met with the independent members to seek input to the draft Strategic Internal Audit Plan (SIAP).

Mr Holloway gave an introduction to HLB Mann Judd and the services that the firm provides.

Mr Holloway presented the SIAP which outlines the nature and timing of the Internal Audit reviews to be undertaken over the three year period from 1 July 2020 to 30 June 2023. It was noted that Council's strategic risks were as at May 2020 and did not reflect the new risk information being discussed later in the agenda. The Committee discussed the importance of future improvements to assurance mapping in the context of understanding coverage of risks and in internal audit planning. The timing of internal audit work around COVID-19 and health, safety and well-being was also discussed.

The Committee reviewed the scope of, and recommended the 2020-21 Strategic Internal Audit Plan to the CEO, subject to changes discussed at the meeting. The Committee also noted that HLB Mann Judd have been asked to complete a GESAC café audit as has been done by the internal auditors in previous years.

The Committee also noted the 2021-22 and 2022-23 audit topics and that these would be revisited at a later stage and subject to change, as agreed, at that time.

**ACTION**

An information paper be provided to the next meeting summarising Council's penetration testing approach.

**7.3 WEBSITE PROJECT REVIEW AUDIT REPORT**

Ms Trainor and Ms Zlotin were welcomed to the meeting at 10:25am.

Mr Kukreja presented the findings from the Website Project Review.

The objective of the audit was to assess the controls and processes associated with the following risks:

- The website project did not achieve the objectives stated in the Project Plan;
- The benefits included in the Project Plan are not measured or not realised;
- Lessons learnt from the website project are not included in future Digital Transformation project planning and mistakes are repeated; and

**AUDIT AND RISK COMMITTEE MEETING MINUTES****14 AUGUST 2020**

- The new website is not adequately facilitating the new ways of working introduced since the start of the Coronavirus (COVID-19) pandemic.

The audit revealed that Council followed adequate and appropriate processes throughout the GECC Website Redevelopment Project. More specifically, the objectives stated within the Project Plan have been achieved and various activities are planned by Council as part of the post implementation improvement program, as well as benefits management planning. However, the audit revealed two medium and two low rated issues as opportunities for improvement.

The Committee discussed the report with management and the auditors, and the approach taken by management to share identified learnings across Council.

The Committee noted the review on the Website Project Review conducted by the Internal Auditor.

The CEO recognised and acknowledged the quality of work and report delivered by HLB Mann Judd.

Ms Trainor and Ms Zlotin left the meeting at 10:55am.

**7.4 FOLLOW-UP REVIEW AUDIT REPORT**

The overall objective of this review was to provide assurance that the internal audit recommendations at Council have been implemented in a timely manner.

The audit revealed that the 31 high and medium rated audit recommendations reviewed as part of the audit had been addressed as follows:

- Evidence was sighted for 23 (74%) audit recommendations which verified that the agreed recommendations had been implemented.
- Five (16%) audit recommendations were in progress and not due at the time of the audit.
- Three (10%) audit recommendations had been partially implemented and were over-due past the initial target completion date. A revised due date has been provided for all three audit recommendations.

The Committee noted the Follow-up Review conducted by NTT Australia.

**7.5 TRANSACTIONAL ANALYSIS REVIEW (DRAFT SCOPE)**

The Committee reviewed the draft scope for the Transactional Review.

The audit will analyse transactional data surrounding Purchasing, Accounts Payroll, Payroll, Infringements and Food Health Inspections obtained from the relevant systems in order to identify abnormalities. Existing controls, processes and practices will be assessed by reviewing and following up potential discrepancies identified by the data analytics process.

The Committee reviewed and recommended the proposed scope of the Transactional Analysis Review (subject to any amendments discussed).

**7.6 PROJECT MANAGEMENT REVIEW (DRAFT SCOPE)**

The Committee reviewed the draft scope for the Project Management Review on Capital Works. The audit will focus on Council's existing project management framework and reviewing current methodologies, tools and capabilities for managing projects effectively and efficiently.



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**AUDIT AND RISK COMMITTEE MEETING MINUTES****14 AUGUST 2020**

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The Committee noted the CFO had distributed an amended scope on this review following discussions with the (Acting) Director Infrastructure & Open Space and Project Management Office.

The Committee reviewed and recommended the proposed scope of the Project Management Review (subject to any amendments discussed).

**7.7 BOND REFUNDS REVIEW (DRAFT SCOPE)**

The Committee reviewed the draft scope for the Bond Refunds Review.

The objective of this audit is to review and assess the adequacy of policies, procedures and processes in relation to the management and refunding of bond monies, including: security deposits and retention money and asset protection security bonds.

The Committee reviewed and recommended the proposed scope of the Bond Refunds Review (including Asset Protections), subject to any amendments discussed.

**7.8 IT DISASTER RECOVERY PLANNING REVIEW (DRAFT SCOPE)**

The Committee reviewed the draft scope for the IT Disaster Recovery Planning Review.

The objectives of this review will be to ascertain: the adequacy of the Council's ICT Disaster Recovery Plan and associated policies, procedures and practices; and its alignment with the Council's Business Continuity Plan.

The Committee reviewed and recommended the proposed scope of the IT Disaster Recovery Planning Review, subject to any amendments discussed.

**8. RISK MANAGEMENT****8.1 UPDATE ON KEY RISKS****8.1.1 PANDEMIC UPDATE**

Mr Saunders was welcomed to the meeting at 11:05am.

Mr Saunders presented a high level overview of pandemic planning, relief and response activities including key areas of concerns and risks as well as the role of the Glen Eira COVID-19 Pandemic Planning Committee.

Cr Delahunty requested a focus within the pandemic plan on communications from a multicultural perspective. The Committee discussed other areas including workforce planning in the current environment, how Council is working with other Government agencies, treatment of risks and the Audit and Risk Committee's role in the COVID-19 environment.

The Committee noted updates from Council's COVID-19 Pandemic Planning Committee and Emergency Recovery Action Plan.

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**8.1.2 RESIDENTIAL AGED CARE SERVICES**

Mr Jones was welcomed to the meeting at 11:25am.

Mr Jones presented an update on the Risk Management Plan for residential aged care services. Major changes from the Risk Management Plan provided in May include:

- Inclusion of a new risk and treatments associated with staff working in multiple facilities. This risk is currently rated as high as the associated flow-on impacts of staff being restricted to one facility has impacted on overall staffing levels.
- Inclusion of the Residential Aged Care Reference Committee that has met.
- Inclusion of Council's specific COVID-19 Residential Aged Care Plan. This Plan has been significantly updated to reflect learnings from the Rosstown "false outbreak". It provides an overview of infection control, escalation procedures, communication processes and protocols, and outbreak management procedures.
- That as per Council's emergency management arrangements the Residential Aged Care Emergency Response team has commenced and is meeting regularly. The team has responsibility for emergency planning and has conducted desktop scenario planning on a COVID outbreak.

The Committee discussed the above areas and other issues being experienced by the sector including adequacy of PPE.

The Chairperson recommended that Mr Jones include a conflict of interest agenda item for the Residential Aged Care Reference Committee.

The Committee noted the updates on residential aged care including: risk management, governance arrangements and pandemic learnings.

Mr Jones and Mr Saunders left the meeting at 11:40am.

**8.1.3 CLAYTON SOUTH REGIONAL LANDFILL**

That Committee noted information on the Clayton South Regional Landfill Joint Venture relating to: status of EPA and other notices, site management and construction and financial and governance issues.

**8.1.4 BUSINESS CONTINUITY UPDATE & PANDEMIC LESSONS LEARNT**

Mr Stone and Ms Vaynrib joined the meeting at 11:40am.

Mr Stone provided an update on business continuity and Council's current focus with business continuity management is to limit and manage the impact of the COVID-19 crisis. Council's BCP is designed to enable recovery of critical business functions and to ensure that such business functions can be maintained or restored within acceptable timeframes should a business continuity event disrupt Council operations.

An update was also provided on the lessons learnt from the COVID-19 Pandemic covering the following areas: creation of the pandemic team/unit, economic relief package, public health expertise, redeployment of staff, capacity for online services, coordination with other agencies, internal resilience, community groups/forums, key challenges and lessons learned in aged care services.

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Data storage, access and retrieval in a Business Continuity event was also discussed including: key controls and IT Disaster Recovery processes. It was noted that the migration in 2019 to fit for purpose mobile technologies, mobile office tools, hardware and systems upgrades saw Council fully prepared in advance to cope with “remote - lockdown” office working, and dependent services like the Internet and telephone networks coped adequately to support that need. Office workers have adapted well and operate seamlessly via the GECC remote working technologies, leveraging tools such as Office Teams to collaborate visually and audibly.

The Committee noted updates on Business Continuity Planning including: lessons learned, status of Business Impact Analysis (BIAs) and data storage, access and retrieval in a BC event.

**8.1.5 RISK ASSURANCE MAP**

The Committee noted the Risk Assurance Map, which 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.

**ACTION**

The Chairperson requested the Risk Assurance Map be updated for new risks and presented at the next meeting.

**8.1.6 BUSINESS UNIT ROLLING RISK PROGRAM**

The Committee noted the Rolling Risk Program covering the schedule of completed and upcoming Risk Business Unit Risk Reviews.

**8.1.7 STRATEGIC ORGANISATIONAL RISKS & COVID-19 RISKS**

Mr Stone provided an overview of the approach to review Council's strategic risks.

The Committee noted Council's new Strategic Risks including: long-term financial sustainability, delivery of Community Plan projects and objectives, information management / data governance, procurement and contracting processes, delivery of transformation agenda, workforce capacity/people capability, failure to manage long term infrastructure assets, failure of continuity to provide recycling and waste services and maintaining Residential Aged Care Services.

The Committee also noted the summary of the COVID-19 Risk Register and discussed how this information fits with, and aligns to, Council's strategic risks and other COVID-19 related updates to the Committee since the beginning of 2020.

The Committee noted the update on Council's strategic organisational risks and COVID-19 risks and recommended management consider areas discussed by the Committee including issues such as climate change and mental health and well-being.

