



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

TUESDAY 8 APRIL 2025

AGENDA

**Meeting to be held in the Council Chambers,
Corner Hawthorn and Glen Eira Roads, Caulfield
at 7.30pm**

*"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 Simone Zmood
Councillor Arabella Daniel
Councillor Margaret Esakoff
Councillor Jane Karslake
Councillor Sam Parasol
Councillor Luca Ragni
Councillor Kay Rimbardo
Councillor Kimberley Young
Councillor Li Zhang

Chief Executive Officer: Rebecca McKenzie

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Glen Eira City Council acknowledges the Boon Wurrung/Bunurong and Wurundjeri Woi Wurrung peoples of the Kulin Nation as Traditional Owners and Custodians, and pays respect to their Elders past and present. We acknowledge and uphold Traditional Owner's continuing relationship to the land and waterways. Council extends its respect to all Aboriginal and Torres Strait Islander peoples.

2. APOLOGIES

3. REMINDER TO DISCLOSE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA

Councillors are reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or which are considered at this meeting, in accordance with Section 130(2) of the *Local Government Act 2020* and Rule 85 of the Glen Eira City Council Governance Rules. Councillors are now invited to indicate any such conflict of interest.

PROCEDURAL MOTION

That Council:

1. where meetings are held in-person, can continue the meeting if the livestream of the meeting fails;
2. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem where a Councillor is participating virtually; and
3. where a Councillor is participating virtually and the meeting cannot be resumed within 30 minutes from the commencement of the technical problem, the meeting is to be reconvened on Wednesday 9 April 2025 at 7.30pm.

4. PUBLIC PARTICIPATION**5. WRITTEN PUBLIC QUESTIONS TO COUNCIL****6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING OR MEETINGS**

Copies of Minutes previously circulated.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 18 March 2025 be confirmed.

7. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**8. REPORTS BY DELEGATES APPOINTED BY COUNCIL TO VARIOUS ORGANISATIONS****9. REPORTS FROM COMMITTEES AND RECORDS OF ASSEMBLY****9.1 Advisory Committees**

Nil

9.2 Records of Assembly**9.2.1 RECORDS OF ASSEMBLIES**

Author: *Karling Colomiere, Coordinator Councillor Business*

Director: *Kellie Vise, Director Customer and Corporate Affairs*

Trim No: *25/194109*

Attachments: 1. *4 March 2025 - Record of Assembly* [↓](#)
2. *11 March 2025 - Record of Assembly* [↓](#)
3. *18 March 2025 - Record of Pre-meeting* [↓](#)

RECOMMENDATION

That Council notes the Records of Assemblies for:

1. 4 March 2025 Assembly;
2. 11 March 2025 Assembly; and
3. 18 March 2025 Pre-meeting.

Assembly of Councillors**4 March 2025****Assembly commenced at 6.46pm**

Councillors Present: Mayor Cr Simone Zmood Cr Arabella Daniel Cr Margaret Esakoff Cr Jane Karslake Cr Sam Parasol Cr Luca Ragni Cr Kay Rimbaldo Cr Kimberley Young Cr Li Zhang	Officers Present: Rebecca McKenzie (CEO) Niall McDonagh Kellie Vise Rosa Zouzoulas Jane Price Diana Vaynrib Karling Colomiere Alexandra Fry Geoff Hills Alex Leamy Sophie Paterson (online)
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1. Acknowledgement
2. Apologies: Nil
3. Conflict of Interest - Nil
4. Significant Wellbeing and Cultural Dates 2025, and Approach to 26th January
5. Australian Local Government Association (ALGA) 2025 National Assembly Motion discussion
6. General Business
 - Cr Karslake - Community art projects
 - Director Sustainability, Assets and Leisure – glass recycling
 - Director Customer and Corporate Affairs
 - i. Advocacy breakfast
 - ii. Model Governance Rules and Transparency Policy.
 - Manager Legal, Risk and Governance
 - i. Induction training modules
 - ii. Personal Interest Returns
 - Director Planning and Place – 10-16 Selwyn St, Elsternwick
 - Director Community Wellbeing – ANZAC Day
 - Cr Parasol
 - i. Elsternwick club
 - ii. Nature strip plantings
 - Cr Ragni – Property maintenance matter
 - Cr Rimbaldo – Moorleigh village parking
 - Cr Ragni – Reciprocal parking permit rights
 - Cr Young – International Women's Day
 - Cr Esakoff – Plaques at Carnegie Memorial Swimming Pool
 - Chief Executive Officer
 - i. Community grant guidelines
 - ii. Melbourne Racing Club

8.33pm Assembly adjourned

8.47pm Assembly resumed

7. Draft Ordinary Council Meeting Agenda Review – 18 March 2025
 - Item 6. Confirmation of Minutes

8.48pm Cr Ragni returned to the assembly

- Item 9.2. Records of Assemblies
 - Item - 10.1 Town Hall Flag Policy
 - Item - 10.4 Councillor Appointment to the Local Government Working Group on Gambling (LGWGOG) External Committee
 - ALGA National General Assembly motions
8. Councillor / CEO only time (Cr Ragni)
 - Meeting feedback
 - Preparation for Advocacy breakfast
 - Hosting delegation of ISRAEL-is
 - Staffing matter
 - Group development opportunities

Assembly concluded at 9.30pm

Assembly of Councillors – Record of Assembly**11 March 2025****Assembly commenced at 6.00pm****ONLINE MEETING**

Councillors Present Online: Mayor Cr Simone Zmood Cr Arabella Daniel Cr Margaret Esakoff Cr Jane Karlake Cr Sam Parasol Cr Luca Ragni Cr Kay Rimbaldo	Officers Present Online: Rebecca McKenzie (CEO) Niall McDonagh Kellie Vise Rosa Zouzoulas Jane Price John Vastianos Diana Vaynrib Karling Colomiere Alexandra Fry
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1. Acknowledgement:**2. Apologies**

Cr Kimberley Young

Cr Li Zhang

3. Conflicts of Interest

Nil

4. OCM Check-in – 18 March 2025 - (6.05pm)

- Item 7 - Petition discussion
- Item 8 – Delegates process discussion
- Item 10 – Officer Report check-in

5. General Business:

- Cr Parasol – Signage, residential issues and recent event discussion
- Director, Customer and Corporate Affairs – meeting discussion
- Manager, Legal, Risk and Governance – Personal Interest Returns
- Cr Karlake – Carnegie pool traffic discussion
- CEO – upcoming events discussion
- Cr Rimbaldo – Customer Service wait times
- Director, Customer and Corporate Affairs – meeting discussion
- Cr Ragni – Carnegie pool facility discussion

6. Councillor/ CEO Only Time:

- Meeting debrief

Assembly concluded at 6.50pm

OCM Pre-Meeting
Tuesday 18 March 2025

Pre-meeting commenced at 6.43pm

Councillors Present: Cr Simone Zmood (Mayor) Cr Arabella Daniel Cr Margaret Esakoff Cr Jane Karlake Cr Sam Parasol Cr Luca Ragni Cr Kay Rimbaldo Cr Kimberley Young (online) Cr Li Zhang	Officers Present: Rebecca McKenzie (CEO) Rosa Zouzoulas Niall McDonagh Kellie Vise Jane Price John Vastianos Alexandra Fry
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Matters discussed:

1. Acknowledgement
2. Apologies -Nil
3. Conflicts of Interest - Nil
4. Signing of Written Declarations of Completion – Councillor Induction Training
5. Written Public Questions
6. General Business:
 - Chief Financial Officer
 - i. Budget Briefings
 - ii. Emergency Services and Volunteers Fund
 - Cr Sam Parasol
 - i. Eskdale Road
 - ii. Community Bus
 - Cr Li Zhang – MAV Convention of Councillors
 - Cr Jane Karlake – Childcare
 - Cr Luca Ragni – Staggered parking restrictions
 - Director Customer and Corporate Affairs – Carnegie Memorial Swimming Pool plaque
 - Councillor Business Officer – Personal Interest Returns
 - Cr Parasol
 - i. Damaged planter
 - ii. Hard rubbish collection in Stonnington City Council
7. Pre-OCM Check-in (18 March 2025):
 - Item 7.1 - Petition: Extend Caulfield Recreation Gym Hours
 - Item 7.2 - Petition: Coorigil Road
 - Item 6 - Confirmation of Minutes
 - Item 8 - Reports by Delegates
 - Item 9.2 - Record of Assemblies

- 10.1 Neerim Road, Murrumbeena (Allotment 2012 East of Elsternwick, Parish of Prahran) - Murrumbeena Train Station
- 10.2 Australian Local Government Association (ALGA) 2025 National Assembly motion
- 10.3 Audit & Risk Committee Minutes
- 10.4 Audit & Risk Committee Biannual Report
- 10.5 Councillor Appointment to the Local Government Working Group on Gambling (LGWGOG) External Committee

Pre-meeting concluded at 7:15pm

10. OFFICER REPORTS (AS LISTED)**10.1 AMENDMENT C269 - MONASH UNIVERSITY SIGNAGE CONTROLS**

Author: Erica Fox, Principal Strategic Planner

Director: Rosa Zouzoulas, Director Planning and Place

Trim No: 25/163018

Attachments: 1. Proposed C269 Clause 36.01 PUZ Schedule [↓](#)

EXECUTIVE SUMMARY

Monash University are seeking to amend the Glen Eira Planning Scheme to apply alternate signage category controls to their land. The change to signage category controls will enable signage to reflect the role and use of land owned by Monash University, which also includes Caulfield Plaza and a number of Derby Road commercial properties. This change is proposed to be implemented through a planning scheme amendment, known as Amendment C269.

The existing signage category controls were inadvertently applied when the site was rezoned to the Public Use Zone in 2014. This amendment proposes to vary the existing signage category controls from Category 4 (Sensitive Areas) to Category 1 (Commercial Areas) and Category 2 (Office and Industrial). This change will amend the inadvertent application of the restrictive Category 4 signage controls and apply the appropriate signage controls. More specifically, the amendment proposes to vary the Schedule to the Public Use Zone to specify an alternate signage category for land at Monash University Caulfield Campus. Most signage at the University will remain subject to planning approval prior to its display.

This change is considered minimal and is unlikely to have any significant impact on the amenity of the area.

Due to the nature of this proposal, it is recommended that Council seek an exemption to the public exhibition requirements that apply to a standard planning scheme amendment. This exemption is sought under Section 20(2) of the *Planning and Environment Act 1987*.

In response to the request for such an exemption, the Minister for Planning may:

- Exempt Council from the requirements of exhibition
- Impose conditions on the exemption (which may result in specific notice)
- Not exempt Council from the requirements of exhibition.

As such, this report specifically recommends Council:

- Seeks authorisation from the Minister for Planning to prepare Planning Scheme Amendment C269; and,
- Requests the Minister for Planning exempts Council from the requirements of exhibition with respect to Amendment C269.

Authorisation from the Minister for Planning can take several months. Council's resolution is the first step in the planning scheme amendment process. The diagram below is a basic outline of the standard planning scheme amendment process. This Council report considers whether to commence Stage 1. It is noted that should the exemption be granted, Stages 2 to 5 in the below diagram may be bypassed.

1	2	3	4	5	6
Authorisation	Exhibition	Consider submissions	Planning Panel hearing	Consider panel report	Adoption and approval
Council seeks authorisation from the Minister for Planning to prepare the amendment. The Minister authorises the amendment.	Community and stakeholders are notified and may make a written submission.	Council considers submissions and can abandon, change, or refer the amendment to an independent panel.	Council makes a submission to the panel. Community and stakeholders who lodged submissions during exhibition can make a submission.	Council considers the panel report and can make changes to the amendment, adopt, or abandon the amendment.	If Council adopts the amendment, it is referred to the Minister for Planning for approval. The amendment is gazetted and becomes law if approved by the Minister .

RECOMMENDATION

That Council:

1. Seeks authorisation from the Minister for Planning to prepare an amendment to the Glen Eira Planning Scheme in accordance with Section 8A of the *Planning and Environment Act 1987* to alter the signage category for land at Monash University Caulfield Campus (Amendment C269).
2. Authorises the Manager City Futures to undertake minor changes to the amendment including changes requested by the Minister for Planning or the Department of Transport and Planning to receive authorisation, where changes do not affect the purpose or intent of the Amendment.
3. Authorises the Manager City Futures to lodge a request for the Minister for Planning to exempt Amendment C269 from notice provisions in line with Section 20(2) of the *Planning and Environment Act 1987*.
4. Subject to receiving authorisation from the Minister for Planning, and should the exemption request not be granted, places the amendment on public exhibition in accordance with the requirements of Section 19 of the *Planning and Environment Act 1987*.

BACKGROUND

Proposed Amendment

Tract Consultants acting on behalf of Monash University (the University) has requested Council prepare a planning scheme amendment for land at their Caulfield Campus at 860-874 Dandenong Road, Caulfield East. Specifically, the amendment proposes to alter the Schedule to the Public Use Zone to vary signage requirements (i.e. the sign category).

The campus comprises a consolidated parcel of land within the Public Use Zone 2 Education (PUZ2), with Category 4 sign controls applied to the land by default. Category 4 represents the most restrictive signage provision under the Victorian Planning Provisions, intended for 'sensitive areas' requiring strong amenity controls.

Given these restrictions, the Amendment proposes to apply Category 1 and Category 2 sign controls to different parts of the University (see Map 1):

- **Category 1** – applied to areas generally west of Princes Avenue ('Area A').
- **Category 2** – applied to areas generally east of Princes Avenue ('Area B').



Map 1 – Proposed Category 1 (Area A) and Category 2 (Area B) signage controls applying to the University

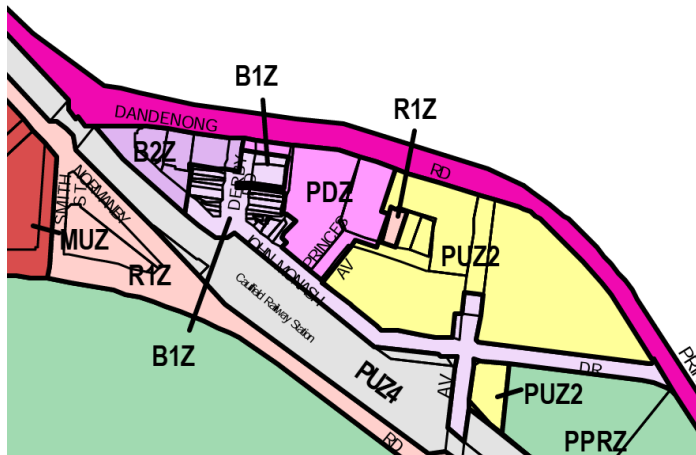
The changes to the signage category are required to facilitate the final stages of the Caulfield Plaza retail centre renovation which will require new signage for its future tenants.

Signage controls on the land and Previous Amendments

In 2006, **Amendment C53** to the Glen Eira Planning Scheme rezoned the western portion of the campus from the former Business 1 Zone (B1Z) to the Priority Development Zone (PDZ) Schedule 1 – *Monash University Caulfield Campus – Western Precinct Development*. The objective of the PDZ1 was:

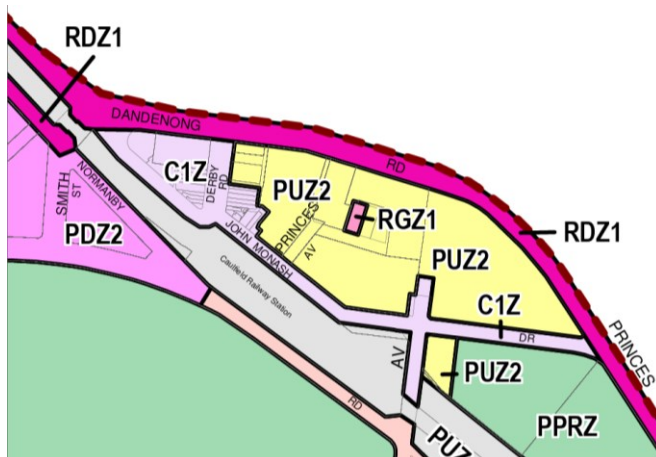
To facilitate the redevelopment of the Monash University Caulfield Campus by bringing together education, commerce, living and shopping into an integrated model of a new transit orientated urban village.

Amendment C53 identified Category 1 signage controls as applying to the PDZ zoned land. It is noted that other parcels along the eastern side of Derby Road were retained in the B1Z which also applied Category 1 signage controls.



Zones applying to the area following Amendment C53, October 2006

In 2014, **Amendment C106** to the Glen Eira Planning Scheme rezones the western portion of Monash University Caulfield Campus from part Commercial 1 and part Priority Development Zone to the Public Use Zone 2 – Education (PUZ2). This enabled the entire campus to be within a single zone that best reflected its existing and future use for tertiary education and research.



Zones applying to the area following Amendment C106, July 2014

When the area was rezoned to PUZ2, the signage controls changed to Category 4, this is the default category for the public use zone unless a different requirement is specified in the schedule to the zone.

Signage controls were not discussed during the panel hearing for Amendment C106, it is possible that the default application of the Category 4 controls along with the PUZ2 was overlooked in this earlier amendment.

Signage Controls in Victoria

Clause 52.05 of the Glen Eira Planning Scheme regulates signage to ensure that signs and associated structures are compatible with the amenity and visual character of an area, including both its existing and desired future state. These controls prevent excessive visual clutter and disorder while safeguarding the natural and built environment. Additionally, they ensure that signage does not compromise road safety, appearance, or efficiency.

Clauses 52.05-11 to 52.05-14 define four categories of signage controls, determined by the zoning provisions of an area. The categories determine if a permit is required for specific sign types or if a sign type is prohibited. The categories are:

- **Category 1 – Commercial Areas (Minimum limitation)**
 - To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.
 - No signs are prohibited. Permits required to exceed 8sqm total area of all signs.
- **Category 2 – Office and Industrial (Low limitation)**
 - To provide for adequate identification signs and signs that are appropriate to office and industrial areas.
 - No signs are prohibited. Permits required to exceed 8sqm total area of all signs.
- **Category 3 – High amenity areas (Medium limitation)**
 - To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.
 - Signs without a permit limited.
 - Signs with a permit are specified and include business identification sign, promotion sign not exceeding 3sqm and internally illuminated sign.
 - All other signs not listed are prohibited.
- **Category 4 – Sensitive areas (Maximum limitation)**
 - To provide for unobtrusive signs in areas requiring strong amenity control.
 - Signs permitted are restricted in type and overall area otherwise prohibited.

The level of signage restriction varies significantly between categories. Category 4 is the most restrictive, prohibiting large signage to protect sensitive environments. In contrast, Category 1 has minimal restrictions, allowing a wide range of signs, including large-scale advertising and illuminated displays, to support commercial activity. Other limitations across the categories include restrictions on the size, height, lighting, animation, and location of signs.

ISSUES AND DISCUSSION

Why is the Amendment required?

The proposed amendment will resolve the issue regarding signage currently impacting Monash University's Caulfield Campus in seeking to display appropriate signage. The current sign controls unreasonably limit the University's ability to identify itself and its tenants to the community.

The University outlines the issue as follows:

Category 4 signage provisions are unsuitable for the existing commercial and retail uses in the western portion of the Site. Further, the University has recognised – as universities have more broadly across Victoria – that Category 4 sign restrictions are also proving prohibitive to the efficient management of new tenancies, buildings, and faculties across the Campus.

This recognition is shaped in part by the changing tertiary institutional education landscape, which requires universities to be increasingly nimble in the services and partnerships they deliver, which inherently requires representation through new and changing signage throughout campuses.

The site is zoned PUZ2 (Education). By default, land within the PUZ falls under Category 4 sign controls, unless specified otherwise in the zone schedule. The current schedule does not specify a different requirement for any land in Glen Eira.

The amendment will utilise the schedule to the PUZ to vary the sign category applied to the site. Specifically, it will apply Category 1 and Category 2 controls to the campus.

Are the controls appropriate?

Officers consider the application of the Category 1 and Category 2 signage controls across the Monash University Caulfield Campus to be appropriate:

- Category 1 would apply 'minimum limitation' restrictions consistent with the commercial and retail ancillary nature of the western portion of the Site as follows, to ensure these services continue to support the student and staff body and broader community around the University precinct.
- Category 2 would apply 'low limitation' restrictions consistent with the office and educational purpose of the eastern portion of the Campus, in recognition of the changing requirements of these faculties.

This approach is consistent with the broader industry-wide response to campus management reflected in recently approved planning scheme amendments relating to signage for similar institutions such as the Victorian College of the Arts and RMIT University which both have Category 2 signage controls.

The benefit of this approach is that it avoids any rezoning or new overlays and works within the existing planning framework for the Site (i.e. all land remains as PUZ, but with a minor schedule variation). It will remove the overly restrictive Category 4 controls which only provides for up to 3sqm of business identification signage per premises, which is not in line with the needs of the University as an education facility. It will also facilitate a fairer and more orderly planning arrangement by better matching the sign requirements of the adjoining C1Z land in Derby Road. It should be noted that whilst this category allows greater signage, a planning permit application is still required should the total area of signage on the site exceed 8 sqm allowing officers to still ensure proposed signage is appropriate.

Further, Officers consider the amendment will rectify the oversight which occurred when the land was rezoned PUZ2 through Amendment C106.

When rezoning the land from PDZ to PUZ2 under Amendment C106, the suitability of the default PUZ signage controls was not considered. This was a missed opportunity, which this amendment seeks to rectify by applying appropriate signage controls that align with the Campus' functionality and surrounding context.

Strategic assessment of the amendment

The amendment advances Victoria's planning objectives by promoting the fair, orderly, economical, and sustainable use and development of land. It is not expected to have any adverse social, economic or environmental impact, as most signs will remain subject to planning permit requirements. A draft explanatory report has been prepared for this amendment, providing a detailed strategic assessment and will accompany the amendment request.

Amendment process

Officers have reviewed the potential impact of the proposed amendment and consider the impact on the surrounding area including any sensitive uses to be minimal. Monash University is located to the east of the Derby Road shopping strip between the Caulfield train line and Dandenong Road. There are no immediate residential interfaces. Further, the signage already in place within the campus including along Derby Road and around the

Caulfield Plaza retail centre is like that which is permissible within the proposed Category 1 and Category 2 signage controls.

Given the likely limited impact of the amendment, Officers consider it is appropriate to request the Minister for Planning exempt the proposed Amendment from the full notice requirements. Such an exemption would remove the need for a lengthy exhibition and possible Panel process and enable the Amendment to be fast tracked. The request to the Minister for Planning would be done under Section 20(2) of the *Planning and Environment Act 1987*.

Section 20(2) allows the Minister to exempt a planning authority (Council) from some or all notice requirements of section 19 or the regulations for the amendment.

This exemption can be made if the Minister considers that compliance with any of those requirements is not warranted, or that the interests of Victoria or any part of Victoria make such an exemption appropriate. Officers consider that this minor amendment does not warrant standard notice. Monash University Caulfield Campus is essentially a large island site with limited interfaces. Given the limited impact of the proposed amendment, notice to the wider community is not warranted.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

This Amendment will not have any implications on Council's Climate Emergency Response. It is purely administrative changes to the signage controls applying to the university.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Impacts will be minimal. Monash University will be paying the necessary amendment fees as required which will also contribute to the cost of resources for processing the amendment request.

POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy and legislative implications from this proposed amendment. Proposed signage will be subject to permit applications as per the respective signage category for the land in the Public Use Zone.

COMMUNICATION AND ENGAGEMENT

Should a standard amendment process be undertaken the amendment will be subject to statutory exhibition for at least a month. Any Ministerial exemptions may reduce this requirement.

LINK TO COUNCIL PLAN

Strategic Direction 3: A liveable and well planned City
Our planning aims to balance population growth with enhancing the unique character and heritage of our City.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

Proposed Amendment C269 will rectify minor issues relating to the ability to erect appropriate signage at the Monash University Caulfield Campus. By varying the applicable signage category controls for the land, the University will be subject to less restrictive sign controls. This will enable them to update signage in the area in line with its existing uses for

education and ancillary retail. Should Council resolve to seek authorisation from the Minister for Planning for proposed Amendment C269, officers consider the proposed request for exemption from the notice provisions of the Act to be reasonable and should be advocated for with the Minister for Planning.

AMENDMENT C269GLEN

System Note: The following ordinance will be modified in Sub-Clause:36.01 PUBLIC USE ZONE, Schedule:SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0
C269glen

Permit exemptions and conditions

Public land	Use or development	Conditions
5-7 Shepparson Avenue, Carnegie	Community Centre/Library	A minimum of 61 car spaces must be provided for the use.

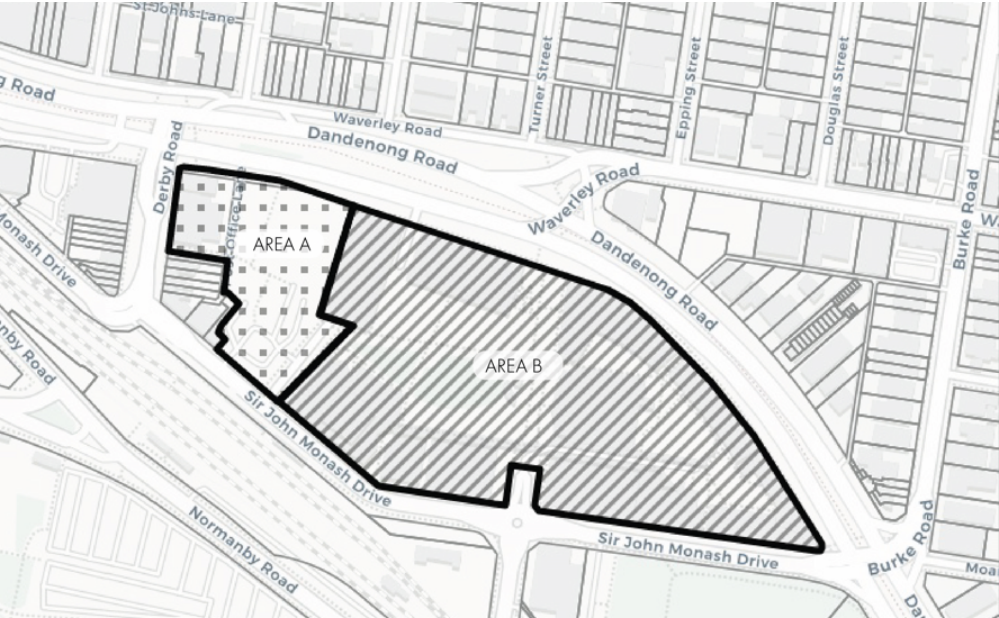
System Note: The following ordinance will be modified in Sub-Clause:36.01 PUBLIC USE ZONE, Schedule:SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

2.0
C269glen

Sign requirements

Land	Sign Category
860-874 Dandenong Road, Caulfield East The land generally to the west of Princes Avenue described as Area A in Map 1 to this schedule.	Category 1
860-874 Dandenong Road, Caulfield East The land generally to the east of Princes Avenue described as Area B in Map 1 to this schedule.	Category 2

Map 1



10.2 DRAFT STRATEGIC PROPERTY PLAN

Author: Leigh Northwood, Strategic Property Manager

Director: Rosa Zouzoulas, Director Planning and Place

Trim No: 25/182810

Attachments: 1. Draft Strategic Property Plan 11 Mar 2025 [↓](#)

EXECUTIVE SUMMARY

Glen Eira City Council is committed to providing and maintaining a diverse range of property assets (community infrastructure) that support the delivery of community services and spaces that enhance the wellbeing of our community. From Town Hall to toy libraries, parks to pavilions, club houses to kindergartens, car parks to community centres, senior citizens' centres to swimming pools, libraries to laneways, and our open spaces and playgrounds, our property assets are integral to community wellbeing and connection.

As our population grows, it is crucial that our community infrastructure is equipped to support both current and future community service needs. While some facilities are new and require minimal updates, others may need attention, be underutilised or have reached the end of their useful life.

Local governments face significant challenges in ensuring our communities have access to high-quality, fit for purpose, and well-utilised facilities that support a growing population with evolving needs. Funding for acquiring, maintaining, renewing, and expanding community infrastructure is a persistent challenge.

Council's Financial Plan 2024-34 emphasises the importance of financial sustainability, effective use of public funds, and responsible management of community assets to avoid undue burdens on future ratepayers. In a climate of rising costs and fiscal constraints, Council must develop robust strategies to maintain high-quality services in a financially sustainable manner.

In Glen Eira, specific challenges include a deficiency of open space, low tree canopy cover leading to increased urban heat island effects, and the need for additional housing to accommodate future population growth, who will be living in increasingly higher density housing. These challenges will have emerging impacts on our future community's needs for access to Council's services and the infrastructure that supports delivery of those services.

This report presents our draft *Strategic Property Plan* (the Plan) (**Attachment 1**) for consideration of approval for community engagement as part of Council's Our Place, Our Plan phase four engagement through April and May 2025.

The cornerstone of the draft *Strategic Property Plan* is to balance community benefit with financial sustainability.

This means finding ways to use our places and spaces effectively and looking for opportunities to generate funds where appropriate through these assets, supported by a transparent decision-making framework. Any funds generated from assets, go back into providing new and improved community infrastructure e.g. places for our community to connect like more quality open space or expanded libraries.

The draft *Strategic Property Plan* aims to enhance decision-making, accountability, and community well-being while fostering partnerships and advocating for collaborative solutions. By aligning property investments with community goals and adapting to demographic

changes, the draft Plan seeks to ensure the long-term sustainability and effectiveness of community infrastructure into the future.

RECOMMENDATION

That Council:

1. Endorses the draft *Strategic Property Plan*, as presented in **Attachment 1**, for community engagement aligned to phase four of Our Place, Our Plan from 30 April to 18 May 2025.
2. Requests a further report on the submissions received and a final *Strategic Property Plan* for Council consideration.

BACKGROUND

Council's *Property Strategy*, adopted in 2021, establishes a broad governance framework for managing Council's property assets and recommends (among other matters) that there be further work undertaken, being a strategic review of Council's property assets as they relate to provision of community infrastructure (e.g. libraries and community halls), noting some of these facilities are ageing, potentially under-utilised and potentially in need of either upgrade or redevelopment in meeting community needs or basic 'fit for purpose' functions. The *Property Strategy* also recommends further development of a decision-making process when considering property assets.

Key to this further strategic work is understanding the services that Council provide to our community, and the associated infrastructure required to support these community services now and into the future particularly in consideration of forecast population growth, and the changing demographic profile of such in Glen Eira.

Funding to acquire, maintain, renew and expand community infrastructure throughout their lifecycle remains a key issue for local government.

In response, a strategic property function has been established within Council. This is relatively new in the Victorian local government context – the key aim being (consistent with Councils adopted *Property Strategy*) to strategically review Council's assets with a view to ensuring a balance of net community benefit and financial sustainability.

As a key deliverable of the Property Strategy, a draft *Strategic Property Plan* has been prepared (**Attachment 1**).

This draft *Strategic Property Plan* includes:

- a summary of Council's property context including the need for a strategic approach to planning for community infrastructure needs (broadly);
- purpose of the Plan;
- vision and guiding principles in regard to Council's property assets;
- decision-making processes for Council's property assets;
- focus areas (actions) to enable the plan to be effective; and
- a comprehensive Monitoring, Evaluation, Reporting and Improvement (MERI) framework to ensure performance of the Plan.

ISSUES AND DISCUSSION

The types of property assets the Plan relates to include the town hall, pools, libraries, childcare and community centres, arts and cultural services, pavilions and sporting clubs, Council offices, car parks, open space and other properties that Council owns and manages.

This list excludes specialised infrastructure assets such as roads, footpaths, school crossings, shopping strips, pipes and stormwater drains. This infrastructure is managed in accordance with Council's *Asset Management Strategy 2024-2028* and *Asset Plan 2023-2032*.

The role of the draft *Strategic Property Plan* is not to plan for capital works expenditure that maintain/renew assets – this is the role of the *Asset Management Strategy and Asset Plan* (e.g. planning and programming for replacing a roof, retrofitting a building for climate efficiency or the internal re-fit of a building).

The *Strategic Property Plan* addresses the challenge faced by Council in ensuring our community will have access to fit for purpose and well utilised community infrastructure and services that will meet the needs of a growing population with changing needs. It aims to ensure that property assets are aligned with community benefits, financial sustainability and transparency.

On this there are key challenges for Glen Eira in providing community infrastructure and services that the Plan must address:

- Council's *Open Space Strategy Refresh* identifies a deficiency of open space and recommends we buy land and make capital improvements to turn it into future open space. However, our ability to fund this is constrained given Council has made several recent purchases including the Elsternwick Bowls Club.
- Related to our open space provision, are the relatively low levels of tree canopy cover in Glen Eira of 12.5 per cent, which results in Urban Heat Island Effect (warmer temperatures caused by the modification of land, dense development, transport and hard surfaces that hold heat). This in turn creates a situation where parts of Glen Eira can be around 8-12 degrees Celsius hotter than surrounding non-urban areas during hot weather events.
- Council's *Housing Strategy* identified an additional 13,000 dwellings will be needed between 2016-2036 to house the 30,000 additional people that are forecast to live here. The state government's housing targets require us to have a capacity to accommodate an additional 63,500 dwellings by 2051. The state government's policy settings in regard to housing identify potentially higher populations than current population forecasts, and that future housing will be denser than traditional housing, with predominantly apartments as the main type of housing in and around our activity centres. This has potential to change the way people live in Glen Eira and will impact on the type, quality and location of community infrastructure they will access, e.g. without private access to green space, quality public open space will become even more important.

How will Council make decisions about our property assets?

Council needs to be strategic and considered when making decisions about its properties to ensure the greatest benefits for our community now and into the future are made in the most financially sustainable way.

This requires us to look at how a small number of assets can provide a revenue stream to help us fund future community infrastructure and services. It might be the commercial leasing of a site, combining several services into one larger building to enable cost sharing or selling an under-used asset to provide a better one in another location.

A robust assessment of Council's property assets is essential to support the effectiveness of these assets in meeting community benefit and financial sustainability outcomes. The draft *Strategic Property Plan* adapts the key phases for decision making from the *Property Strategy 2021* and incorporates further matters related to the principles developed in the *Strategic Property Plan*. A revised decision-making framework (in two parts) is outlined in the draft *Strategic Property Plan*, phase 1 assessment allowing for categorisation of community assets into four areas:

Category Number	Category Description	Performance Level / Recommendation
1	Business as Usual (BAU)	<ul style="list-style-type: none"> Deemed as currently well utilised and fit for purpose. Maintain as operational. Review period five years or sooner if relevant site-specific data/opportunity becomes available.
2	Optimise Benefit	<ul style="list-style-type: none"> Deemed to be under utilised or having 'fit for purpose' issues. Further investigation (<u>based on Phase 1 findings</u>) to identify fit for purpose or other issues that may be preventing good utilisation of property asset. Is the community use or Council service best served by this property? Are there alternative service delivery options, including co-location and/or commercial opportunities to improve utilisation of property? Is there an alternate Council facility for provision of the service that may offer increased benefits? Is there opportunity for to include other Council supported services/uses within this property asset where Council is leasing property commercially?
3	Potential Future Strategic Site (subject to Service Review)	<ul style="list-style-type: none"> Requires a decision from Council regarding service provision (i.e. does Council want to keep supporting this service in its current form? This would require consideration of Council service review recommendations). Subject to Council decision, move to Category 1 or 2 where not deemed surplus (as appropriate), or to Category 4 for further investigation and assessment in line with Phase 2 if deemed surplus.
4	Strategic Site (subject to Council Decision)	<ul style="list-style-type: none"> Deemed surplus. Identified site for further investigation, assessment and feasibility testing for recommended options in line with Phase 2 decision-making.