## AUDIT AND RISK COMMITTEE MEETING MINUTES

14 AUGUST 2020

**8.2 ROLLING PROGRAM****8.2.1 CORPORATE COUNSEL BUSINESS UNIT RISK REPORT**

Mr Stone presented the risk report for the Corporate Counsel business unit including the work priorities of the business unit and the main risks including: failure to properly respond to and manage a business interruption; failure to manage risk adequately; failure to communicate/comply with regulatory requirements, Freedom of Information requirements, local laws, new and emerging laws applicable to Council; failure to implement requirements of the new *Local Government Act 2020*; failure to monitor and manage insurance portfolio and failure to comply with requirements of insurance/broker contracts; organisational failure to follow best practice/illegality in decision making by failing to be aware of and abide by statutory requirements; organisational failure to follow best practice/illegality in decision making; failure to manage risk/legal compliance effectively; organisational claims and disputes not properly managed' insufficient staff resources/skills; loss of or inability to record/access corporate knowledge; and failure to maximise stakeholder relations.

It was noted that this report was produced with Council's new Risk Management system (CAMMS) and included a Heatmap and Action Summary Report.

The Committee noted the Risk Report for the Corporate Counsel Business Unit.

Mr Stone and Ms Vaynrib left the meeting at 12:15pm.

**9. COMMITTEE ITEMS FOR DISCUSSION AND APPROVAL****9.1 AUDIT & RISK COMMITTEE BIENNIAL REPORT**

The CFO explained the requirements under the new *Local Government Act 2020* that the Committee must report on its activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such report indicating how the Committee has discharged its responsibilities as set out in this Charter for the previous year.

The CFO presented the draft biennial report covering the period from November 2019 to August 2020 report. The Committee discussed and agreed amendments that should be made to this report.

**ACTION**

The Chairperson to work with the CFO on the biennial Audit and Risk Committee report out of session.

**9.2 2020 COMMITTEE WORK PLAN**

The Committee noted the Committee's Work Plan for the 2020 calendar year.



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**9.3 COMMITTEE SELF-ASSESSMENT QUESTIONNAIRE**

The Committee noted the Self-Assessment Questionnaire and agreed the assessment undertaken needed to consider compliance with the Charter under *Local Government Act 1989* as well as the Charter under *Local Government Act 2020*. It was agreed that results would be tabled for discussion at the December Committee meeting with a view to then recommend to the CEO the results be reported to Council in accordance with the requirements of the new *Local Government Act 2020*.

The Chairperson noted that the word version of the questionnaire will be distributed offline following the meeting, to incorporate references to the old (under LGA 1989) and new (under LGA 2020) Committee Charters.

**9.4 COMMITTEE ANNUAL CHARTER REVIEW**

The Committee noted that a further review of the Charter was not necessary as the Committee reviewed the Charter in line with the requirements of the new *Local Government Act 2020* which were subsequently endorsed by Council on 11 August 2020.

**9.5 OUT OF SESSION REPORT: COMMITTEE CHARTER REVIEW AS PER THE LGA 2020**

That Committee noted that an out of session meeting was held following the May meeting to discuss the new Charter, as additional guidance relating to the Charter had been issued by Local Government Victoria section of the Department of Jobs, Precincts and Regions.

The changes were approved by the Committee at the out of session meeting held on 6 July 2020 and recommended to Council for endorsement by 1 September 2020.

Council endorsed the new Charter and established the Audit & Risk Committee on 11 August 2020.

**10. INFORMATION & UPDATE ON ITEMS (INFORMATION ONLY, NOT ACTION)****10.1 PERFORMANCE AUDIT & OTHER INTEGRITY AGENCIES (VAGO)**

The Committee noted updates from the Victorian Auditor-General's Office relating to performance audits and other integrity agencies.

**10.2 SECTOR REPORT (INTERNAL AUDITOR)**

The Committee noted the sector report prepared by the Internal Auditor.

**10.3 STATUS OF AUDIT RECOMMENDATIONS**

The Committee noted the progress and status of audit recommendations.



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AUDIT AND RISK COMMITTEE MEETING MINUTES14 AUGUST 2020

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**10.4 TRANSFORMATION & CORPORATE PERFORMANCE**

The Committee noted the status from the Transformation and Corporate Performance business unit.

**10.5 LEGISLATION & COMPLIANCE WITH THE LOCAL GOVERNMENT ACT 2020**

The Committee noted the update on legislation and compliance issues facing the local government sector, and Council's progression with key deliverables in accordance with the *Local Government Act 2020*.

The documents approved by Council on 11 August 2020 in accordance with the new compliance requirements of the new *Local Government Act 2020* include: Governance Rules, Election Period Policy, Public Transparency Policy, Councillor Civic Support & Expenses Policy, State & Federal Elections Policy, Written Public Questions to Council Guidelines, Public Participation at Ordinary Council Meetings and Councillor Questions.

**10.6 VAGO AUDIT: ASSURANCE REVIEW**

The Committee noted the VAGO assurance review relating to responses to past performance audits recommendation 2015-16 to 2017-18.

**10.7 PARKING MANAGEMENT (INTERNAL REVIEW GUIDELINES)**

The Committee noted the updated internal review guidelines issued by Department of Justice and Community Safety's following the Ombudsman Report, and how Council compares to these guidelines.

**10.8 MEDIA INFORMATION**

The Committee noted key media information.

**11. GENERAL BUSINESS****11.1 GENERAL BUSINESS ITEMS FOR DISCUSSION**

The Committee noted:

***Next Committee Meeting***

The next meeting originally scheduled for 20 November 2020 has been deferred to 11 December 2020 due to the council elections (still subject to confirmation), allowing sufficient time for the new councillors to be inducted and appointed to Council's relevant committees.

***Acknowledgements***

On behalf of the Committee, the Chairperson formally extended thanks to Cr Delahunty and Cr Magee for their contribution to the Committee during the elected term.

The CFO also thanked the Independent Audit and Risk Committee Members for their extra advisory contributions and dedication during out of session meetings relating to compliance requirements with the new *Local Government Act 2020*.

**AUDIT AND RISK COMMITTEE MEETING MINUTES****14 AUGUST 2020**

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**12. AUDIT AND RISK COMMITTEE (MEMBERS ONLY)**

Nil

**13. CLOSURE OF MEETING**

The meeting concluded at 12:25pm.



**4.12 FINANCIAL MANAGEMENT REPORT - JULY 2020**

**Author:** Alon Milstein, Financial Accountant

**Trim No:** 20/1195730

**Attachments:** 1. July 2020 Financial Mgt Report [↓](#)

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**PURPOSE AND SUMMARY**

To report Council's finances in the Financial Management Report for the period ending 31 July 2020.

**RECOMMENDATION**

That Council notes the Financial Management Report for the period ending 31 July 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 2020-21 Capital Works Program, cash flow and investment reports.

**ISSUES AND DISCUSSION*****(a) Pandemic Impact***

The COVID-19 pandemic is having far reaching economic implications for businesses and individuals across Glen Eira and Australia more generally. Council anticipates that the 2020-21 operating and capital works budgets will be significantly impacted by COVID-19.

Council's adopted 2020-21 Budget reflects an operating budget where some business areas will be severely restrained for at least six months of the financial year. This will particularly impact services such as our Libraries and Learning Centres and Glen Eira Leisure - both experiencing forced closures due to Chief Health Officer Directives.

***(b) Community Support***

The 2020-21 adopted Budget takes into account the COVID-19 Response and Recovery Package which contained initiatives to support residents and ratepayers, businesses, community groups and sporting clubs endorsed by Council on 7 April and 9 June 2020.

***(c) Current Financial Position***

Council's financial position is presently sound, however the impact of COVID-19 on Council's forecast operating result for 2020-21 will be significant.

The Balance Sheet currently indicates a satisfactory financial position with forecast total current assets of \$77.5m and total current liabilities of \$64.67m.

Cash and investment holdings at 31 July 2020 are \$67.74m. This is higher than originally budgeted and results in a forecast liquidity ratio of 1.2 as at 30 June 2021.

**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**

Division 2 Budget Process

Section 97 of the *Local Government Act 2020* (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 slightly higher than was anticipated when the annual budget was set. The Balance Sheet position and the cash position are sound.

ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

ATTACHMENT 1:

Financial Management Report for the period ending 31 July 2020

1. Contents

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Financial Strategy .....	18

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**Executive Summary*****for the period ending 31 July 2020*****a) Current Month Budget Result**

At the end of July, the year-to-date performance against budget from ordinary activities showed lower than anticipated income of \$338k and a favourable variance in operating expenditure of \$332k.

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2020-21 financial year.

**b) Current Month Forecast Result**

The forecast result expected for the financial year is a surplus of \$5.12m compared with the original adopted *2020-21 Annual Budget* of \$5.36m.

The current monthly forecast movement from ordinary activities shows a decrease in operating revenue of \$342k and a decrease in operating expenditure of \$115k.

**c) COVID-19 Financial Impact 2020-21**

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. Subsequently, a State of Disaster was declared in Victoria on the 2 August 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 is expected to be substantial.

**d) Open Space**

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.

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 31 July 2020 is as follows:

Description	2020-21 Current Month Actual	2020-21 Year to Date
Open Space Contributions Received	\$77,520	\$77,520
Open Space Capital Expenditure*	(\$150,000)	(\$150,000)
<b>Net Movement</b>	<b>(\$72,480)</b>	<b>(\$72,480)</b>
<b>Opening Balance as at 1 July 2020</b>		<b>\$24,195,412</b>
<b>Closing Balance Open Space Reserve</b>		<b>\$24,122,932</b>

\*Includes: 66 and 66A Mackie Road, Bentleigh East.