Annual assessment informed by new data (like asset condition, renewal costs, change in utilisation) will inform any re-categorisation of properties, noting most properties will fall

within categories 1 and 2 being property assets that meet community needs and may only need to be maintained or potentially better utilised.

Where a property asset falls within category 4 (above), it will be recommended for further assessment for consideration of strategic re-development (through phase 2 decision-making outlined below). This may include any combination of redevelopment, acquisition and/or disposal options, e.g. only part of the site may be recommended for disposal to facilitate redevelopment or upgrade to another part and potentially consider partnership arrangements to assist in the redevelopment.

This includes relevant reporting and decision points throughout the process to ensure transparency and accountability in decision-making.

What does the draft Strategic Property Plan recommend?

The *Strategic Property Plan* identifies 5 focus areas with commensurate objectives, actions and timeframes that advance established principles in the draft Plan. These are 'enabling' actions that are not site specific – but advance the success of the Plan for the most part requiring whole of Council collaboration to implement. These focus areas are:

Focus Areas	Key Actions:
1. Council's Strategic Property Goals	<i>Review and update Council's 2021 Property Strategy.</i>
2. Value and Fairness in Council's Leasing and Licencing Practices	<p><i>Review the Council's Leasing and Licensing Policy 2019 with specific focus on:</i></p> <ul style="list-style-type: none"> <i>Streamlining the leasing and licencing process.</i> <i>Reconfirming the lease and licence decision making framework for community tenure arrangements to optimise alignment to the principles outlined in the Plan e.g. opportunities for enhanced utilisation of space, community benefit matrix and formalising the requirement for EOs for any vacancies within Council spaces.</i> <i>Identify a program of lease and licence renewals to prioritise opportunities for optimising utilisation and other focus areas of the Strategic Property Plan.</i> <p><i>Review the fee structure and value of leases and licences of property assets.</i></p> <p><i>Review leases where Council is the leaseholder on behalf of a community use or a Council service and look for opportunities to relocate to identified under utilised spaces owned by Council wherever possible.</i></p>
3. Utilisation of Council's Community Infrastructure	<p><i>Prepare a Community Infrastructure Plan to inform Council's forward planning for community infrastructure and prioritise review cycles for the plan.</i></p> <p><i>Consider what community services Council offers on a regular basis.</i></p> <p><i>Conduct regular assessments of underutilised or surplus</i></p>

	<p><i>properties to identify alternative uses and maximise asset efficiency.</i></p> <p><i>Update the Strategic Property Plan as required to reflect the updated service commitments, utilisation assessments and forecast demand.</i></p>
4. Council's Community Infrastructure and its Influence on Liveability and Place	<p><i>Ensure stakeholder engagement informs future community infrastructure.</i></p>
5. Optimise Outcomes - Council's Property Assets	<p><i>Actively seek opportunities to value-add and maximise benefit (financial and community) within Council's property portfolio.</i></p> <p><i>Where appropriate advocate to State government and other agencies to benefit property related outcomes in provision of community benefit for Glen Eira City.</i></p> <p><i>Advocate to State government for local government access to adequate development contributions for future private sector development to fund community infrastructure.</i></p>

These recommendations will be supported by site specific recommendations as per the decision-making framework (above).

Key Project Milestones and Decision Points

The following table identifies key points at which the *Strategic Property Plan* will be brought to the community and Council (for decision):

Meeting Type/Date	Decision Point/Milestones
August 2024 – April 2025	<p>Our Place Our Plan Consultation Phases 1-3:</p> <p>Key sentiments and views Phase 1 Community Voice Check-in, Phase 2 Pre-engagement Staff, Councillors, Traditional Owners, and Phase 3 Community Priorities Panel deliberation</p>
OCM 8 April	<p>Draft Strategic Property Plan excluding recommendations (consideration of approval to consult on the Plan)</p>
30 April to 18 May	<p>Our Place Our Plan Community Engagement Phase 4:</p> <p>Consultation on draft Plans (includes <i>Revenue and Rating Plan, Budget 2025—26, Biodiversity Plan</i> and <i>Strategic Property Plan</i>)</p>
OCM 30 Jun	<p>Draft Strategic Property Plan inclusive of recommendations (final version for consideration of adoption)</p>

Further information in regard to community consultation that supports development of the draft *Strategic Property Plan* is outlined below.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

Goal 1 of the *Climate Change Emergency Response Strategy 2021-2025 | Dhumbali Wurrungi-biik Parbin-ata* is we embed climate change action is everything that we do.

Goal 3 is that *Council-owned buildings and infrastructure are resilient and safe for our staff and community.*

The *Strategic Property Plan* will align with core principles of our *Climate Emergency Response Strategy 2021-2025 | Dhumbali Wurrungi-biik Parbin-ata*.

To note, a revised Climate Emergency Response Strategy is currently being developed.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Financial Sustainability and Responsible Use of Funds

The preparation of the draft *Strategic Property Plan* is being funded from the City Futures operational budget noting the majority of the document is prepared in-house.

Council's Financial Plan 2024 -25 to 2033-34 identifies that *Financially, Council's primary obligations are to be financially sustainable, make effective use of the public funds entrusted to us, and to ensure the responsible management and planning of community assets so that future ratepayers are not burdened unnecessarily.*

Contextually, the *Financial Plan* outlines key matters that highlight the importance of the *Strategic Property Plan* and the challenges it must seek to address whilst ensuring a net community benefit lens, including that:

- With rising cost pressures, a tightening fiscal environment, and a growing population, it is imperative that we make forward-thinking decisions that meet the evolving needs of our community now and into the future.
- Long-term financial sustainability is essential for Council to continue providing the high-quality programs and services our community values and relies upon.

In the event the Plan recommends any disposal of sites, funds derived would be directed to new priorities of Council as outlined in the *Sale of Council Land and Buildings Policy*.

Such funds will be directed to land acquisitions, upgrades of existing facilities, and the development of new facilities.

POLICY AND LEGISLATIVE IMPLICATIONS

The *Strategic Property Plan* aligns strategically with adopted positions of Council including the *Glen Eira Council Plan 2021-2025* (and key themes emerging in informing the new Council Plan) and *Community Vision, Integrated Transport Strategy (refresh), Open Space Strategy 2020 (refresh), Our Climate Emergency Response Strategy 2021-2025 | Dhumbali Wurrungi-biik Parbin-ata* and *Community Wellbeing Plan 2021-2025*.

Preparation of the draft *Strategic Property Plan* was recommended in and is informed by the *Property Strategy 2021*. It will also align with Council's financial strategies and policies including the *Sale of Council Land and Buildings Policy*.

COMMUNICATION AND ENGAGEMENT

The community has meaningfully contributed to the development of Council's long-term plans via a multi-phased communication and community engagement program through Our Place, Our Plan.

Engagement phases

Our Place, Our Plan included four phases of engagement. These engagement phases move across the IAP2 Public Participation Spectrum from the 'consult', the 'involve' and the 'collaborate' level of engagement. The Strategic Property Plan is being informed by 'Involve' level broad engagement and 'Collaborate' level deliberative engagement through the reactivation of the Community Priorities Panel, whose recommendations will assist in the progression of the Plan.

Engagement on the draft *Strategic Property Plan* is part of phase four of the consultation program which involves delivering the final 'consult' level engagement phases and includes presenting the draft plans for exhibition and final community feedback. This phase will be conducted from 30 April to 18 May 2025 and will seek community feedback on the following draft plans:

- *Draft Annual Budget 2025-26*
- *Rating and Revenue Plan*
- *Biodiversity Plan*
- *Draft Strategic Property Plan*

It is noted the consultation version of the draft *Strategic Property Plan* does not include site specific recommendations, rather it will test the vision, principles, objectives and key directions of the plan.

As required by the *Gender Equality Act 2020*, a Gender Impact Assessment (framework) has been undertaken around higher order principles, to inform the *Strategic Property Plan* and importantly to identify key principles that future work out of the Plan will need to have regard to and expand on where more detailed outcomes for those individual projects allow for such.

LINK TO COUNCIL PLAN

Strategic Direction 1: Well informed, transparent decisions and highly valued services
We build trust through engaging with our community, delivering quality services and making evidence-based decisions

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

The draft *Strategic Property Plan* aims to enhance decision-making, accountability, and community well-being while fostering partnerships and advocating for collaborative solutions. By aligning property investments with community goals and adapting to demographic changes, the draft Plan seeks to ensure the long-term sustainability and effectiveness of community infrastructure into the future.

The cornerstone of the draft *Strategic Property Plan* is to balance community benefit with financial sustainability.

This means finding ways to use our places and spaces effectively and looking for opportunities to generate funds where appropriate through these assets, supported by a transparent decision-making framework. Any funds generated from assets, go back into providing new and improved community infrastructure.

If endorsed, the draft *Strategic Property Plan* would be put out for consultation from 30 April to 18 May to seek community feedback as part of phase four of the Our Place, Our Plan consultation.

Following consultation, a further report will be prepared for Council on the outcomes of consultation, the changes required from the consultation process and the tabling of the final Plan featuring more definitive recommendations on strategic sites and priorities.



GLEN EIRA
CITY COUNCIL

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

GLEN EIRA STRATEGIC PROPERTY PLAN 2025

Consultation Draft
Version 2b
11 March 2025

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ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Glen Eira City Council acknowledges the Boonwurrung/ Bunurong and Wurundjeri Woi Wurrung peoples of the Kulin Nation as Traditional Owners and Custodians, and pays respect to their Elders past, present and emerging. We acknowledge and uphold their continuing relationship to land and waterways. Council extends its respect to all Aboriginal and Torres Strait Islander peoples.

Council honours the rich histories and cultures of First Nations peoples and recognises and values the important contribution of Aboriginal and Torres Strait Islander peoples in enriching our community. We support the Uluru Statement from the Heart and are committed to a *Reconciliation Action Plan* which is underpinned by the principles of self-determination. We work towards improved outcomes and long-term generational change, and to consolidate Glen Eira as a culturally safe place for Aboriginal and Torres Strait Islander peoples. We are committed to achieving equality for Aboriginal and Torres Strait Islander people to live healthy and prosperous lives and to improve

life outcomes for current and future generations.

Glen Eira resides on country that always was, and always will be, Aboriginal land

1. Foreword

Glen Eira City Council is committed to providing a diverse range of property assets (community infrastructure) that support the delivery of essential services and enhance wellbeing to our community. From Town Hall to toy libraries, parks to pavilions, club houses to kindergartens, car parks to community centres, senior citizens' centres to swimming pools, libraries to laneways, and our open spaces and playgrounds, our property assets are integral to community wellbeing and connection.

As our population grows, it is crucial that our community infrastructure is equipped to support our community's needs both now and into the future. While some facilities, like the Carnegie Memorial Swimming Pool, are new and require minimal updates, others may need attention, be underutilised or have reached the end of their useful life.

Local governments face significant challenges in ensuring our communities have access to high-quality, fit for purpose, and well-utilised facilities that support a growing population with evolving needs. Funding for acquiring, maintaining, renewing, and expanding community infrastructure is a persistent challenge, as highlighted by a recent Parliamentary Inquiry into Local Government Funding and Services (November 2024). The inquiry noted that Council's manage a disproportionately high amount of infrastructure relative to their revenue and that planning for and funding infrastructure assets is a major financial pressure.

Council's Financial Plan 2024-34 emphasises the importance of financial sustainability, effective use of public funds, and responsible management of community assets to avoid undue burdens on future ratepayers. In a climate of rising costs and fiscal constraints, Council must develop robust strategies to maintain high-quality programs and services in a financially sustainable manner.

In Glen Eira, specific challenges include a deficiency of open space, low tree canopy cover leading to increased urban heat effects, and the need for additional housing to accommodate future population growth, who will be living in increasingly higher density housing. These challenges will have emerging impacts on our future community's needs for access to Council's services and the infrastructure that supports delivery of those services, including but not limited to open space, community meeting spaces and places for community connection, early childhood services and community hubs that host a myriad of community groups, activities and outreach services.

The cornerstone of our Strategic Property Plan is to **balance community benefit with financial sustainability**.

This means finding ways to use our places and spaces effectively and looking for opportunities to generate funds where appropriate through these assets, supported by a transparent decision-making framework. Any funds generated from assets, go back into providing new and improved community infrastructure e.g. places for our community to connect like open space.

The Strategic Property Plan aims to enhance decision-making, accountability, and community well-being while fostering partnerships and advocating for collaborative solutions. By aligning property investments with community goals and adapting to demographic changes, the plan seeks to ensure the long-term sustainability and effectiveness of community infrastructure into the future.

Rebecca McKenzie
Chief Executive Officer

2. Introduction

Organisational Context

Our Integrated Planning and Reporting Framework (IPRF) is guided by the long-term Community Vision and four-year Council Plan, a new version of which is currently being prepared for the new Council term.

Unlike our other four-year strategies, the *Strategic Property Plan* needs to remain dynamic and will be subject to review and updating as we gather more evidence to support future decision making. As emerging challenges arise, the Plan will need to respond so we can make informed and responsible decisions about our property assets.

Council's Integrated Planning and Reporting Framework (IPRF) ensures all our strategies are aligned. The *Strategic Property Plan* has been informed by the following strategies and will contribute to achieving the aims of these and future Council strategies and plans.

Community Vision

Our Glen Eira:

A thriving and empowered community working together for an inclusive and sustainable future.

Council Plan

Well informed and transparent decisions and highly valued services. Access to well designed and maintained open spaces and places. A liveable and well-planned city.

Community Wellbeing Plan

Tackling the municipality's most pressing health and wellbeing priorities and working with the people in our community to connect, support and engage them throughout their lives. Planning for the challenges and opportunities of the future, and working together to support, build and sustain a healthy, inclusive and resilient community for all.

Property Strategy

Commence a programmed review of Council Property identified as potentially low performing, including collection/ collation of a range of property related information to inform the assessment.

Asset Management Strategy

Demonstrate that Council will responsibly manage our assets to meet the service delivery needs of our community over the next ten years.

Climate Emergency Response Strategy 2021–2025

Dhumbali Wurrungi-biik Parbin-ata

Council-owned buildings and infrastructure are resilient and safe for our staff and community.

Integrated Transport Strategy Refresh

Glen Eira will be a city of child-friendly neighbourhoods that are connected to a network of vibrant and well-designed walkable activity centres.

Financial Plan

Financial sustainability in the medium to long-term, while still achieving Council's strategic objectives as specified in the Council Plan.

Open Space Strategy Refresh 2020

Population growth has an impact on liveability and access to open space. Open space needs to adapt to changing needs and improve access for people of different ages, cultures and mobility.

3. Purpose (what does this Plan do)?

The *Strategic Property Plan* addresses the challenge faced by Council in ensuring our community will have access to fit for purpose and well utilised community infrastructure and services that will meet the needs of a growing population with changing needs. It aims to ensure that property assets are aligned with community benefits, financial sustainability, transparency, statutory compliance, and safety.

The purpose of the Strategic Property Plan is to:

Align with Council Objectives:

- Connects Council's objectives, strategies, and plans with community infrastructure and services to meet community needs.
- Integrates with Council's *Asset Management Strategy*, *Asset Management Plan*, *Open Space Strategy*, and *Property Strategy*.

Identify Guiding Principles for Decision Making:

- Uses available data to inform evidence-based planning to identify future community needs.
- Adapts to emerging trends and challenges in provision of future community infrastructure.
- Embeds community views in community infrastructure delivery.

Guide Investment and Property Management:

- Guides investment related to provision of Council services and the infrastructure required to support it into the future.
- Identifies principles, decision making and makes recommendations about opportunities for commercial opportunities, property acquisition, ownership, leasing, and sale within a continued improvement framework (i.e. decisions remain dynamic throughout emerging challenges and updated data).

Support Future Community Infrastructure Planning:

- Remains dynamic to adapt to evolving data and challenges.
- Plans for community infrastructure in meeting future community needs.

Ensure Governance and Accountability:

- Implements a decision-making framework for effective governance.
- Develops systems for monitoring, evaluating, reporting, and improving property management.

4. Vision and Principles

Vision

Ensure a balance of net community benefit and financial sustainability in planning for and delivering high quality, accessible, fit-for-purpose and well-utilised community services and facilities.

Guiding Principles of the Strategic Property Plan

The following principles build upon identified benefits of taking a strategic approach to Council's property assets, and form the basis for decision making and focus areas within the *Strategic Property Plan*:

Decision-Making

- Develop an evidenced-based strategic framework for Council's property assets that informs decisions on future planning for community infrastructure and services to meet our communities' changing needs.
- Foster greater accountability in property asset management to enhance transparency and strengthen trust between Council and the community.

Risk Management and Compliance

- Identify and mitigate risks associated with property assets including compliance, legal liabilities, environmental concerns and market fluctuations.

Cost Efficiency and Value Delivery

- Optimise the cost benefits of well-utilised community facilities, explore options for repurposing under-utilised assets and optimise financial sustainability in delivering community benefit.
- Identify and resolve barriers to utilisation of community facilities.
- Wherever possible deliver Council services from Council owned facilities.

Support Community Well-Being

- Ensure community infrastructure enhances community participation to foster a sense of belonging, connection and sense of place that enhances liveability.
- Ensure accessibility and inclusion are considered when planning for community infrastructure.
- Prioritise community infrastructure that promotes health and wellbeing, social cohesion, and safety.

Environmental Sustainability

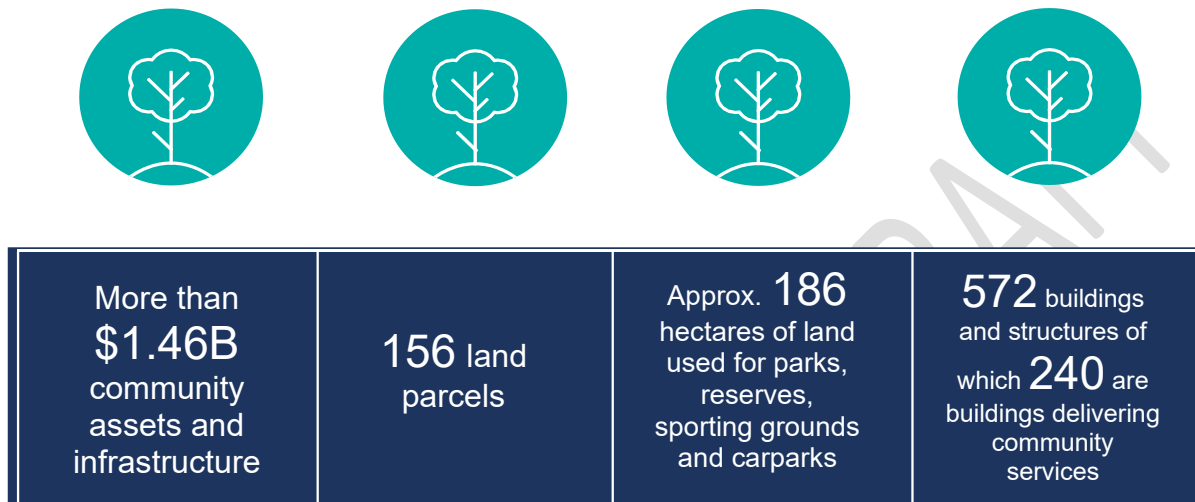
- Seek opportunities for community infrastructure to support sustainable practices, protect biodiversity, and mitigate environmental impacts.

Partnerships and Collaborative Advocacy

- Build strategic partnerships with government, organisations and private sector to access funding, enhance service delivery, and reduce risks in providing high quality, accessible, fit for purpose, well utilised community infrastructure.

5. Context (why being strategic about property is important)

Glen Eira City Council (Council) is responsible on behalf of its community for more than \$1.46 billion in community assets and infrastructure. These properties enable us to deliver our services to the community. The extent of Council's assets is shown below:



What properties are included in the Strategic Property Plan?

The *Strategic Property Plan* refers to the following types of properties owned by Council:

- Vacant land
- Buildings on Council land (vacant or occupied)
- Parks, open space and sporting reserves
- Carparks.

Council also leases commercial premises to provide or support some services that benefit our community. This *Plan* considers those arrangements, as although we may not own that land or asset, a strategic approach to service provision and value/benefit is important.

Council's property assets enable us to provide services that support our community— we call it community infrastructure and it includes such places as the Town Hall, public pools, libraries, parks and gardens, early childhood and community centres, community rooms/hubs, kindergartens, the art gallery, pavilions and sporting clubs, senior citizens, Council offices and carparks.

By way of example, Council owned property assets include, but are not limited to:

Community Infrastructure Type	Number
Carparks	35*
Community rooms and hubs	20+
Independent Living Units	64
Senior Citizens' Centres	5
Recreation/Aquatic Centres	3
Scout/Guide Halls	10
Tennis Clubs	15
Libraries	4
Pavilions	25
Maternal and Child Health Centres	5
Open Space Parks	76
Bowling and/or Croquet Clubs	7
Early Childhood Centres (former)	3
Art Gallery	1

*Note these are stand-alone carparking assets this number does not include carparking associated with other assets e.g. the town hall carpark.

To be clear this list excludes infrastructure assets such as roads, footpaths, school crossings, shopping strips, pipes and stormwater drains. This infrastructure is managed in accordance with Council's Asset Management Strategy 2024-2028 and Asset Management Plan. The *Asset Management Strategy* notes Glen Eira's assets are ageing and are increasingly costly to maintain and renew. They also need to be climate resilient, all of which poses a financial challenge to Council.

The principles outlined in the *Asset Management Strategy* are relevant to the *Strategic Property Plan*. It states that we need to manage our assets to keep them fit for purpose and decisions about their future need to consider the life cycle of assets, identified community need and financial sustainability.

The role of the *Strategic Property Plan* is not to plan for a program of capital works expenditure that maintain/renew assets (e.g. replacing a roof, retrofitting a building for climate efficiency or the internal re-fit of a building). Rather, it is to plan strategically for the future needs of our community regarding the provision of community infrastructure that they will need. The Plan needs to balance sometimes competing interests while being financially sustainable.

The cost of quality community service provision

Council provides a raft of services that range from parks and playgrounds, sporting facilities, animal management, youth services, library services, maternal child healthcare, tree planting and maintenance, graffiti removal, local business support, and many, many others. Many of these services require land and buildings to host and support them.

A recent example of Council's investment in community infrastructure is the Carnegie Memorial Swimming Pool which provides a venue for people to swim, socialise, learn new skills and maintain healthy lifestyles. The Carnegie Memorial Swimming Pool has been a much-loved part of Glen Eira for more than 50 years, however the facility had reached the end of its serviceable life and urgently needed to be replaced. The transformation of the Pool into a contemporary aquatic facility will benefit the Glen Eira community for generations to come.



A key challenge for local government is ensuring our community has access to quality, fit-for-purpose and well-utilised community facilities that support our growing population and its changing needs throughout their lives.

Funding to acquire, maintain, renew and expand community infrastructure remains a key issue for local government. This was highlighted in recent findings of a [Parliamentary Inquiry into Local Government Funding and Services \(November 2024\)](#), which identified that *'in proportion to their revenue, Council's are required to manage a far higher proportion of infrastructure than other tiers of government'* and *'that asset renewal is the biggest capital expense for all types of Council's, and asset renewal was also one of their biggest cost pressures'*.

Council's Financial Plan 2024-34 identifies that financially, Council's primary obligations are to be financially sustainable, make effective use of the public funds entrusted to us, and to ensure the responsible management and planning of community assets so that future ratepayers are not burdened unnecessarily.

With rising costs, a constrained fiscal environment, and a growing population, we need think about how best to continue provide the high-quality programs and services our community values in a financially sustainable way.

Local government faces many fiscal risks that are beyond its control, among them:

- 'Fair Go' rate-capping system introduced across Victoria in 2015 has severely constrained the ability of local government to rely on traditional avenues of revenue and provide essential community services.
- Impact of state and federal government decisions and policies on community infrastructure and services that Council's provide e.g. state government reforms to increase housing density in middle ring suburbs to address housing affordability has implications for the supply of additional community infrastructure and

services for future communities who will live for longer and in increasingly denser housing (e.g. apartments).

- Cost shifting from other levels of government.
- Increasing costs to deliver and insure infrastructure renewal, upgrade and new infrastructure requirements.
- The timing, number and impact of emergency events.

Council's core function is delivering the community services and associated infrastructure our community needs and expects, however the cost of providing, maintaining and renewing community infrastructure and community services is rising in a constrained economic environment.

The specific challenges for providing services in Glen Eira include:

- The *Open Space Strategy Refresh* identifies a deficiency of open space and recommends we buy land and make capital improvements to turn it into future open space. However, our ability to fund this is constrained.
- Related to our open space provision, is the relatively low levels of tree canopy cover in Glen Eira of just 12.5 percent, which results in Urban Heat Island Effect (warmer temperatures caused by the modification of land, dense development, transport and hard surfaces that hold heat). This creates a situation where parts of Glen Eira can be around 8-12 degrees Celsius hotter than surrounding non-urban areas during hot weather events.
- Council's *Housing Strategy* identified the need for an additional 13,000 dwellings between 2016-2036 to house the 30,000 additional people forecast to live here. The state's Housing Targets require us to have a capacity to accommodate an additional 63,500 dwellings by 2051. State government policy in relation to housing identifies potentially higher populations than currently forecast, and that future housing will be denser than traditional housing, with predominantly apartments as the main type of housing in and around our activity centres. This has potential to change the way people live in Glen Eira and will impact on the type and quality of community infrastructure they will access, e.g. without private access to green space, quality public open space will become even more important.

Benefits and risks of holding property

A considered approach to managing our property portfolio can have many benefits, including:

- Providing quality, accessible, fit-for-purpose and well used venues for delivering services to the community.
- Maintaining assets proactively so they remain in good condition.
- Complying with relevant laws, regulations and policies.
- Opportunities to implement Council strategies.
- Using economies of scale to deliver more cost-effective assets and services.
- Recognising that property is the only source of revenue not constrained by the state government, thus reducing costs to ratepayers through commercialising appropriate sites.

The scale of investment in our property portfolio also exposes us to a range of risks, including:

- Changing property values over time.
- Cost to hold property (e.g. interest rate changes and increasing insurance liability).
- Legal risks arising from use of properties and contractual arrangements (e.g. risk to patrons using facilities).
- Financial risks and obligations which increase as the building ages.
- Commercial exposure to a competitive market (spaces may be vacant sometimes or not desired by the market).

Taking a strategic approach

There is clearly a need for Council to strategically review and plan its property assets to ensure a balance of net community benefit and financial sustainability in delivering community services and facilities.

Council needs to be strategic and considered when making decisions about its properties to ensure the greatest benefits for our community now and into the future are made in the most financially sustainable way.

This requires us to look at how a small number of assets can provide a revenue stream to help us fund future community infrastructure and services. It might be the commercial leasing of a site, combining several services into one larger building to enable cost sharing or selling an under-used asset to provide a better one.

Having a strategic focus to our property portfolio will create opportunities for our services to be provided in better buildings as well as financial gains that benefit the community.

The benefits and opportunities of a strategic approach to property

A strategic approach to property assets offers the following benefits:

1. Enhanced decision-making, long-term planning and risk management

- Enables informed decisions about property assets in relation to acquisition, maintenance, utilisation and disposal.
- Allocates resources effectively ensuring the sustainability of community resources.
- Facilitates long-term planning and forecasting, aligns property investments with community goals, and adapts to changing demographics.
- Captures future needs of open space and other community infrastructure by ensuring property acquisitions and developments align with demographic trends, urban density changes, and identified gaps in o service provision.
- Identifies and mitigates risks associated with property assets, such as legal liabilities, environmental concerns, and market fluctuations.

2. Enhanced accountability and transparency

- Fosters greater accountability around property asset management.
- Increases transparency and builds trust between Council and the community.

3. Community, environment and financial benefit

Increased Community Well-being

Cultivates **increased community well-being** by providing local infrastructure that promotes opportunities for recreation, sport, education, and community engagement.

Social Equity - Accessibility and Inclusion

Promotes **social equity through accessibility and inclusion** by ensuring all residents, regardless of age or ability, have access to essential services and facilities.

Environmental Sustainability

Supports **environmental sustainability** by ensuring green spaces enhance biodiversity and reduce urban heat.

Public Health, Social Cohesion and Safety

Enhances **public health, social cohesion and safety** by providing safe spaces for physical activity and social

gatherings. It also facilitates emergency services and disaster preparedness.

Sense of Place, Liveability and Social Connection

Fosters a **sense of place, liveability and social connection** by encouraging residents to participate in community activities, which provide a sense of belonging and care for one another, thereby improving liveability.

Cost Benefits and Value to Our Community

Maximises **cost benefits and value** through well-utilised community facilities and spaces that reduce the cost of maintenance and renewal and minimise under-utilised facilities which can lead to higher costs for Council, as they require ongoing maintenance and renewal without delivering adequate value.

Provides **stimulus to local economies** through well-maintained infrastructure that attracts businesses. It creates jobs and encourages investment in the community, leading to a more vibrant local economy.

4. Partnerships and Advocacy

Manages the significant costs of property development by working in partnership with other levels of government, organisations, not-for-profits, or developers. Full funding of new facilities is simply cost prohibitive for Council on its own and partnerships are a key opportunity that allows:

- Access to other funding streams.
- Access to providers/business whose business model provides services that Council cannot typically access (e.g. affordable housing or aged care infrastructure providers).
- Building of new and improved facilities to provide community services that meet current and future needs.
- Swapping, disposal or optimising value of land for a community benefit (e.g. lease of air space over Council land).
- Reduce risk.

Our community has told us a lot about their views and feelings on matters that this *Plan* needs to consider and plan for. Our community panel also provides regular insights into key community sentiments. **Appendix A** includes a summary of what our community has told us about infrastructure and services.

6. What community infrastructure do we need to plan for in the future?

To ensure Council continues to deliver high quality community infrastructure and services we need to understand our properties, facilities and future needs.

Community Infrastructure and Services

Council has recently assessed its community wellbeing infrastructure and facilities, both those provided by Council and other sectors (private, education, not-for-profit, etc). This community wellbeing infrastructure includes facilities such as kindergartens, libraries, community meeting spaces and other community support facilities. This assessment does not however look at open space and recreation these are guided by the Open Space Strategy. The community well-being infrastructure has been compared against industry benchmarks that help to inform the development of recommendations in the *Strategic Property Plan*.

While there is still further work to be done to understand how well our facilities meet community needs now and into the future, and how well they are used, we have a basic understanding of our community infrastructure provision and how this might change over the next 10 years with projected population growth.

Key forecast recommendations are:

- **Kindergartens:** Provision of three-year-old and four-year-old kindergarten is increasing over coming years with state government changes that are increasing hours and decreasing costs to families. This is likely to have impacts on the number of buildings and kinder rooms Council provides at its current sites and within new community hub facilities in the future, particularly around the need for potentially larger facilities. A Kindergarten Infrastructure and Services Plan is currently being prepared by the Department of Education and Training in partnership with Council, outlining where the areas of highest need are likely to be.
- **Early years infrastructure:** Respond to a growing community and more children and families that rely on quality maternal and child health services, playgroups, toy libraries, occasional care and related activities.
- **Community meeting spaces** should be considered in any redevelopment or new development of community facilities. Multi-use and flexible spaces will be key to meeting a range of community needs. Optimising utilisation of Council's current community spaces will be an integral part of this forecast need.
- **Libraries:** It is likely that an increase in the floorspace of libraries may be required as population numbers increase in coming years. Council has four libraries and any plans to upgrade or modify these buildings should review the available floorspace, how it can be maximised, and identify any other improvements to modernise the spaces.
The role that libraries can play as 'activators' within the community can be explored so that communities see their local library as a destination for a range of activities and programs.
- **Aged care:** Consideration of Council's future role in providing residential aged care services at a single site in Bentleigh East – this is anticipated to be part of a separate consideration by Council.
- **Single purpose and standalone facilities:** Long term actions for single purpose and standalone facilities when they reach their end-of-life, alternate delivery of services and programs as part of multi-purpose and integrated community venues that cater for all ages and abilities are considered.

Work that has been completed to date will be used as a key input into a future Community Infrastructure Plan. The Plan will outline principles to guide planning for future community infrastructure, considering each suburb and its potential needs, and develop an action plan that ensures future community needs can be met by responsive and well-designed facilities.

The *Strategic Property Plan* is a dynamic plan and will need to respond to emerging data and changing demographic conditions among other matters. Data and direction identified in a future Community

Infrastructure Plan would be used to inform recommendations in the *Strategic Property Plan*, that is, as more/better data becomes available and what we need to plan for is clearer (e.g. more library space). This will inform decisions about strategic sites recommended in the *Strategic Property Plan* and future planning for those sites.

Open Spaces

Open space is publicly owned land that is currently set aside, or is likely to be so in the future, for recreation, nature conservation and passive outdoor enjoyment. It includes parks, reserves, gardens, larger urban and civic spaces and forecourts.

Glen Eira's Open Space Strategy identifies key issues regarding provision of open space in the municipality:

- The lack of open space, particularly the gaps in provision of open space, meaning some people are not within reasonable walking distance of any open space.
- The impact of the forecast increase in urban densities and population growth on liveability and access to open space.
- The need to ensure an equitable balance between sporting, unstructured recreation and informal use and values of open space.
- The need to care for, protect and carefully manage trees, particularly mature trees in open space.
- The lack of diversity of open space character and facilities and the need to adapt to changing needs.
- The need to improve sustainable design and management practices in open space, including sustainable water use.
- Improving accessibility for all to open space, including different cultural groups, diverse age ranges and people with all levels of ability.

Future living arrangements will change our communities future open space needs

Council has prepared structure plans to guide future development in the three Major Activity Centre (MAC) of Bentleigh, Carnegie and Elsternwick. The Housing Strategy provides further definition around the forecast change in the neighbourhood centres and in selected strategic sites.

The structure plans and Housing Strategy align with state government planning policy that directs higher density housing to activity centres. Many of the existing activity centres have no or little existing open space. Increasing urban densities and concentrations of additional resident and worker populations in them means there is a need for new open space.

In addition, people living in higher density housing mostly lack back yards unlike those living in traditional Glen Eira housing. Therefore, residents of higher density housing will rely on being outdoors in public open space. This is particularly important in ensuring people have access to open space that enjoys winter sunlight and is not over shadowed particularly during the winter months.

Children living in high-rise housing within a 300-metre radius of local green space are more likely to access those spaces independently than children who had to travel further¹. While this research is available on children's use and access to open space, it is likely that vertical living for adults results in at least the same and potentially a greater reliance on public open space.

Regularly distributed green open spaces across built up areas that are designed with appropriate green infrastructure can be effective in offsetting some of the impacts of increased urban heat as well as promoting community health and wellbeing.

In Caulfield South, large portions of the suburb—particularly in the west—lack accessible open space. Further

¹ *Vertical Living Kids* (2009), undertaken by the University of Melbourne for the Victorian Health Promotion Foundation

exploration of strategic repurposing of underutilised land, such as Council-owned sites or road reserves, could create a new public open space.