## ORDINARY COUNCIL MEETING

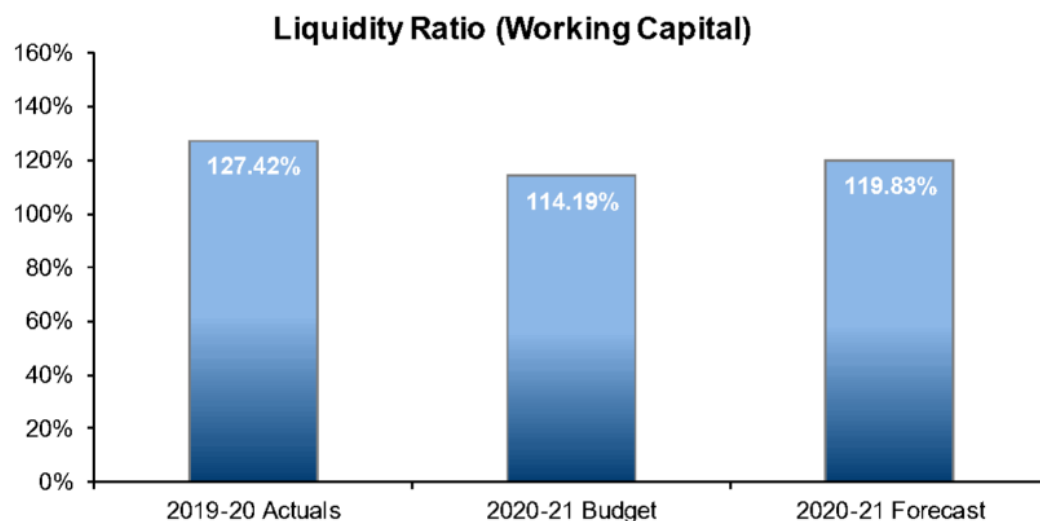
1 SEPTEMBER 2020

**e) 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*.

**f) 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.

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

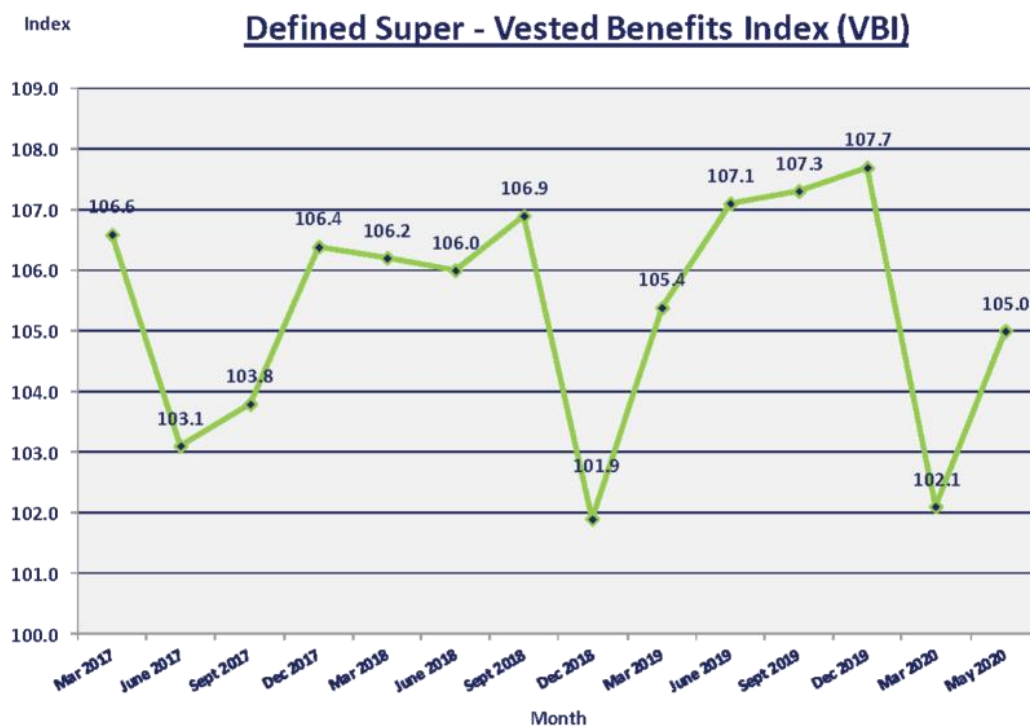
***Impact of COVID-19***

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 May 2020.



## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**Forecast adjustments for July 2020*****Income from ordinary activities decrease of \$342k***

The income forecast movement is mainly due to:

- **User Fees** – User fees relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services. These include use of leisure, community facilities and the provision of human services such as Family Day Care and Community Care Services.

User fees have decreased by \$162k mainly due to lower than anticipated fee income for Early Learning Centres \$127k and Family Day Care administration fees \$29k as a result of the COVID-19 impact.

- **Contributions (Monetary)** – relates to open space contributions received during the year. These contributions are transferred to the Open Space Reserve pursuant to section 18 of the *Subdivision Act 1988*.

The decrease of \$222k is based on the timing of Council receiving open space contributions. These amounts are variable in nature and it is difficult to determine the exact timing of anticipated contributions

***Expenditure from ordinary activities decrease of \$115k***

- **Employee Costs** – increase of \$316k.  
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 impact of COVID-19, timing of staff recruitment and employee leave provisions.
- **Maintenance** – relates mainly to the servicing and maintaining of Council's assets. The decrease of \$277k is due to the timing of programmed building maintenance works.

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

## Income Statement

for the period ending 31 July 2020

	2020-21 Year to Date Actual	2020-21 Year to Date Budget	2020-21 Year to Date Variance	2020-21 Year to Date Variance	2020-21 Current Month Forecast	2020-21 Annual Budget	2020-21 Budget Forecast Variance	2020-21 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	(%)
<b>Income</b>								
<b>Income from Ordinary Activities</b>								
General Rates	98,368	98,368	0	0.0%	98,663	98,663	0	0.0%
Supplementary Rates	-	-	-	0.0%	1,000	1,000	-	0.0%
Waste and Recycling Charges	20,483	20,486	(3)	(0.0%)	20,332	20,335	(3)	(0.0%)
Grants (Operating and Capital)	2,406	2,306	100	4.3%	27,242	27,142	100	0.4%
Interest Received	13	50	(37)	(73.8%)	1,458	1,500	(42)	(2.8%)
User Fees	683	845	(162)	(19.1%)	18,794	18,956	(162)	(0.9%)
Statutory Fees and Fines	501	480	21	4.4%	6,273	6,252	21	0.3%
Contributions (Monetary)	78	300	(222)	(74.2%)	6,378	6,600	(222)	(3.4%)
Other Income	48	83	(35)	(42.2%)	1,684	1,729	(35)	(2.0%)
<b>Total Income from Ordinary Activities</b>	<b>122,582</b>	<b>122,919</b>	<b>(338)</b>	<b>(0.28%)</b>	<b>181,835</b>	<b>182,177</b>	<b>(342)</b>	<b>(0.2%)</b>
<b>Expenses</b>								
<b>Expenses from Ordinary Activities</b>								
Employee Costs	6,790	6,474	(316)	(4.9%)	80,924	80,608	(316)	(0.4%)
Materials and Consumables	258	410	151	36.9%	5,682	5,746	64	1.1%
Contractor Payments	3,666	3,874	208	5.4%	39,406	39,574	78	0.2%
Maintenance	382	659	277	42.0%	7,756	8,033	277	3.4%
Utility Services	338	404	66	16.4%	5,324	5,391	66	1.2%
Insurances	934	816	(118)	(14.5%)	1,317	1,199	(118)	(9.8%)
Other Expenses	989	1,003	14	1.4%	7,201	7,215	14	0.2%
Grants and Subsidies	107	161	55	33.9%	1,815	1,870	55	2.9%
Borrowing Costs	32	28	(5)	(18.1%)	335	330	(5)	(1.5%)
<b>Total Expenses from Ordinary Activities</b>	<b>13,497</b>	<b>13,829</b>	<b>332</b>	<b>2.4%</b>	<b>149,850</b>	<b>149,966</b>	<b>115</b>	<b>0.1%</b>
<b>Surplus before non operational activities</b>	<b>109,085</b>	<b>109,090</b>	<b>(6)</b>	<b>(0.0%)</b>	<b>31,984</b>	<b>32,211</b>	<b>(227)</b>	<b>(0.7%)</b>
<b>Non-operational Activities</b>								
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	0	27	(26)	(99.3%)	434	460	(26)	(5.8%)
Written Down Value of Assets Sold/Disposed	-	-	-	0.0%	1,718	1,718	-	0.0%
Depreciation and Amortisation	2,124	2,133	8	0.4%	25,583	25,591	8	0.0%
<b>Surplus for the period</b>	<b>106,961</b>	<b>106,984</b>	<b>(24)</b>	<b>(0.0%)</b>	<b>5,117</b>	<b>5,362</b>	<b>(245)</b>	<b>(4.6%)</b>
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

1 SEPTEMBER 2020

**Balance Sheet***for the period ending 31 July 2020*

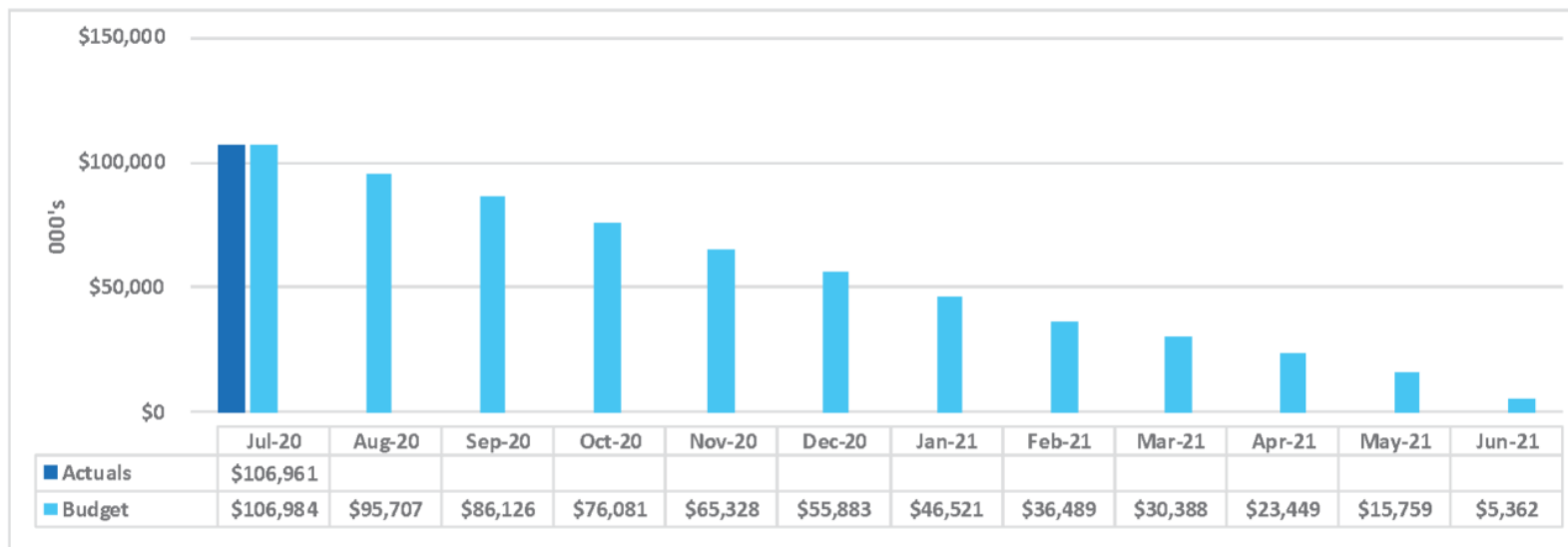
	Actuals 2019-20	Annual Budget 2020-21	Annual Forecast 2020-21	Year to Date Actual 2020-21
	\$ 000's	\$ 000's	\$ 000's	\$ 000's
<b>Assets</b>				
<b>Current Assets</b>				
Cash and Cash Equivalents	87,737	58,554	58,696	67,741
Trade and Other Receivables	13,490	24,088	17,490	143,861
Other Assets	1,313	1,878	1,313	481
<b>Total Current Assets</b>	<b>102,540</b>	<b>84,520</b>	<b>77,499</b>	<b>212,083</b>
<b>Non-Current Assets</b>				
Property, Infrastructure, Plant and Equipment	2,248,245	2,230,395	2,262,731	2,247,032
Right-of-use-assets	3,850	2,887	2,887	3,850
Intangible Assets	2,629	1,845	2,629	2,559
Investments in Joint Operations	604	1,045	604	604
Other Financial Assets	5	5	5	5
<b>Total Non-Current Assets</b>	<b>2,255,333</b>	<b>2,236,177</b>	<b>2,268,856</b>	<b>2,254,050</b>
<b>TOTAL ASSETS</b>	<b>2,357,873</b>	<b>2,320,697</b>	<b>2,346,355</b>	<b>2,466,134</b>
<b>Liabilities</b>				
<b>Current Liabilities</b>				
Trade and Other Payables	18,634	18,431	8,211	8,433
Trust Funds and Deposits	40,405	36,934	36,405	52,204
Unearned Income	1,034	-	-	1,034
Provisions	15,687	14,283	15,687	15,718
Interest-Bearing Liabilities	3,687	3,788	3,788	3,689
Lease Liabilities	1,028	581	581	1,028
<b>Total Current Liabilities</b>	<b>80,475</b>	<b>74,017</b>	<b>64,672</b>	<b>82,106</b>
<b>Non-Current Liabilities</b>				
Provisions	1,337	1,350	1,337	1,337
Interest-Bearing Liabilities	7,617	3,848	3,848	7,291
Lease Liabilities	2,949	2,557	2,557	2,949
Other Liabilities - Joint Operations	2,403	2,590	2,403	2,403
<b>Total Non-Current Liabilities</b>	<b>14,306</b>	<b>10,345</b>	<b>10,145</b>	<b>13,979</b>
<b>Total Liabilities</b>	<b>94,781</b>	<b>84,362</b>	<b>74,817</b>	<b>96,085</b>
<b>Net Assets</b>	<b>2,263,092</b>	<b>2,236,335</b>	<b>2,271,538</b>	<b>2,370,049</b>
<b>Equity</b>				
Accumulated Surplus	967,600	969,859	972,717	1,074,631
Asset Revaluation Reserve	1,271,297	1,238,952	1,271,297	1,271,294
Public Open Space Reserve	24,195	27,524	27,524	24,123
<b>Total Equity</b>	<b>2,263,092</b>	<b>2,236,335</b>	<b>2,271,538</b>	<b>2,370,049</b>

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

## Performance Graphs

**Financial Performance**  
*for the period ending 31 July 2020*



The July 2020 year to date financial performance was \$24k lower than the year to date budget mainly due to:

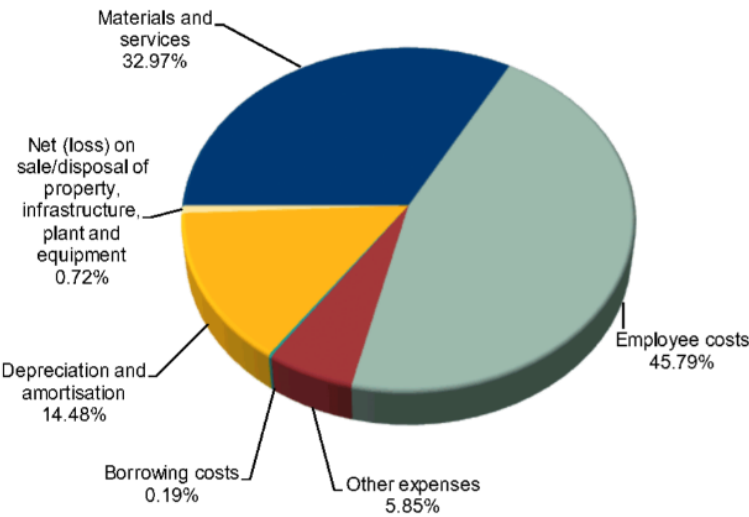
- Better than anticipated income received for Grants \$100k and Statutory Fees and Fines \$21k. These are offset by a decrease in Contributions (Monetary) \$222k, User Fees \$162k, Interest Received \$37k and Other Income \$35k.
- Favourable variances in expenditure items including: Maintenance \$277k, Contractors \$208k, Materials and Consumables \$151k and Utility Services \$66k. These are offset by increases in Employee Costs \$316k and Insurances \$118k.

ORDINARY COUNCIL MEETING

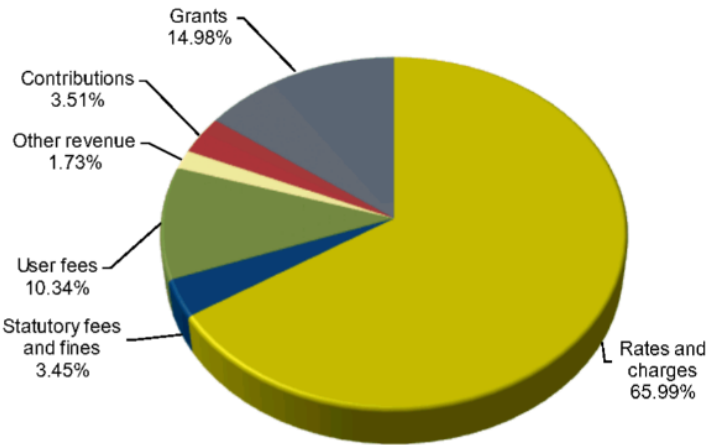
1 SEPTEMBER 2020

Financial Performance  
for the period ending 31 July 2020

2020-21 Forecast categories of expenditure



2020-21 Forecast sources of income

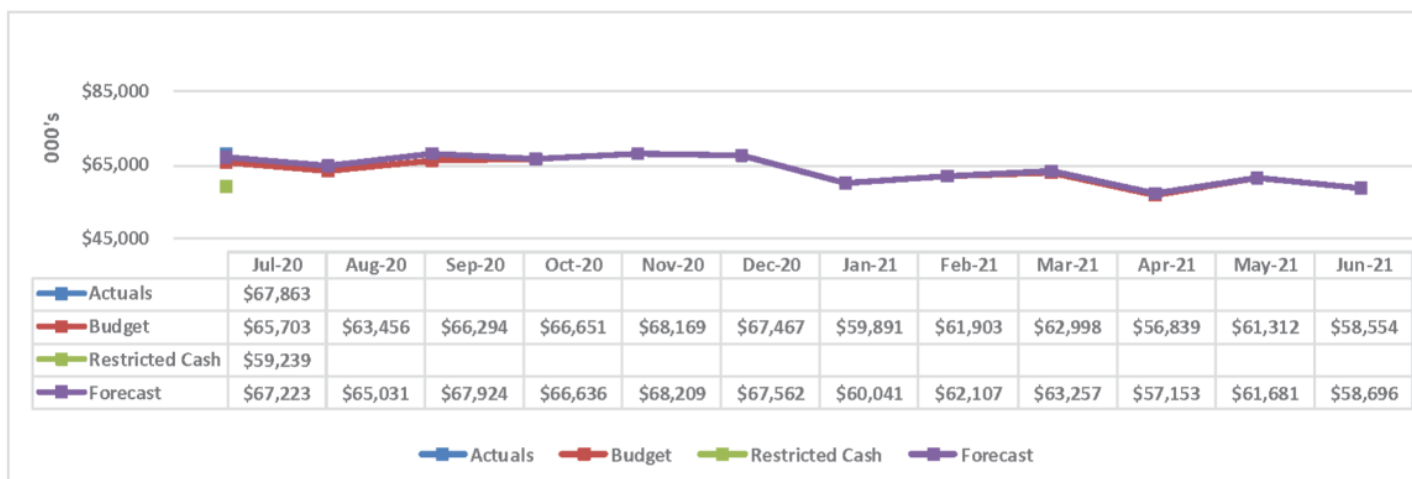




## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**Cash and Investments**  
*for the period ending 31 July 2020*



- Council's year to date cash balance of \$67.86m is slightly higher than budget for the current month. Council's forecast position to July 2020 of \$58.7m has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.
- Council has cash assets that are subject to restrictions. Restricted funds as at 31 July 2020 include: residential aged care deposits of \$29.53m, trust funds and deposits of \$5.16m (including asset protection permits), open space reserve of \$24.12m and fire services property levy of \$427k.