Ormond also has gaps in open space provision, particularly in the north and around North Road, where higher-density housing is placing additional demand on recreational areas including the proposed development located above Ormond train station. Additionally, partnerships with developers could help integrate green spaces into new developments.

Beyond these opportunities are innovative solutions like green streets, road dieting, increase street canopy trees and shared use of school open spaces can help improve access and connection to open spaces and enhance the overall public realm. Share spaces with school or private development can play a role also but often rely on an on-going relationship and can be subject to quick change.

Future State Government announcements regarding activity centres will further intensify demand for open space. This reinforces the need for Council to strategically plan to acquire, re-purpose for and fund open space noting in recent years Council has acquired open space in Bentleigh, Bentleigh East, Carnegie, Caulfield South, Elsternwick and Gardenvale. Funding is needed to re-purpose these sites into the high-quality open space that our community requires.

By 2036 the additional population is forecast to be in the order of 30,000 and there is potentially a need to increase the durability and use of the outdoor sports fields by investigating providing additional structured sports training fields in the centre of Caulfield Racecourse.

Council also has an ongoing upgrade program in place for sports pavilions in open space. The *Pavilion Redevelopment Strategy* promotes multi-use of pavilions in recognition that there are constraints on the amount of open space available. This approach will need to be strengthened within the context of forecast population growth. Pavilions are located within parks. An understanding is required of utilisation and whether there is opportunity for improved utilisation, particularly where community spaces may be available within those pavilions for broader community use.

The *Pavilion Redevelopment Strategy's* prioritises future pavilion upgrades. Opportunities to include community spaces outside of active sport will be considered on a case-by-case basis as part of the design and community engagement process.

The construction of GESAC catered to the demand for indoor multi-purpose facilities identified in *GET Active – Future of Sport and Active Recreation 2019*. If additional facilities are required, provision of additional multi-purpose indoor facilities should be investigated for sites additional to the existing open space network to avoid losing outdoor open space to buildings.

7. Decision-Making Framework

A robust assessment of Council's property assets is essential to support the effectiveness of these assets in meeting community benefit and financial sustainability outcomes. Council's adopted *Property Strategy 2021* identified a broad decision-making framework and process to be used as a starting point when considering how Council should make decisions about property assets. It identifies a consistent assessment process, including required supporting information reporting and decision points throughout the process.

This *Strategic Property Plan* adapts the key phases for decision making from the *Property Strategy 2021* and incorporates further matters related to the principles outlined in the Plan. The revised decision-making framework (in two parts) is outlined in the process below.

Phase 1 Initial Phase

Establish a baseline assessment of each property based on available information including:

- historical maintenance and renewal expenditure.
- forecast renewal costs based on the current condition of assets.
- overall asset condition and value.
- current utilisation.
- forecast needs based on current data on community infrastructure.

Phase 1: Property Performance Assessment Matrix

These matters have informed categorisation of property assets and recommendations of the *Strategic Property Plan*.

Assessment Category/ Evaluation Criteria		Supporting Checklist considerations
Council Plan Strategic Priorities Service Need	Identified for implementation of the Council Plan or any Council Strategies	1. Is the property identified for current or future Council or community use in a current Council strategy, plan or policy e.g. <i>Open Space Strategy, Major Activity Centre Structure Plan</i> ?
	Service Suitability and Operational Need	2. Does the property deliver an identified long-term Council service need based on current information? 3. Does Council require further data or service review information to enable decision making on future service provision? 4. Are there place-related or localised community needs that should be considered for this site? This may be on a municipal, suburb or neighbourhood basis.
Strategic Property Review	Site Context and Attributes	5. Location and surrounding land uses - proximity to activity centres, public transport, market appeal. 6. Size of site, street frontages and access, existing improvements and uses that may constrain redevelopment.
	Town Planning Controls Title Considerations	7. Review title information to understand if any easements, encumbrances, covenants constrain use, acquisition, redevelopment, rezoning or disposal of a property. 8. Review current zoning and overlay controls to understand if they constrain current and future uses (e.g. use and development, car parking requirements, building heights and setbacks and whether the property is heritage listed). 9. Highest and best use of the property having regard to current and future town planning controls (e.g. at grade carpark with development controls allowing for enhanced development capacity).

Assessment Category/ Evaluation Criteria		Supporting Checklist considerations
	Site Specific Constraints	10. Associated with presence of hazardous materials or contamination, heritage, flora and fauna values, location of services, capacity constraints and impact on ongoing use, redevelopment, rezoning, disposal or acquisition.
Property Performance	Building condition / fit for purpose	11. Does the property meet service requirements? 12. Assessment of general building condition.
	Use by Council and/or community groups/the community	13. Assessment of utilisation – hours, days of use, level of vacancy (Council to determine benchmark rates per facility type). 14. Assessment as to whether the property is well utilised based on the utilisation data.
	Identifying/creating opportunity	15. Is there opportunity to optimise a property in a manner that maximises community benefit and/or financial returns or enhances asset value? 16. Is there opportunity to include other Council supported services/uses within this property asset e.g. where Council is leasing property commercially from the private sector to provide a service – is there opportunity to move that service to this property? 17. Is there development potential that would allow for expansion/improvement?
	Financial performance review – costs and revenue	Review of latest financial data relating to the policy with a focus on: 18. Cost to Council per annum (PA) – rent, maintenance, utilities etc. (Council to determine benchmark rates per facility type); 19. Revenue – rent / hire fees; and 20. Assessment of net cost to Council.

Once property assets have been assessed against Phase 1 (above) of the decision-making framework, there will be a decision point to report on a categorisation of property assets (below), and subject to which category the property asset is allocated, commensurate actions will be undertaken.

Following the Property Performance Assessment Matrix Phase 1 (above) a property will be placed into one of the following four categories:

Category Number	Category Description	Performance Level / Recommendation
1	Business as Usual (BAU)	<ul style="list-style-type: none"> Deemed as currently well utilised and fit for purpose. Maintain as operational. Review period five years or sooner if relevant site-specific data/opportunity becomes available.
2	Optimise Benefit*^^	<ul style="list-style-type: none"> Deemed to be underutilised or having 'fit for purpose' issues. Further investigation (<u>based on Phase 1 findings</u>) to identify fit for purpose or other issues that may be preventing good utilisation of property asset. Is the community use or Council service best served by this property? Are there alternative service delivery options, including co-location and/or commercial opportunities to improve utilisation of property? Is there an alternate Council facility for provision of the service that may offer increased benefits e.g. proximity to an activity centre and public transport, proximity to complementary services, etc. Is there opportunity for to include other Council supported services/uses within this property asset where Council is leasing property commercially from the private sector to provide a service to improve better outcomes e.g. better accessibility; cost efficiencies?
3	Potential Future Strategic Site (subject to Service Review) ^^	<ul style="list-style-type: none"> Requires a decision from Council regarding service provision (i.e. does Council want to keep supporting this service in its current form? This would require consideration of Council service review recommendations). Subject to Council decision, move to Category 1 or 2 where not deemed surplus (as appropriate), or to Category 4 for further investigation and assessment in line with Phase 2 if deemed surplus.
4	Strategic Site (subject to Council Decision)	<ul style="list-style-type: none"> Deemed surplus. Identified site for further investigation, assessment and feasibility testing for recommended options in line with Phase 2 (below).

* Will require specific stakeholder engagement

^^ There are longer term actions that support outcomes in these categories. Refer to **Focus Area 2: Value and Fairness in Council's Leasing and Licencing Practices** and **Focus Area 3: Utilisation of Council's Community Infrastructure** as part of recommendations of the *Strategic Property Plan*.

Annual assessment informed by new data will inform any re-categorisation of properties, noting most properties will fall within categories 1 and 2 being property assets that meet community needs and may only need to be maintained or potentially better utilised.

Where a property asset falls within Category 4 (above), it will be recommended for further assessment for consideration of strategic re-development (through Phase 2 outlined below). This may include any combination of redevelopment, acquisition and/or disposal e.g. only part of the site may be recommended for disposal to facilitate redevelopment or upgrade to another part.

This includes relevant reporting and decision points throughout the process.

Phase 2 Further investigations and Opportunities Assessment

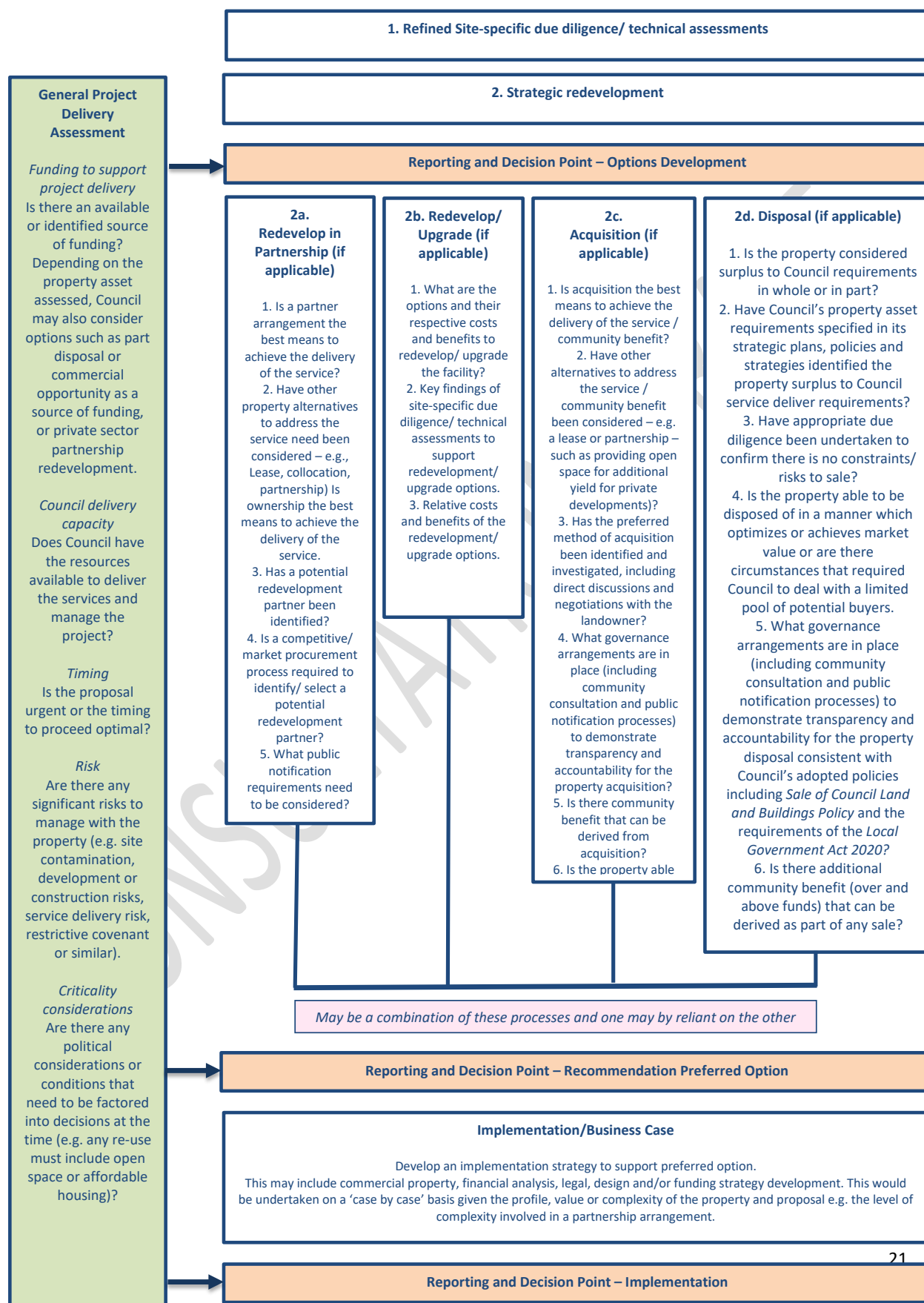
Undertake a more detailed assessment of properties identified for further investigation. The investigations may include more detailed site inspections and technical due diligence investigations to support evaluation and reporting. This process will endeavor to evaluate a range of options and opportunities to address deficiencies in performance identified in Phase 1 decision making. The selection of opportunities for investigation will need to be tailored to the particular property and circumstances and could include:

- Undertake selected actions to redevelop or upgrade the property.
- Investigate opportunities for partnerships with other non-Council agencies to enhance capacity including lease or license.
- Investigate income-generating redevelopment opportunities for broader Council strategic service requirements.
- Disposal of property. This may occur where the property is considered surplus to Council requirements or where its disposal would enable the achievement of a stronger community outcome (e.g. realising purchase or capital investment in delivering open space); and
- Acquisition to support service delivery - Council to engage with landowner for property acquisition.

Note opportunities may require several recommendations that need to occur in combination e.g. acquisition of adjoining parcel to facilitate a larger land parcel for development of a community facility in partnership.

As per Phase 1 decision-making, following the investigation, a report would be prepared that would support Council's consideration of a decision on a particular outcome. Phase 2 assessment matrix is outlined below.

Phase 2: Further Investigations Assessment Matrix



Financial and Governance Considerations

Council's *Financial Plan 2024-25 to 2033-34* identifies that financially, Council's primary obligations are to be financially sustainable, make effective use of the public funds entrusted to it, and to ensure the responsible management and planning of community assets so that future ratepayers are not burdened unnecessarily.

The *Financial Plan* outlines key matters that guide the Strategic Property Plan and the challenges it must address whilst ensuring a net community benefit, including that with rising cost pressures, a tightening fiscal environment, and a growing population, it is imperative that we make decisions that meet community need now and into the future.

Long-term financial sustainability is essential for Council to continue providing the high-quality programs and services our community values and relies upon.

Council's *Land and Buildings Policy* provides guidance and governance around how to consider the future of buildings and land, and notes *"in identifying any potential surplus Council owned property assets, a report shall be presented to Council providing all relevant information regarding the asset identified for potential sale including environmental and planning issues and shall include a proposed process for undertaking both consultative and/or statutory processes under the Local Government Act 2020, including provisions for Council to hear submissions from the community related to the proposed sale"*.

Regarding financial decision making and use of funds generated through any disposal of Council assets, the policy is clear. It identifies that *"funds generated through disposal will be allocated to the acquisition of new assets or the enhancement of existing assets and not to general operating revenue"* and *"priority will be given to establishing/acquiring assets that deliver on Tier 1 Council strategic directions"*.

Council's *Investment Policy* identifies that all investment decisions are made having regard to the values expressed in the *Council and Community Plan*, the principles of responsible investing and to Council's requirement to exercise effective financial stewardship.

This *Plan* will align with these policies, as outlined in the decision-making framework.

In the event of any sale of Council land, before deciding on the sale, Council must undertake a formal statutory process pursuant to section 114 of the *Local Government Act 2020* (the Act) must be carried out, which includes undertaking a community engagement process. Subject to endorsement at the later stages of Phase 2 decision making (below), a statutory community engagement process on the proposed sale of the land would be undertaken. Council would then consider feedback, ahead of a further report to Council for a decision on the proposed sale.

8. Focus Areas (Recommendations)

As identified throughout this Plan, community needs are dynamic, as is Council's role in responding and supporting those needs.

While the Plan is recommended for comprehensive review every five years, annual updates are proposed to enable the plan to be dynamic, particularly regarding data inputs to the decision-making framework.

Decisions about the performance of this Plan will be made by implementing a comprehensive Monitoring, Evaluation, Reporting and Improvement (MERI) framework (refer **Appendix B**).

These updates will ensure focus areas and recommendations are as relevant as possible.

The *Asset Management Strategy 2024-2028* and its *Asset Plan* include actions that have direct correlation to the objectives of the *Strategic Property Plan*, namely:

- AP1 Reliable asset data - Asset registers reflect the correct location, condition state and remaining life of an asset.
- AP2 Life cycle planning - Funding and planning are made based on asset life cycle costs.

The following focus areas identify objectives, background and actions that advance established principles in this *Strategic Property Plan*:

1. Focus Areas – Whole of Council Enabling

These represent 'whole of Council' enabling actions that will ensure our systems, processes and strategic decision making will support the delivery of the *Strategic Property Plan*.

2. Focus Areas – Strategic Sites

These will take the form of specific recommendations on categorisation of Council's property assets and specific recommendations on strategic sites (where the asset is identified in category 4).

Timeframes are identified as:

Timeframe	Years
Short-term	1 – 3 years
Medium term	3 – 5 years
Long term	5+ years
Ongoing	N/A

Strategic Property Plan Focus Areas – Whole of Council Enabling

Focus Area 1: Council's Strategic Property Goals		
Objective(s)	<ol style="list-style-type: none"> 1. Council's <i>Property Strategy</i> aligns with broader strategic objectives and long-term planning goals to enhance community benefit. 2. The long-term property investment plan anticipates future community needs and aligns with demographic changes and emerging challenges for Council. 	
Background	<p>There are various challenges faced by Council that include but are not limited to state government housing targets and activity centre plans, population growth, local government funding, and increased cost for example. The <i>Property Strategy</i> was adopted in 2021, and many challenges have emerged since that time. There is an opportunity to reaffirm Council's <i>Property Strategy</i> to ensure it takes a holistic and contemporary in approach in dealing with emerging challenges.</p>	
Action(s)		Timeframe
Action 1.1	<i>Review and update Council's 2021 Property Strategy</i>	<i>Short-term</i>

Focus Area 2: Value and Fairness in Council's Leasing and Licencing Practices		
Objective(s)	<ol style="list-style-type: none"> 1. A culture of accountability and transparency builds trust with the community. 2. Fair processes that manage community access to infrastructure ensure equitable participation and fair value fees for use. 3. Ensuring a balance of cost benefits and community benefits are realised wherever possible. 	
Background	<p>One of the key difficulties in ensuring effective leasing of Council's land and buildings is reaching agreement with community groups about property leases and licences. Due to the legal nature of these documents, it is often a protracted process to finalise an agreed document with community users who may never have had to work through a document of this type before.</p> <p>As such, establishing and continually improving standards, processes and transparent decision making create equitable outcomes that limit the time and resources needed for both Council and the community groups involved.</p> <p>There is opportunity to incorporate decision making into leasing/licensing that has a broader regard to utilisation goals. Similarly, an understanding of fair value for leases/licences is required, to balance community access with financial sustainability.</p>	
Action(s)		Timeframe
Action 2.1	<p><i>Review the Council's Leasing and Licensing Policy 2019 with specific focus on:</i></p> <ul style="list-style-type: none"> • <i>Streamlining the leasing and licensing process to ensure fair and equitable allocation of community access and fair value fees for use that meet legislative requirements and the needs of the community.</i> 	<i>Short-term</i>

	<ul style="list-style-type: none"> Reconfirm the lease and licence decision making framework for community tenure arrangements to optimise alignment to the principles outlined in this Plan e.g. opportunities for enhanced utilisation of space, community benefit matrix and formalising the requirement for EOLs for any vacancies within Council spaces. 	
Action 2.2	Identify a program of lease and licence renewals to prioritise opportunities for optimising utilisation and other focus areas of the Strategic Property Plan.	Short-term and Medium term
Action 2.3	Review the fee structure and value of leases and licences of property assets.	Short-term
Action 2.4	Review leases where Council is the leaseholder on behalf of a community use or a Council service and look for opportunities to relocate to identified underutilised spaces owned by Council wherever possible.	Short-term

Focus Area 3: Utilisation of Council's Community Infrastructure		
Objective(s)	<ol style="list-style-type: none"> Forecasting considers our community's changing demographic profile and examines future community infrastructure needs. Adaptation of buildings to accommodate other uses helps us respond to future change. Cost-effectiveness of community facilities requires high utilisation rates and may result in service amalgamation or repurposing of facilities. Community infrastructure promotes inclusivity and equal opportunities for participation. 	
Background	<p>In its first iteration, the <i>Strategic Property Plan</i> has used current data on utilisation and service provision to inform recommendations. However, Council will gather more data and undertake further forecasts as is necessary – data is not static and emerging trends and challenges remain dynamic. As new data better informs decision making about community needs, Council's property portfolio will need to respond to the changes. Each parcel of land and building in the property portfolio will be continually assessed for its benefit to the community and whether it is effectively utilised. Maximising utilisation provides fairness and efficiency for everyone, including our ratepayers.</p>	
Action(s)	Timeframe	
Action 3.1	Prepare a Community Infrastructure Plan to inform Council's forward planning for community infrastructure and prioritise review cycles for the plan.	Short-term and Ongoing
Action 3.2	Consider what community services Council offers on a regular basis.	Short-term and Ongoing
Action 3.3	Conduct regular assessments of underutilised or surplus properties to identify alternative uses and maximise asset	Ongoing

	<i>efficiency.</i>	
<i>Action 3.4</i>	<i>Update the Strategic Property Plan as required to reflect the updated service commitments, utilisation assessments and forecast demand.</i>	<i>Ongoing</i>

Focus Area 4: Council's Community Infrastructure and its Influence on Liveability and Place		
Objective(s)	<ol style="list-style-type: none"> 1. Community engagement informs decisions about local community infrastructure. 2. Property assets foster a sense of belonging, enhance community connection and liveability. 	
Background	The location, accessibility and quality of community infrastructure has an impact on community wellbeing both directly through social connection and belonging, and indirectly through perceptions of safety from our communities ability to access well used and maintained public spaces. It is important that our community has the opportunity to influence the form and function of community spaces.	
Action(s)		Timeframe
<i>Action 4.1</i>	<i>Ensure stakeholder engagement informs future community infrastructure.</i>	<i>Ongoing</i>

Focus Area 5: Optimise Outcomes - Council's Property Assets		
Objective(s)	Optimise Council's' property assets in a manner that enhances property asset value, aligns with strategic objectives, and optimising financial returns whilst maximising community benefit.	
Background	<p>Ensuring a balance of community benefit and financial sustainability, it is important that where Council seeks to partner, dispose or in any way commercialise its property assets, it seeks to optimise outcomes to ensure the best cost benefit for our community. This may be through such mechanisms as making sure Return on Investment (ROI) meets industry benchmarks, ensuring development potential is fully explored or pursuing opportunity for expanded/new community assets in any commercialised outcome. Note a balance of approach is required, where Council through its service offer will need to balance outcomes – often Council will choose community benefits that are not necessarily financially an optimal outcome, however the decision is reflected in Council's support to our community.</p> <p>There are property assets owned by other levels of government and agencies in Glen Eira. It is also important that Council is proactive in identifying opportunities for that land where it may benefit our community e.g. use of State-owned land for a community benefit. Similarly, it is important that Council advocate for fair development contributions to fund community infrastructure particularly in this changing planning policy environment with regard to activity centres.</p>	
Action(s)		Timeframe

Action 5.1	Actively seek opportunities to value-add and maximise benefit (financial and community) within Council's property portfolio.	Ongoing
Action 5.2	Where appropriate advocate to State government and other agencies to benefit property related outcomes in provision of community benefit for Glen Eira City.	Ongoing
Action 5.3	Advocate to State government for local government access to adequate development contributions for future private sector development to fund community infrastructure.	Ongoing

Strategic Property Plan Focus Areas – Strategic Sites

Following Phase 1 assessment of Council's property portfolio, recommendations will be made regarding the four category areas as per the following categorisation (refer to Section 7 Decision Making Framework for further information).

These recommendations will then follow the next steps identified in category 4 progressing to the phase 2 decision-making matrix. Annual assessment informed by new data will inform any re-categorisation of properties, noting most properties will fall within categories 1 and 2 being property assets that meet community needs and may only need to be maintained or potentially better utilised.

Category Number	Category Description
1	Business as Usual (BAU)
2	Optimise Benefit
3	Potential Future Strategic Site (subject to Service Review)
4	Strategic Site (subject to Council Decision)

Appendix A: Our Place, Our Plan – what our community has told us

Will be further updated with outcomes of Our Place, Our Plan a consultation on the draft Plan (April/May).

Through late 2024 to mid-2025, Council is developing our new *Council Plan* which will be informed by Our Place, Our Plan community engagement. What our community tells us will help shape our plans for the next four years. The *Strategic Property Plan* looks beyond four years, so it is especially important it is informed by our community's views. It needs to consider how Council's assets contribute to the liveability of our places and spaces.



The feedback we receive from our community through Our Place, Our Plan will assist us in progressing the *Community Vision* — that in 2040, Glen Eira is a thriving and empowered community, working together for an inclusive and sustainable future. It will also provide meaningful community views on key matters addressed in this Plan, and the plan will be updated accordingly in consideration of that engagement.

Our community has already told us a lot about their views and feelings on matters that this Plan needs to consider and plan for. Our community panel regularly provides insights into key community sentiments. With relation to community infrastructure and services the following key feedback highlights our community's understanding and recommendations regarding financial sustainability in the context of providing community infrastructure and services:

Community Priorities Panel key recommendations

The 35-member Community Priorities Panel reflected Glen Eira's rich diversity and provided four recommendations regarding services and infrastructure, including for Council to:

Continue providing community wellbeing services at current levels

Review community wellbeing services at least once every four years

Maximise the use of existing assets

Improve digital and online touch points between the community and Council

Their top 5 recommendations for raising money or making savings:

Investigating income sources and opportunities in public parking, including expansion and enforcement of parking laws

Having users pays for the extension of current services

Seeking opportunities to commercialise Council assets and services

Increasing fees and charges for property development

Investigating ways for Council to increase its own efficiency

[Read the Our Priorities, Our Future engagement summary report](#)

Council's *Asset Plan 2022–2032* guides the efficient and effective management of its assets over a 10-year period. It governs how and when Council will invest to maintain, renew and upgrade/replace the infrastructure it owns.

In 2024 Council reviewed the framework that informs its Asset Management Plan. Community engagement was undertaken to 'refresh' the Framework. 67 percent of respondents agreed or strongly agreed that asset lifecycle and long-term planning was important. The *Strategic Property Plan* supports this by planning for our property assets to meet long term (and evolving) community infrastructure needs in a financially sustainable way.

The Plan has considered the community engagement already undertaken for other Council strategies and adapted it to this draft. The final draft will be informed by specific consultation to be undertaken as part of the Our Place Our Plan consultation. The views we have incorporated respond to:

- concerns about transparency and communication.
- service delivery and accessibility to services.
- financial sustainability.
- cost of living pressures.
- how well-designed public spaces promote liveability and social cohesion.
- the need for accessible and fit for purpose community facilities and services.

These issues raised by our community in the past seven years of engagements inform the principles adopted within the Plan, particularly the following principles:

- a. Well-maintained places and renewed infrastructure, parks and gardens.
- b. Enhanced accountability and transparency.
- c. Optimising value (community, environment and financial benefit).

Appendix B: Monitoring, Evaluation, Reporting and Improvement (MERI)

Decisions about the performance of this Plan will be made by implementing a comprehensive *Monitoring, Evaluation, Reporting and Improvement (MERI) framework*.

The *Decision-Making Framework* presented in this plan provide data, reporting and analysis that directly supports the MERI framework:

- Phase 1: Property Performance Assessment Matrix
- Phase 2: Further Investigations Assessment Matrix

Monitoring

Monitoring involves the measuring and recording the performance of the plan. Council will overtime, collect data related to informing the *Strategic Property Plan* including but not limited to forecast demographics, service review, utilisation, condition audits and current financial costs and revenue. Data to inform the *Strategic Property Plan* is constantly evolving and dynamic. Therefore, in responding to these conditions the *Strategic Property Plan* must also remain dynamic.

Key performance indicators (KPIs) have been established as part of Phase 1: Property Performance Assessment Matrix focusing on various data points such as building conditions, utilisation, costs and Council service/benefits. Regular monitoring will be conducted and reported (refer reporting below).

Evaluation

Evaluation is the process of critically examining the effectiveness of the plan. Evaluation includes:

- *Operational governance and oversight*
A representative working group (with commensurate Terms of Reference) comprised of representatives from relevant business units within Council including but not limited to finance, strategic planning, asset management, communities and risk/legal (as a core). The core Strategic Property Project Working Group is required to:
 - Ensure a coordinated and cross organizational organisational approach for consideration of all property related assessments and decisions;
 - Enable all decisions to be fully informed by the varying Council service drivers and community needs from each Council Directorate;
 - Be responsible for the strategic and systematic assessment of all property to ensure a timely, comprehensive and coordinated approach; and
 - Coordinate with the *Asset Management Strategy* and commensurate *Asset Management Plans* to ensure a holistic approach is taken to all of Council's property functions.
- *Analysis of data inputs to inform recommendations*
As more up to date and/or more robust data becomes available, analysis against the decision-making framework in the *Strategic Property Plan* will need to be reviewed, particularly given the lead times in regard to Strategic Site recommendations which could be quite long. There will be a requirement to re-evaluate direction where new data may evidence a reconsidered approach. E.g. Council has made a decision to expand or reduce a community service due to State government legislative changes that make provision of that service financially unsustainable.
- *Reconfirm Cost-Benefit Analysis*
Given the length of time attributable to some recommendations within the *Strategic Property Plan* which could be quite long, there will be a requirement to re-confirm cost-benefit analyses (annually) on recommendations with such analysis, to ensure that the government is maximizing value from its

property investments and the financial and valuation assumptions still remain current and accurate.

- *Benchmarking*

Benchmarking was undertaken by Council in preparation of the *Strategic Property Plan*, and in the future benchmarking of the *Strategic Property Plan* will be conducted against similar local governments to compare performance and identify best practices aligned to the five-year review cycle of the *Plan*.

Reporting

Regular reporting on the performance of Council's property portfolio drives accountability and is an important element of any governance framework. In the context of local government, reporting on property performance will also be undertaken through reporting on performance against Council's *Asset Management Strategy* and commensurate actions within the 10-year *Asset Management Plan*.

In the context of the *Strategic Property Plan*, reporting will be consistent with the decision-making framework Phase 1: Property Performance Assessment Matrix and Phase 2: Further Investigations Assessment Matrix.

Reporting will include:

- An annual report to Council on the implementation of the Strategic Property Plan which will be presented to Council outlining progress, and any recommendations for improvements and new opportunities in terms of any based on updated service provision and utilisation that may impact Council's property assets.
- Reports on Strategic Sites as part of Phase 2: under the Further Investigations Assessment Matrix Phase 2 will be reported to Council on a case-by-case basis, aligned with key decision points within the Phase 2 Matrix.
- The Strategic Property Plan will be reviewed every 5 years and reported to Council for a comprehensive update.

The purpose of the annual report is to provide a summary of annual achievements driven by the *Strategic Property Plan* and scope of the report may include:

1. Status of meetings by Council's Property Governance (i.e. Place and Property Governance Committee) – i.e. number of meetings and membership.
2. Details of any new data or emerging issues that may impact on the *Strategic Property Plan*.
3. Status/ scope of *Strategic Property Plan* Focus Areas (recommendations) implemented and undertaken during the year.
4. Status of current property portfolio performance – including capital expenditure, recurrent expenditure and overall revenues returns of property portfolio compared to previous year.
5. Details of any other revenues/returns from sales of surplus property.
6. Status of lease renewals and actions undertaken during the reporting period.
7. Proposed future actions in coming year.

Improvement

Continuous improvement is an integral part of the *Strategic Property Plan*. Evaluation findings and stakeholder feedback will assist in identifying areas for improvement. Review cycles will allow for new and updated data, and emerging issues to be analysed, and recommendations revised based on such. Insights will also be gained as the *Strategic Property Plans* decision making framework is implemented. Review of effectiveness and improvements to the framework will be integral in ensuring continued improvement.

Appendix C: Policies, Strategies and Legislation relevant to this Plan

Council Plans Policies and Strategies relevant to the *Strategic Property Plan*:

- *Council Plan 2021–2025* and new *Council Plan* under development
- *Community Engagement Policy 2021*
- *Asset Management Policy 2013*
- *Asset Management Strategy 2014–2018* (updated) update currently under development
- *Council Leasing and Licensing Policy 2019*
- *Fair Access Action Plan 2024–2028*
- *Open Space Strategy, 2014 and Refresh 2020*
- *Pavilion Redevelopment Strategy 2017* (priorities updated November 2022)
- *Independent Living Units for Older Persons Policy*
- *Glen Eira City Council GET Active — The Future of Sport and Recreation 2019*
- *Glen Eira Active Recreation Action Plan July 2021*
- *Our Climate Emergency Strategy 2021–2025*
- *Glen Eira Tennis Strategy 2018–2028*
- *Glen Eira Public Toilet Plan 2022–2027*
- *Kindergarten Infrastructure and Services Plan 2020* (new plan under development)
- *Roads and Reserves – Discontinuance and Sale Policy 2015*
- *Social and Affordable Housing Strategy 2019–2023* (to be replaced by social and affordable housing policy under development)
- *Housing Strategy 2022*
- *Glen Eira Integrated Transport Strategy 2018–2031* (2024 Refresh)
- *Carnegie Structure Plan 2018–2031*
- *Elsternwick Structure Plan 2018–2031*
- *Bentleigh Structure Plan 2018–2031, 2024*
- *Caulfield Major Activity Centre Structure Plan — September 2022*
- *Glen Huntly Structure Plan 2021–2036*
- *East Village Structure Plan 2018–2031*
- *East Village Comprehensive Development Plan 2020*
- *Council Community Wellbeing Plan 2021–2025* and new plan under development (to be incorporated into Council plan not a separate plan)
- *Glen Eira Urban Forest Strategy 2021*
- *Glen Eira Placemaking Strategy 2023–2027*
- *Glen Eira City Council Better Streets Better Places 2023–2033*
- *Glen Eira City Municipal Emergency Management Plan 2020*
- *Walking and Accessibility Action Plan (2019–2024)*
- *Glen Eira Economic Development Action Plan 2024–2026*
- *Smart City Roadmap 2022*
- *Glen Eira Parking Policy 2020*

The principal legislation that this Plan must have regard to in planning for property are:

- *Local Government Acts 1989 and 2020*
- *Crown Land (Reserves) Act 1978*
- *Land Act 1958*
- *Retail Leases Act 2003*
- *Planning & Environment Act 1987*
- *Subdivision Act 1988*
- *Valuation of Land Act 1960*
- *Road Management Act 2004*
- *Native Title Act 1993 (Cmth)*

- *Property Law Act 1958*
- *Environmental Protection Act 1970*
- *Land Acquisition and Compensation Act 1986*
- *Policies and Guidelines Retails Leases Act 2003*
- *Sale of Land Act 1962*
- *Telecommunications Act 1997(Cmth)*
- *Transfer of Land Act 1958*
- *Wrongs Act 1958*

Relevant external documents include:

- *National Competition Policy*
- *Local Government Best Practice Guidelines for the Sale and Exchange of Land*
- *Victorian Government Land Monitor Policy*

10.3 FINANCIAL MANAGEMENT REPORT (28 FEBRUARY 2025)

Author: Alon Milstein, Financial Accountant

Director: John Vastianos, Chief Financial Officer

Trim No: 25/1107645

Attachments: 1. Financial Management Report as at 28 February 2025 [↓](#)

EXECUTIVE SUMMARY

Council provides a wide range of services and facilities for our community, all contributing to ensuring this is a healthy, well-connected, and liveable place for all.

The purpose of this report is to provide Council with the Financial Management Report for the period ending 28 February 2025. The report is designed to identify and explain major variances at an organisational level and is provided in Attachment 1.

The forecast result expected for the financial year is a surplus of \$8.53m. This compares slightly favourably against the original adopted 2024-25 Budget surplus of \$8.3m. The operating surplus is not a 'cash' profit as it recognises all revenue and spending for Council to operate and includes one off and non-cash items.