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**Rates Income and Debtors**  
**for the period ending 31 July 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 2020-21 was set at forecast CPI of 2% (2.5% for 2019-20).

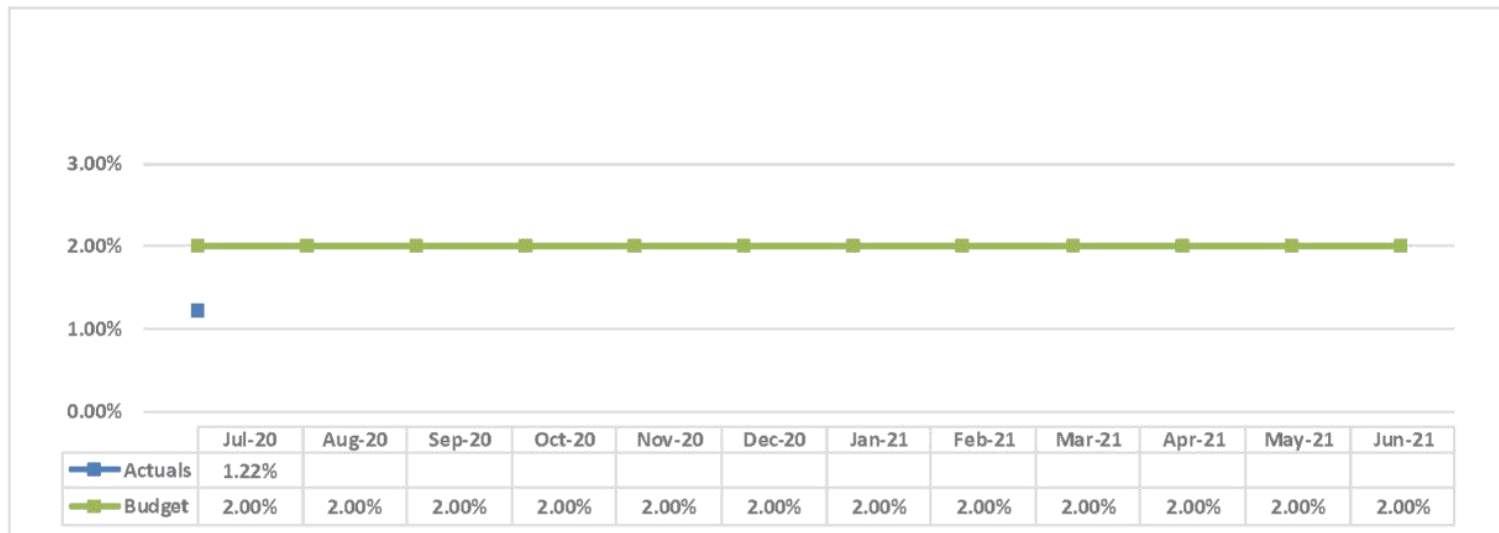
**Rate Payments** - Rates are paid in four instalments during the year: February, May, September and November. Council's cash flow is impacted by the timing of rate payments. The following table reflects the rate debtors balance as at 31 July 2020.

Rate Debtors	2020-2021 Year to date \$'000
Arrears Brought Forward	8,807
2019-20 Rates & Garbage Generated	118,851
2019-20 Fire Services Property Levy	14,332
<b>Total Rates &amp; Charges</b>	<b>141,990</b>
<b>Payments/Adjustments:</b>	
Glen Eira Pension Rebate	(192)
State Government Rebate	(1,593)
Fire Services Property Levy Rebate	(331)
Receipts	(1,207)
Interest	(0)
Supplementary Valuations	-
Adjustments	190
<b>Total Payments/Adjustments</b>	<b>(3,132)</b>
<b>Rates &amp; Charges Balance at Month End</b>	<b>138,858</b>

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**Investment Interest Rates**  
*for the period ending 31 July 2020*



Council achieved a return of 1.22% against the budget of 2.50%. Council's interest received on investments will be reduced during 2020-21 due to the impact of COVID-19.

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**Capital Works Expenditure Program**

As at the end of July 2020, total capital works expenditure forecast for 2020-21 is expected to be \$41.35m, represented by:

- New capital works projects as per the adopted 2020-21 Annual Budget \$29.46m;
- External funding sources \$6.21m; and
- Carry forward projects from 2019-20 \$5.68m (refer details below).

**(a) Carry Forward Projects from the 2019-20 financial year (\$5.68m):**

Carried forward projects relates to projects that were either incomplete or not commenced due to planning issues, weather delays, extended consultation etc. The underspend of Council's capital works program in 2019-20 was significantly impacted by the restrictions of COVID-19, causing delays with the availability of contractors and the nature of what work can be undertaken and when. Carry forward projects of \$5.68m from the 2019-20 financial year include:

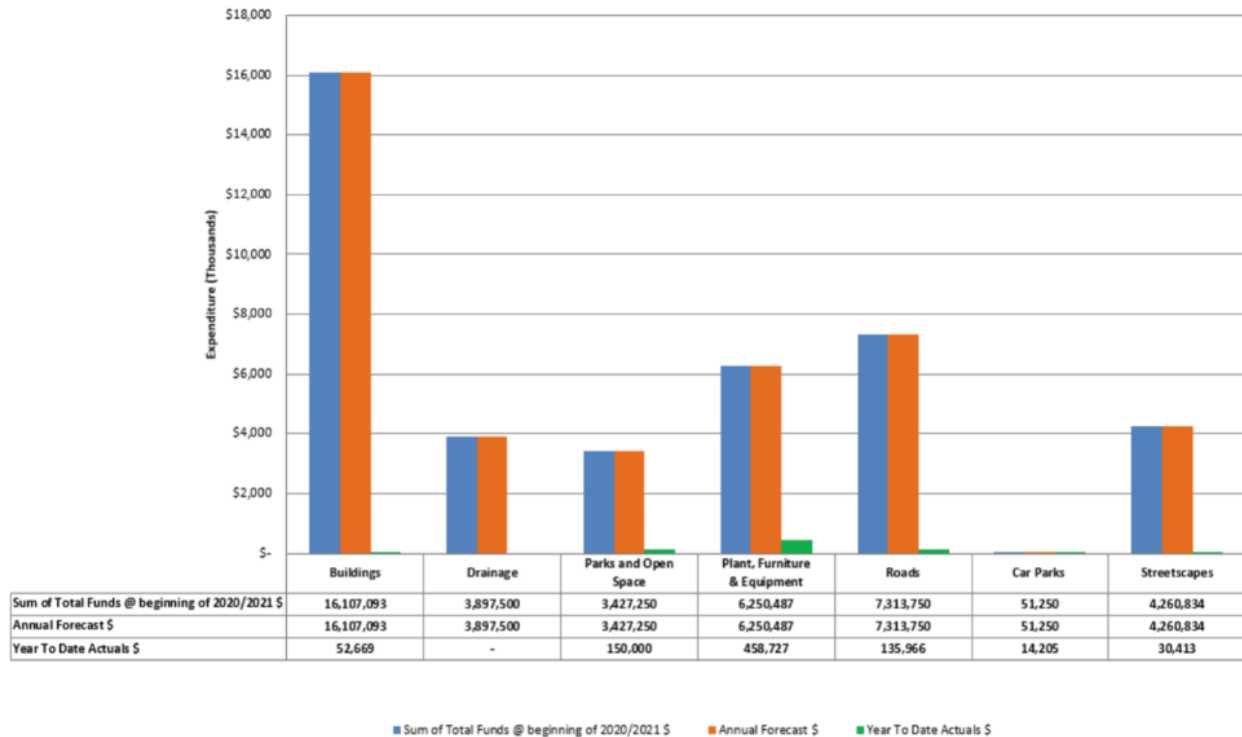
- **Open Space & Recreational Facilities — \$1.88m**
  - Neerim Warehouse (\$430k), Play Space Upgrade at Bentleigh Hodgson Reserve Multi-purpose (\$335k), LXRA irrigation upgrade works (\$380k), Narrow Nature strip program (\$253k), Outer Circle Boyd Park (\$140k), Lord Reserve and Koornang Park Masterplan Implementation (\$100k), Sportsground Lighting upgrade at Bailey and Centenary Parks (\$160k) and Turf Wicket replacement (\$90k).
- **Renewals — \$1.87m**
  - Roadworks at Neville Street and Cooragal Road (\$986k), new footpath works (\$9k) and car park works (\$10k).
  - Delays with the delivery of a truck (drainage cleaning and vaccuming) and no availability for other fleet and plant items (\$800k), residential aged care furniture and equipment (\$65k).
- **Community Facilities — \$1.21m**
  - Murrumbeena Community Hub (\$680k), Elsternwick Community Hub (\$136k), Moorleigh Community Shed (\$107k), Victory and Lord Pavilion Upgrades (\$163k), Carnegie Swim Centre (\$80k) and Bentleigh Library (\$43k).
- **City Futures — \$0.43m**
  - Integrated Transport Strategy programs at Inkerman and Coatesville (\$209k), Selwyn Street (\$156k) and activity centre minor improvements (\$60k).
- **Information Systems — \$0.15m**
  - Pathway Upgrade (\$70k) and Leisure Centre Management Software (\$78k).
- **Transformation Program — \$0.14m**
  - Customer experience projects for Single Customer View (\$50k) and Website Transaction Assistant (\$85k).

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

**(b) Capital Works Performance Graphs**

The below graphs reflect the 2020-21 budget allocations for the main asset category and performance against budget and forecast.