Council will invest any available surplus in capital works and debt redemption to enable us to continue to deliver high-quality services and projects. Whilst Council's cash holding remains at low levels, we are also working to ensure that adequate levels of cash reserves are set aside for funding Council's open space, contract deposits, employee entitlements and deposits relating to residential aged care. Together, these approaches ensure that we are continuing to be a prudent financial manager, acquitting our responsibilities to the community.

RECOMMENDATION

That Council notes the Financial Management Report for the period ending 28 February 2025.

BACKGROUND

The report includes a comparison of year-to-date actual income and expenditure with budgeted year-to-date and forecast to June 2025 and other information for the current financial year.

This report also provides a review of the Capital Works Program, Cash Flow, Rate Debtors and Victorian Auditor-General's Office Financial Sustainability Indicators.

ISSUES AND DISCUSSION**(a) Key Highlights - Current Financial Position**

The forecast result expected for the financial year is a surplus of \$8.53m. Key highlights for the period ending 28 February 2025 include:

Key Highlights	January 2025 \$ 000's	February 2025 \$ 000's	Movement \$ 000's	Comments
Forecast Surplus	7,993	8,531	537	No significant forecast adjustments for February 2025.
Forecast Liquidity	136.47%	137.36%	0.89%	Forecast liquidity has increased slightly due to higher than anticipated inflows.
Forecast Capital Works	41,725	45,625	3,900	\$3.9m adjustment for the completion of the Carnegie Memorial Swimming Pool Redevelopment. This brings forward budgeted funds from 2025-26 and has no impact on the overall cost of the project.

(b) Open Space

Council collects a Public Open Space contribution in many circumstances when land is subdivided within the municipality. The balance of the Open Space Reserve as at 28 February 2025 is as follows:

Description	2024-25 Current Month	2024-25 Year to Date
Opening Balance as at 1 July 2024		\$21,088,082
Open Space Contributions Received	\$481,130	\$5,390,075
Open Space Capital Expenditure	\$0	\$0
Closing Balance Open Space Reserve		\$26,478,157
Committed Open Space Purchases		(\$16,250,000)
Available Open Space Reserve Funds		\$10,228,157

Please note the open space reserve is not currently held in a separate cash reserve.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

The Financial Management Report takes into consideration Council's commitment to respond to the climate emergency by reducing emissions, increasing awareness of sustainability issues and providing pathways for community action and solutions. In particular, Council continues to deliver initiatives that will help the organisation meet our goals of 'zero direct Council emissions by 2031' target, net zero community emissions by 2030 and protecting our community from the worst impacts of climate change. These include degasification of Council facilities, investment in open space, tree canopy and other greening initiatives, investment in transitioning to a circular economy and environmentally sustainable design and the continued transition of Council's fleet to EVs.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The key financial objectives for Council are:

- **Rates** – maintain rate increases in line with the constraints set by the State Government's Rate Cap.
- **Liquidity** – establishing a budget that sets Council's liquidity level at no less than 100 per cent excluding its reserve funds.
- **Fees** – set fee increases that are manageable and sustainable, in line with the consumer price index and reasonable benchmarking.

- **Waste Charges** – to be set on a cost recovery basis.
- **Risk Management** – mitigate major risks through targeted investment in critical areas, including a focus on maintenance and renewal within the Capital Works Program.
- **Service Level** – maintain essential services at not less than current levels.
- **Retain capacity to invest in long term sustainability** – support initiatives that build long-term financial sustainability and organisational capability.
- **Retain our efficiency position** – keep day-to-day costs manageable and rates below our peers.
- **Community Engagement** – ensure that priorities reflect feedback from, and engagement with, the community.

POLICY AND LEGISLATIVE IMPLICATIONS

- Glen Eira Council Long-Term Financial Plan 2024-25 to 2033-34
- Glen Eira Council Revenue and Rating Plan 2022-23 to 2025-26
- Glen Eira Council Budget 2024-25
- Glen Eira Council Plan 2021-25
- Glen Eira Council Integrated Planning and Reporting Framework
- Local Government Act 1989
- Local Government Act 2020
 - Division 2 — Budget Process
 - Part 4 — Planning and Financial Management — Section 97
- Local Government (Planning and Reporting) Regulations 2020
 - Part 3 — Budget

COMMUNICATION AND ENGAGEMENT

Council officers, in preparing the Financial Management Report, consider other plans and strategies regarding services and initiatives which commit financial and non-financial resources for the current financial year.

LINK TO COUNCIL PLAN

Strategic Direction 1: Well informed, transparent decisions and highly valued services. We build trust through engaging with our community, delivering quality services and making evidence-based decisions.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

Council continues to carefully manage its finances to deliver good outcomes for Community. Council is proactively identifying and mitigating the risks arising from the dynamic and unpredictable economic environment and the implications for Council's financial sustainability.

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ATTACHMENT 1:

Financial Management Report for the period ending 28 February 2025

1. Contents

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Capital Works Program9

Performance Graphs..... 13

Financial Strategy 17

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Executive Summary**a) Current Month Budget Result**

At the end of February, the year-to-date performance against budget from ordinary activities showed higher than anticipated income of \$11.71m and a favourable variance in operating expenditure of \$1.83m.

b) Current Month Forecast Result

The forecast result expected for the financial year is a surplus of \$8.53m. This compares favourably against the original adopted 2024-25 Budget surplus of \$8.29m. The operating surplus is not a 'cash' profit as it recognises all revenue and spending for Council to operate and includes one off and non-cash items.

Council will invest any available surplus in capital works and debt redemption and continue to deliver high-quality services and projects. Whilst Council's cash holding remains at low levels, Council needs to ensure that adequate levels of cash reserves are set aside for funding Council's open space reserves, contract deposits, employee entitlements and deposits relating to residential aged care. Council is continuing to be a prudent financial manager to acquit its responsibilities to community.

c) Open Space

Council collects a Public Open Space contribution in many circumstances when land is subdivided within the municipality. The requirement for this is in the Glen Eira Planning Scheme at clause 53.01.

As part of applicable subdivisions, a landowner is required to make a contribution based on the site value, which Council uses to either purchase land to create new open spaces such as public parks, playgrounds and reserves, or to make improvements within our existing open space areas. Our open space planning is informed by the City of Glen Eira Open Space Strategy.

There are different contribution rates that apply in different parts of the municipality. These include:

- In the area known as Caulfield Village, 5% of the site value of the land which is contained within the Mixed-Use Precinct and the Smith Street Precinct, and 4% of the site value of the land which is contained within the Residential Precinct.
- In the area known as East Village, in accordance with the East Village Comprehensive Development Plan, May 2020 and East Village Development Contributions Plan, May 2020.
- All other land, 8.3% of the site value of the land effective March 2023.

Council as part of the *Council Plan 2021-2025* has committed a major initiative to invest a minimum of \$26.9m on the acquisition of public open space over the four-year Council term.

Since 2021, Council has acquired new land for future open space development including entering into an agreement to purchase the Elsternwick Club to address a significant open space gap. The total value of land acquisitions during the Council term, including the future settlement of Elsternwick Club, is \$38m.

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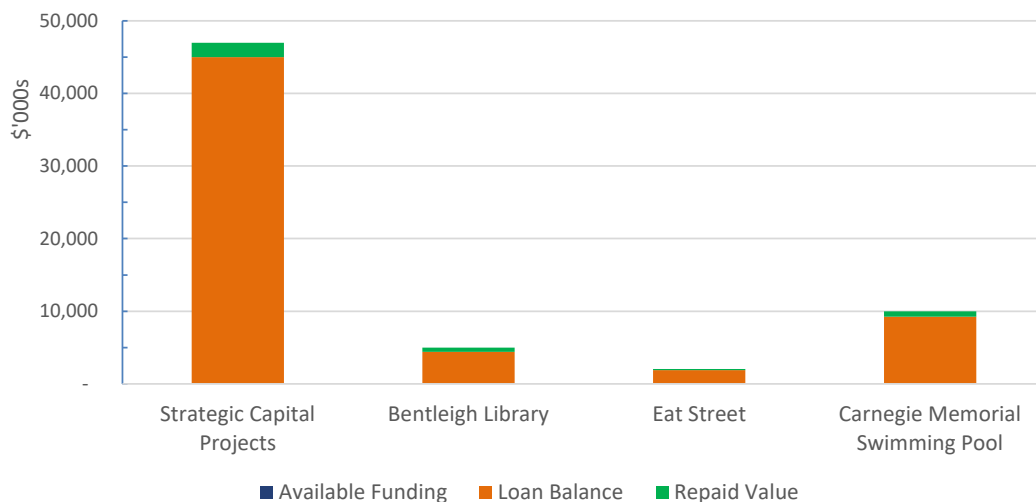
ORDINARY COUNCIL MEETING

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The balance of the Open Space Reserve as at 28 February 2025 is as follows:

Description	2024-25 Current Month	2024-25 Year to Date
Opening Balance as at 1 July 2024		\$21,088,082
Open Space Contributions Received	\$481,130	\$5,390,075
Open Space Capital Expenditure	\$0	\$0
Closing Balance Open Space Reserve		\$26,478,157
Committed Open Space Purchases		(\$16,250,000)
Available Open Space Reserve Funds		\$10,228,157

d) Loan borrowings



Council has entered into a loan facilities relationship with Treasury Corporation Victoria (TCV) to borrow funds for strategic capital projects, from which \$46.97m in variable loans have been drawn down since August 2022.

Council has also been able to secure discounted interest rates from State Government for three capital projects: \$5m for the construction of the Bentleigh Library and Youth Hub redevelopment project and \$2.03m for Eat Street Community Space Project under the Community Infrastructure Loan Scheme and \$10m for the Carnegie Memorial Swimming Pool under the Community Sports Infrastructure Loan Scheme. These loans are administered by TCV and to date \$17.03m has been drawn from the discounted facilities.

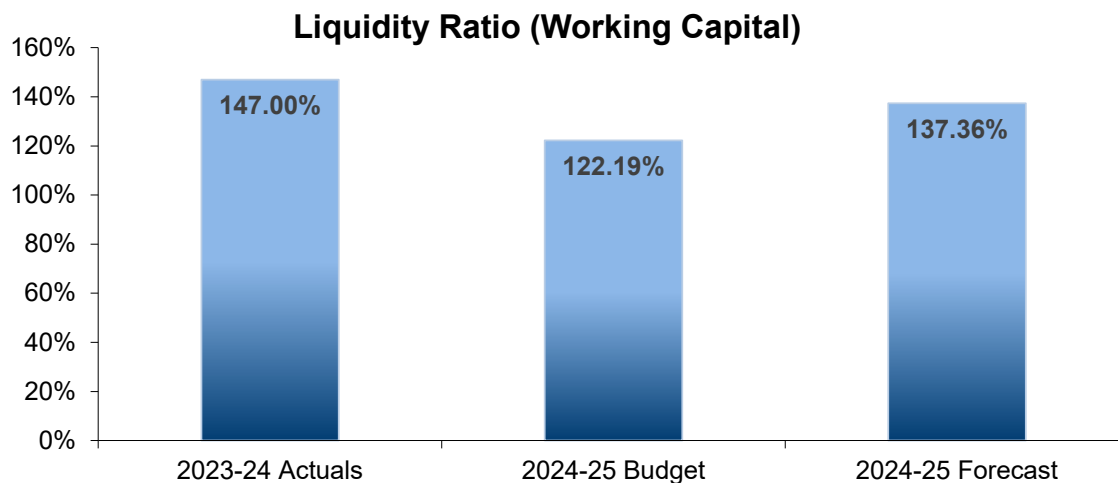
No further loan drawdowns are budgeted for 2024-25.

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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 twelve months and are therefore not available for discretionary spending.

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*.

Refer to page 18 for a summary of Financial Sustainability risk indicators.

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

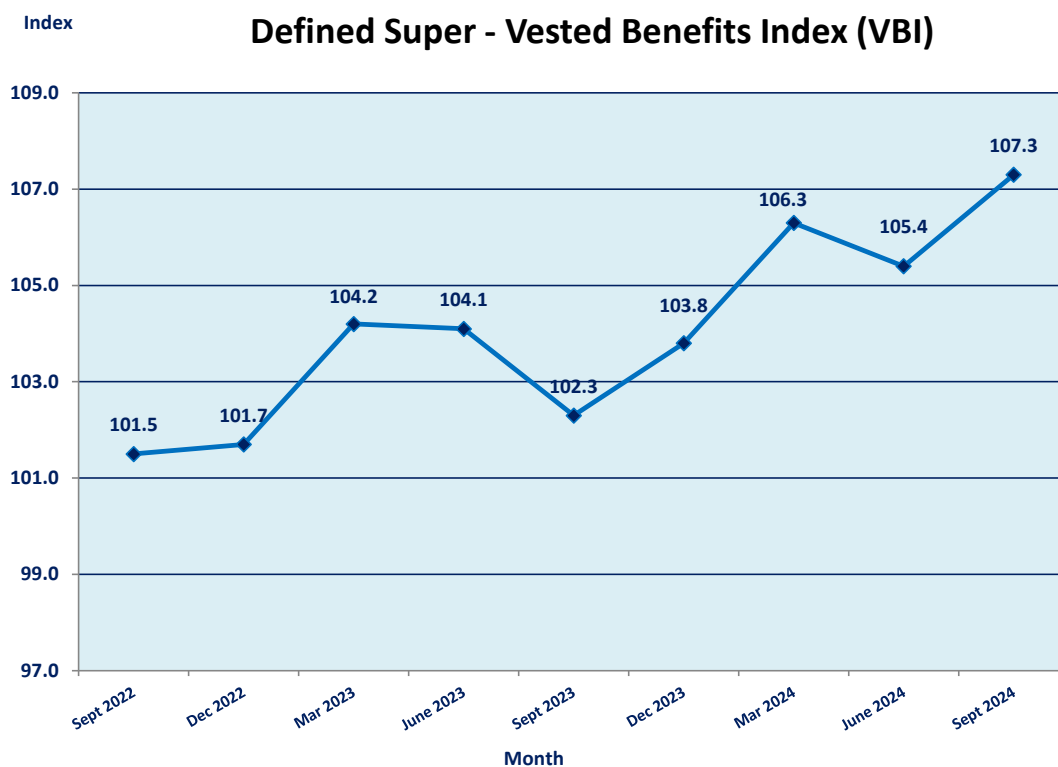
Defined benefit plans are required by law to have an actuarial investigation at least once every three years. Vision Super monitors the vested benefit position of the defined benefits plan on a quarterly basis.

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. 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.

Below is the estimated VBI updated to 30 September 2024.



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ORDINARY COUNCIL MEETING

8 APRIL 2025

Income Statement

This Statement outlines our income sources for the reporting period under headings such as general rates and garbage charges, and the day-to-day expenses incurred to run Council. These expenses do not include capital expenditure, but they do include depreciation and amortisation of assets. Expenses include labour costs, materials and supplies, and utility and insurance costs.

The bottom line is the result for the reporting period. This figure equals total income minus total expenses, which indicates whether we've operated at a surplus or a deficit (a figure inside brackets is a deficit).

Positive variance movements relate to an increase in revenue and a decrease in expenditure. Negative figures (in brackets), relate to a decrease in revenue or an increase in expenditure.

No significant forecast adjustments for February 2025

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8 APRIL 2025

Income Statement

for the period ending 28 February 2025

	2024-25 Year to Date Actual	2024-25 Year to Date Budget	2024-25 Year to Date Variance	2024-25 Year to Date Variance	2024-25 Previous Month End Forecast	2024-25 Current Month Forecast	2024-25 Forecast Movement	2024-25 Annual Budget	2024-25 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	\$ 000's	(%)
Income from Ordinary Activities									
General Rates	113,630	113,704	(74)	(0.1%)	113,987	113,987	-	114,004	(0.0%)
Supplementary Rates	1,063	800	263	0.0%	912	1,062	150	800	32.8%
Waste & Recycling Charges	27,515	27,134	381	1.4%	27,404	27,404	-	27,145	1.0%
Grants (Operating & Capital)	26,944	21,582	5,363	24.8%	32,350	32,493	143	28,861	12.6%
Interest Received	2,203	1,067	1,137	106.6%	2,240	2,240	-	1,600	40.0%
User Fees	18,516	17,388	1,127	6.5%	28,212	28,212	-	27,172	3.8%
Statutory Fees & Fines	7,840	6,767	1,073	15.8%	10,145	10,145	-	9,942	2.0%
Contributions (Monetary)	5,390	3,733	1,657	44.4%	5,009	5,409	400	5,000	8.2%
Other Income	1,599	812	787	97.0%	2,131	2,131	-	1,626	31.1%
Total Income from Ordinary Activities	204,701	192,987	11,712	6.07%	222,389	223,082	693	216,151	3.2%
Expenses from Ordinary Activities									
Employee Costs	66,086	64,097	(1,989)	(3.1%)	95,505	95,486	19	95,533	0.0%
Materials & Consumables	3,131	3,412	281	8.2%	5,118	5,118	-	5,216	1.9%
Contractor Payments	30,610	34,141	3,531	10.3%	57,402	57,587	(185)	50,794	(13.4%)
Maintenance	5,209	5,371	162	3.0%	8,246	8,246	-	8,388	1.7%
Utility Services	3,058	3,370	312	9.3%	5,190	5,190	-	5,132	(1.1%)
Insurances	1,969	1,807	(162)	(9.0%)	2,061	2,061	-	1,898	(8.6%)
Other Expenses	5,298	5,162	(137)	(2.6%)	7,264	7,254	10	7,413	2.1%
Grants & Subsidies	1,035	974	(61)	(6.3%)	1,502	1,502	-	1,511	0.6%
Borrowing Costs	1,670	1,562	(108)	(6.9%)	2,385	2,385	-	2,343	(1.8%)
Total Expenses from Ordinary Activities	118,066	119,896	1,830	1.5%	184,673	184,829	(156)	178,228	(3.7%)
Surplus/(deficit) before non operational activities	86,635	73,092	13,542	18.5%	37,716	38,253	537	37,923	0.9%
Non-operational Activities									
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	340	310	30	9.7%	398	398	-	465	(14.4%)
Written Down Value of Assets Sold/Disposed	341	1,116	775	0.0%	1,784	1,784	-	1,674	(6.5%)
Depreciation & Amortisation	18,846	18,949	103	0.5%	28,337	28,337	-	28,424	0.3%
Surplus/(deficit) for the period	67,788	53,336	14,450	27.1%	7,993	8,531	537	8,290	2.9%

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ORDINARY COUNCIL MEETING

8 APRIL 2025

Balance Sheet

for the period ending 28 February 2025

This Statement is a snapshot of our financial position. It outlines what we own (assets) and what we owe (liabilities). Our net worth (net assets or equity) equals total assets minus total liabilities — the larger the net equity, the stronger the financial position.

	Actuals 2023-24	Annual Budget 2024-25	Annual Forecast 2024-25	Year to Date Actual 2024-25	Previous Month End Actuals
	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	58,627	47,105	54,351	81,464	71,372
Trade and Other Receivables	22,083	22,407	22,083	69,465	89,189
Other Assets	6,063	5,956	6,063	4,260	4,280
Total Current Assets	86,773	75,468	82,497	155,189	164,841
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	2,703,210	2,841,809	2,712,938	2,707,228	2,706,546
Right-of-use-assets	1,776	948	1,776	1,775	1,775
Intangible Assets	907	1,802	907	5,171	5,198
Investments in Joint Operations	282	272	282	282	282
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	2,706,180	2,844,837	2,715,908	2,714,461	2,713,806
TOTAL ASSETS	2,792,953	2,920,305	2,798,405	2,869,650	2,878,647
Liabilities					
Current Liabilities					
Trade and Other Payables	13,626	18,756	14,132	17,744	15,666
Trust Funds and Deposits	23,892	21,088	23,892	35,164	35,541
Unearned Income	3,931	3,437	3,931	-	-
Provisions	14,780	15,160	14,780	13,484	13,550
Interest-Bearing Liabilities	2,066	2,780	2,780	2,009	2,017
Lease Liabilities	693	542	542	693	693
Total Current Liabilities	58,988	61,762	60,057	69,094	67,467
Non-Current Liabilities					
Provisions	1,173	1,003	1,173	1,157	1,157
Interest-Bearing Liabilities	59,771	56,424	56,424	58,594	58,758
Lease Liabilities	1,373	571	571	1,373	1,373
Other Liabilities - Joint Operations	4,753	4,370	4,753	4,753	4,753
Total Non-Current Liabilities	67,070	62,368	62,921	65,877	66,041
Total Liabilities	126,058	124,130	122,978	134,971	133,508
Net Assets	2,666,897	2,796,174	2,675,427	2,734,679	2,745,139
Equity					
Accumulated Surplus	1,008,492	1,014,788	1,017,023	1,070,887	1,081,828
Asset Revaluation Reserve	1,636,056	1,756,508	1,636,056	1,636,054	1,636,054
Public Open Space Reserve	21,088	24,878	21,088	26,478	25,997
Strategic Asset Development Reserve	1,260	-	1,260	1,260	1,260
Total Equity	2,666,897	2,796,174	2,675,427	2,734,679	2,745,139

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Capital Works Program***for the period ending 28 February 2025***

This represents our portfolio of capital projects that have been adopted and formally approved by Council as part of the 2024-25 budget process. These projects involve the planning and construction of new assets, renewal, upgrade and expansions for existing infrastructure, plant and equipment and property assets. Included in the program are strategic projects, transformation and technology projects, roadworks, footpaths and drainage, upgrades of open space and recreational areas and community facilities.

Positive variance movements relate to savings in capital expenditure. Negative figures (in brackets) relate to an increase to the current year's budget allocation.

As at the end of February 2025, the total capital works expenditure forecast for 2024-25 is expected to be \$45.62m, represented by:

- New capital works projects as per the adopted 2024-25 Budget \$35.12m
- Carry forward projects from 2023-24 \$4.98m
- Accumulated project forecast adjustments \$5.52m.

Forecast adjustments for February 2025:

- \$3.9m adjustment for the completion of the Carnegie Memorial Swimming Pool Redevelopment. This brings forward budgeted funds from 2025-26 and has no impact on the overall cost of the project.
- \$12k transfer from Independent Living Unit Refurbishments to Flooring Replacement in EE Gunn Reserve.
- \$100k transfer from Lord Reserve Sports Ground Upgrade Program to Ames Avenue Open Space Project.

Total increase to the annual forecast in February is \$3.9m.

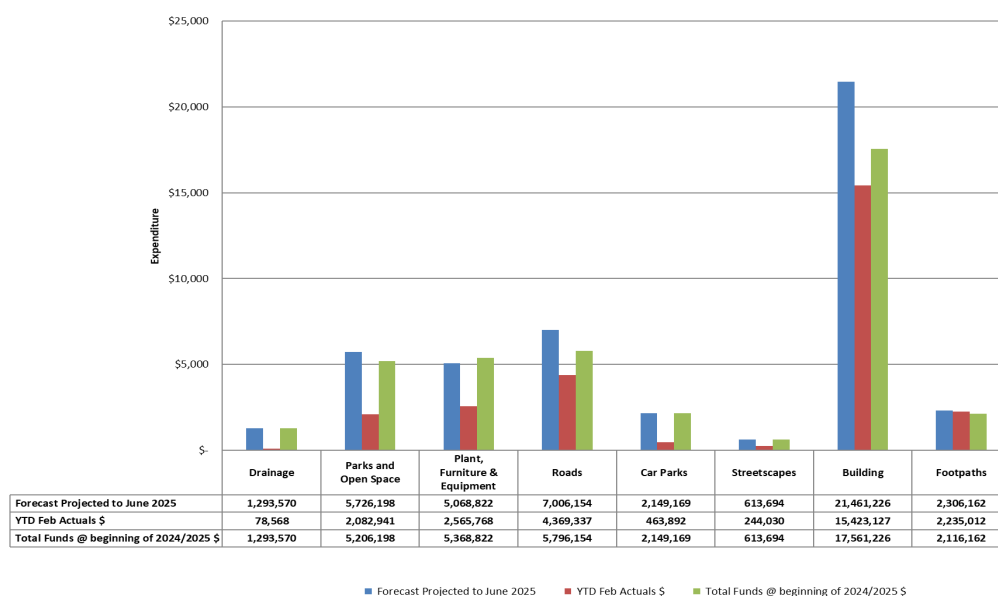
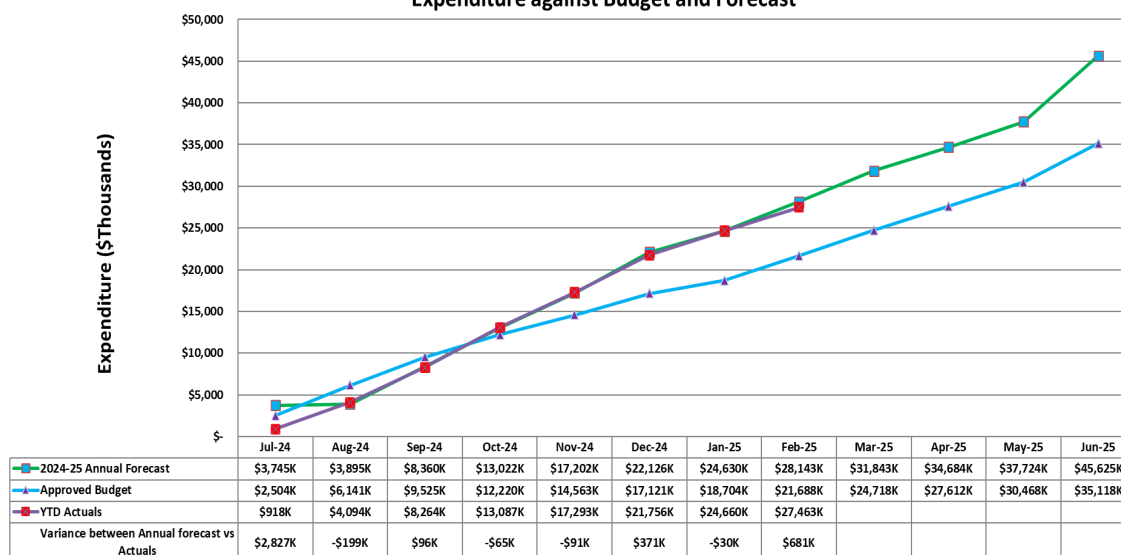
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Capital Works Performance Graphs

The below graphs reflect the 2024-25 budget allocations for the main asset category and monthly expenditure against budget and forecast.

Capital Spend by Asset Category**Expenditure against Budget and Forecast**

The February capital expenditure is behind the capital forecast by \$681k. This is mainly due to the Renewal projects (\$469k), Community safety projects (\$267k) and Sustainability projects (\$147k) are behind the forecast but still expected to be completed by year end. It is offset by the projects that are ahead of the forecast including Recreation and open space projects (\$189k).

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Capital Works Program Expenditure <i>for period ending 28 February 2025</i>								
Description	2024-25 Adopted Capital Budget	2024-25 Carry Forwards from 2023-24	2024-25 Budget Plus Carry Forwards	2024-25 Adjustments	2024-25 Annual Forecast	2024-25 Year To Date Actual Expenditure	2024-25 Year To Date Forecast	2024-25 Year To Date Variance
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
<u>STRATEGIC PROJECTS</u>								
CYCLING ACTION PLAN	150,000	-	150,000	-	150,000	30,926	30,000	(926)
QUEENS AVENUE CYCLING PROJECT	-	-	-	1,400,000	1,400,000	1,397,584	1,400,000	2,416
SHOPPING/ACTIVITY CENTRE IMPROVEMENT	-	423,694	423,694	-	423,694	191,293	267,550	76,257
INTEGRATED TRANSPORT STRATEGY	30,000	-	30,000	-	30,000	27,273	12,000	(15,273)
BETTER STREETS BETTER PLACES PROGRAM	120,000	-	120,000	-	120,000	30,120	36,000	5,880
STRUCTURE PLANNING PROJECTS	70,000	-	70,000	-	70,000	22,617	17,000	(5,617)
TOTAL STRATEGIC PROJECTS	370,000	423,694	793,694	1,400,000	2,193,694	1,699,813	1,762,550	62,737
<u>TRANSFORMATION & TECHNOLOGY</u>								
INFORMATION SYSTEMS	775,000	-	775,000	-	775,000	255,456	250,000	(5,456)
TOTAL TRANSFORMATION & TECHNOLOGY	775,000	-	775,000	-	775,000	255,456	250,000	(5,456)
<u>RECREATION AND OPENSACE</u>								
OPEN SPACE STRATEGY INITIATIVES	250,000	379,524	629,524	325,000	954,524	297,004	123,167	(173,837)
RECREATION PROGRAM	2,207,635	110,000	2,317,635	(130,000)	2,187,635	871,127	847,338	(23,789)
SPORTSGROUND LIGHTING UPGRADE	416,500	-	416,500	-	416,500	244,140	252,000	7,860
TOTAL RECREATION AND OPENSACE	2,874,135	489,524	3,363,659	195,000	3,558,659	1,412,272	1,222,505	(189,767)
<u>COMMUNITY FACILITIES</u>								
BUILDING IMPROVEMENTS	-	242,000	242,000	-	242,000	325	325	-
PARK PAVILION UPGRADE	2,500,000	-	2,500,000	-	2,500,000	32,208	200,000	167,792
CARNEGIE MEMORIAL SWIMMING POOL	11,500,000	1,200,000	12,700,000	3,900,000	16,600,000	14,918,271	14,700,000	(218,271)
TOTAL COMMUNITY FACILITIES	14,000,000	1,442,000	15,442,000	3,900,000	19,342,000	14,950,804	14,900,325	(50,479)
<u>SUSTAINABILITY</u>								
SUSTAINABILITY INITIATIVES	433,450	231,224	664,674	38,698	703,372	77,845	150,000	72,155
SOLAR POWER PANEL	156,980	-	156,980	-	156,980	138,014	109,455	(28,559)
BICYCLE PARKING IMPLEMENTATION	20,000	-	20,000	-	20,000	4,545	10,000	5,455
URBAN FOREST STRATEGY	400,000	-	400,000	295,000	695,000	207,569	306,500	98,931
TOTAL SUSTAINABILITY	1,010,430	231,224	1,241,654	333,698	1,575,352	427,973	575,955	147,982
<u>COMMUNITY SAFETY</u>								
TRANSPORT PLANNING	2,723,550	637,679	3,361,229	-	3,361,229	687,467	954,554	267,087
TOTAL COMMUNITY SAFETY	2,723,550	637,679	3,361,229	-	3,361,229	687,467	954,554	267,087

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Capital Works Program Expenditure <i>for period ending 28 February 2025 (continued)</i>								
Description	2024-25 Adopted Capital Budget	2024-25 Carry Forwards from 2023-24	2024-25 Budget Plus Carry Forwards	2024-25 Adjustments	2024-25 Annual Forecast	2024-25 Year To Date Actual Expenditure	2024-25 Year To Date Forecast	2024-25 Year To Date Variance
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
RENEWALS								
INFORMATION SYSTEMS	860,000	120,000	980,000	-	980,000	242,132	500,000	257,868
VEHICLE REPLACEMENT	1,000,000	566,285	1,566,285	(300,000)	1,266,285	571,516	638,590	67,074
FIRE COMPONENT RENEWAL	-	172,572	172,572	-	172,572	53,280	86,286	33,006
BUILDING IMPROVEMENTS	825,000	-	825,000	-	825,000	120,507	174,869	54,361
STRUCTURAL RENEWALS	300,000	-	300,000	(70,118)	229,882	53,022	43,484	(9,538)
SENIOR CITIZEN BUILDINGS	52,020	-	52,020	-	52,019	42,848	51,320	8,472
LIBRARY COLLECTIONS	965,826	-	965,826	-	965,826	639,735	669,475	29,740
FOOTPATH PROGRAM	1,963,235	-	1,963,235	190,000	2,153,235	2,199,054	1,902,132	(296,922)
KERB & CHANNEL REPLACEMENT PROGRAM	221,899	-	221,899	-	221,899	233,549	221,899	(11,650)
ROAD REHABILITATION PROGRAM	1,200,000	308,355	1,508,355	-	1,508,355	673,621	1,153,668	480,047
DRAINAGE IMPROVEMENTS	1,255,000	38,570	1,293,570	-	1,293,570	78,568	60,000	(18,568)
GLENWORKS PROGRAM	1,655,719	-	1,655,719	(190,000)	1,465,719	1,359,791	1,343,812	(15,979)
RIGHT OF WAY IMPROVEMENTS	450,000	-	450,000	-	450,000	35,735	18,000	(17,735)
LOCAL AREA TRAFFIC MANAGEMENT	150,000	8,554	158,554	-	158,554	66,927	30,000	(36,927)
CAR PARKS RENEWAL PROGRAM	50,000	492,494	542,494	-	542,494	351,768	492,494	140,726
OPEN SPACE STRATEGY INITIATIVES	100,000	-	100,000	30,000	130,000	-	-	-
RECREATION PROGRAM	544,606	-	544,606	-	544,606	105,449	135,000	29,552
AQUATIC CENTRE REDEVELOPMENT	804,581	-	804,581	-	804,581	748,470	435,693	(312,777)
PARKS MINOR CAPITAL WORKS	700,358	-	700,358	-	700,358	290,851	350,236	59,385
SHADE STRUCTURES	17,575	-	17,575	-	17,575	-	17,575	17,575
ATHLETIC TRACK UPGRADE	80,000	-	80,000	-	80,000	66,800	64,000	(2,800)
RESIDENTIAL AGED CARE MINOR IMPROVEMENTS	170,000	55,110	225,110	-	225,110	65,610	80,000	14,390
PARK PAVILION UPGRADE	-	-	-	31,420	31,420	29,655	8,827	(20,828)
								-
TOTAL RENEWALS	13,365,819	1,761,940	15,127,759	(308,698)	14,819,060	8,028,890	8,477,360	448,470
TOTAL CAPITAL WORKS EXPENDITURE	35,118,934	4,986,061	40,104,995	5,520,000	45,624,994	27,462,675	28,143,249	680,574

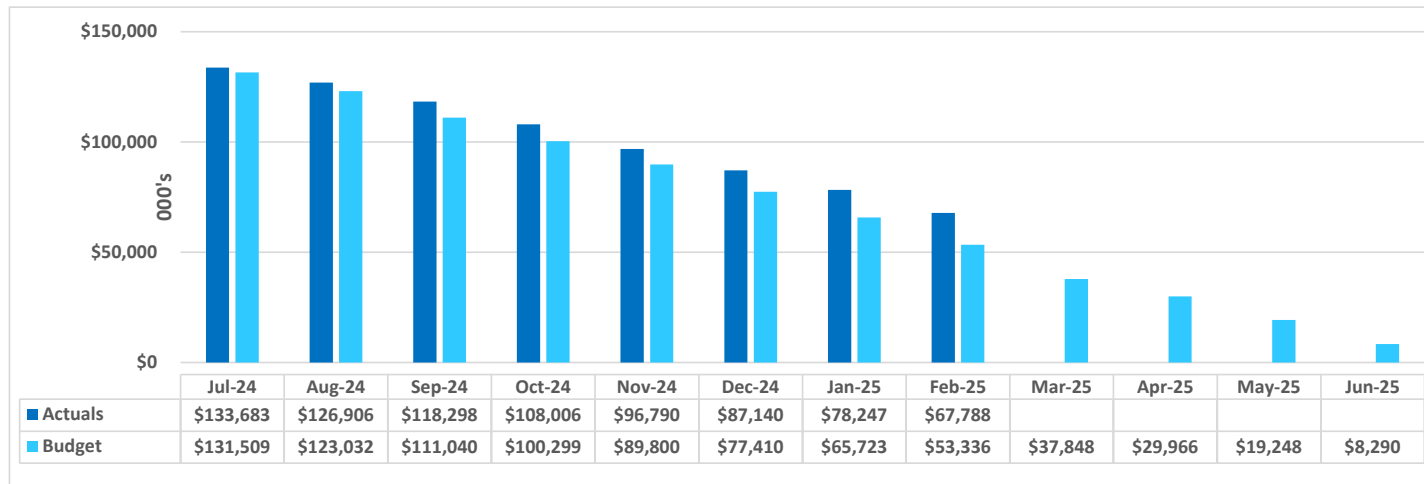
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Performance Graphs

Financial Performance
for the period ending 28 February 2025



The February 2025 year to date financial performance was \$14.45m higher than the year-to-date budget mainly due to:

- Better than anticipated income received for Grants \$5.36m, Contributions \$1.66m, Interest Received \$1.14m, User Fees \$1.13m, Statutory Fees \$1.07m and Other Income \$787k.
- Favourable variances in expenditure items including Contractor Payments \$3.53m, Utility Services \$312k, Materials and Consumables \$281k and Maintenance \$162k. These are offset by an increase in Employee Costs \$1.99m, Insurances \$162k, Other Expenses \$137k and Borrowing Costs \$108k.

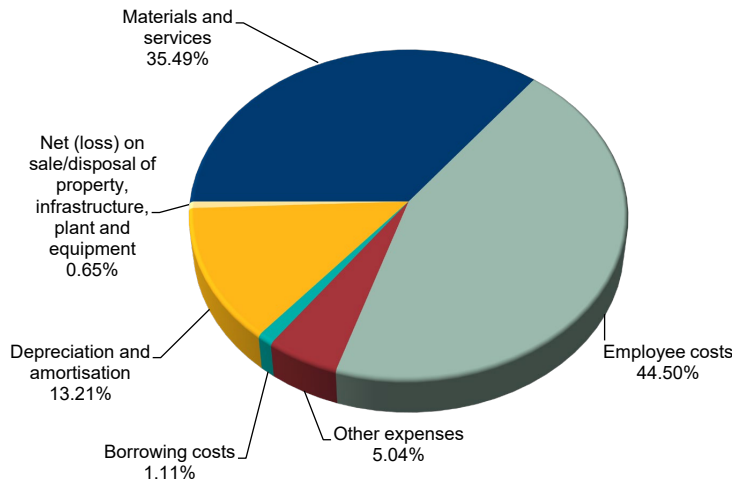
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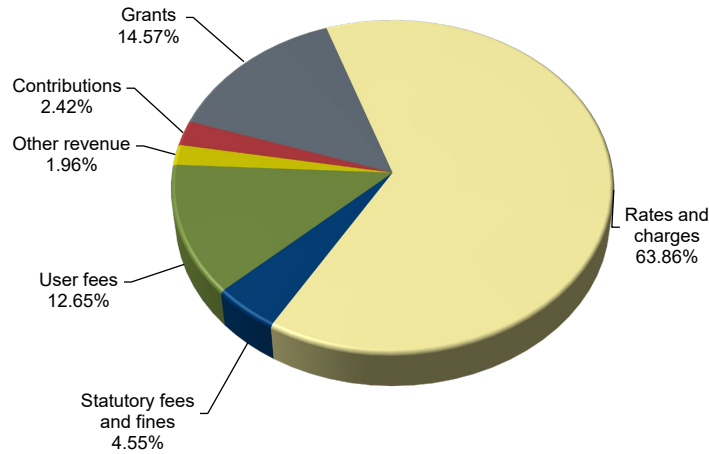
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Financial Performance
for the period ending 28 February 2025

2024-25 Forecast categories of expenditure



2024-25 Forecast sources of income

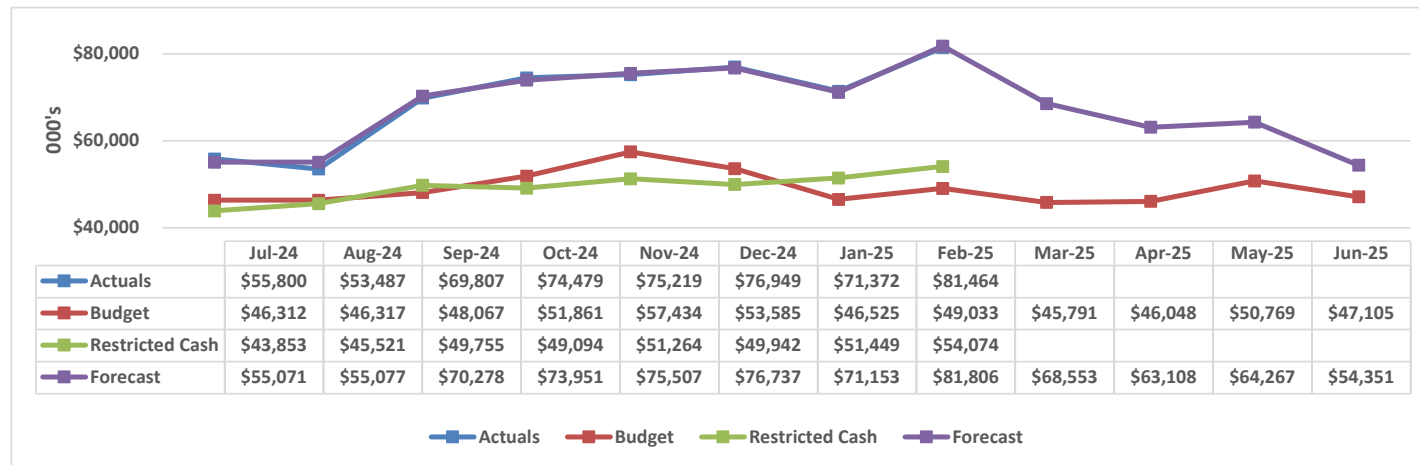


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**Cash and Investments
for the period ending 28 February 2025**



- **Cash Balance** – Council's year to date cash balance of \$81.46m is above budget for the current month. Council's forecast position to June 2025 of \$54.35m has been adjusted to reflect the movements in Council's Income Statement and Capital Works Program forecast adjustments.
- **Restricted Cash** – Council has cash assets that are subject to restrictions. Restricted funds as at 28 February 2025 is \$54.07m, this includes: residential aged care deposits of \$16.53m, trust funds and deposits of \$7.4m (including asset protection permits), open space reserve of \$26.48m and fire services property levy of \$3.66m. Noting that the open space (\$26.48m) is not held in cash reserve.
- **Return on Investments** – Council has achieved an average return on investments of 4.1% for the month of February 2025.

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Rates Income and Debtors
for the period ending 28 February 2025

Rate Income – is an important source of revenue, accounting for approximately 65 per cent of the total revenue received by Council annually.

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 2024-25 was set at forecast CPI of 2.75% (3.5% for 2023-24).

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 28 February 2025.

Rate Debtors	2024-2025 Year to date
	\$'000
Arrears Brought Forward	15,597
Credits Brought Forward	(1,448)
2024-25 Rates & Garbage Generated	140,598
2024-25 Fire Services Property Levy	19,795
Total Rates & Charges	174,542
Payments/Adjustments:	
Glen Eira Pension Rebate	(66)
State Government Rebate	(1,621)
Fire Services Property Levy Rebate	(312)
Receipts	(112,251)
Interest	76
Supplementary Valuations	1,956
Adjustments	(436)
Total Payments/Adjustments	(112,653)
Rates & Charges Balance at Month End	61,888

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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. The following pages explain and present the Auditor-General's financial sustainability risks and criteria and page 18 provides indicators for Glen Eira City Council.

Financial sustainability risk indicators

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>

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Financial Strategy (continued)**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.

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

Financial Sustainability Risk Indicators	Objective	Audited 2023-2024 Actuals	Audited Risk 2023-2024	2024-2025 Annual Budget as at 30 June 2025	2024-2025 Annual Forecast as at 30 June 2025	2024-2025 Risk based on Annual Forecast as at 30 June 2025	Comment
(1) Net Result	To generate surpluses consistently greater than 0%.	4.08%	Low	3.84%	3.82%	Low	Council is generating surpluses.
(2) Underlying Result (%)	Ability to generate surplus in the ordinary course of business, excluding non-recurrent capital grants and non-monetary asset contributions to fund capital expenditure from net result. Low risk indicator is to be more than 5%.	0.05%	Medium	-0.30%	-0.18%	High	Council anticipates a low underlying result during 2024-25. This has decreased compared to budget due to the transition costs for our in-home and social support services, however this change will have a positive impact for future years.
(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.	1.47	Low	1.22	1.37	Low	Council's forecast to 30 June 2025 indicates a Liquidity Ratio above 1.0.
(4) Internal Financing	Generating enough cash from operations to fund new assets. Low risk indicator is to be greater than 100%.	56%	High	99%	95%	Medium	Council is restricted in generating cash to fund new assets.
(5) Indebtedness	Lower than 40% relates to the ability to repay debt from own-source revenue.	37.72%	Low	34.21%	33.98%	Low	Council is operating at a ratio of lower than 40%, therefore has the ability to repay debt from own-source revenue.
(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.	2.82	Low	1.51	1.61	Medium	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.	2.15	Low	1.24	1.24	Low	Council spends sufficient funds on its asset base.

10.4 DISABILITY SUPPORT POLICY

Author: Jeremy O'Halloran, Diversity and Inclusion Officer

Director: Jane Price, Interim Director Community Wellbeing

Trim No: 25/167164

Attachments: 1. *Disability Support Policy 2025 - Final* [↓](#)
2. *Disability Support Policy showing amendments* [↓](#)

EXECUTIVE SUMMARY

Council's Disability Support Policy has been reviewed and updated and reaffirms Council's commitment to equity and inclusion, ensuring that people with disabilities can actively participate in all aspects of community life.

The policy has been reviewed through a process involving extensive consultation with stakeholders to ensure it responds to community needs and expectations.

The updated Policy reflects contemporary best practices and aligns with key legislative and strategic frameworks, reinforcing Council's accountability in enhancing accessibility and inclusion.

This report recommends endorsement of the revised and updated Disability Support Policy.

RECOMMENDATION

That Council adopts the updated Disability Support Policy as amended (Attachment 1).

BACKGROUND

In Glen Eira, 7,200 residents (4.8 per cent of the population, Census 2021) require daily assistance with core activities, with over 2,700 accessing National Disability Insurance Scheme (NDIS) funding and 1,100 identifying as having a disability. More broadly, one in five Australians live with a disability.

Since its introduction in 1998, the Council's Disability Support Policy has undergone four scheduled reviews to reflect evolving community needs and service delivery models, particularly following the introduction of the National Disability Insurance Scheme (NDIS). Also, over this period the context of the Policy has evolved significantly. Council's role has shifted from direct home care support to a broader focus on fostering an inclusive and accessible community. This aligns with national and state legislative changes, including the implementation of the NDIS.

In 2021, Council integrated the Disability Action Plan into the Community Wellbeing Plan 2021-2025.

ISSUES AND DISCUSSION

The updated Policy provides a clear, standalone framework that ensures accountability across all Council departments. Following the review key improvements to the policy include:

- Stronger alignment with the ***Disability Discrimination Act 1992 (Cth)*** and the ***Charter of Human Rights and Responsibilities Act 2006 (Vic)***.
- A greater focus on **building Council and community capacity** to foster positive attitudes towards disability inclusion.

- Clearer articulation of Council's role in **supporting employment and volunteering opportunities** for people with disabilities.
- Improved engagement strategies to **ensure people with disabilities have a voice in Council decision-making**.

The Policy promotes equal access, opportunities, and rights for people with disabilities, addressing systemic barriers in education, employment, and social participation.

The Policy reaffirms Council's commitment to an inclusive and accessible community through collaboration with residents and stakeholders.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

The health impacts of climate change, including extreme weather events, are recognised as a priority in the *Health and Wellbeing Plan*. This Policy supports community awareness and preparedness, ensuring that people with disabilities have access to appropriate communication strategies and emergency response plans that accommodate diverse needs.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

This report has no direct financial impact as all disability-related activities will be funded within existing budgets.

A formal policy ensures legal compliance, protects the rights of people with disabilities, and provides a framework for consistent, inclusive service delivery.

POLICY AND LEGISLATIVE IMPLICATIONS

This updated Policy has been assessed as compliant with the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and has undergone a Gender Impact Assessment in accordance with the *Gender Equality Act 2020 (Vic)*.

The Gender Impact Assessment highlights that people with disabilities, particularly women, gender diverse individuals, and those from CALD and Indigenous backgrounds, experience overlapping disadvantages related to employment, violence discrimination, and access to services.

In recognition of the findings from the Gender Impact Assessment, the policy incorporates the following measures to ensure a more inclusive and equitable approach:

- Explicit commitment to intersectionality
- Mandatory Gender Impact Assessments
- Inclusive Community Engagement.

COMMUNICATION AND ENGAGEMENT

The review and updating of the policy was informed through direct engagement with internal departments and consultation with key community stakeholders including community members and professionals with lived and professional experience in disability.

The following internal and external stakeholders were engaged:

- Glen Eira Disability Reference Committee including representatives from the NDIS, Jewish Care, and the Brotherhood of St Laurence.
- Glen Eira Leisure.
- Glen Eira Libraries and Youth Services.
- All Abilities Program, including Disability Career Counselling.

LINK TO COUNCIL PLAN

Strategic Direction 5: A healthy, inclusive and resilient community

We support our residents to be healthy, strong and resilient and will embrace and celebrate our diverse community.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

The revised and updated Disability Support Policy strengthens Glen Eira City Council's commitment to fostering an inclusive and accessible community. It reinforces Council's accountability, aligns with legislative requirements, and reflects best practices in disability inclusion. Endorsing the policy sets a framework and expectation that Council will continue to support people with disabilities in all aspects of community life.



GLEN EIRA
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DISABILITY SUPPORT

POLICY

Date first adopted: July 1998

Date last amended: March 2025

Next review date: March 2029

Policy owner: Manager Community and Economic
Development

Approved by: Council

Policy category: Category 2 – Discretionary Council Policy

OFFICIAL: Sensitive

DISABILITY SUPPORT POLICY

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OFFICIAL: Sensitive**1. TITLE**

Disability Support Policy

2. POLICY STATEMENT

Council acknowledges and values the rights of people with disabilities to be fully participating members of the community. Council commits to equity and inclusion by ensuring people with disabilities can equitably participate in all aspects of community life.

3. OBJECTIVES

The objectives of this policy are to:

- 3.1 meet Council's obligations under the *Disability Discrimination Act 1992* and the *Disability Act 2006*.
- 3.2 achieve a coordinated, flexible and adaptive approach to planning and advocacy for people with disabilities.
- 3.3 ensure that Council services and facilities enable people with disabilities, including hidden disabilities, and their carers to participate in the community to maximise quality of life.
- 3.4 provide leadership to the Glen Eira community in promoting awareness and positive community attitudes towards people with disabilities.

4. DEFINITIONS AND ABBREVIATIONS

Companion Card Scheme	A national program that enables eligible people with lifelong disability to attend venues and participate in activities without incurring the cost of a second ticket for their companion.
Definition of disability	<p>The <i>Disability Discrimination Act 1992 (Cth)</i> defines 'disability' broadly, covering a wide range of conditions.</p> <p>The Act covers people who have temporary and permanent disabilities; physical, intellectual, sensory, neurological, learning and psychosocial disabilities, diseases or illnesses, physical disfigurement, medical conditions, and work-related injuries.</p> <p>Disability can be visible or invisible. Some conditions and impairments are present from birth. The Act extends to disabilities that people have had in the past and potential future disabilities, as well as disabilities that people are assumed to have.</p>

5. POLICY

- 5.1 Council will clearly communicate its priorities for responding to the needs of people with disabilities through disability action planning and report on progress towards those priorities.
- 5.2 Council will actively consult and collaborate with all stakeholders, including vulnerable cohorts with a disability, such as First Australians and people identifying as LGBTIQ+, and specifically the Disability Reference Committee, to enable Council to meet the needs of people with disabilities and ensure input into decisions that affect their lives.
- 5.3 Council will support, advocate for, and provide advice on improvements to all refurbished and new facilities, with a view to complying with the Disability Discrimination Act and the Building Code of Australia requirements. Council will consult with the Disability Reference Committee,

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where possible, to help review the usability and convenience of a facility, amenity or service.

(AS1428 is the minimum design standard for new and existing buildings, ensuring building accessibility for people with disabilities.)

- 5.4 Council will encourage and promote inclusive work practices including, but not limited to, our Work Flexibility Policy and Disability Awareness Training, Employee Reference Group for neurodivergent employees and our Diversity and Inclusivity Statement in providing employment opportunities that are inclusive of people with disabilities.
- 5.5 Council will take a proactive approach to ensure all Council events and services are accessible to people with disabilities, including affiliation with the Companion Card Scheme and supported services.
- 5.6 Council will strive to ensure that all information is communicated in formats that are accessible and inclusive, catering to the diverse needs of the community.
- 5.7 In the design and delivery of programs, services and projects, Council will consider the diverse needs of all members of the community to ensure equity and equality. This includes, but is not limited to, attributes such as Aboriginal and Torres Strait Islander identity, age, ethnicity, race, religion, gender and sexual orientation, all of which shape an individual's experiences and opportunities.

6. LEGISLATIVE COMPLIANCE

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

In line with the Gender Equality Act 2020 (Vic), a Gender Impact Assessment has been completed for this policy.

7. ASSOCIATED DOCUMENTS

Council's Community Wellbeing Plan 2021-2025

Council's Equal Employment Opportunity, Discrimination, Harassment and Vilification Policy

8. REFERENCES/RESOURCES

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Gender Equality Act 2020 (Vic)

Disability Act 2006 (Vic)

Disability Discrimination Act 1992 (Cth)

Equal Opportunity Act 2010 (Vic)

Companion Card Industry Handbook 2004



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Disability Support Policy

Date first adopted:	20 July 1998
Dates amended:	22 March 2004 18 March 2014 February 2019 March 2025
Next review date:	December 2028
Position Title of Responsible Business Unit Manager:	Manager Community and Economic Development and Care
Approved by:	Council
Internal, external or both:	Both
Policy Category	Category 2 - Discretionary Council Policy

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1. TITLE

Disability Support Policy

2. POLICY STATEMENT

Council acknowledges and values the rights of people with disabilities to be fully participating members of the community. Council commits to equity and inclusion by ensuring people with disabilities can equitably participate in all aspects of community living life.

3. OBJECTIVES

The objectives of this policy are to:

~~Council acknowledges and values the rights of people with disability to be fully participating members of the community. Council seeks to improve access to all facilities, information and services to ensure people with disability can participate in all aspects of community living with dignity and equity.~~

- 3.1 meet Council's obligations under ~~the relevant legislation, the~~ *Disability Discrimination Act 1992* and the *Disability Act 2006*.
- 3.2 ~~To~~ achieve a coordinated, ~~and~~ flexible and adaptive approach to planning and advocacy for people ~~of all abilities, with~~ disabilities.
- 3.3 ~~To create opportunities,~~ ensure that Council services and facilities ~~which~~ enable people with ~~disability~~ disabilities, including hidden disabilities, and their carers to participate in the community ~~and to attain a better~~ maximise quality of life.
- 3.4 provide leadership to the Glen Eira community in promoting awareness, and positive community attitudes ~~and responses~~ towards people with disabilities.

4. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Acts	<i>Disability Act 2006 (Vic), Disability Discrimination Act 1992 (Cth), Equal Opportunity Act 2000 (Vic) and Charter of Human Rights and Responsibilities Act 2006 (Vic).</i>
Companion Card Scheme	is a national program that enables eligible people with lifelong disability to attend venues and participate in at venues and activities without incurring the cost of a second ticket for their companion.
Definition of disability	<u>The <i>Disability Discrimination Act 1992 (Cth)</i> defines 'disability' broadly, covering a wide range of conditions. The Act covers people who have temporary and permanent disabilities; physical, intellectual, sensory, neurological, learning and psychosocial disabilities, diseases or illnesses, physical disfigurement, medical conditions, and work-related injuries. Disability can be visible or invisible. Some conditions and impairments are present from birth. The Act extends to disabilities that people have had in the past and potential future disabilities, as well as disabilities that people are assumed to have. People are considered to have a disability if they have a limitation, restriction or impairment, which has lasted, or is likely to last, for at least six months and restricts everyday activities. This included episodic conditions if they are likely to recur.</u>

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(The Australian Public Service Commission)

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5. POLICY

- 5.1 Council will ~~regularly review its Disability Action Plan~~ clearly communicate its priorities for responding to the needs of people with disabilities through disability action planning and report on progress ~~made against~~ towards those priorities.

~~Council will take reasonable steps to ensure that all new and refurbished Council facilities are accessible to people of all abilities comply with the Disability Discrimination Act and Building Code Australia requirements.~~

~~Council will actively liaise~~

- 5.2 Council will actively consult and collaborate with all stakeholders, including vulnerable cohorts with a disability, such as First Australians and people identifying as LGBTIQ+, and specifically the Disability Reference Committee, to enable Council to meet the needs of people with disabilities and ensure input into decisions that affect their lives.

- 5.3 Council will support, advocate for, and provide advice on improvements to all refurbished and new facilities with a view to complying with the Disability Discrimination Act and Building Code of Australia requirements. Council will consult with the Disability Reference Committee, where possible, to help review the usability and convenience of a facility, amenity or service.

~~(AS1428 is the minimum design standard for new and existing buildings, ensuring building accessibility for people with disabilities.)~~

~~Council will identify and facilitate the provision of advocacy and planning to meet the needs of people with disability to maximise their quality of life, wellbeing and participation in community life.~~

- 5.4 Council will encourage and promote inclusive work practices including, but not limited to, our Work Flexibility Policy and Disability Awareness Training, Employee Reference Group for neurodivergent employees and our Diversity and Inclusivity Statement in providing employment opportunities that are inclusive of people with disabilities. ~~of all abilities. Council will identify and facilitate the provision of advocacy and planning to meet the needs of people with disability to maximise their quality of life, wellbeing and participation in community life.~~

- 5.5 ~~Council will take reasonable steps to ensure that Council events and services are~~ Council will take a proactive approach to ensure all Council events and services are accessible to people with disabilities, including affiliation with the Companion Card Scheme and supported services.

~~Council will provide members of the community with key service and community information in alternative formats, on request where practicable ensure that its communications and information are made available in accessible formats.~~

- 5.6 Council will strive to ensure that all information is communicated in formats that are accessible and inclusive, catering to the diverse needs of the community.

- ~~5.7 Where appropriate, (e.g. for commercial buildings that will attract high public use), Council will direct people to the Victorian Building Authority (VBA) practice note which provides information regarding disabled access to buildings. The link will be available on Council's website.~~

- 5.7 In the design and delivery of programs, services and projects, Council will consider ~~intersectionality to the fullest extent possible~~ the diverse needs of all members of the community to ensure equity and equality. This includes, but is not limited to, attributes such as Aboriginal and Torres Strait Islander identity, age, ethnicity, race, religion, gender and sexual orientation, all of which shape an individual's experiences and opportunities.

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6. ~~LEGISLATIVE COMPLIANCE HUMAN RIGHTS CHARTER COMPATIBILITY~~

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

In line with the Gender Equality Act 2020 (Vic), a Gender Impact Assessment has been completed for this policy.

7. ASSOCIATED DOCUMENTS

~~Disability Action Plan 2017-2024~~Council's Community Wellbeing Plan 2021-2025
Council's Equal Employment Opportunity, Discrimination, Harassment and Vilification Policy

8. REFERENCES/RESOURCES

Charter of Human Rights and Responsibilities Act 2006 (Vic)
Gender Equality Act 2020 (Vic)
Disability Act 2006 (Vic)
Disability Discrimination Act 1992 (Cth)
Equal Opportunity Act 2010 (Vic)
Companion Card Industry Handbook 2004

10.5 KINDERGARTEN CENTRAL REGISTRATION SCHEME POLICY UPDATE

Author: Eliza Levi, Coordinator Early Years Education and Care

Director: Jane Price, Interim Director Community Wellbeing

Trim No: 25/118682

Attachments: 1. Kindergarten Central Registration Scheme Policy 2025 Final [↓](#)
2. Kindergarten Central Registration Scheme Policy 2025 Showing Amendments [↓](#)

EXECUTIVE SUMMARY

Council's Kindergarten Central Registration Scheme Policy has been reviewed and updated to reflect changes resulting from:

- Victorian Government's Best Start, Best Life Reform.
- Kindergarten funding guide issued by the Victorian Government.

This review also resulted in a revision and update to the Glen Eira Local Area Criteria including:

- expanding the Local Area Criteria to include siblings.
- revising the registration date process.

Given the addition of new Local Area Criteria it is proposed to trial the new approach for the 2026 enrolment year and subsequently review its effectiveness, impact on the registration process, and allocation of available places.

RECOMMENDATION

That Council adopts the Kindergarten Central Registration Scheme Policy as amended (Attachment 1).

BACKGROUND

Council offers a Kindergarten Central Registration Scheme (the Scheme) for 14 participating not-for-profit funded kindergartens in Glen Eira.

Council receives funding from the Victorian Government to manage this Scheme. The Scheme operates in accordance with the Victorian Government's 'Kindergarten Central Registration and Enrolment Scheme Funding' requirements which include the Department of Education's 'Kindergarten Priority of Access Criteria'.

The Kindergarten Central Registration Scheme Policy (the Policy) establishes a framework for managing the Scheme, including registration and allocation to funded kindergarten placements for eligible 3- and 4-year-old children. The Policy outlines the responsibilities of various stakeholders, including Council officers, early years managers, parent committees, and parents/carers.

Council oversees the registration and allocation, while early years managers and parent committees facilitate enrolments into the kindergarten service and sessions.

The Policy aims to ensure a fair, efficient, and transparent process for families seeking a funded kindergarten place for their child in a kindergarten participating in Council's Central Registration Scheme.

ISSUES AND DISCUSSION

The Kindergarten Central Registration Scheme Policy has been updated to align with the Victorian Government's Best Start, Best Life Reform, the Victorian Government's Kindergarten funding guide and local area criteria.

Demand for Kindergarten Places and Applications

The number of registrations for kindergarten places has grown to exceed the number of places available. The Policy ensures our most vulnerable children are given priority access in line with the Department of Education's 'Kindergarten Priority of Access' and Council's 'Local Area Criteria' to address demand effectively and fairly. The current capacity versus registrations is reflected in Table 1.

Table 1. Kindergarten Central Registration Data 2023-2025 (to date)

	Places available	Registrations 2023	Registrations 2024	Registrations 2025 (to date)
3-year-old kindergarten	608	901	892	928
4-year-old kindergarten	705	1108	1161	1131
Total	1313	2009	2053	2059

The Policy has been reviewed and amended, to include the following changes:

1. Best Start, Best Life Reform Pre-Prep implementation

This reform will increase the funded kindergarten program through a staged roll-out from 15 hours per week up to 30 hours per week of Pre-Prep by 2036 for all eligible 4-year-old children (as outlined in Table 2).

Table 2. Best Start, Best Life Pre-Prep roll-out

Year of Pre-Prep launch	Children	Roll out of increased program hours
From 2026	<ul style="list-style-type: none"> Aboriginal or Torres Strait Islander. Refugee or asylum seeker background. Contact with Child Protection. 	2026-2027: 16-25 hours 2028 onwards: 25-30 hours
From 2028	<ul style="list-style-type: none"> Have (or have a parent or guardian who has) a Commonwealth concession card. Are from a multiple birth (triplets or more). 	2028-2030: 16-25 hours 2031 onwards: 25-30 hours
From 2036	<ul style="list-style-type: none"> All children. 	30 hours

2. Funding and compliance requirements

Amendments to the Policy have been made to comply with the Victorian Government's Central Registration and Enrolment Scheme (CRES) funding requirements and to align with the Victorian Department of Education's CRES practice guidelines. The key updates have been made to provide clear guidance for all stakeholders involved and include:

- Clear roles and responsibilities for the council, participating kindergarten providers, and families.
- A disputes and complaints procedure to address any concerns arising during the registration process.
- Dividing the registration process into distinct stages: Eligibility, Registration, and Priority of Allocation.
- Formatting adjustments to improve consistency and readability, ensuring the Policy is user-friendly and accessible.

3. Updated Local Area Criteria

The following updates have been made to the Local Area Criteria in the Policy:

- expanding the Local Area Criteria to include siblings.
- revising the registration date process.

The local area criteria would be applied after the Department of Education's Kindergarten Priority of Access.

a) Sibling Local Area Priority Criteria

Following the Policy review, a sibling priority for families with multiple children attending the same service within the same year has been added.

This criterion is a preference for families as it reduces challenges associated with drop off and collections at different services.

Table 3. Sibling priority scenarios (this is based on current registration data held by Council).

Year of kindergarten attendance	Same service within the same year
2025	21 siblings (3.4 per cent of the 608 available 3-year-old places)

With the addition of this criterion, 21 siblings would have priority for the existing 608 places for 3-year-old kindergarten.

It is acknowledged that families with multiple children frequently have a preference for subsequent siblings to attend the same kindergarten service as the previous child. However, given the significant excess demand for available places, modelling indicates that were this to be accommodated, this would favour families with previous connections to the service and disadvantage newly registering families. For example, if there is a one-year gap between siblings attending the service (based on current registration data) 130 siblings would have priority, and if there is a two-year gap, 207 siblings would have priority for the 608 available spaces.

b) Registration Date Process

The registration date process has been updated to a date-range criteria as follows:

1 May to 7 May – Initial Registration Cohort: All applications submitted in this period will be treated as if they were received on the same day and receive the same priority.

Under the current policy, families who registered on 1 May had priority over those who registered on 2 May, and so on. This single date approach created undue stress and pressure on some families, due to the limitation of priority being given to those registering on only one day.

8 May onwards – Applications will be processed and prioritised based on the individual registration dates. For example, those that register on 8 May will receive priority over those that register on 9 May.

If demand is higher than available places, a ballot system will continue to be used for Local Area Criteria.

Given the addition of new Local Area Criteria it is proposed to trial the new approach for the 2026 enrolment year and subsequently review its effectiveness, impact on the registration process, and allocation of available places.

The revised Policy has also been simplified to make it more accessible and easier to understand for parents/carers. Clearer language and more straightforward guidelines ensure that families can navigate the registration process with minimal confusion and fair access to available spaces with improvement to overall user experience.

To support the application of the policy, Officers have developed a separate operational procedure.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

Nil.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

There are no financial, resource and asset management implications arising from updating the current policy.

POLICY AND LEGISLATIVE IMPLICATIONS

Council must administer the Kindergarten Central Registration Scheme in accordance with the Victorian Government's Kindergarten Central Registration and Enrolment Scheme Funding Requirements and Kindergarten Priority of Access Criteria.

The Scheme is also administered in accordance with Council's Kindergarten Central Registration Scheme Policy. The amended Policy provides guidance to staff administering the Scheme.

This updated Policy has undergone a Gender Impact Assessment (GIA) in accordance with the Gender Equality Act 2020 (Victoria).

The GIA evaluated the potential impacts of the updated Policy with the goal of improving equitable access and to better meet the diverse needs of the community.

In recognition of the findings from the GIA, the policy incorporates the following measures to ensure a more inclusive and equitable approach.

- Extend the initial registration date from one day to seven days as if applications were received on the same day.

- Introduce a sibling priority for a resident that has children registered at the same kindergarten in the same year for three- and four-year-old kindergarten.
- Monitor the gender impacts of these two changes for 12 months and review the effects of the policy to ensure it does not have any unintended consequences.

Council is committed to, and responsible for, fair and equitable access to kindergarten programs. By carefully considering these implications and implementing the recommended criteria we can support gender equity in early childhood education access.

COMMUNICATION AND ENGAGEMENT

The Kindergarten Reform Network comprising representatives from Department of Education, Glen Education, Bentleigh West Kindergarten and Ormond Kindergarten representatives, was consulted as part of the review and updating of the policy.

The Network supported the proposed amendments with feedback that they would help facilitate a more fair and equitable registration process.

The updated Kindergarten Central Registration Scheme Policy will be accessible on Council's website following approval.

LINK TO COUNCIL PLAN

Strategic Direction 1: Well informed, transparent decisions and highly valued services
We build trust through engaging with our community, delivering quality services and making evidence-based decisions

Community Wellbeing Plan

The Policy will strengthen key outcomes of the Community Wellbeing Plan in several important ways:

1. **Fairer Access:** It ensures all children, especially those from vulnerable or disadvantaged backgrounds, have access to kindergarten places, reducing inequality.
2. **Simpler Process:** The Central Registration Scheme system makes it easier for parents/carers to apply for places, saving time and reducing stress.
3. **Support for Families:** The sibling priority system makes it easier for families with multiple children to obtain places in the same kindergarten, removing potential stress and challenges.
4. **Stronger Community:** Easier access to kindergarten helps families connect with each other, strengthening community bonds.
5. **Gender Equality:** The Policy has been checked to make sure it supports fairness for all genders, helping create equal opportunities.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

It is recommended that Council adopts the updated Kindergarten Central Registration Scheme Policy as amended (Attachment 1), to take effect from 1 May 2025.



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GLEN EIRA CITY COUNCIL

KINDERGARTEN CENTRAL REGISTRATION SCHEME POLICY

Date first adopted: 3 February 1997

Date last amended: March 2025

Next review date: April 2026

Policy owner: Manager Life Stages

Approved by: Council

Policy category: Category 2 – Discretionary Council Policy

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1. TITLE

Kindergarten Central Registration Scheme Policy

2. POLICY OBJECTIVES

To provide for a central registration service for all participating not-for-profit funded kindergartens in the City of Glen Eira, streamlining the registration process and providing a single-entry point for parents and carers to register all eligible children to attend funded kindergarten.

For Council to meet its obligations in accordance with the Victorian Government's 'Kindergarten Central Registration and Enrolment Scheme Funding' requirements, the Department of Education's Priority of Access Guidelines, and the Victorian Government's Best Start, Best Life reforms.

3. POLICY STATEMENT

The Glen Eira Kindergarten Central Registration Scheme Policy aims to allocate Victorian Government-funded sessional kindergarten places through a process that promotes equitable access while maintaining simplicity and transparency and is based on best practice recommendations endorsed by the Department of Education.

4. SCOPE

This Policy applies to the registration and allocation for three- and four-year-old kindergarten services who:

- a. participate in the Glen Eira City Council Kindergarten Central Registration Scheme, and
- b. are operating not-for-profit funded sessional kindergarten programs in the City of Glen Eira.

All participating not-for-profit funded kindergartens will be listed on Council's website <https://www.gleneira.vic.gov.au/services/family-and-children/kindergarten>.

The policy also applies to Council employees, contractors and volunteers.

5. DEFINITIONS

Term	Meaning
Access to Early Learning	<p>A targeted program for vulnerable three-year-old children from families with complex needs, to access a quality kindergarten program.</p> <p>Enhanced Maternal and Child Health services, family services or Child Protection services will refer children from families with two or more complex needs, including:</p> <ul style="list-style-type: none"> • being known to Child Protection • child and/or parent with intellectual or physical disability • family violence • mental health issues • sexual assault • alcohol and drug abuse.