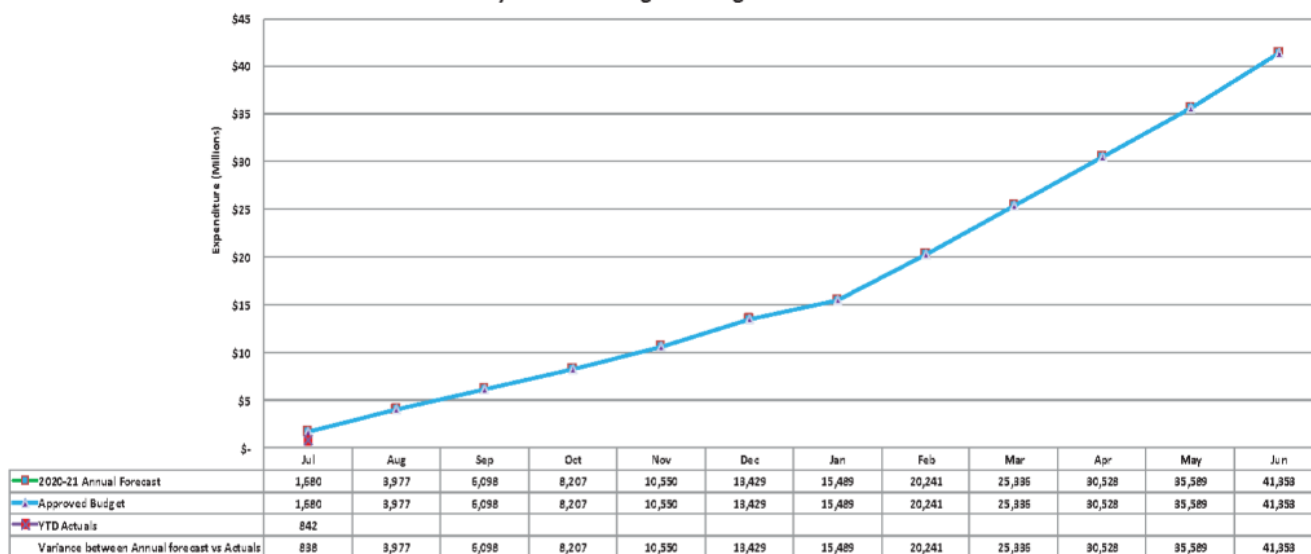
**Main Asset Category**

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

## Capital Works Program Expenditure

## Monthly Performance against Budget and Forecast



Council's capital expenditure is behind forecast by \$838k mainly due Road Reconstruction Program \$318k, Carnegie Swim Centre \$167k and the Major Play Space Upgrade - Bentleigh Hodgson Reserve Multipurpose \$105k.

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

Capital Works Program Expenditure  
for period ending 31 July 2020

Description	2020-21 Carry Forwards from 2019-20	2020-21 Grant Funding	2020-21 Adopted Capital Budget	2020-21 Budget Plus Carry Forwards	2020-21 Year To Date Works in Progress	2020-21 Year To Date Forecast	2020-21 Year To Date Variance	2020-21 Forecast Projected to June 2021	2020-21 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b>STRATEGIC PROJECTS</b>									
Cycling Action Plan - cyclist counters	-	-	10,000	10,000	-	-	-	10,000	-
Elsternwick South - Local Area Traffic Management	-	-	60,000	60,000	-	-	-	60,000	-
Activity Centre Streetscape works	60,000	-	75,000	135,000	6,913	-	(6,913)	135,000	-
Eat Street (Bentleigh Structure Plan)	-	325,000	2,577,834	2,902,834	3,500	10,000	6,500	2,902,834	-
Neerim Road Warehouse Activation (Carnegie Structure Plan)	430,000	-	-	430,000	-	2,580	2,580	430,000	-
Selwyn Street Cultural Precinct (Elsternwick Structure Plan)	156,000	-	225,000	381,000	20,000	15,000	(5,000)	381,000	-
Integrated Transport Strategy Implementation	209,000	-	80,000	289,000	-	5,000	5,000	289,000	-
<b>TOTAL STRATEGIC PROJECTS</b>	<b>855,000</b>	<b>325,000</b>	<b>3,027,834</b>	<b>4,207,834</b>	<b>30,413</b>	<b>32,580</b>	<b>2,167</b>	<b>4,207,834</b>	-
<b>GREAT AT GLEN EIRA</b>									
Continuous Improvement & Innovation	135,000	-	688,750	803,750	15,000	-	(15,000)	803,750	-
Information Technology - Office 365 & Application Integration	-	-	585,000	585,000	31,390	48,750	17,360	585,000	-
<b>TOTAL GREAT AT GLEN EIRA</b>	<b>135,000</b>	<b>-</b>	<b>1,263,750</b>	<b>1,388,750</b>	<b>46,390</b>	<b>48,750</b>	<b>2,360</b>	<b>1,388,750</b>	-
<b>RECREATION AND OPENSACE</b>									
Cycling Action Plan - connection between Djerring Trail and Gardiner's Creek Trail	-	-	20,000	20,000	-	-	-	20,000	-
Pavilion Upgrades - Victory Park	100,000	-	-	100,000	5,185	60,000	54,835	100,000	-
Pavilion Upgrades - Koornang/Lord/Packer	63,000	1,800,000	1,725,000	3,588,000	-	25,000	25,000	3,588,000	-
Murrumbena Community Hub	680,000	3,600,000	1,152,437	5,432,437	-	32,500	32,500	5,432,437	-
Major Play Space Upgrade - Bentleigh Hodgson Reserve Multipurpose	335,000	-	-	335,000	-	105,000	105,000	335,000	-
Caulfield Park Master Plan Implementation - Playground replacement (sensory playspace near bowling club)	-	-	50,000	50,000	-	-	-	50,000	-
Lord Reserve and Koornang Park & Murrumbena Park Masterplan Implementation	100,000	-	200,000	300,000	-	-	-	300,000	-
New Open Space - Aileen Avenue	-	-	506,250	506,250	-	-	-	506,250	-
Playground Enhancements and Landscape works	140,000	-	215,000	355,000	-	-	-	355,000	-
Narrow Naturestrip Tree Planting Program	253,000	-	-	253,000	-	-	-	253,000	-
New Sportsground Lighting - Caulfield Park Oval 2	-	-	50,000	50,000	-	-	-	50,000	-
Sportsground Lighting Upgrade	160,000	-	-	160,000	-	-	-	160,000	-
Land Acquisition - 86,86A Mackie Road	-	-	-	-	150,000	-	(150,000)	-	-
<b>TOTAL RECREATION AND OPENSACE</b>	<b>1,831,000</b>	<b>5,400,000</b>	<b>3,918,687</b>	<b>11,149,687</b>	<b>155,165</b>	<b>222,500</b>	<b>67,335</b>	<b>11,149,687</b>	-
<b>COMMUNITY FACILITIES</b>									
Mackie Road Reserve Female Friendly Pavilion upgrades	-	-	-	-	19,277	-	(19,277)	-	-
Moorleigh Village Community Shed and Office	107,000	-	-	107,000	5,228	107,000	101,773	107,000	-
Bentleigh Library Improvement & Integration (Bentleigh Structure Plan)	43,000	-	2,700,000	2,743,000	2,100	83,000	80,900	2,743,000	-
Elsternwick Community Hub (Elsternwick Structure Plan)	136,000	-	175,000	311,000	-	-	-	311,000	-
Carnegie Swim Centre Redevelopment	80,000	-	2,378,564	2,458,564	12,690	180,000	167,310	2,458,564	-
GESAC Civil works	78,000	-	82,500	160,500	-	82,500	82,500	160,500	-
<b>TOTAL COMMUNITY FACILITIES</b>	<b>444,000</b>	<b>-</b>	<b>5,336,064</b>	<b>5,780,064</b>	<b>39,294</b>	<b>452,500</b>	<b>413,206</b>	<b>5,780,064</b>	-



## ORDINARY COUNCIL MEETING

1 SEPTEMBER 2020

Capital Works Program Expenditure  
for period ending 31 July 2020 (continued)