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Funded kindergarten	Kindergarten programs delivered by qualified early childhood teachers and educators in the two years before primary school, approved by the Victorian Government for funding.
Priority of Access criteria first year (three-year- old kindergarten)	The Department of Education's Priority of Access criteria and Council's Local Area criteria that will be used when prioritising first year (three-year-old) registrations (refer Appendix 1).
Priority of Access criteria second year (four- year-old kindergarten)	The Department of Education's Priority of Access criteria and Council's Local Area criteria that will be used when prioritising second year (four-year old) registrations (refer Appendix 1).
Sessional kindergarten	Sometimes referred to as a 'standalone' service refers to a dedicated kindergarten program that operates for specific days and hours each week.

6. POLICY

6.1 Eligibility

- a) The Victorian Department of Education's Priority of Access criteria will be applied to all funded kindergarten places. These criteria will be used prior to applying locally agreed criteria when prioritising registrations (refer Appendix 1).
- b) From 2026, Aboriginal and Torres Strait Islander children, children from a refugee or asylum seeker background, and children who have had contact with Child Protection Services (this includes children who were supported by the Access to Early Learning program in their three-year-old kindergarten year), can have priority for between 16 to 25 hours per week of funded four-year-old kindergarten.
- c) To be eligible for three-year-old kindergarten, children must turn three years of age by 30 April in the year they attend. Registrations are accepted from 1 May the year prior to attendance (refer Appendix 2).
- d) Three-year-old kindergarten places will be allocated based on the *Priority of Access criteria first year* (refer Appendix 1).
- e) To be eligible for four-year-old kindergarten, children must turn four years of age by 30 April in the year they attend. Registrations are accepted from 1 May, 21 months prior to attendance (refer Appendix 2).
- f) Four-year-old kindergarten places will be allocated based on the *Priority of Access criteria second year* (refer Appendix 1).

6.2 Registration

- a) Council is responsible for the centralised registration for participating not-for-profit kindergartens located in the City of Glen Eira.
- b) There is no registration fee and the Department of Education provides funding to Council that contributes to the operating costs of Council running the Kindergarten Central Registration Scheme.

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6.3 Kindergarten Central Registration Scheme implementation

The Glen Eira Kindergarten Central Registration Scheme is implemented by Council officers in line with the Victorian Government's Kindergarten Funding Guide and Council's Kindergarten Central Registration Scheme Procedure.

6.4 Disputes and complaints

- a) If a family/carer, or participating kindergarten provider has any concerns related to the Scheme or Policy, they are encouraged to raise these concerns with the Council's Kindergarten Central Registration Officers. These officers will assist in facilitating a resolution.
- b) If a satisfactory outcome is not achieved, the matter will be escalated to the Council's Coordinator of Early Years Services and Partnerships, along with the Manager of Life Stages, who will continue to facilitate discussions toward a resolution.
- c) All disputes will be managed in accordance with the Council's Complaints Handling Procedure.

7. RESPONSIBILITIES

Role	Responsibility
Councillors	Endorse Policy
Director Community Wellbeing	Policy review and approval before Councillor endorsement
Manager Life Stages	Ensure the Policy is reviewed and approved by the Director
Coordinator Early Years Services and Partnerships	Review and update the Policy
Council's Kindergarten Registration Team	Implement ongoing management of this Policy and Victorian Government's Central Registration Scheme (CRS) provision
Maternal and Child Health Services	Promote and provide support to all families, including families experiencing disadvantage, vulnerability or other barriers to kindergarten engagement
Participating Kindergarten Services	Consulted and comply with this Policy
Parents/carers	Provide all the required documentation for kindergarten registration and enrolment. Notify Council of any changes to circumstances, change preferences or withdraw/cancel registration. Respond to offers within the specified timeframe.

8. LEGISLATIVE REQUIREMENTS

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

In line with the *Gender Equity Act 2020 (Vic)*, a Gender Impact Assessment has been completed for this policy.

9. REVIEW

This Policy will be reviewed within one year of implementation to ensure its effectiveness and relevance to Council's operations.

OFFICIAL**10. ASSOCIATED COUNCIL DOCUMENTS**

Glen Eira City Council Complaints Handling Procedure
Glen Eira City Council Kindergarten Central Registration Scheme Procedure
Glen Eira City Council Privacy Policy

11. EXTERNAL REFERENCES/RESOURCES

Child Safety and Wellbeing Act 2005 (Vic)
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
Equal Opportunity Act 2010 (Vic)
Victorian Government Kindergarten Funding Guide (or its successor)
Victorian Government Central Registration and Enrolment Scheme Development
and Practice Guides

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APPENDIX 1

Priority of access and local area criteria

Children who meet the Department of Education's Priority of Access criteria will always receive the highest priority. Find out more about the Department of Education's Priority of Access - <https://www.vic.gov.au/priority-access-criteria>

Council's Central Registration Scheme (CRS) applies agreed local area criteria to prioritise allocations of other children where demand exceeds the places available. The table below outlines the factors that Council will consider when allocating a place.

Children must meet the age eligibility criteria.

Priority of access criteria

First Year – three-year-old kindergarten These criteria must be used when prioritising first year registrations.	Second Year – four-year-old kindergarten These criteria must be used when prioritising second year registrations.
This applies to a child who is approved for a second year of funded three- year-old kindergarten*.	This applies to a child who is approved for a second year of funded four- year-old kindergarten*.
Department of Education - High priority children**	Department of Education - High priority children**
Children at risk of abuse or neglect, including children in out of home care.	Children at risk of abuse or neglect, including children in out of home care.
Aboriginal and/or Torres Strait Islander children.	Aboriginal and/or Torres Strait Islander children
Asylum seeker and refugee children.	Asylum seeker and refugee children.
Children eligible for the Kindergarten Fee Subsidy <ul style="list-style-type: none"> A child or parent holds a Commonwealth Health Care Card, Pensioner Concession Card, Veteran's Affairs Card, or multiple birth children (triplets or quadruplets). 	Children eligible for the Kindergarten Fee Subsidy <ul style="list-style-type: none"> A child or parent holds a Commonwealth Health Care Card, Pensioner Concession Card, Veteran's Affairs Card, or multiple birth children (triplets or quadruplets).
Children with additional needs, defined as children who: <ul style="list-style-type: none"> require additional assistance in order to fully participate in the kindergarten program. require a combination of services which are individually planned. have an identified specific disability or developmental delay. 	Children with additional needs, defined as children who: <ul style="list-style-type: none"> require additional assistance in order to fully participate in the kindergarten program. require a combination of services which are individually planned. have an identified specific disability or developmental delay.
Local Area Criteria	Local Area Criteria
A resident that has two (or more) children registering for places in three- and four-year-old kindergarten respectively at the same kindergarten service in the same year.	A resident who has current three-year-old child registering for a place in a four-year-old program at the same service.
A child/ren of a resident of Glen Eira.	A child/ren of a resident of Glen Eira.
A non-resident of Glen Eira who works or studies in Glen Eira and has two (or more) children registering for places in three- and four-year-old kindergarten respectively at the same kindergarten service in the same year.	A non-resident of Glen Eira who works or studies in Glen Eira who has a current three-year-old child registering for a place in a four-year-old program at the same service.
A child/ren of a non-resident of Glen Eira who works or studies in Glen Eira.	A non-resident of Glen Eira who has a current three-year-old child registering for a place in a four-year-old program at the same service.
A non-resident of Glen Eira who has two (or more) children registering for places in three- and four-year-old kindergarten respectively at the same kindergarten service in the same year.	A child/ren of a non-resident of Glen Eira who works or studies in Glen Eira.
Any other child.	Any other child.

*Eligible children can access up to three years of funded kindergarten.

**High priority child applications will be accepted and prioritised at any time.

OFFICIAL**APPENDIX 2****Age Eligibility**

To be eligible to attend three-year-old kindergarten, your child must turn three years of age by 30 April in the year they attend kindergarten.

To be eligible to attend four-year-old kindergarten, your child must turn four years of age by 30 April in the year they attend kindergarten.

Families with children born between 1 January and 30 April need to make an informed decision about which year they would like their child to commence school and therefore which year their child will attend a kindergarten program.

Families can use the Department of Education's 'starting age calculator' to find what year their child can attend three- and four-year-old kindergarten <https://www.vic.gov.au/kinder-quick-guide-parents#when-to-start>



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GLEN EIRA
CITY COUNCIL

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ORMOND
ST KILDA EAST

GLEN EIRA CITY COUNCIL KINDERGARTEN CENTRAL REGISTRATION SCHEME POLICY

Date first adopted: 3 February 1997

Date last amended: March 2025

Next review date: April 2026

Policy owner: Manager Life Stages

Approved by: Council

Policy category: [Category 2 – Discretionary Council Policy](#)

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1. TITLE

Kindergarten Central Registration Scheme Policy

2. POLICY OBJECTIVES

To provide for a central registration service for all participating not-for-profit funded kindergartens in the City of Glen Eira, streamlining the registration process and providing a single-entry point for parents and carers to register all eligible children to attend funded kindergarten. ~~for three and four-year-old children in the City of Glen Eira (Glen Eira).~~

For Council to meet its obligations in accordance with the Victorian Government’s ‘Kindergarten Central Registration and Enrolment Scheme Funding’ requirements, the Department of Education’s Priority of Access Guidelines, and the Victorian Government’s Best Start, Best Life reforms.

3. POLICY STATEMENT

The Glen Eira Kindergarten Central Registration Scheme Policy aims to allocate Victorian Government-funded sessional kindergarten places through a process that promotes equitable access while maintaining simplicity and transparency and is based on best practice recommendations endorsed by the Department of Education.

4. SCOPE

This Policy applies to the registration and allocation for three-and four-year-old kindergarten services who –

- a. participate in the Glen Eira City Council Kindergarten Central Registration Scheme, and
- b. are operating not-for-profit funded sessional kindergarten programs in the City of Glen Eira.

All participating not-for-profit funded kindergartens will be listed on Council’s website <https://www.gleneira.vic.gov.au/services/family-and-children/kindergarten>. ~~Changes to participating kindergartens will be updated online, as required~~

The policy also applies to Council employees, contractors and volunteers.

3.5. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
<u>Access to Early Learning</u>	<u>A a targeted program for vulnerable three-year-old children from families with complex needs, to access a quality kindergarten program.</u> <u>Enhanced Maternal and Child Health services, family services or Child Protection services will refer children from families with two or more complex needs, including:</u> <ul style="list-style-type: none"><u>• being known to Child Protection</u><u>• child and/or parent with intellectual or physical disability</u>

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	<ul style="list-style-type: none"> • <u>family violence</u> • <u>mental health issues</u> • <u>sexual assault</u> • <u>alcohol and drug abuse.</u>
Funded kindergarten	Kindergarten programs delivered by qualified early childhood teachers and educators in the two years before primary school, approved by the Victorian Government for funding.
Special consideration	When an immediate family member has an illness or additional need, and at the request of Glen Eira City Council, the registration will be considered, provided it does not displace an existing family enrolled at the kindergarten.
Priority of A access criteria first year (three-year-old kindergarten)	<p>TheseThe Department of Education's Priority of Access criteria and Council's Local Area criteria that criteria must will be used when prioritising first year (three-year-old) registrations (refer to Appendix 1 of this Policy). -</p> <p>1. The child's situation:</p> <ul style="list-style-type: none"> • Child at risk of abuse or neglect, including children known to Child Protection or in Out-of-Home Care • Aboriginal and/or Torres Strait Islander children • Asylum seeker and refugee children • Children eligible for Kindergarten Fee Subsidy • Children with additional needs, defined as children who - <ul style="list-style-type: none"> ○ Require additional assistance in order to fully participate in the kindergarten program ○ Require a combination of services which are individually planned ○ Have identified specific disability or developmental delay <p>2. A child/ren of a resident of Glen Eira</p> <p>3. A child/ren of those who work or study in Glen Eira</p> <p>4. Date application is received by Council</p> <p>5. Any other child</p>
Priority of A access criteria second year (four-year-old kindergarten)	<p>The Department of Education's Priority of Access criteria and Council's Local Area criteria that These criteria must will be used when prioritising second year (four-year old) registrations: (refer Appendix 1- of this Policy). -</p> <p>1. Children who are approved for a second year of funded four-year-old kindergarten</p> <p>2. The child's situation:</p> <ul style="list-style-type: none"> • Children at risk of abuse or neglect, including children known to Child Protection or in Out-of-Home Care • Aboriginal and/or Torres Strait Islander children

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	<ul style="list-style-type: none"> • Asylum seeker and refugee children • Children eligible for Kindergarten Fee Subsidy • Children with additional needs, defined as children who <ul style="list-style-type: none"> ○ Require additional assistance in order to fully participate in the kindergarten program ○ Require a combination of services which are individually planned ○ Have identified specific disability or developmental delay 3: A current three-year-old child registering for a place in a four-year-old program at the same service who lives in Glen Eira 4: A child/ren of a resident of Glen Eira 5: Date application is received by Council 6: A current three-year-old child registering for a place in a four-year-old program at the same service, whose parent/carer works or studies in Glen Eira 7: A current three-year-old child registering for a place in a four-year-old program at the same service, whose parent/carer does not live, work or study in Glen Eira 8: A child/ren of those who work or study in Glen Eira 9: Any other child
Vulnerable children	Includes children from a refugee or asylum-seeker background and a child who has had contact with Child Protection Services.
Sessional kindergarten	S ometimes referred to as a 'standalone' service refers to a dedicated kindergarten program that operates for specific days and hours each week.

4.6. POLICY**4.16.1 Eligibility/Registration process**

~~Council will provide a central registration scheme for all participating not-for-profit funded kindergartens in the Glen Eira municipality to centralise the registration process and to provide a single-entry point for parents/carers seeking to enrol their children into not-for-profit funded kindergarten, the Kindergarten Central Registration Scheme.~~

- a) ~~The Victorian Department of Education's priority of access criteria must will be applied to all funded kindergarten places. These criteria must will be used prior to applying locally agreed criteria when prioritising registrations (refer Appendix 1).~~
- b) ~~From 2026, Aboriginal and Torres Strait Islander children, children from a refugee or asylum-seeker background, and children who have had contact with Child Protection services (this includes children who were supported by the Access to Early Learning program in their three-year-old kindergarten year), can have priority and vulnerable children will be able to access~~

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between 16 to ~~30~~ 25 hours per week of funded four-year-old kindergarten.

- c) To be eligible for three-year-old kindergarten, children must turn three years of age by 30 April in the year they attend. Registrations are accepted from 1 May the year prior to attendance (~~refer~~ Appendix 2).
- d) Three-year-old kindergarten places will be allocated based on the *Priority of* ~~A~~access criteria first year (refer Appendix 1).
- e) To be eligible for four-year-old kindergarten, children must turn four years of age by 30 April in the year they attend. Registrations are accepted from 1 May, 21 months prior to attendance (~~refer~~ Appendix 2).
- f) Four-year-old kindergarten places will be allocated based on the *Priority of* ~~A~~access criteria second year (~~refer~~ Appendix 1).

6.2 Registration

- ~~g)a) Council is responsible for the centralised registration for participating not-for-profit kindergartens located in the City of Glen Eira.~~
- ~~h) Parents/carers will be able to nominate up to three kindergartens in order of preference on the registration form and every effort will be made to offer a place within a preferred kindergarten.~~
- ~~i) www.gleneira.vic.gov.au/kindergarten~~
- ~~j) Parents/carers can register online on Council's website (www.gleneira.vic.gov.au/kindergarten) and will receive a confirmation receipt of registration via email.~~
- ~~k) Parents/carers who require support to register, such as an interpreter, can contact Council's Kindergarten Registration Officer, 9524 3333.~~
- ~~l) Where a parent/carer requests a change of preference without a change of address, the priority date of the registration will be changed to the date of the preference change.~~
- ~~m) Where a parent/carer requests a deferment of registration, the registration date will remain the same. Only residents of Glen Eira can defer aa registration.~~
- ~~n) Council will provide all participating kindergartens with the relevant registrations in accordance with parent/carers nominated preferences and the Priority of access criteria.~~
- ~~o) Registrations will be provided to kindergartens in order of the date the registration was received by Council. Where the number of registrations received on the same day exceeds the number of~~

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~~places available, offers will be determined through a ballot.~~

~~p) A child can only access a funded kindergarten program at one service at any one time.~~

~~q) Kindergartens will be responsible for making offers to families who have submitted an registration.~~

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~~4.2 Fees~~

- ~~a) A separate registration needs to be completed for each child.~~
- b) There is ~~no registration~~ no registration fee and the Department of Education provides funding to Council that contributes to the operating costs of Council running the Kindergarten ERSCentral Registration Scheme.-

~~4.36.3 Kindergarten Central Registration- Scheme implementation~~

The Glen Eira Kindergarten Central Registration Scheme is implemented by Council officers following the in line with the Victorian Government's Kindergarten Funding Guide and Council's - Kindergarten Central Registration -Scheme Procedure.-

~~The responsibilities of kindergartens that participate in the Kindergarten Central Registration Scheme are as follows:~~

- ~~a) Kindergartens are responsible for making enrolment offers to parent/carers who have submitted a kindergarten registration to Council.~~
- ~~b) Kindergartens will make offers to parent/carers in order of the date the registrations were received by Council, subject to priority of access criteria and any application for 'special consideration' All participating kindergartens will have a policy to address 'special consideration' circumstances and priority of access criteria. All such registrations will be assessed by the kindergarten provider and a decision will be recorded prior to notifying the parent/carer of the outcome.~~

~~6.4 Disputes and complaints~~

- ~~a) If a family/carer, or participating kindergarten provider has any concerns related to the Scheme or Policy, they are encouraged to raise these with the Council's Kindergarten Central Registration Officers. These officers will assist in facilitating a resolution.~~
- ~~b) If a satisfactory outcome is not achieved, the matter will be escalated to the Council's Coordinator of Early Years Services and Partnerships, along with the Manager of Life Stages, who will continue to facilitate discussions toward a resolution.~~
- ~~c) All disputes will be managed in accordance with the Council's Complaints Handling Procedure.~~

~~5.7. HUMAN RIGHTS CHARTER COMPATIBILITY RESPONSIBILITIES~~

Role	Responsibility
Councillors	Endorse Policy
Director Community Wellbeing	Policy review and approval before Councillor endorsement
Manager Life Stages	Ensure the Policy is reviewed and approved by the Director
Coordinator Early Years Services and Partnerships	Review and update the Policy

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<u>Council's Kindergarten Registration Team</u>	<u>Implement ongoing management of this Policy and Victorian Government's Central Registration Scheme (CRS) provision</u>
<u>Maternal and Child Health Services</u>	<u>Promote and provide support to all families, including families experiencing disadvantage, vulnerability or other barriers to kindergarten engagement</u>
<u>Participating Kindergarten Services</u>	<u>Consulted and comply with this Policy</u>
<u>Parents/carers</u>	<u>Provide all the required documentation for kindergarten registration and enrolment.</u> <u>Notify Council of any changes to circumstances, change preferences or withdraw/cancel registration.</u> <u>Respond to offers within the specified timeframe.</u>

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

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~~8. ASSOCIATED INTERNAL DOCUMENTS~~ LEGISLATIVE REQUIREMENTS

6.

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

In line with the *Gender Equity Act 2020 (Vic)*, a Gender Impact Assessment has been completed for this policy.

~~7.9.~~ REVIEW

This Policy will be reviewed within one year of implementation to ensure its effectiveness and relevance to Council's operations.

~~10.~~ ASSOCIATED COUNCIL DOCUMENTS

Glen Eira City Council Complaints Handling Procedure

Glen Eira City Council Kindergarten Central Registration Scheme Procedure

Glen Eira City Council Privacy Policy

~~8-11.~~ EXTERNAL REFERENCES/RESOURCES

Child Safety and Wellbeing Act 2005 (Vic)

Education and Care Services National Law Act 2010

Education and Care Services National Regulations 2011

Equal Opportunity Act 2010 (Vic)

Victorian Government Kindergarten Funding Guide (or its successor)

Victorian Government Central Registration and Enrolment Scheme Development and Practice Guides

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APPENDIX 1

Priority of access and local area criteria

Children who meet the Department of Education's Priority of Access criteria will always receive the highest priority. Find out more about the Department of Education's Priority of Access - <https://www.vic.gov.au/priority-access-criteria>

Council's Central Registration Scheme (CRS) applies agreed local area criteria to prioritise allocations of other children where demand exceeds the places available. The table below outlines the factors that Council will consider when allocating a place.

Children must meet the age eligibility criteria.

Priority of access criteria

First Year – three-year-old kindergarten These criteria must be used when prioritising first year registrations.	Second Year – four-year-old kindergarten These criteria must be used when prioritising second year registrations.
This applies to a child who is approved for a second year of funded three- year-old kindergarten*.	This applies to a child who is approved for a second year of funded four- year-old kindergarten*.
Department of Education - High priority children**	Department of Education - High priority children**
Children at risk of abuse or neglect, including children in out of home care.	Children at risk of abuse or neglect, including children in out of home care.
Aboriginal and/or Torres Strait Islander children.	Aboriginal and/or Torres Strait Islander children.
Asylum seeker and refugee children.	Asylum seeker and refugee children.
Children eligible for the Kindergarten Fee Subsidy <ul style="list-style-type: none"> A child or parent holds a Commonwealth Health Care Card, Pensioner Concession Card, Veteran's Affairs Card, or multiple birth children (triplets or quadruplets). 	Children eligible for the Kindergarten Fee Subsidy <ul style="list-style-type: none"> A child or parent holds a Commonwealth Health Care Card, Pensioner Concession Card, Veteran's Affairs Card, or multiple birth children (triplets or quadruplets).
Children with additional needs, defined as children who: <ul style="list-style-type: none"> require additional assistance in order to fully participate in the kindergarten program. require a combination of services which are individually planned. have an identified specific disability or developmental delay. 	Children with additional needs, defined as children who: <ul style="list-style-type: none"> require additional assistance in order to fully participate in the kindergarten program. require a combination of services which are individually planned. have an identified specific disability or developmental delay.
Local Area Criteria	Local Area Criteria
A resident that has two (or more) children registering for places in three- and four-year-old kindergarten respectively at the same kindergarten service in the same year.	A resident who has current three-year-old child registering for a place in a four-year old program at the same service.
A child/ren of a resident of Glen Eira.	A child/ren of a resident of Glen Eira.
A non-resident of Glen Eira who works or studies in Glen Eira and has two (or more) children registering for places in three- and four-year-old kindergarten respectively at the same kindergarten service in the same year.	A non-resident of Glen Eira who works or studies in Glen Eira who has a current three-year-old child registering for a place in a four-year old program at the same service.
A child/ren of a non-resident of Glen Eira who works or studies in Glen Eira.	A non-resident of Glen Eira who has a current three-year-old child registering for a place in a four-year-old program at the same service.
A non-resident of Glen Eira who has two (or more) children registering for places in three- and four-year-old kindergarten respectively at the same kindergarten service in the same year.	A child/ren of a non-resident of Glen Eira who works or studies in Glen Eira.
Any other child.	Any other child.

*Eligible children can access up to three years of funded kindergarten.

**High priority child applications will be accepted and prioritised at any time.

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APPENDIX 2**Age Eligibility**

-

To be eligible to attend three-year-old kindergarten, your child must turn three by 30 April in the year they attend kindergarten.

-

To be eligible to attend four-year-old kindergarten, your child must turn four years of age by 30 April in the year they attend kindergarten.

-

Families with children born between 1 January and 30 April need to make an informed decision about which year they would like their child to commence school and therefore which year their child will attend a kindergarten program.

-

Families can use the Department of Education's 'starting age calculator' to find what year their child can attend three- and four-year-old kindergarten <https://www.vic.gov.au/kinder-quick-guide-parents#when-to-start>



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10.6 CANOPY TREE PROTECTION LOCAL LAW PERMIT DECISION REVIEW

Author: Jarrod Knight, Coordinator Urban Forest

Director: Niall McDonagh, Director Sustainability, Assets and Leisure

Trim No: 25/175906

Attachments:

1. Canopy Tree Protection Local Law Assessment Guidelines [↓](#)
2. The Green Connection Arboricultural Tree Risk Assessment (Privately Commissioned) [↓](#)
3. CTR Preliminary Assessment Report 6 Tennyson Ave Caulfield North 123CTR2021 [↓](#)
4. CTR Officer Inspection Report - 6 Tennyson 123CTR2021 [↓](#)
5. CTR Co-ordinator Assessment Report - 6 Tennyson 123CTR2021 [↓](#)
6. Homewood Consulting Tree Risk Assessment [↓](#)
7. TMC Arboricultural Tree Risk Assessment (Privately Commissioned) [↓](#)
8. Greenwood Consulting Arboricultural Tree Risk Assessment [↓](#)
9. 29 November 2024: Greenwood Consulting Tree Assessment, Council commissioned [↓](#)

EXECUTIVE SUMMARY

The Southern Mahogany tree at 6 Tennyson Avenue, Caulfield North (**the Southern Mahogany tree**), is a significant asset to the Glen Eira urban forest and the local landscape. This tree, which has been assessed multiple times by qualified arborists, is in good health and fair structural condition, with no major faults detected.

As is typical with trees of this size and age, there is a requirement for ongoing monitoring and remedial pruning to address issues such as deadwood. Regular maintenance, including pruning every two years by a qualified arboricultural company, is essential to manage risks and ensure the tree's safety. Despite the financial investment required for its upkeep, the tree's environmental contribution is substantial.

The tree's preservation aligns with Glen Eira City Council's Our Climate Emergency Response Strategy 2021-25 and the Urban Forest Strategy, which emphasises the importance of enhancing and diversifying green spaces to address climate change.

A Council officer reviewed the permit application for the tree's removal and, after considering all relevant information, decided not to grant the removal permit.

Following receipt of a request for internal review, Council engaged an independent arborist to assess the tree against the requirements of Council's Canopy Tree Protection Local Law. Based on consideration of all relevant information, this report recommends that Council does not issue a permit to remove the tree. This recommendation supports the tree's continued protection under the Canopy Tree Protection Local Law.

RECOMMENDATION

That Council, having reviewed, under subclause 58(1) of the Glen Eira City Council Canopy Tree Protection Local Law (**Local Law**), the decision dated 8 January 2025, of an Authorised Officer to refuse the application for a Permit under subclause 37(1)(b) of the Local Law for the removal of the Southern Mahogany tree located at 6 Tennyson Avenue, Caulfield South (**Southern Mahogany tree**), resolves to:

- 1) Refuse the issuance of a Permit for the removal of the Southern Mahogany tree in accordance with subclause 59(1)(b) of the Local Law; and
- 2) Authorise an Authorised Officer to serve written notice of the decision in Part 1 of this resolution to the applicant who applied for review under subclause 56(1) of the Local Law of the decision by the Authorised Officer to refuse a Permit under subclause 37(1)(b).

BACKGROUND

At Council's Ordinary Council Meeting on 1 September 2020, the making of the Classified Tree Local Law was endorsed, and the Classified Tree Policy and Classified Tree Assessment Guidelines were adopted.

The Classified Tree Local Law was established to provide for the registration of Classified Trees within Glen Eira and to create offences and other enforcement measures to protect Classified Trees, by the introduction of a process for assessing and determining permit applications for activities such as the removal or pruning of Classified Trees.

It was under Council's Classified Tree Local Law that a nomination for the Southern Mahogany tree located at the rear of 6 Tennyson Avenue, Caulfield South, was first received in 2022, and following the preliminary assessment of the tree, the property owner was notified of the tree's eligibility. Subsequently, Council officers undertook the formal assessment in accordance with the Classified Tree Local Law and after assessing the health of the tree, and that the tree met several of the Categories of Significance, notification was provided to all relevant landholders advising that the tree would be presented to Council for endorsement and inclusion in the Register.

At the Ordinary Council Meeting on 13 April 2023, Council considered an officer report that recommended the inclusion of the Southern Mahogany tree in the Classified Tree Register. At that time, Council did not support the officer's recommendation and subsequently resolved not to include this tree in the Classified Tree Register. Since this decision, no works have been undertaken on the tree.

At the Ordinary Council Meeting on 13 August 2024, Council considered and supported the Classified Tree Amendment Local Law, which saw the Classified Tree Local Law renamed to the Glen Eira Canopy Tree Protection Local Law. The amendment followed the statutory process in line with the requirements of the Local Government Act 2020.

In November 2024, Council received a permit application under the Glen Eira Canopy Tree Protection Local Law for the removal of the Southern Mahogany tree. This application was submitted by the new owner of 6 Tennyson Avenue, as the property has changed ownership since the 13 April 2023 decision of Council.

Council officers have completed an assessment of the permit application in accordance with Council's Canopy Tree Protection Local Law Assessment Guidelines and determined that a permit for removal should not be granted, with the applicant being notified on 15 January 2025.

The applicant subsequently requested an internal review of the officer's decision on 16 January 2025, therefore, under the Canopy Tree Protection Local Law process, officers commissioned an independent arboricultural report and prepared a report for Council to consider if a permit should be issued.

ISSUES AND DISCUSSION

Under the Glen Eira Canopy Tree Protection Local Law, any tree that is recognised as a canopy tree or classified tree will require a person to obtain a permit from Council to undertake:

1. tree pruning;
2. works within the Tree Protection Zone (TPZ); and
3. removal of the tree.

A canopy tree under the Local Law does not include a Classified Tree but otherwise means:

- a) a palm tree taller than 8 metres measured from natural ground level; or
- b) a tree with a stump circumference of 140 cm or more measured at natural ground level; or
- c) a tree taller than 5 metres measured from natural ground level; or
- d) a trunk circumference of 140cm or more measured at a point 140cm along the trunk's length from natural ground level; or
- e) a combined trunk circumference of 140 cm or more measured at a point 140cm along the trunks' lengths from natural ground level.

When one or more of these criteria are met, the palm or tree will be classified as a Canopy Tree under the Local Law, and a permit will need to be sought from Council prior to actioning works.

The decision to grant, or not to grant a permit will be made by Council officers that have been authorised under the Local Law. The decision-making process adheres to adopted Canopy Tree Protection Local Law Guidelines. A copy of the Guidelines is attached (Attachment 1) to this report.

An internal review process for decisions made under the Local Law is available to applicants for a permit. The review requires an assessment by an independent arboriculture consultant followed by a report to Council for consideration on whether to issue a permit.

In undertaking the internal review Council must apply the rules of natural justice, or procedural fairness by:

- ensuring that its decision is free from bias;
- providing the applicant notice of the decision;
- only taking into account relevant considerations;
- not taking into account any irrelevant considerations.
- complying with all relevant procedural requirements – which might include, in this instance, specific steps required by the Local Law and the Guidelines; and
- ensuring that the decision is not so unreasonable that no reasonable authority could conceivably have made it.

The Condition of the Southern Mahogany Tree

The Southern Mahogany (*Eucalyptus botryoides*) tree has had several assessments by qualified arborists since the initial nomination under Council's Classified Tree Local Law, and more recently in conjunction with the application for removal under Council's Canopy Tree Local Law.

This includes:

Council's Classified Tree Local Law

- 28 July 2022: The Green Connection Arboricultural Risk Assessment, privately commissioned.
- 9 February 2022: Council Arborist assessment for Classified Tree Register inclusion.
- 16 December 2022: Coordinator Urban Forest assessment for Classified Tree Register inclusion.
- 24 January 2023: Council Arborist assessment for Classified Tree Register inclusion.
- 6 February 2023: Homewood Consulting Tree Risk Assessment, Council commissioned.

Council's Canopy Tree Local Law

- 13 November 2024: TMC Arboricultural Risk Assessment, privately commissioned.
- 29 November 2024: Greenwood Consulting Tree Assessment, Council commissioned.
- 12 March 2025: Greenwood Consulting Tree Assessment, Council commissioned.

These reports and the accompanying ground based, and aerial inspections determined several findings, including that the tree is in overall healthy condition, though with some minor issues that may require ongoing monitoring. Nevertheless, the tree was assessed to be structurally sound and in no immediate danger of failure.

Following the recent assessments by Greenwood Consulting and reviewing the previous independent report from Homewood Consulting, the tree's condition was once again determined to be sound. Based on these evaluations, officers concluded that the findings of the initial assessment remain relevant and that the tree does not meet the criteria for removal under Council's Canopy Tree Protection Local Law. An additional report from TMC Consulting, provided at the request of the permit applicant, was also reviewed and included as part of the decision-making process.

Decision Making Criteria

In determining whether to grant a permit under the Canopy Tree Protection Local Law, Council or officers must consider section 4 of the Guidelines *Criteria for Granting a Permit in Clause 36 (1)* as part of their decision-making process in determining whether to grant a permit under the Local Law. The criteria are as follows:

- a) whether the tree is a canopy tree or a classified tree;
- b) the condition of the tree (such as for example, its health, appearance, and structural integrity);
- c) the appropriateness of the tree for its location on the property having regard to the existing buildings and conditions on the property;
- d) whether the proposed action is to be undertaken for reasons of health or safety;
- e) whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused;
- f) whether the tree is causing any unreasonable public nuisance or creating any unreasonable nuisance to private property owners or occupiers;
- g) whether the tree is an environmental weed;
- h) any legislative requirements; and
- i) any other matter relevant to the circumstances associated with the application.

Officers must take the above criteria into consideration, to the extent that is considered appropriate, and having done that, have determined the tree does meet the relevant criteria to be considered a canopy tree and as such is offered protection under the local law.

The below table provides a summary of the Officers assessment with reference to the local law and guidelines:

Clause 36 (1) of the Local Law	Part 5 of the Canopy Tree Assessment Guidelines	Relevant information from the proposed report
the condition of the tree (such as for example, its health, appearance, and structural integrity);	<p>All applications will be assessed by a qualified and experienced arborist in accordance with industry best practice and will include an assessment of risk in accordance with an industry recognised methodology.</p> <p>Officers must critically analyse any arborist reports provided by an applicant as supporting evidence. Arborist reports submitted with an application should be prepared by suitably qualified (AQF Level 5) arborists.</p> <p>As part of their assessment, the assessing officer may deem it necessary to request further information from an applicant such as an external consultant report that may include an aerial inspection, sonic tomograph testing, root plate stability testing or other testing as deemed relevant to the circumstances of a tree.</p>	The tree's health is generally good, with healthy foliage and minimal dieback, although it has a fair structure with one significant issue on a large branch. There are moderate structural issues, such as small and medium-sized deadwood, unmanaged epicormic growth, and some branch overextension in the outer canopy.
the appropriateness of the tree for its location on the property having regard to the existing buildings and conditions on the property;	<p>If the application has not been made because of proposed buildings or works on the property, officers must consider, as relevant to the application:</p> <ul style="list-style-type: none"> - the extent of the tree's canopy and TPZ. - the proximity of the tree to any buildings or areas of recreational open space on the property. - the growing conditions of the tree. - whether the tree can be pruned to reduce any unreasonable impacts the tree may be having on the property. 	Located along the rear boundary of the property, the tree is surrounded primarily by private open space, with a swimming pool under the rear of the tree on a neighbouring property. The Tree Protection Zone of this tree has a minor overlap with the footprint of the dwelling within the neighbouring property to the north and the dwelling on the property, with minimal canopy overhang of the dwelling. Concerns have been raised by a neighbouring landowner regarding falling branches and debris into their recreational open space, with several small and medium-sized broken dead branches observed

	<p>- how recently the 'existing buildings and conditions on the property' were constructed, and whether the structure could have been designed to mitigate or prevent damage caused by the tree.</p> <p>Note: this criterion only permits consideration of existing buildings and conditions on the property, not proposed buildings or conditions.</p>	<p>within the property adjacent to a swimming pool. Dead branches falling from the canopy have pierced the neighbour's pool cover. Standard remedial pruning by suitably qualified arborists will significantly reduce and manage any impacts this tree is having on the recreational open space.</p>
<p>whether the proposed action is to be undertaken for reasons of health or safety;</p>	<p>Officers must consider, as relevant to the application:</p> <ul style="list-style-type: none"> - the risk presented by the tree to human health and safety, as determined by a risk assessment undertaken by qualified and experienced arborist in accordance with a relevant industry recognised methodology. - whether fruit, flowers or litter from the tree gives rise to any risks that are unreasonable to manage. - whether the tree is causing any property damage which is consequently giving rise to a human health and safety risk that cannot be reasonably managed with repairs or alternative construction. - whether routine monitoring or remedial works (e.g. pruning or cabling) can be undertaken to manage the human health and safety risks presented by the tree. - whether any other steps can be taken to mitigate the human health and safety risks presented by the tree. - whether the applicant could have reasonably considered the human health and safety risks presented by the tree prior to purchase or occupancy of the property. 	<p>The tree shows no evidence of live branch failures, indicating a very low probability of failure for live branches. However, moderate amounts of deadwood within the outer canopy pose a significant health and safety risk, with a moderate to high probability of failure. Remedial pruning by qualified arborists will greatly reduce these risks and manage any health and safety concerns.</p>

<p>whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused;</p>	<p>Officers must consider, as relevant to the application:</p> <p>Assessment Guidelines - Tree Protection Local Law 2024 10</p> <ul style="list-style-type: none"> - any evidence of the property damage being caused. - the extent of property damage being caused. - whether the property damage can reasonably be repaired without impacting on the viability of the tree. - the estimated cost of repairing the property damage. - if the tree's roots are blocking, breaking or otherwise damaging pipes, whether the pipes can be cleared, relined, or replaced without removing the tree. - whether the tree can be pruned to reduce the unreasonable property damage being caused. <p>Prior to considering an application under this criterion, officers can also consider whether to request further information from the applicant under the provisions of the Local Law, if the circumstances require. Further information may include:</p> <ul style="list-style-type: none"> - A report from a suitably qualified and licensed plumber which includes details of the extent of damage to underground services, the likely cause of damage, evidence of the role of the tree in the damage, CCTV footage of the damage, invoices for previous repairs, options/requirements for repair or replacement and/or quotes for future repairs. - A report from a suitably qualified and experienced builder/engineer that includes what steps have already been taken to abate or rectify damage to a structure, and any evidence of the role of the 	<p>No obvious property damage was observed, but the potential for future deadwood failures to cause damage is significant.</p>
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	<p>tree in the damage. The report must address the condition of the structure, its age, foundations, and requirements for repair or replacement, including quotes if available, details of any root investigations, and soil moisture testing.</p> <p>Note: This does not limit officers' discretion under the Local Law to request other information from the applicant if the circumstances require.</p>	
<p>whether the tree is causing any unreasonable public nuisance or creating any unreasonable nuisance to private property owners or occupiers;</p>	<p>Officers must consider, as relevant to the application:</p> <ul style="list-style-type: none"> - the conditions beneath the tree. - the species of tree, including the frequency and extent of litter, leaves, bark, fruit and the like dropped by the tree. - whether the conditions beneath the tree could reasonably be changed to reduce the impact of the nuisance. - whether the tree can be pruned to reduce the unreasonable nuisance being caused. - whether the applicant could have reasonably considered the potential nuisance issues presented by the tree prior to construction on the land. - Any supporting evidence provided by the applicant to demonstrate that the requirements or costs in manage issues of nuisance are unreasonable (for <p>Assessment Guidelines - Tree Protection Local Law 2024 11</p> <p>example, invoices for maintenance or other extenuating circumstances such as disability, age).</p>	<p>Neighbouring landowners have raised concerns about falling leaf litter and debris staining paving.</p>

whether the tree is an environmental weed;	<p>Officers must consider, as relevant to the application:</p> <ul style="list-style-type: none"> - whether the tree is listed in the <i>Victorian Noxious Weeds List</i> or later equivalent document. - of the tree and the specific context in which the tree may be considered a weed, including the proximity of the tree to waterways, public land and biodiversity corridors set out in the <i>Urban Biodiversity Strategy 2013-2023</i> or later equivalent document. - the species in relation to its location. <p>Note: Some trees are only considered to be weeds in circumstances, such as if they are located close to waterways or near areas of environmental significance.</p>	The tree is not listed as an environmental weed.
any legislative requirements; and	<p>Officers must consider, as relevant to the application:</p> <ul style="list-style-type: none"> - whether the removal, pruning or works are required by legislation. - whether the removal, pruning or works can be modified so that the tree remains viable. - whether there is a Court Order requiring the removal, pruning or works, or a Court Order requiring buildings, demolition or works that would impact on the tree. 	The tree is not subject to any legislative controls that would impact the decision to issue a permit.
any other matter relevant to the circumstances associated with the application.	Any other matters as raised as part of the application process.	The tree is a healthy specimen that significantly contributes to the landscape character of the area. However, regular maintenance is required to ensure that deadwood is removed from the canopy, reducing the likelihood of dead limbs falling into neighbouring properties.

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As such, the current assessment supports the decision to refuse the application for a permit to remove the tree, as the tree remains in good health and poses no immediate threat to the surrounding environment or property.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

The preservation of canopy trees throughout the municipality is in accordance with Glen Eira City Council's 'Our Climate Emergency Response Strategy 2021-25'. This initiative specifically addresses Principle 4 and Action 3.2, both of which aim to enhance and diversify our green and natural spaces.

The Canopy Tree Protection Local Law aligns with Council's Urban Forest Strategy, highlighting the necessity for immediate action in addressing climate change. By safeguarding mature trees in the urban landscape, we can maintain canopy coverage, which plays a crucial role in alleviating the adverse environmental impacts associated with urban living.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The cost of undertaking the assessment of this tree under the Canopy Tree Protection Local Law is budgeted within the Parks Services operational budget.

As the tree is not a Council asset and is not located within Council owned or managed land, all works required to be undertaken as part of regular maintenance on the tree are the responsibility of the property owner.

POLICY AND LEGISLATIVE IMPLICATIONS

The review of the officer's decision is in line with the Canopy Tree Protection Local Law, the Canopy Tree Protection Policy and the Canopy Tree Protection Guidelines.

COMMUNICATION AND ENGAGEMENT

Communication has been undertaken with the property owner of 6 Tennyson Avenue with regard to the assessment process, the decision in relation to the permit application and the process for reviewing the officer's decision.

Furthermore, the property owner has been advised that the Council will be considering a Council report on this matter at this Ordinary Council Meeting (8 April 2025), where a decision will be made by Council on whether to issue a permit to remove the Southern Mahogany tree.

LINK TO COUNCIL PLAN

Strategic Direction 4: A green and sustainable community. Our actions and priorities aim to protect our community from the worst impacts of climate change.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

The Southern Mahogany tree at 6 Tennyson Ave, Caulfield North, is a valuable asset to the Glen Eira urban forest and the local landscape. It is in good health and fair structural condition, with no major faults. Remedial and formative pruning is recommended to remove deadwood, address rubbing or crossing branches, and maintain the tree's health and appearance. Regular inspections and pruning every two years by a qualified arboricultural company are essential to manage risks and ensure the tree's safety. While maintaining such a significant tree involves financial investment, its environmental contribution is substantial.



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CANOPY TREE PROTECTION LOCAL LAW ASSESSMENT GUIDELINES





Date first adopted:	15 August 2024
Dates amended:	N/a
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Responsible Directorate	Sustainability, Assets and Leisure
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Internal external or both:	Both



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1. Introduction and Purpose

The purpose of these assessment guidelines (**the guidelines**) is to provide a information that must be considered by officers when assesses sing applications made under the Canopy Tree Protection Local Law 2024 (**the local law**) that clearly set out the way applications for;

These guidelines provide guidance to officers when considering each of the matters set out in the Glen Eira Canopy Tree Protection Local Law 2024. Application of these guidelines is to ensure that decision making is consistent and equitable.

These guidelines require that in the assessment of an application for a permit, the officer consider 5 key elements. These are;

1. the type of tree;
2. the location of the tree;
3. the health, condition and risk status of the tree;
4. the reason for the request to remove or prune the tree; and
5. all supporting information provided by an applicant.

Assessments are to be guided by the overarching principle of the Local Law which is to retain classified trees and canopy trees where practicable, while also seeking to safeguard the rights of a property owner to the reasonable enjoyment of their property.

2. Canopy Tree and Classified Tree Permits

Where any provision within the local law requires that a person obtain a permit before engaging in a particular activity related to either a canopy or classified tree, an offence is committed if that person engages in the activity or causes or permits any other person to engage in the activity, without an appropriate permit issued by a Council officer authorised under the local law.

2.1 Applying for a Permit

A person seeking to apply for a permit under the local law is required to apply for the Permit in writing to Council. This can be done through the relevant permit portal within Council's website or in writing by completing a permit application form available on Council's website, or from Council's customer service centre.

2.2 2 Cost of a Permit

There is no cost for the application of a Canopy Tree Protection Local Law permit.



2.3 Timeframe for a Permit Assessment

All applications for permits will be assessed by Authorised Officers within 14 Calendar days of the permit application being received.

2.4 Definition of Canopy and Classified Trees

A **canopy tree** is defined under the local law as:

- a) a palm tree taller than 8 metres measured from natural ground level; or
- b) a tree with a stump circumference of 140 cm or more measured at natural ground level; or
- c) a tree taller than 5 metres measured from natural ground level; and
- d) a trunk circumference of 140cm or more measured at a point 140cm along the trunk's length from ground level; or
- e) a combined trunk circumference of 140 cm or more measured at a point 140cm along the trunks' lengths from natural ground level.

A **classified tree** is defined under the local law as a **tree**, or **stand of trees** that;

- a) Has been assessed as meeting one of the Categories of Significance; and
- b) Has been endorsed by Council; and
- c) is recorded on the Glen Eira Classified Tree Register.

2.5 Trees Protected by the Local Law

Protection of **canopy trees** and **classified trees** refer to any tree that;

- a) Is a classified tree; or
- b) Is a canopy tree; and
- c) trees planted in satisfaction of a condition of a Permit; and
- d) trees planted in satisfaction of a direction in a Notice to Comply; inclusive of
- e) any of the above trees which are situated on private land irrespective of whether the tree extends beyond the boundary of the private land.

2.6 Permit Requirements under the Local Law

A permit **is required** if a person wishes to;

- a) remove, or direct the removal of a classified or a canopy tree; or
- b) prune or direct pruning of a classified tree or a canopy tree; or
- c) carry out, or direct works to be carried out within the Tree Protection Zone (TPZ) of a classified tree or a canopy tree; or
- d) remove, or direct the removal of a tree planted in satisfaction of a condition of a permit or a direction in a notice to comply; or
- e) prune or direct pruning of a classified tree or a canopy tree planted in satisfaction of a condition of a Permit or a direction in a notice to comply; or

Assessment Guidelines - Tree Protection Local Law 2024

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- f) carry out, or direct works to be carried out within the Tree Protection Zone (TPZ) of a classified or canopy tree planted in satisfaction of a condition of a Permit or a direction in a Notice to Comply.

A permit **is not required** if;

- a) a person, whose actions are required by any other legislation or by any other statutory authority; or
- b) a person acting in accordance with an instruction or direction from an Authorised Officer; or
- c) a tree that is a noxious weed; or
- d) a tree that requires pruning or removal to control an immediate danger to life or property if Council is notified within 5 days of the works being carried out.
- e) pruning which is carried out that is:
 - In accordance with Standards Australia AS4373 – 2007
 - Only branches of the tree that have with a circumference of less than 100 millimetres at the point of contact with the larger branches or the trunk are removed.
 - A maximum of 10% of the tree's total volume is removed within 12 calendar months.

2.7 Granting of a Permit

Canopy or Classified Tree removal permit

A permit will not be granted to remove a canopy or classified tree unless:

- it is dead or dying.
- it is structurally unsound and cannot be made safe through available arboricultural techniques.
- it poses an unreasonable risk which cannot be alleviated through means other than removal.
- it is causing structural damage to private or public assets which cannot be alleviated through means other than removal.
- the works are to be carried out to comply with any other legislation.

Permits allowing removal of a canopy or classified trees may require replacement planting to Council's satisfaction (see guidelines for replacement tree planting below).

Canopy or Classified Tree pruning permit

A permit will not be granted to prune a canopy or classified tree unless:

- the branch/es to be removed are dead or dying.
- the branch/es to be removed pose a risk which cannot be alleviated through means other than removal.



- the branch/es to be removed are causing structural damage to private or public assets which cannot be alleviated through means other than removal.
- the pruning is to be carried out to comply with any other legislation.
- the pruning is necessary to maintain the tree's viability having regard to Australian Standard AS 4373:2007 'Pruning of Amenity Trees' (or as updated/replaced by the equivalent Australian Standard).

Permits allowing pruning of a canopy or classified tree will include conditions which will require the tree to be pruned in accordance with Australian Standard AS 4373:2007 'Pruning of Amenity Trees' (or as updated/replaced by the equivalent Australian Standard).

Permit for works in the Tree Protection Zone (TPZ) of a canopy or classified tree

A permit will not be granted for works within the Tree Protection Zone (TPZ) of a canopy or classified tree, unless:

- the works to be carried out are proposed to alleviate damage being caused by the tree which cannot be alleviated through any other means
- the works are to be carried out to comply with any other legislation
- a report by a suitably qualified and experienced arborist as part of the application demonstrates to Council's satisfaction that the proposed works will be carried out in such a way that the tree is not unreasonably impacted. This may include the requirement to undertake a non-destructive root excavation to determine the location, type and size of roots.

Permits allowing works within the TPZ of a canopy or classified tree will include conditions which will require that the works must be carried out in the presence of a qualified arborist and in accordance with the recommendations of an arborist report submitted with the application and approved by Council or alternatively in accordance with the recommendations of the determining Council officer.

3. Review of a Permit Decision

An internal review process for is available to applicants for a permit. Council officers will engage an independent arboriculture consultant to undertake a review of the decision when requested by an applicant. Officers will then prepare a report for the Council who will determine if a permit should be issued.

4. Criteria for Granting a Permit in Clause 36 (1)

In determining whether to grant a permit under the Local Law, the Council or Authorised Officer must take the following into consideration, to the extent it considers appropriate:



- a) whether the tree is a canopy tree or a classified tree.
- b) the condition of the tree (such as, for example, its health, appearance, and structural integrity).
- c) the appropriateness of the tree for its location on the property having regard to the existing buildings and conditions on the property.
- d) whether the proposed action is to be undertaken for reasons of health or safety.
- e) whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused.
- f) whether the tree is causing any unreasonable public nuisance or creating any unreasonable nuisance to private property owners or occupiers.
- g) whether the tree is an environmental weed
- h) any legislative requirements.
- i) any other matter relevant to the circumstances associated with the application.

5. Guidelines for Criteria for Granting a Permit

The following information sets out the matters the Authorised Officer must consider when assessing an application. These criteria exist to assist officers exercise discretion when determining a decision under the Local Law. These criteria cannot change or supplant the criteria set out in Clause 36 (1) of the Local Law. Officers must first determine which criteria are relevant to the assessment of the application, as not all criteria will be relevant for every application.

a) Whether the tree is a canopy tree or a classified tree.

In assessing an application to remove or prune a private tree, officers must first determine if the tree is a canopy or classified tree, and as such offered protection under the Local Law.

b) The condition of the tree (such as, for example, its health, appearance, and structural integrity).

All applications will be assessed by a qualified and experienced arborist in accordance with industry best practice and will include an assessment of risk in accordance with an industry recognised methodology.

Officers must critically analyse any arborist reports provided by an applicant as supporting evidence. Arborist reports submitted with an application should be prepared by suitably qualified (AQF Level 5) arborists.

As part of their assessment, the assessing officer may deem it necessary to request further information from an applicant such as an external consultant report that may include an aerial inspection, sonic tomograph testing, root plate stability testing or other testing as deemed relevant to the circumstances of a tree.



c) The appropriateness of the tree for its location on the property having regard to the existing buildings and conditions on the property.

If the application has not been made because of proposed buildings or works on the property, officers must consider, as relevant to the application:

- the extent of the tree's canopy and TPZ.
- the proximity of the tree to any buildings or areas of recreational open space on the property.
- the growing conditions of the tree.
- whether the tree can be pruned to reduce any unreasonable impacts the tree may be having on the property.
- how recently the 'existing buildings and conditions on the property' were constructed, and whether the structure could have been designed to mitigate or prevent damage caused by the tree.

Note: this criterion only permits consideration of existing buildings and conditions on the property, not proposed buildings or conditions.

d) Whether the proposed action is to be undertaken for reasons of health or safety.

Officers must consider, as relevant to the application:

- the risk presented by the tree to human health and safety, as determined by a risk assessment undertaken by qualified and experienced arborist in accordance with a relevant industry recognised methodology.
- whether fruit, flowers or litter from the tree gives rise to any risks that are unreasonable to manage.
- whether the tree is causing any property damage which is consequently giving rise to a human health and safety risk that cannot be reasonably managed with repairs or alternative construction.
- whether routine monitoring or remedial works (e.g. pruning or cabling) can be undertaken to manage the human health and safety risks presented by the tree.
- whether any other steps can be taken to mitigate the human health and safety risks presented by the tree.
- whether the applicant could have reasonably considered the human health and safety risks presented by the tree prior to purchase or occupancy of the property.

e) Whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused.

Officers must consider, as relevant to the application:



- any evidence of the property damage being caused.
- the extent of property damage being caused.
- whether the property damage can reasonably be repaired without impacting on the viability of the tree.
- the estimated cost of repairing the property damage.
- if the tree's roots are blocking, breaking or otherwise damaging pipes, whether the pipes can be cleared, relined, or replaced without removing the tree.
- whether the tree can be pruned to reduce the unreasonable property damage being caused.

Prior to considering an application under this criterion, officers can also consider whether to request further information from the applicant under the provisions of the Local Law, if the circumstances require. Further information may include:

- A report from a suitably qualified and licensed plumber which includes details of the extent of damage to underground services, the likely cause of damage, evidence of the role of the tree in the damage, CCTV footage of the damage, invoices for previous repairs, options/requirements for repair or replacement and/or quotes for future repairs.
- A report from a suitably qualified and experienced builder/engineer that includes what steps have already been taken to abate or rectify damage to a structure, and any evidence of the role of the tree in the damage. The report must address the condition of the structure, its age, foundations, and requirements for repair or replacement, including quotes if available, details of any root investigations, and soil moisture testing.

Note: This does not limit officers' discretion under the Local Law to request other information from the applicant if the circumstances require.

f) Whether the Canopy tree is causing any public nuisance or creating any other nuisance to relevant landholders.

Officers must consider, as relevant to the application:

- the conditions beneath the tree.
- the species of tree, including the frequency and extent of litter, leaves, bark, fruit and the like dropped by the tree.
- whether the conditions beneath the tree could reasonably be changed to reduce the impact of the nuisance.
- whether the tree can be pruned to reduce the unreasonable nuisance being caused.
- whether the applicant could have reasonably considered the potential nuisance issues presented by the tree prior to construction on the land.
- Any supporting evidence provided by the applicant to demonstrate that the requirements or costs in manage issues of nuisance are unreasonable (for



example, invoices for maintenance or other extenuating circumstances such as disability, age).

g) Whether the tree is an environmental weed.

Officers must consider, as relevant to the application:

- whether the tree is listed in the *Victorian Noxious Weeds List* or later equivalent document.
- of the tree and the specific context in which the tree may be considered a weed, including the proximity of the tree to waterways, public land and biodiversity corridors set out in the *Urban Biodiversity Strategy 2013-2023* or later equivalent document.
- the species in relation to its location.

Note: Some trees are only considered to be weeds in circumstances, such as if they are located close to waterways or near areas of environmental significance.

h) Any legislative requirements.

Officers must consider, as relevant to the application:

- whether the removal, pruning or works are required by legislation.
- whether the removal, pruning or works can be modified so that the tree remains viable.
- whether there is a Court Order requiring the removal, pruning or works, or a Court Order requiring buildings, demolition or works that would impact on the tree.

i) Any other matter relevant to the circumstances associated with the application.

- Any other matters as raised as part of the application process.

6. Tree Removal Applications for Construction Activities

Where removal of a canopy tree is proposed to facilitate construction works on land the Council officer will exercise discretion in assessing permit applications which have been made due to a proposed dwelling or due to proposed improvements to an existing dwelling. Having considered all other criteria under Clause 36 (1) of the Local Law for an application to remove a canopy or classified tree, if officers have determined that the subject tree is in good condition, suitable to the site and is not causing any unreasonable property damage or unreasonable nuisance, the officer will give consideration to the current owners of the property and their rights to the reasonable enjoyment of that property, and the necessity of any construction works proposed.



The applicant must submit with their application a full set of fully dimensioned plans of the proposed works, drawn in relation to title boundaries and showing the location of the subject tree/s and the extent of its Tree Protection Zone (TPZ) having regard to the relevant Australian Standard. If the circumstances require, officers may request further information from the applicant as set out in these guidelines.

Officers should commence their assessment by considering whether the proposed works would be able to be constructed without necessitating the removal of the tree. In determining whether the proposed works cannot be redesigned and/or that appropriate arboricultural techniques cannot be employed to retain a tree, officers must have regard to the following guidelines:

- the siting of the dwelling or dwelling extension on the property, or other building work, relative to the location of the tree
- the impact of the site coverage and/or hard surface coverage on the health, condition and useful life expectancy of the tree
- whether the proposed building work can be reasonably designed or redesigned to successfully retain the tree, by, for example, decreasing site coverage, decreasing hard surface coverage, increasing setbacks, utilising root sensitive construction techniques, or minor amendments to the proposed layout.

Officers must consider whether to request further information from the applicant under the provisions of the Local Law, such as:

- A report from a suitably qualified and experienced arborist detailing whether appropriate arboricultural techniques could be employed to retain the tree. This may include the requirement to undertake a non-destructive root excavation to determine the location, type, and size of roots, to assist in determining the impact of the proposed building works on the tree.
- A report from a suitably qualified and experienced structural engineer detailing whether any construction techniques could be employed to retain the tree.
- A landscape plan to demonstrate whether appropriate tree planting can be provided on the property to compensate for the loss of any trees permitted for removal.

Note: This does not limit officers' discretion under the Local Law to request any other information from the applicant if the circumstances require.

If officers determine to grant a permit for the removal of a canopy or classified tree in accordance with these guidelines, the permit may be subject to conditions, including but not limited to the following:

- That the permit will have no force or effect until a Building Permit for a development generally consistent with that depicted on the plans submitted with the application has been issued in accordance with the Building Act or later equivalent document.
- That the permit will have no force or effect until building work has been substantially commenced.



- That building work is to be substantially commenced within 12 months of the permit being issued or it will have no force or effect.
- That building works must be undertaken in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites (or as updated/replaced by Guidelines applicable to works within the SRZ of a canopy tree).

7. Replacement Tree Planting

The officer will determine whether a canopy or classified tree is to be replaced during assessment of the application, in accordance with these guidelines.

The standard approach will be to require replacement planting of a canopy tree (planted at a height of 1.5 metres and capable of reaching a height of at least 13 metres and 7 metres spread at maturity) for each tree removed, with the species and replacement tree location selected by the applicant, subject to Council approval. Conditions should be worded to require that the replacement tree planting be to the satisfaction of Council and be planted within 12 months of date of the permit or 24 months for applications related to a new dwelling construction.

In determining to impose conditions requiring replacement tree planting differing from this standard approach, officers must consider whether:

- there is sufficient space for replacement canopy tree planting on the property.
- there are other existing canopy trees on the property.
- if the property's location or the circumstances of the application warrant it, require the replacement tree planting to be native, exotic or indigenous, or in a particular location on the property.
- in the case of the removal of a canopy or classified tree the replacement tree must be a particular species or family of species, be higher than 1.5 metres high at time of planting or be capable of reaching a certain height at maturity.

8. General Tree Maintenance Works

The officer will determine whether maintenance works to an existing tree(s) on the land is required instead of or in addition to replacement planting. In doing so, officers should consider whether the health, condition or appearance of the existing tree(s) would be improved by such maintenance works and would advance the objectives of the Local Law.

Such maintenance works could include (but are not limited to):

- remedial pruning.
- removal of dead branches.
- removal of vines or creepers growing on a tree.
- pruning or removal of other vegetation detrimentally affecting the condition of a tree.

Assessment Guidelines - Tree Protection Local Law 2024

13



- works to protect a tree during construction.
- works to improve the health of a tree (for example, mulch, fertilisation or decompaction).

9. Works Within the Tree Protection Zone (TPZ) of a Canopy or Classified Tree

A permit will not be granted for works within the TPZ of a canopy tree, unless:

- the works to be carried out are proposed to alleviate damage being caused by the tree which cannot be alleviated through any other means.
- the works are to be carried out to comply with any other legislation.
- a report by a suitably qualified and experienced arborist as part of the application demonstrates to Council's satisfaction that the proposed works will be carried out in such a way that the tree is not unreasonably impacted (This may include the requirement to undertake a non-destructive root excavation to determine the location, type, and size of roots).
- the works are to be carried out pursuant to, and in accordance with, a building permit the implementation of which necessitates removal of the tree.
- Permits allowing works within the TPZ of a canopy tree will require that the works must be carried out in the presence of a qualified arborist and in accordance with the recommendations of the arborist's report submitted with the application and approved by Council or in accordance with the recommendations of Council's assessing officer.



The right people for tree and plant healthcare

Arboricultural Risk Assessment

REPORT COMMISSIONED BY:

[REDACTED]

DATE OF ASSESSMENT:

Tuesday, July 05, 2021

SUBJECT SITE:

5a Linlithgow Avenue,
Caulfield North Vic 3161

DATE OF REPORT:

Thursday, July 28, 2022

REPORT PREPARED BY:

John Holliday
Consulting Arborist
Dip. Arboriculture (AQF5)

VERSION 1

The Green Connection Arboricultural Consultancy Services

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1 Summary

This report is concerned with a single tree located within the western adjoining property with an established history of limb failure onto multiple sites. It is proposed that the tree be placed on the Glen Eira classified tree register despite objection from the client and tree owner.

The tree represents a tolerable risk of hazard under QTRA but an unacceptable consequence of hazard and is recommended to not be placed on the classified tree register but reduced or removed as appropriate.

2 Assignment

2.1 Author / Consulting Arborist

Name

John Holliday

Phone

John: 0418 28 99 88

Jenny: 0403 84 04 75

Company

The Green Connection

Email

admin@thegreenconnection.com.au

2.2 Client

Name

[REDACTED]

Intended Audience

- The property/tree owner(s)
- Council Planning Department

Site Address

5a Linlithgow Avenue,
Caulfield North Vic 3161

2.3 Brief

The purpose of this report is to assess a single tree located within the western adjoining site in relation to the following instructions:

- To provide an objective assessment of the tree in its current state.
- To provide an objective assessment of the retention value of the tree.
- To determine the tree's risk rating using QTRA methodology.
- To provide recommendations to reduce the tree's risk rating to an acceptable level.

3 Data collection

3.1 Site Visit

- John Holliday, of The Green Connection, visited the site for an Arboricultural assessment on Tuesday the 5th of July 2022 at 8:00am.

3.2 Method of data collection

- The subject tree was assessed using stage one of Visual Tree Assessment method (Mattheck & Breloar, 1999)
- The subject tree was assessed from ground level
- Field notes were documented and stored on a hard drive.
- A circumference tape measure was used to determine the trunk dimensions of the subject tree.
- A Bosch forestry clinometer was used to determine the height of the tree.
- A linear tape measure and aerial images were used to determine the canopy spread of the tree
- A digital camera was used at ground level to gather photographic evidence.
- A Thor nylon percussion hammer was used to determine the approximate level of sound wood compared to decayed wood within the tree's trunk.
- A Von Pein PCS Penetrometer was used to determine soil density and resistance.

3.2.1 Documents viewed

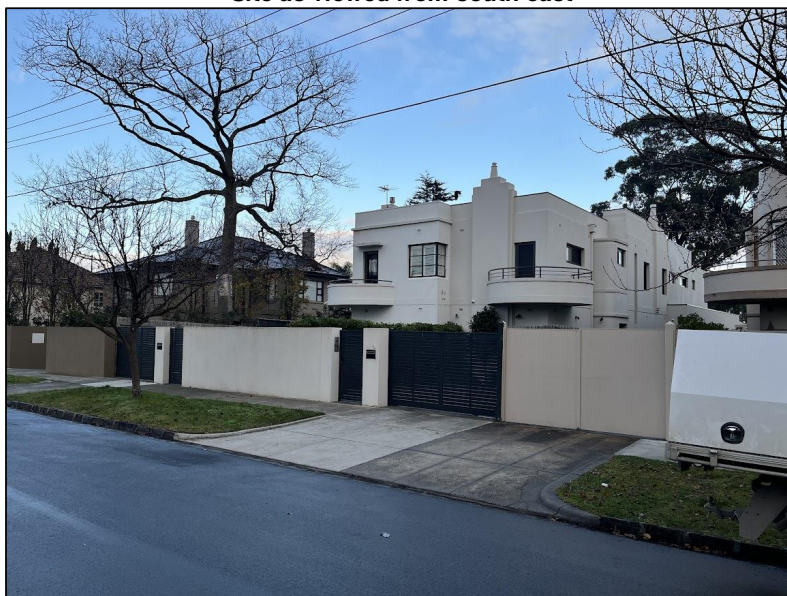
- Glen Eira City Council Planning Scheme.
- Glen Eira City Council letter advising Nomination under the Classified Tree Local Law (123/CTR/2021 09/06/2022)
- Australian Standard AS4373 – 2007 Pruning of Amenity Trees.
- Australian Standard AS4970 – 2009 Protection of Trees in a Development Site.

4 Site description

- The subject site is located in a Neighbourhood Residential Zone – Schedule 1 (NRZ1) within the Glen Eira City Council.
- A two storied residential dwelling is within the subject site.
- The terrain of the site presented as predominantly flat.
- The subject tree is located within the rear garden of the western adjoining property (6 Tennyson Ave).
- No additional vegetation was assessed upon request.



Site as viewed from south east



Site as viewed from north east



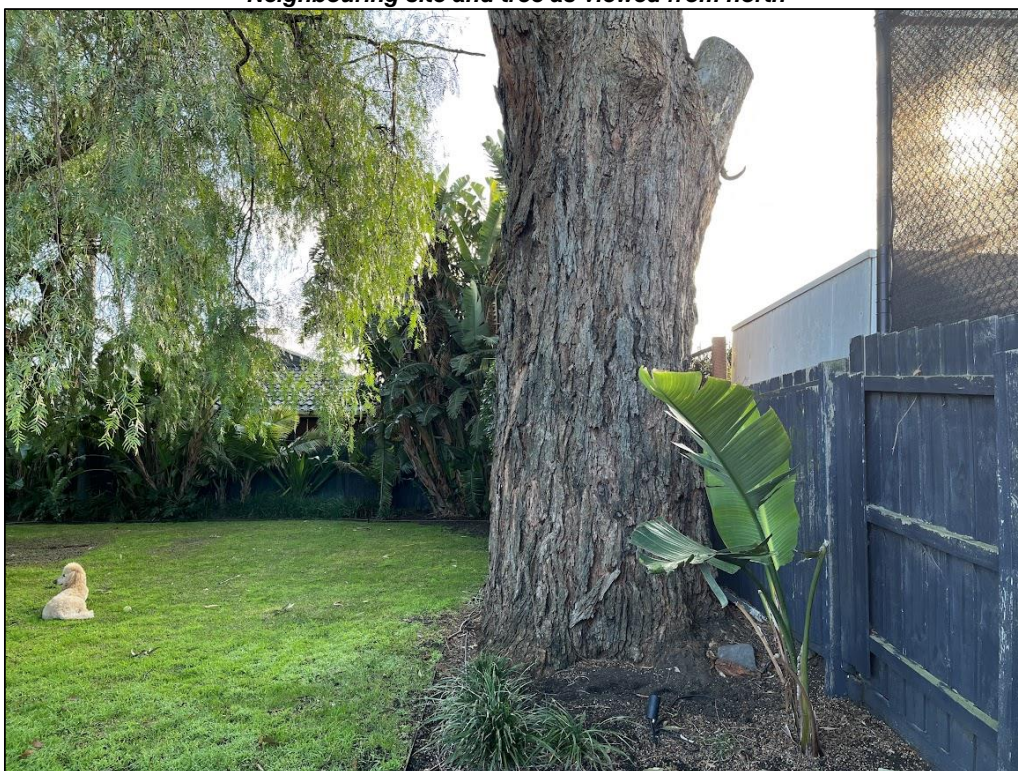
Pool, tennis court and subject tree as viewed from northeast



Rear (west) boundary as viewed from north



Neighbouring site and tree as viewed from north



Neighbouring site and tree as viewed from south

4.1 Permit requirements

The site is not subject to any local law or overlay in relation to tree protection.

4.1.1 Trees that require a permit

A permit is NOT required to remove, destroy or lop the subject tree.

5 Tree Data

Botanical name	<i>Eucalyptus botryoides</i>
Common name	Bangalay (Southern Mahogany)
Origin	Native (NSW, VIC)
Age	Mature
DBH	1.57 m
DAB	1.75 m
Height	32 m
Canopy spread N - S	22 m
Canopy spread E - W	22 m
Health	Fair/Good
Structure	Fair
ULE	20 + years
Amenity value	High
Retention suitability	Neighbouring Tree
TPZ radius	15 m
SRZ radius	7.6 m
Risk rating	Tolerable
Permit (4.1.1)	No

Comments

- Large portion of canopy (9m north x 9m east) is above subject site.
- Twigs, fruit and leaves found in NE corner of tennis court 35m from tree.
- Swimming pools and poolside areas on 3 properties 5 Linlithgow Ave, 3 Linlithgow Ave and 6 Tennyson Ave are directly under canopy

5.1 Photographic evidence



Subject tree

5.2 Observations

5.2.1 Health

The tree is considered to be of fair/good health for the following reasons:

- The canopy is at typical density for species.
- Moderate dieback was evident throughout the canopy.
- No evidence of pest infestation.
- Historical wounds have developed callus at a typical rate.

5.2.2 Structure

The tree is considered to be of fair structure for the following reasons:

- The soil within the root zone to the north of stem tested 1-2MPa to a depth of 20cm and >2MPa below depth of 20cm. Root zone to southwest was not tested as it lay within a neighbouring site. Root zone to southeast is almost entirely lost to swimming pool and hard landscaping.
- The dwelling is so close (3.15m) that it is within the SRZ of the tree.
- The main stem is codominant at 3m above NGL. Union is included and mildly buttressed.
- The canopy is moderately asymmetrical due in part to historical removal of a scaffold limb to southwest.
- Dead limbs in the 5-10cm diameter range were evident throughout the canopy.