Description	2020-21 Carry Forwards from 2019-20	2020-21 Grant Funding	2020-21 Adopted Capital Budget	2020-21 Budget Plus Carry Forwards	2020-21 Year To Date Works in Progress	2020-21 Year To Date Forecast	2020-21 Year To Date Variance	2020-21 Forecast Projected to June 2021	2020-21 Forecast Adjustments
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<b>SUSTAINABILITY</b>									
Motor Vehicle Electric Charging Infrastructure	-	-	75,000	75,000	-	-	-	75,000	-
Sustainability initiatives - Energy Efficiency Projects	-	-	131,250	131,250	-	-	-	131,250	-
Sustainability initiatives - Solar Projects	-	-	252,750	252,750	-	-	-	252,750	-
Glen Eira Leisure - LED Lighting Upgrade	-	-	34,000	34,000	-	10,000	10,000	34,000	-
<b>TOTAL SUSTAINABILITY</b>	-	-	<b>493,000</b>	<b>493,000</b>	-	<b>10,000</b>	<b>10,000</b>	<b>493,000</b>	-
<b>COMMUNITY SAFETY</b>									
Upgrade and Install Evacuation Warning system	-	-	50,000	50,000	-	-	-	50,000	-
New Footpath Program	9,000	-	-	9,000	-	-	-	9,000	-
Transport Planning	-	-	460,000	460,000	-	-	-	460,000	-
<b>TOTAL COMMUNITY SAFETY</b>	<b>9,000</b>	-	<b>510,000</b>	<b>519,000</b>	-	-	-	<b>519,000</b>	-
<b>RENEWALS</b>									
Furniture and Equipment	-	-	50,000	50,000	-	-	-	50,000	-
Information Services -	70,000	-	258,375	328,375	31,073	21,500	(9,573)	328,375	-
Infrastructure and Hardware Renewals	-	-	400,000	400,000	-	-	-	400,000	-
LXRA - Plant and Equipment	-	-	97,500	97,500	-	-	-	97,500	-
Drainage Pit Lid Upgrade Program	800,000	-	1,245,368	2,045,368	191,664	82,000	(109,664)	2,045,368	-
Fleet & Plant Replacement Program	-	-	194,925	194,925	-	-	-	194,925	-
Building Renewals-Electrical/ Mechanical/ External/Hydraulic	-	-	12,000	12,000	-	-	-	12,000	-
Replacement of FDC shelving system at rear of McKinnon Maternal & Child Health Centre	-	-	118,000	118,000	8,210	-	(8,210)	118,000	-
Floor Finishes Component Renewal	-	-	27,989	27,989	-	-	-	27,989	-
Roof Renewals	-	-	300,000	300,000	-	-	-	300,000	-
Elsternwick Activity Centre Streetscape Renewal and Enhancement Program	-	-	219,000	219,000	-	-	-	219,000	-
Security Component Renewal	-	-	85,000	85,000	-	-	-	85,000	-
Senior Citizen Centres Renewal of Furniture and Equipment	-	66,772	632,518	699,290	161,442	165,273	3,831	699,290	-
Purchase of library collections	-	-	2,225,000	2,225,000	121,673	185,417	63,744	2,225,000	-
Footpath Renewal Program	-	-	131,250	131,250	6,566	10,937	4,381	131,250	-
Kerb and Channel Replacement Program	986,000	-	1,506,000	2,492,000	6,986	325,000	318,014	2,492,000	-
Road Reconstruction Program	-	-	3,800,000	3,800,000	-	-	-	3,800,000	-
Drainage Renewal and Flood Mitigation Program	-	-	1,125,000	1,125,000	-	-	-	1,125,000	-
Local Road Periodic Resurfacing Program	-	-	262,500	262,500	51	-	(51)	262,500	-
Local Area Traffic Management Renewal Program	10,000	-	41,250	51,250	14,205	-	(14,205)	51,250	-
Car Park Renewal Program	-	423,694	170,306	594,000	700	-	(700)	594,000	-
Roads to Recovery	90,000	-	75,000	165,000	-	-	-	165,000	-
Turf wicket replacement	-	-	93,750	93,750	-	25,000	25,000	93,750	-
Goal post replacement	-	-	112,500	112,500	-	-	-	112,500	-
Minor Playground Upgrade and Renewal	-	-	841,204	841,204	28,451	10,000	(18,451)	841,204	-
Glen Eira Leisure Renewals	380,000	-	469,750	849,750	-	88,100	88,100	849,750	-
Parks Improvements	-	-	149,178	149,178	-	-	-	149,178	-
Fittings/Finishes Component Renewal	65,000	-	240,000	305,000	(293)	-	293	305,000	-
Residential Services - Furniture and Equipment	-	-	40,000	40,000	-	-	-	40,000	-
Carnegie Early Learning Centre outdoor play space upgrade	-	-							
<b>TOTAL RENEWALS</b>	<b>2,401,000</b>	<b>490,466</b>	<b>14,923,363</b>	<b>17,814,829</b>	<b>570,718</b>	<b>913,227</b>	<b>342,509</b>	<b>17,814,829</b>	-
<b>TOTAL CAPITAL WORKS EXPENDITURE</b>	<b>5,675,000</b>	<b>6,215,466</b>	<b>29,462,698</b>	<b>41,353,164</b>	<b>841,980</b>	<b>1,679,557</b>	<b>837,577</b>	<b>41,353,164</b>	-

## ORDINARY COUNCIL MEETING

1 SEPTEMBER 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

1 SEPTEMBER 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

1 SEPTEMBER 2020

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

Financial Sustainability Risk Indicators	Objective	Draft 2019-2020 Actuals	2020-2021 Annual Budget as at 30 June 2021	2020-2021 Annual Forecast as at 30 June 2021	2020-2021 Risk based on Annual Forecast as at 30 June 2021	Comment
(1) Net Result	To generate surpluses consistently greater than 0%.	5.95%	2.94%	2.81%	Low	The low net result percentage is based on the assumption that some business units, such as Glen Eira Leisure facilities, will be operating for only part of 2020-21 due to the COVID-19 pandemic.
(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 is to be more than 5%.	3.51%	-0.5%	2.81%	Medium	Council anticipates a low underlying result during 2020-21 due to our reduced ability to generate fee income during the COVID-19 pandemic.
(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.	1.27	1.14	1.20	Low	Council's forecast to 30 June 2021 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.	9.67%	6.97%	6.84%	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%.	115%	71%	78%	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.	1.46	1.64	1.62	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.	1.20	1.15	1.15	Low	Council spends sufficient funds on its asset base.



#### 4.13 LEGAL AND GOVERNANCE POLICIES

**Author:** Tienyi Long, Legal and Governance Officer

**Trim No:** 20/1191279

**Attachments:** 1. Sponsorship Policy [↓](#)  
2. Confidentiality Policy [↓](#)  
3. Australian National Flag Policy [↓](#)  
4. Flag Policy [↓](#)

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#### PURPOSE AND SUMMARY

To review Legal and Governance Policies.

#### RECOMMENDATION

That Council:

1. revokes the Sponsorship Policy, Confidentiality Policy and Australian National Flag Policy (Attachments 1-3 to the report); and
2. adopts the Flag Policy (Attachment 4 to the report).

#### BACKGROUND

The policies in Attachments 1-3 were adopted more than 20 years ago and do not reflect current Council practice or current legal requirements.

#### ISSUES AND DISCUSSION

##### Sponsorship Policy

It is proposed that this policy be revoked for the following reasons:

- (a) Council receives funding predominantly from the state and federal governments, and such funding is regulated by a funding agreement.
- (b) Council's activities are not generally sponsored by private corporations or individuals. To the extent that Council receives 'major' sponsorships and donations above \$50,000, these arrangements are approved by Council. Other offers from community businesses should be evaluated in line with the *Local Government Act 2020* (Vic), which outlines Council's powers, duties and functions, and sets out circumstances where a conflict of interest may arise.

##### Confidentiality Policy

This policy was intended to facilitate compliance with section 77 of the *Local Government Act 1989* (Vic), under which Council information could be designated confidential.

This section has now been repealed by the *Local Government Act 2020* (Vic), which sets out a number of public transparency principles. Among other requirements, all Council information should be made available to the public unless it is confidential information or would be contrary to the public interest to make available. On 11 August 2020, Council also adopted a public transparency policy to give effect to the public transparency principles.

### Australian National Flag Policy

Council permanently flies the Australian National Flag at the highest point of the Town Hall. The Australian National Flag is regulated by the *Flags Act 1953* (Cth), and also protocols issued by the Commonwealth Government, which include directions about flag flying including times when flags are to be flown at half mast.

Since the adoption of the Reconciliation Action Plan on 16 October 2018, Council has also flown the Aboriginal and Torres Strait Islander flags, on the grounds of the Town Hall. This is not reflected in the Australian National Flag Policy.

The attached new Flag Policy is intended to make clear arrangements for the flying of the Australian National Flag, as well as the Aboriginal and Torres Strait Islander flags. It provides that:

- (a) Australian, Aboriginal and Torres Strait Islander flags will be flown in accordance with the protocols issued by the Commonwealth Government; and
- (b) a resolution of Council is required before any other flag is flown or displayed by Council on Council land.

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

The Sponsorship Policy deals with monetary and in-kind sponsorship received by Council. In most cases, this funding is either from other levels of government, or through arrangements approved by Council. To the limited extent that Council may receive sponsorship offers from community businesses, these arrangements are already regulated by the *Local Government Act 2020* (Vic).

### **POLICY AND LEGISLATIVE IMPLICATIONS**

As noted in the 'Issues and Discussion' section above, the policies in Attachments 1-3 are out of date and no longer reflect Council's current legal obligations or policy commitments.

### **COMMUNICATION AND ENGAGEMENT**

Internal consultation has been undertaken in respect of the policies.

### **LINK TO COUNCIL AND COMMUNITY PLAN**

Theme Five: Informed and Engaged

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

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

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

### **CONCLUSION**

Council is asked to review Legal and Governance Policies as set out above, revoke policies which are no longer required, and adopt the Flag Policy to reflect current practice.

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*	<b>POLICY NUMBER:</b>	<b>1.1</b>
*	<b>TITLE:</b>	<b>Sponsorship</b>
*	<b>ADOPTED BY:</b>	<b>Glen Eira City Council</b>
*	<b>DATE ADOPTED:</b>	<b>2 December 1996</b>

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## **1. Objective**

- 1.1 To develop, manage and expand corporate and private sponsorship of the City of Glen Eira and to provide funding for an increasing number of special activities and projects thereby:
- ◇ developing closer links between the City of Glen Eira and the business community
  - ◇ contributing to the increased independence in funding of the City of Glen Eira
  - ◇ providing mutual benefits to both the City of Glen Eira and the business community through sponsorship.

## **2. Policy**

- 2.1 A sponsorship arrangement should not impose or imply conditions that would limit, or appear to limit, Council's ability to carry out its functions fully and impartially.
- 2.2 There should be no real or perceived conflict between the objectives of Council and those of the sponsor.
- 2.2.1 Council should not seek or accept sponsorship from people or organisations which are, or are likely to be, subject to regulation by Council, during the term of the sponsorship arrangement.
- 2.2.2 Sponsorship of a Council activity must not imply explicit endorsement of the sponsor, its products or services.
- 2.3 Where sponsorship is in the form of provision of the sponsor's product, the product should still be evaluated for its fitness for purpose against objective criteria, in line with Council's needs.
- 2.4 Councillors, Council officers, their families or associates are not to receive a personal benefit as a result of sponsorship.



**2. Policy (cont'd)**

- 2.5 Major sponsorships should be sought by calling for expressions of interest. A major sponsorship is defined as a donation of more than \$50,000 whether cash or in-kind and is not dependent on the length of the contract, as this will vary according to the individual project.
- 2.6 Exclusive sponsorships which involve only one of a number of like organisations/businesses will be sought by calling for expressions of interest. These sponsorships will stand for a set period of time to be mutually agreed upon by Council and the potential sponsor.
- 2.7 Sponsorship agreements should be described in a written contract.
- 2.8 All sponsorship arrangements should be approved by the Chief Executive and listed in the Annual Report.
- 2.9 Council must ensure the sponsorship proposal only contain benefits which the Council is able to deliver.

**3. Definition**

For the purposes of the City of Glen Eira's Policy, sponsorship is defined as a contribution from any organisation or person, in money or kind, in support of a Council activity.

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\* **Relevant Legislation:**

\* **Cross References to other Policies / Documents:**

\* **Responsible Officer(s):**

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* POLICY NUMBER:	1.2
* TITLE:	Confidentiality
* ADOPTED BY:	Glen Eira City Council
* DATE ADOPTED:	7 June 1999

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### Context

The City of Glen Eira seeks to promote open and accountable Local Government. The majority of its business is conducted publicly and with the safeguard of public scrutiny. The City (and the *Local Government Act*) recognise however, that there are occasions when, for the protection of the interests of other parties or to best serve the interests of the City of Glen Eira, it is necessary for matters to be handled confidentially.

### Purpose of this Policy

This policy is intended to provide clarity and guidance to Councillors, officers and others on issues of confidentiality arising within Council. The policy seeks to:

- Set out the limited occasions on which it is appropriate for matters to be handled confidentially,
- Set out the City of Glen Eira's expectations of people who are privy to confidential information
- Communicate a practical understanding of "confidential information" by expanding on and applying section 77(2) of the *Local Government Act* ("Act") which is attached as an appendix to this policy.

### Why a Policy on Confidentiality?

While Section 77 of the Act sets out the law once "confidential information" has come into existence, it is necessary for there to be a common understanding within Council as to when information should be confidential and, once it is, how Section 77 should be interpreted in the light of Glen Eira City Council's own manner of operation and its expectations.

### When should information be treated as confidential?

In accordance with Council's philosophy that Local Government should be as transparent and accountable as is consistent with good governance and the rights of other parties, Council affirms that matters should not unnecessarily be declared to be confidential. Certainly, matters should never be declared confidential simply to avoid scrutiny or accountability.

Section 89(2) of the *Local Government Act* 1989 sets out a number of instances in which Council or a Special Committee determine may that a meeting be closed to members of the public. By implication, these are matters which might legitimately be treated as confidential.

Those instances are discussion of:

- personnel matters;
- the personal hardship of any resident or ratepayer;
- industrial matters;
- contractual matters;
- proposed developments;
- legal advice;
- matters affecting the security of Council property;
- any other matter which the Council or special committee considers would prejudice the Council or any person.

In determining whether any matter which may be treated as confidential should actually be treated as confidential, Council should:

- first have regard to the rights (whether legal, contractual or moral) and the interests of any other party involved
- and then
- have regard to the best interests of the ratepayers of the City of Glen Eira.

#### **What does this policy apply to?**

Section 77 is concerned with **"Confidential information"**. Section 77, in effect, defines confidential information as information which:

- Council wishes to keep confidential [77(2)(b)] and
- Which is currently confidential [77(1)(a)].

**Both** criteria must be met.

If a person to whom this policy applies receives information from an external source, it is self evident that the information is not confidential to Council - even if it had been Council's intention to keep such information confidential. This applies regardless of whether the person also became aware of it confidentially within Council.

(In such a case, a person might reasonably be requested to verify that the information was obtained from an outside source and asked to identify the source.

As a matter of policy additional to Section 77, such a person should still respect the wish of Council to contain information and should give consideration to continuing to maintain confidentiality as far as possible.)

#### **What is Council's expectation of individuals in dealing with confidential information?**

The City of Glen Eira expects that individuals who are privy to Council's confidential information will genuinely act within the spirit of this policy in:

- Determining what information should be kept confidential,
- Keeping information confidential once it has been so categorised
- Reporting suspected breaches to Council when appropriate.

#### **How does any one know what Council wants to keep confidential?**

Section 77 of the Act refers to information which a "person knows, or should reasonably know" Council wishes to keep confidential. Without in any way limiting the application of the Act, this policy deems that, at a minimum, a person "should reasonably know":

- An agenda item which is marked "Confidential" is intended to be confidential,
- If a meeting of Council or Council committee votes that an item is to be confidential, it is intended to be confidential.
- If the Chairperson of a Council committee meeting asks that a matter be treated as confidential and no attendee present indicates an intention not to respect that request, the matter is intended to be confidential.
- If a Council committee exercises its power under Section 89(2) of the Act to close its meeting to members of the public, matters discussed during that closed meeting or the closed portion of the meeting are intended to be confidential.
- Information which is expressed to be given to Councillors or committee members in confidence is intended to be confidential.
- Information which is not expressly declared to be confidential but which contains information about the personal affairs of any party, is information which could result in any action being taken against Council for defamation is intended to be confidential.
- Legal advice given to Council is presumed to be confidential unless or until Council, the Chief Executive Officer or the officer obtaining the advice declares it not to be confidential.

**How much of the information is confidential and for how long?**

These areas require the exercise of common sense.

Consideration by Council of tenders is a good illustration:

- The fact that tenders are being considered is not confidential.
- The substance of the deliberations by Council on tenders are confidential, but cannot totally remain so indefinitely. Legislation requires that reasons be given for the decision in some cases and that other material be published. At a minimum, the deliberations are confidential until Council makes a decision.
- The decision itself is not confidential - it must be published and communicated. On the other hand, Council might well have good reason to keep the decision confidential until transition arrangements are put in place.

In most instances, the fact that deliberations on a topic have taken place at all will not be confidential - although there is nothing to prevent a meeting from declaring that to be the case.

This policy declares that, if a person has any doubt as to whether Council intends to keep information confidential, it is preferable to act on the assumption that Council does so intend until the doubt is resolved.

**To whom does Section 77 - and this policy - apply?**

Section 77 is limited to a present or former Councillor or a present or former member of a Council committee. It binds Council staff in their capacity as committee members.

Council recognises that it does not have the power to restrain sources outside Council from disseminating information in their possession - regardless of whether Council intended it to be confidential.

**What action should be taken in the event of breach?**

It is expected that any alleged breach of this policy will be reported to Council.

**What if there is disagreement over whether something should be confidential?**

Confidentiality must be respected at all times regardless of an individual's belief as to whether an item has been properly or appropriately declared to be confidential.

**Limits on this Policy**

- Nothing in this policy can, or is intended to, negate or override any provision of law. In particular, attention is drawn to the following provisions of the Act:
- Sections 132 and 223 of the Act empower an inspector of municipal administration to require any person to provide any information under oath or affirmation and provides penalties for failure to do so.
- Sections 209 and following of the Act give wide powers to a Commissioner appointed by the Minister to require the production of information and evidence.
- Section 77 of the Act provides that no past or present Councillor or member of a Committee must not improperly use information for advantage or to harm Council or to release confidential information and provides penalties.
- This policy cannot and does not override any other statutory or Common Law duty or power.

- This policy cannot and does not override employment relationships; Council's duties to its staff and employees' duties to their employer are not affected.
- This is a Council policy and therefore only applies to Council information. It does not extend to information which any individual might regard as confidential.

This policy does not encompass all legislative or practice areas covering confidentiality. Councillors and officers should also be aware of various Federal and State legislation on Privacy, Discrimination and other areas as well as accepted practices relating particularly to personal information.

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- \* **Relevant Legislation:** There are related areas of legislation impacting on this policy including: *Local Government Act* 1989 - Sections 77, 89, 132, 209 and 223  
Federal and State Privacy Acts
  - \* **Cross References to other Policies / Documents:** Regard should be had to policy and procedure documents in the areas of Code of Conduct and Proposed Code of Governance
  - \* **Responsible Officer(s):** Directorate: Corporate Development, Functional: Governance and Compliance

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* <b>POLICY NUMBER:</b>	<b>1.7</b>
* <b>TITLE:</b>	<b>Australian National Flag</b>
* <b>ADOPTED BY:</b>	<b>Glen Eira City Council</b>
* <b>DATE ADOPTED:</b>	<b>21 November 2005</b>

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**1. Purpose**

To make clear the arrangements for the flying of the Australian Flag.

**2. Background**

From time to time Council is asked to fly various flags. Sometimes governments suggest flying a particular flag if a second flagpole is available (but not in place of the Australian Flag).

The Glen Eira Town Hall has one flagpole on the highest point. The Australian Flag is flown permanently from this flagpole.

The flag is flown at half mast when requested to do so by the Commonwealth or Victorian Governments and in accordance with the protocols issued by the Commonwealth.

**3. Policy**

The only flag which will be flown from the Glen Eira Town Hall is the Australian National Flag.

It will be flown in accordance with protocols issued by the Commonwealth Government.

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- \* **Relevant Legislation:**
  - \* **Cross References to other Policies / Documents:**
  - \* **Responsible Officer(s):** Chief Executive Officer

## Flag Policy

<b>Date first adopted:</b>	<b>1 September 2020</b>
<b>Dates amended:</b>	
<b>Next review date:</b>	
<b>Position title of responsible business unit Manager:</b>	Chief Executive Officer
<b>Approved by:</b>	Executive
<b>Internal external or both:</b>	Internal



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**1. TITLE**

Flag Policy

**2. OBJECTIVE**

To make clear arrangements for the flying of the Australian Flag and other flags.

**3. DEFINITIONS AND ABBREVIATIONS**

Term	Meaning
Not Applicable	

**4. POLICY**

- 4.1 The Glen Eira Town Hall has one flagpole on the highest point of the building. The Australian National Flag is flown permanently from this flagpole.
- 4.2 There are two locations on the grounds of the Glen Eira Town Hall where there are 3 flagpoles. The Australian, Aboriginal and Torres Strait Islander flags will be flown in accordance with the protocols issued by the Commonwealth Government.
- 4.3 The Australian, Aboriginal and Torres Strait Islander flags are to be displayed in the Council Chambers in accordance with the adopted Glen Eira Reconciliation Action Plan.
- 4.4 The Australian, Aboriginal and Torres Strait Islander flags must be flown and displayed in accordance with all relevant protocols issued by the Commonwealth Government.
- 4.5 A resolution of Council is required before any other flag is flown or displayed by Council on Council land.

**5. HUMAN RIGHTS CHARTER COMPATIBILITY**

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

**6. ASSOCIATED INTERNAL DOCUMENTS**

Glen Eira Reconciliation Action Plan

**7. EXTERNAL REFERENCES/RESOURCES**

Australian National Flag Protocols produced by the Commonwealth Government:

<https://www.pmc.gov.au/government/australian-national-flag/australian-national-flag-protocols>

*Flags Act 1953* (Cth)

**5. CLOSURE OF MEETING**