5.3 Risk assessment

The level of risk associated with this tree was calculated using the Quantified Tree Risk Assessment (QTRA) calculator.

According to the QTRA calculator, the tree presented with a tolerable risk rating.

Target range	2
Size range	Property
Reduce Mass to	100%
Probability of failure range	3
Risk rating	1/50 000 Tolerable

5.4 Risk thresholds

Thresholds	Description	Action
1/1,000	Unacceptable Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> Control the risk
	Unacceptable (where imposed on others) Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> Control the risk Review the risk
	Tolerable (by agreement) Risks may be tolerated if those exposed to the risk accept it, or the tree has exceptional value	<ul style="list-style-type: none"> Control the risk unless there is broad stakeholder agreement to tolerate it, or the tree has exceptional value Review the risk
1/10 000	Tolerable (where imposed on others) Risks are tolerable if ALARP	<ul style="list-style-type: none"> Assess costs and benefits of risk control Control the risk only where a significant benefit might be achieved at reasonable cost Review the risk
1/1 000 000	Broadly Acceptable Risk is already ALARP	<ul style="list-style-type: none"> No action currently required Review the risk

5.5 Target range

Target Range	Property (repair or replacement cost)	Human (not in vehicles)	Vehicle Traffic (number per day)	Ranges of Value (probability of occupation or fraction of £2 000 000)
1	£2 000 000 – >£200 000	Occupation: Constant – 2.5 hours/day Pedestrians & cyclists: 720/hour – 73/hour	26 000 – 2 700 @ 110kph (68mph) 32 000 – 3 300 @ 80kph (50mph) 47 000 – 4 800 @ 50kph (32mph)	1/1 – >1/10
2	£200 000 – >£20 000	Occupation: 2.4 hours/day – 15 min/day Pedestrians & cyclists: 72/hour – 8/hour	2 600 – 270 @ 110kph (68mph) 3 200 – 330 @ 80kph (50mph) 4 700 – 480 @ 50kph (32mph)	1/10 – >1/100
3	£20 000 – >£2 000	Occupation: 14 min/day – 2 min/day Pedestrians & cyclists: 7/hour – 2/hour	260 – 27 @ 110kph (68mph) 320 – 33 @ 80kph (50mph) 470 – 48 @ 50kph (32mph)	1/100 – >1/1 000
4	£2 000 – >£200	Occupation: 1 min/day – 2 min/week Pedestrians & cyclists: 1/hour – 3/day	26 – 4 @ 110kph (68mph) 32 – 4 @ 80kph (50mph) 47 – 6 @ 50kph (32mph)	1/1 000 – >1/10 000
5	£200 – >£20	Occupation: 1 min/week – 1 min/month Pedestrians & cyclists: 2/day – 2/week	3 – 1 @ 110kph (68mph) 3 – 1 @ 80kph (50mph) 5 – 1 @ 50kph (32mph)	1/10 000 – >1/100 000
6	£20 – £2	Occupation: <1 min/month – 0.5 min/year Pedestrians & cyclists: 1/week – 6/year	None	1/100 000 – 1/1 000 000

5.6 Probability of failure range

Probability of Failure Range	Probability
1	1/1 - >1/10
2	1/10 - >1/100
3	1/100 - >1/1 000
4	1/1 000 - >1/10 000
5	1/10 000 – >1/100 000
6	1/100 000 – >1/1 000 000
7	1/1 000 000 – 1/10 000 000
The probability that the tree or branch will fail within the coming year.	

5.7 Size range

Size Range	Size of tree or branch	Range of Probability
1	> 450mm (>18") dia.	1/1 - >1/2
2	260mm (10½") dia. - 450mm (18") dia.	1/2 - >1/8.6
3	110mm (4½") dia. - 250mm (10") dia.	1/8.6 - >1/82
4	25mm (1") dia. - 100mm (4") dia.	1/82 - 1/2 500
* Range 1 is based on a diameter of 600mm.		

6 Discussion

Many large Eucalypts have the ability to optimise their canopies by shedding branches. This process is sometimes referred to as SLF (Sudden Limb Failure). SLF is, as its name would suggest, an unpredictable event. Some of the common denominators in Eucalypts which experience this phenomenon are:

- Trees planted outside their natural range.
- Trees with significant hard landscaping within root zones.
- Trees which experience significant soil compaction.

The consequences of SLF vary greatly and are most influenced by:

- Size of limb lost.
- Potential targets (people) in fall zone.
- Cumulative time targets are under the canopy.

The subject tree is of a species known for SLF and even possessing the adaptive mutation to regrow entire trees from fallen limbs. (McDougall, 1998)

The subject tree is native to Victoria but is not endemic to the Greater Melbourne region (Euclid, 2022). It is taller than most surrounding trees and is exposed to wind from all directions. The foliage is acting as a sail placing a substantial load upon vulnerable unions resulting in previous limb failures directly onto the subject site pool area and the pool areas of adjoining properties.

More than 35% of the root zone has been lost to dwelling, pools and hard landscaping (see site photograph section 9 of this document). The resulting loss of root volume creates water stress which is reflected in the canopy as dieback and branch loss.

Large, mature specimen trees in suburbia often enter a cycle of decline where larger and larger limbs fail or are removed resulting in greater sections of the canopy being exposed to stress which in turn fail or are removed to reduce risk. The subject tree is of a size, health and structure where this inevitable senescence should be anticipated in the future.

The property owner has expressed feelings of grave concern for the safety of himself and his family after recent near misses with limbs failing in summer whilst using the pool. These failures have been documented and copies provided to Glen Eira Council. The type and time of these failures is typical of SLF and should be expected to continue and increase in frequency with changes in tree condition and local environment. The author is unable to provide certainty that the tree is safe and presents no risk or that the risk is ALARP (as low as is reasonably practical).

7 Conclusion

The subject tree meets most of the criteria for potential SLF in that it is:

- Planted outside its natural range.
- Has significant hard landscaping (dwelling and development) within root zones.

The subject tree meets all the criteria for extreme consequences of SLF including:

- Size of limb lost.
- Potential targets (people) in fall zone.
- Cumulative time targets are under the canopy.

The frequency of tree related deaths has risen sharply in Victoria over the last three (3) years leading to understandable concern amongst homeowners as to the risk of hazard associated with trees previously considered safe. The author is unaware of any system of risk assessment which has properly and thoroughly considered these changes in fatal accidents and how that might be applied to better anticipate future events.

In December 2019, a motor vehicle passenger was struck and killed by a falling limb from a *Corymbia maculata* in Kings Way, South Melbourne. The fallen limb was only marginally larger than the recent failure into the subject site pool area and the victim was protected by the body of a modern motor car. Unfortunately, even this was not enough to preserve her life. This example serves to underline the potentially extreme consequences of even minor limb failures in the *Eucalyptus* or *Corymbia* genera.



Fallen E.maculata limb which crushed and killed a passenger in a passing car

8 Recommendations

Due the size of the potential failure, the proximity and value of potential targets and the likely consequences of hazard it is recommended that this tree be removed.

In the event removal is prohibited by the responsible authority then risk management strategies such as pruning of high-risk limbs to AS4373-2007 and cabling of major scaffold limbs is recommended.

9 Site map



10 Limitation of Liability

The Green Connection and their employees are tree specialists who use their qualifications, education, knowledge, training, diagnostic tools and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of this assessment and report.

Trees are living organisms that fail in ways the arboriculture industry does not fully understand. Conditions are often hidden within trees and below ground. Unless otherwise stated, observations have been made from ground level and limited to accessible components without dissection excavation or probing. There is no guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of this report, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters, and related incidents. Such issues cannot be taken into account unless complete and accurate information is given prior to or at the time of site inspection.

Information contained in this report covers those items that were examined and reflect the condition of those items at the time of inspection. There is no warranty or guarantee expressed or implied that the problems or deficiencies of the trees or property in question may not arise in the future. Trees can be managed, but they cannot be controlled. To live or work near a tree involves a degree of risk. The only way to eliminate all risks involved with a tree is to eliminate the tree.

All written reports must be read in their entirety, at no time shall part of the written assessment be referred to unless taken in full context of the whole written report.

11 References

- Australian Standards. (2007). Australian Standard AS4373-2007 Pruning of Amenity Trees. SAI Global.
- Australian Standards. (2009). Australian Standard AS4970 – 2009 Protection of Trees on Development Sites. SAI Global.
- Euclid. (2022, July). *Euclid*. Retrieved from Lucid Apps:
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- Mattheck, C., & Breloar, H. (1999). *The Body Language of Trees*. London: The Stationary Office.
- McDougall, B. &. (1998). Retrieved from RBGSYD: [https://www.rbgsyd.nsw.gov.au/getmedia/045f8bca-7669-4777-bdac-9c18d855dc61/Volume-5\(4\)-1998-Cun5Ben808-987.pdf.aspx](https://www.rbgsyd.nsw.gov.au/getmedia/045f8bca-7669-4777-bdac-9c18d855dc61/Volume-5(4)-1998-Cun5Ben808-987.pdf.aspx)
- Roberts, J. S. (2006). *Tree Roots in the Built Environment*. Norwich: TSO.

12 Definition of terms

12.1 Tree health

- Good
- Fair
- Poor
- Very poor
- Dead

Good: The tree is demonstrating good or exceptional growth for the species. The tree should exhibit a full canopy of foliage and have only minor pest or disease problems. Foliage colour size and density should be typical of a healthy specimen of that species.

Fair: The tree is in reasonable condition and growing well for the species. The tree should exhibit an adequate canopy of foliage. There may be some dead wood in the crown, some grazing by insect or animals may be evident, and/or foliage colour, size or density may be atypical for a healthy specimen of that species.

Poor: The tree is not growing to its full capacity. Extension growth of the laterals may be minimal. The canopy may be thinning or sparse. Large amounts of dead wood may be evident throughout the crown, as well as significant pest and disease problems. Other symptoms of stress indicating tree decline may be present.

Very

poor: The tree appears to be in a state of decline, and the canopy may be very thin and sparse. A significant volume of dead wood may be present in the canopy, or pest and disease problems may be causing a severe decline in tree health.

Dead: The tree is no longer alive.

12.2 Structure

- Good
- Fair
- Poor
- Very poor
- Failed

The definition of structure is the likelihood of the tree to fail under normal condition. A tree with good structure is highly unlikely to suffer any significant failure, while a tree with poor to very poor structure is likely or very likely to fail.

Good: The tree has a well-defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunks or the branches. Major limbs are well defined. The tree would be considered a good example for the species. Probability of significant failure is highly unlikely.

Fair: The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance at some branch unions or branches may be exhibiting minor structural faults. If the tree has a single trunk, this may be on a slight lean, or be exhibiting minor defects. Probability of significant failure is low.

Poor: The tree may have a poorly structured crown, the crown may be unbalanced, or exhibit large gaps. Major limbs may not be well defined; branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered major root damage. Probability of significant failure is moderate.

Very

poor: The tree has a poorly structured crown. The crown is unbalanced or exhibits large gaps. Major limbs are not well defined. Branch unions may be poor or faulty at the point of attachment. A section of the tree has failed or is in imminent danger of failure. Active failure may be present, or failure is probably in the immediate future.

Failed: A significant section of the tree or the whole tree has failed.

12.3 Useful Life Expectancy (ULE)

- Unsafe or 0 years
- Less than 5 years
- 5 to 10 years
- 10 to 20 years
- 20 +

Useful life expectancy is approximately how long a tree can be retained safely and usefully in the landscape providing site conditions remain unchanged and the recommended works are completed.

It is based on the principals of safety and usefulness in the landscape and should not reflect personal opinions on species suitability.

Unsafe or 0 years: The tree is considered dangerous in the location and/or no longer provides any amenity value.

Less Than 5 years: The tree under normal circumstances and without extra stress should be safe and have value of maximum of 5 years. The tree will need to be replaced in the short term. Replacement plants should be established as soon as possible if there is efficient space, or consideration should be given to the removal of the tree to facilitate replanting.

5 to 10 Years: The tree under normal circumstances and without extra stress should be safe and have value of maximum of 10 years. Trees in this category may require regular inspections and maintenance particularly if they are large specimens. Replacement plants should be established in the short term if there is sufficient space, or consideration should be given to the removal of the tree to facilitate replanting.

10 to 20 Years: The tree under normal circumstances and without extra stress should be safe and of value of up to 20 years. During this period, regular inspections and maintenance will be required.

20 + Years: The tree under normal circumstances and without extra stress should be safe and of value of more than years. During this period, regular inspections and maintenance will be required.

12.4 Tree Retention Value

- High
- Moderate
- Low
- Other Person's Tree
- Council Owned Tree

High: The tree may be significant in the landscape, offer shade and other amenities such as screening. The tree may assist with erosion control, offer a windbreak or perform a vital function in the location (e.g. habitat, shade, flowers or fruit). The tree is free from structural defects and is vigorous. Consider the retention of the tree and designing the development to accommodate the tree.

Moderate: The tree may offer some screening in the landscape or serve a particular function in the location and have minor structural defects. The tree may be entering the mature stage of its life cycle. The tree may be retained if it does not hamper the design intent.

Low: The tree offers very little in the way of screening or amenity and may have significant structural defects. The tree may also be mature and entering the senescent stage of its life cycle. The tree may be removed if necessary.

Other Person's Tree: The tree is located within an adjoining private property/land. The tree is to be protected unless written consent from the tree owner(s) and/or responsible authority is obtained. Consider the retention of the tree unless written consent is obtained from the tree owner and/or responsible authority.

Council Owned Tree: The tree is located within Council owned land. The tree is to be protected unless written consent from the responsible authority is obtained. Consider the retention of the tree unless written consent is obtained from the tree owner and/or responsible authority.

12.5 Age

- Young
- Semi Mature
- Mature
- Senescent

Young: Juvenile or recently planted approximately 1-7 years.

Semi Mature: Tree actively growing.

Mature: Tree has reached expected size in situation.

Senescent: Tree is over mature and has started to decline.

12.6 Amenity Value

Very Low: Tree makes little or no amenity value to the site or surrounding areas. In some cases, the tree might be detrimental to the area's amenity value (e.g. unsightly, risk of weed spread)

Low: Tree makes some contribution of amenity value to the site but makes no contribution to the amenity value of surrounding areas. The removal of the tree may result in little loss of amenity. Juvenile trees, including street trees are generally included in this category. However, they may have the potential to supply increased amenity in the future.

Moderate: The tree makes a moderate contribution to the amenity of the site and/or may contribute to the amenity of the surrounding area.

High: The tree makes a significant contribution to the amenity value of the site, or the tree makes a moderate contribution to the amenity value of the larger landscape.

The amenity value rating considered the impact that the tree has on any neighbouring sites as being equally important to that supplied to the subject site. However, trees that contribute to the general area (e.g. streetscape) are given a greater weight.

12.7 Terms within tree data table

- DBH
- DAB
- CA1
- TPZ
- SRZ

DBH: Diameter at breast height (1.4m from ground level)

DAB: Diameter at base of tree

CA1: Circumference of trunk at 1m from ground level

TPZ: Tree Protection Zone

SRZ: Structural Root Zone

OFFICIAL**Assessment of nomination of tree for inclusion in the Classified Tree Register****Preliminary Assessment of the Nominated Tree for inclusion in the Classified Tree Register****Background**

Clause 13 of the Classified Tree Local Law (**Local Law**) enables Council to undertake, to the extent it considers appropriate, a preliminary assessment of a nomination under subclause 11(1) in accordance with the process in Appendix 3 of the Classified Tree Policy (**Policy**).

Paragraph 3.3 of the Policy provides that an Authorised Officer will identify any relevant landholders and may conduct a preliminary assessment of the tree, including an inspection, to assess whether the tree meets any of the criteria in Appendixes 1 and 2 of the Policy.

If a preliminary assessment identifies the tree as potentially eligible for inclusion in the Register, the Authorised Officer will provide notice to the relevant landholders.

Any relevant landholder may provide a written response following receipt of the notice from the Authorised Officer.

If a written response is received from a relevant landholder within 28 calendar days of receipt of the notice of the preliminary assessment, the Authorised Officer will consider the written response, may request additional information from the relevant landholder as outlined in Appendix 5, and either provide further notice to the relevant landholder or indicate whether, subject to receipt of any application for review, the Authorised Officer proposes to place the tree on a list for recommendation to Council of trees that are eligible for inclusion in the Register (the list of eligible nominations).

Clause 15 of the Local Law requires Council, in determining whether a tree nominated under subclause 11(1) is eligible for inclusion in the Register, to consider the following, to the extent it considers appropriate—

- (a) the criteria in Appendix 1 of the Classified Tree Policy; and
- (b) the criteria in Appendix 2 of the Classified Tree Policy; and
- (c) any written submissions received by Council regarding the tree nominated under subclause 11(1).

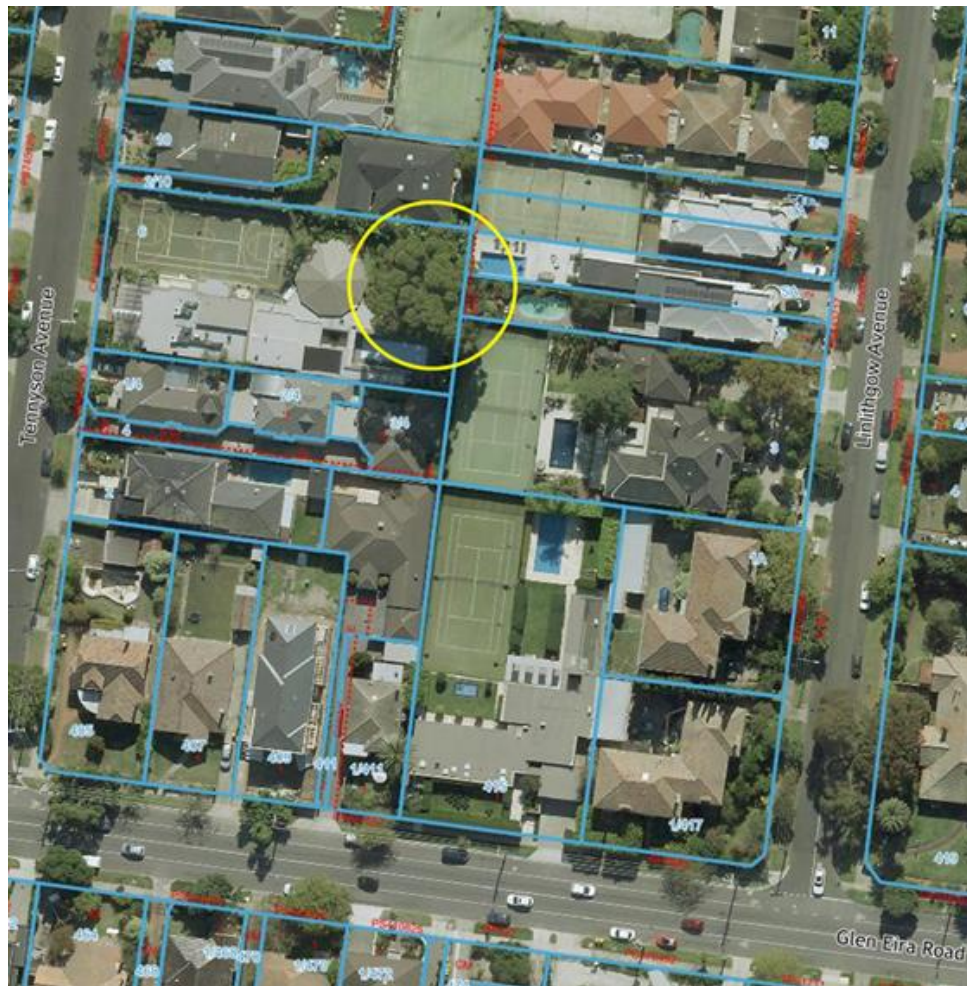
Initials of AO:
Date:

OFFICIAL

Assessment of nomination of tree for inclusion in the Classified Tree Register

Part 1 - Nominated tree

Date nomination received by Council	17/2/2021 – 123/CTR/2021
Tree species	<i>Eucalyptus botryoides</i>
Property address	6 Tennyson Avenue, Caulfield North
Location details of nominated tree	Back yard
Nominee	
Tree / Location Photo	



Page 2 of 14

Initials of AO:

Date:

OFFICIAL**Assessment of nomination of tree for inclusion in the Classified Tree Register****Part 2 - Inspection**

Date of inspection	24 January 2023
Time of inspection	9:00 AM
Location of inspection	6 Tennyson Avenue, Caulfield North
Authorised Officer undertaking inspection	Emma Barrett
Present when inspection undertaken	

Part 3 - Tree details

Tree description	Large <i>E. botryoides</i> located at the rear boundary of 6 Tennyson Ave. Abuts rear boundary of two neighbouring properties.
Tree Health	Good
Tree Structure	Fair
Tree Height	30m
Tree Canopy Width	20m x 19m
Tree D.B.H.	160cm
Tree T.P.Z.	15m
Tree S.R.Z.	4.3m
Is the tree located on public land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Inspection Comments	<p>Impressive tree considering its age and species.</p> <p>Root flare is adequate for the tree's size, but there is a flat section at the front of the trunk that may reflect a normal amount of trunk decay for a mature tree. At the rear of the trunk there is another small section of decay stemming from a pruned stem a few metres up. The canopy is large and well formed, it displays evidence of mostly good past management.</p> <p>The tree has large co-dominant stems, but there is no evidence of included unions or other defects that would raise structural concerns.</p> <p>It is 14m from the dwelling on the property, which is clear of the canopy. The Landowner raised concerns to us regarding dropped branches. Targets include back gardens, swimming pools, and tennis courts.</p>

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Assessment of nomination of tree for inclusion in the Classified Tree Register

<p>Who are the relevant landholders? (Provide addresses and contact details for all the relevant landholders)</p>	
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Part 4- Criteria in Appendix 1 of the Classified Tree Policy

For a tree to be considered as eligible for inclusion in or to remain on the Classified Tree Register it must be an exceptional example as demonstrated by meeting one or more of the criteria in the table below.

No	Criteria	Description	Does the criterion apply?	Notes
1	Horticultural or genetic value	Any tree which is of exceptional horticultural or genetic value and could be an important source of propagating stock, including specimens that are particularly resistant to disease or environmental conditions. This could include Australian native, locally indigenous or exotic tree species.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	
2	Unique location or context	A tree that occurs in a unique location or context and provides a major contribution to the landscape and trees which form part of a historic garden, park or town. This may include the blanket inclusion of trees of various sizes in parks.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	
3	Rare or localised distribution	Any tree of a species or variety that is rare or is of very localised distribution. This could include trees that are classified as threatened indigenous or endemic species within its locality or a rare exotic specimen.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	
4	Particularly old specimen	Any tree that is a particularly old or venerable example of the species.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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No	Criteria	Description	Does the criterion apply?	Notes
			<input type="checkbox"/> Don't know	
5	Outstanding size (girth height spread)	The outstanding size of a tree will relate specifically to the tree species and may vary considerably depending on its height, trunk circumference or canopy.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	<i>E. botryoides</i> typically don't reach this size in Melbourne, especially in a suburban backyard.
6	Aesthetic value	The tree is a particularly well-formed example of the species that is in a location that makes it striking in the landscape. The loss of a tree in this category would result in a substantial change to the local landscape and a loss of amenity for the community.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	The tree is highly visible from all directions, it is the tallest and largest canopy tree in its locality.
7	Curious growth habit	Any tree which exhibits a curious growth form or physical feature such as abnormal outgrowths.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	
8	Historical significance	Any tree commemorating a particular occasion, individual or associated with an important historical event may be considered in this category.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	
9	Connection to Aboriginal culture	A tree associated with Aboriginal activities or culture such as Scarred trees or Corroboree trees.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	

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No	Criteria	Description	Does the criterion apply?	Notes
10	An outstanding example of species	Any tree that is an outstanding example of the species at an International / National / State / Regional / Local level or of particular aesthetic value.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know	
11	Outstanding habitat and biodiversity value	A tree that has outstanding value as habitat for indigenous wildlife, including providing breeding, foraging or roosting habitat, or forming a key part of a wildlife corridor.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	No obvious nests or hollows.

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Assessment of nomination of tree for inclusion in the Classified Tree Register

Part 5 - Criteria under Appendix 2 of the Classified Tree Policy

In determining whether a tree is ineligible for inclusion in the Register, an Authorised Officer must consider, to the extent the Authorised Officer considers appropriate, the criteria listed in the table below. The Authorised Officer will first work out which criteria in the table below are relevant to the assessment of a nomination for inclusion in the Register, as not all of the criteria will be relevant for every nomination.

Criteria	Guidelines	Does the criterion apply?	Notes
the condition of the tree, (such as, for example, its health, appearance and structural integrity)	<p>A tree is ineligible for inclusion in the Register if it is:</p> <ul style="list-style-type: none"> • dead or it is dying and is unlikely to respond well to recommended arboricultural techniques to improve its health; • structurally unsound and it cannot be made safe through recommended arboricultural techniques to improve its structural integrity. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	
the appropriateness of the tree for its location on the Property having regard to the existing buildings on the Property	<p>An Authorised Officer must consider:</p> <ul style="list-style-type: none"> • The extent of the tree's Tree Protection Zone. • The proximity of the tree to any buildings or areas of recreational open space on the property. • Whether the tree can be Pruned to reduce any unreasonable impacts that it may be having on the property. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	<p>The tree is near to several back gardens, sheds, pools, and tennis courts of adjacent properties.</p> <p>The tree is a good distance from dwellings</p>
the appropriateness of the tree for its	A tree is ineligible for inclusion in the Register if it poses a health or safety risk	<input type="checkbox"/> Yes	

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Assessment of nomination of tree for inclusion in the Classified Tree Register

Criteria	Guidelines	Does the criterion apply?	Notes
location on the property having regard to reasons of health or safety	<p>which cannot be alleviated through recommended arboricultural techniques.</p> <p>An Authorised Officer must consider:</p> <ul style="list-style-type: none"> • The risk presented by the tree to health and safety, as determined by a risk assessment undertaken by a suitably qualified and experienced arborist. • History of any limb failures including the reasons for such limb failures. • What is physically located beneath and surrounding the tree, including how the area is used. • Whether fruit, litter or similar drop from the tree gives rise to any risks to health and safety or property damage. • Whether the tree is causing any property damage which gives rise to health and safety risk. • Whether the tree can be Pruned to manage the health and safety risks presented by the tree. • Whether any other steps can be taken to mitigate the health and safety risks presented by the tree. • Any report from a licensed and/or qualified person in their field which provides evidence that the tree is causing a health or safety risk which can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree. 	<input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	

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Assessment of nomination of tree for inclusion in the Classified Tree Register

Criteria	Guidelines	Does the criterion apply?	Notes
	A tree is ineligible for inclusion in the Register if a medical certificate is provided from a doctor or specialist in the relevant field to certify that a specific tree is causing a specific allergenic problem for a resident that significantly diminishes the quality of life of that person and there is no other way of managing the problem.		
whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused	<p>The reference to 'property damage' in this criterion refers to damage occurring on the land on which the tree is located or on any other adjacent property.</p> <p>An Authorised Officer must consider:</p> <ul style="list-style-type: none"> Any evidence of property damage being caused. The extent of property damage being caused. Whether the property damage can reasonably be repaired without impacting on the viability of the tree. The estimated cost of repairing the property damage. If the tree's roots are blocking, breaking or otherwise damaging pipes, whether the pipes can be cleared and relined without removing the tree, or whether the pipes can be replaced without the digging of a trench. Whether the tree can be Pruned to reduce the property damage being caused. Any report from a licensed and/or qualified person in their field which provides 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	

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Criteria	Guidelines	Does the criterion apply?	Notes
	<p>evidence that the tree is causing structural damage to a building, services or infrastructure or is a risk to property, which cannot be alleviated through recommended arboricultural techniques and can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree.</p> <p>An Authorised Officer must consider whether to obtain the following information, if the circumstances require:</p> <ul style="list-style-type: none"> • Closed-circuit television footage of damage to underground pipes, collected by a suitably qualified person such as a licenced plumber. • A report from a suitably qualified and experienced structural engineer, detailing the extent of damage, the likely cause of the damage and detailing the range of options available in repairing the damage. • A Tree Management Plan from a suitably qualified and experienced arborist assessing whether the property damage can reasonably be repaired without impacting on the viability of the tree. 		
whether the tree is causing a public nuisance or creating any other nuisance	<p>An Authorised Officer must consider:</p> <ul style="list-style-type: none"> • The conditions beneath the tree. 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not relevant	

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Criteria	Guidelines	Does the criterion apply?	Notes
to relevant landholders	<ul style="list-style-type: none"> The species of tree, including the frequency and extent of litter, leaves, bark, fruit and similar dropped by the tree. Whether any fruit, litter or similar drop from the tree gives rise to any risk of property damage. Whether the conditions beneath the tree could reasonably be changed to reduce the impact of the nuisance. Whether the tree can be Pruned to reduce the nuisance being caused. 		
whether the tree is an environmental weed	<p>An Authorised Officer must consider:</p> <ul style="list-style-type: none"> The Advisory list of environmental weeds in Victoria¹ (as amended from time to time). Whether the tree is listed as a Noxious Weed. Whether the location of the tree and the specific context in which the tree is situated may be considered a weed, including the proximity of the tree to Public Land. The species in relation to its location. <i>(Note: for example, some trees are only considered to be weeds in circumstances, such as if they are located close to waterways or near areas of environmental significance).</i> 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know	

¹ White, M., Cheal, D., Carr, G. W., Adair, R., Blood, K. and Meagher, D. (2018). Advisory list of environmental weeds in Victoria. Arthur Rylah Institute for Environmental Research Technical Report Series No. 287. Department of Environment, Land, Water and Planning, Heidelberg, Victoria.

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Assessment of nomination of tree for inclusion in the Classified Tree Register

Criteria	Guidelines	Does the criterion apply?	Notes
	<ul style="list-style-type: none">Whether the tree is materially contributing to the spread of weed propagules.		
any other matter relevant to the circumstances associated with the nomination.	An Authorised Officer must consider any demonstrated financial hardship and inability to conduct routine maintenance of the tree (financial hardship includes where the resident has no source of income to pay for the maintenance and is receiving Centrelink benefits.)	<div><input type="checkbox"/> Yes</div> <div><input checked="" type="checkbox"/> No</div> <div><input type="checkbox"/> Don't know</div>	

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Assessment of nomination of tree for inclusion in the Classified Tree Register

Part 6 - Written submissions notification

Is the nominated tree eligible for inclusion in the Register?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have relevant landowners been notified of open submission period?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Initials of AO:
Date:

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Classified Tree Assessment Report

Date:	09/02/2022
Site Address:	6 Tennyson Ave, Caulfield North
Responsible Officer:	Christian Renaud
Job Titles:	Arborist (Vegetation Assessment Officer)

Tree Species: *Eucalyptus botryoides*
Tree Health: Good
Tree Structure: Fair-Good
Tree Height: 29m estimated.
Tree Canopy: 18m estimated.
Tree D.B.H.: 158cm (175cm DAB)
Tree T.P.Z.: 15m
Tree S.R.Z.: 4.2m

Inspection Notes

An initial ground based Visual Tree Assessment was conducted on 10/12/2021. Due to previous concerns raised by relevant landholders regarding the suitability of this tree to be included in the Classified Tree Register, combined with the sheer size of the tree limiting the effectiveness of a standard ground-based assessment, an aerial inspection of the tree was undertaken on 27/01/2022 by AQF level 5 Consultant Arborists in the presence of a Council Officer.

The main structure of the tree including the unions, stems and limbs were found to be generally solid and sound. There is a large stub from a previously removed low limb on the east side of the tree next to the main union. The stub has begun to decay, but there is good callus formation and live wood growth around this stub. Penetration of the stub with a probe and sounding of the live wood did not indicate that any decay had spread into the trunk of the tree.

The second main union between the 2 stems on the north side of the tree has a slightly acute appearance, but there is no sign of included bark in the union. The lowest limb on the north side of the tree, growing over the subject site has the only significant structural issue observed within the tree with a semi-occluded canker wound on the upper surface of the limb. There is good wound wood formation around this wound. There is also a small-medium size rubbing bring growing from a tertiary union in the upper portion of the canopy, however this has not yet led to any wounding or decay to form.

The upper and outer canopy of the tree contains some moderate deadwood, with several dead stubs observed from past deadwood failures. Some of this deadwood has landed within neighbouring properties. There is established epicormic growth and some over-extension of branch ends, with evidence of a couple of small live branch failures present. Some acute unions and rubbing branches are present within the epicormic growth.

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Eucalyptus botryoides – 6 Tennyson Ave, Caulfield North

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Ground based inspection photos of *Eucalyptus botryoides*

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Aerial inspection photos of *Eucalyptus botryoides* main structure

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Aerial inspection photos of *Eucalyptus botryoides* outer canopy

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Map 1: Tree Location with TPZ indicated

OFFICIAL**Applicable Classified Tree Selection Criteria (Appendix 1 of the Classified Tree Policy)**

All criteria in Appendix 1 and the respective descriptions were considered in determining whether the trees are eligible for inclusion in the Classified Tree Register (**Register**).

The following criteria were considered as relevant:

4. Particularly old specimen
5. Outstanding size (girth height spread)
6. Aesthetic value
10. An outstanding example of the species

The following criteria were considered as not relevant:

1. Horticultural or genetic value
2. Unique location or context
3. Rare or localised distribution
7. Curious growth habit
8. Historical significance
9. Connection to Aboriginal culture
11. Outstanding habitat and biodiversity value

The tree is assessed as meeting the relevant criteria as follows:

4 – Particularly old specimen

This tree is considered to be a particularly old specimen for the species within a developed urban environment with an estimated age of 80+ years.

5 – Outstanding size (girth height spread)

This tree is of an outstanding size for height and trunk girth. It is the tallest tree within the local vicinity and highly visible from the surrounding streets.

6 – Aesthetic value

This tree is a particularly healthy and well-formed example of the species given its size and age. It is striking within the landscape and provides significant amenity to the wider community.

5 – An outstanding example of the species

Given its size and health, this is an outstanding example of the species within the Glen Eira municipality. It is uncommon for this species of tree to reach this size and be in good condition within the urban environment.

OFFICIAL**Consideration of Negative Assessment Criteria (Appendix 2 of the Classified Tree Policy)**

All the following negative criteria and the respective guidelines were considered as part of the assessment in determining whether the tree is eligible for inclusion in the Register.

- The condition of the tree, (such as, for example, its health, appearance and structural integrity)

- dead or it is dying and is unlikely to respond well to recommended arboricultural techniques to improve its health;
- structurally unsound and it cannot be made safe through recommended arboricultural techniques to improve its structural integrity.

The tree's health was observed to be good with healthy foliage and minimal dieback. The tree has a good main structure, with only one significant issue present on a large branch. Moderate structural issues such as small and medium size deadwood, unmanaged epicormic growth and some branch overextension is present in the outer canopy.

This tree will respond well to remedial and formative pruning utilising recommended arboricultural techniques.

- The appropriateness of the tree for its location on the property having regard to the existing buildings on the property

- The extent of the tree's Tree Protection Zone.
- The proximity of the tree to any buildings or areas of recreational open space on the property.
- Whether the tree can be Pruned to reduce any unreasonable impacts that it may be having on the property.

The tree is located along the rear boundary of the subject site and is surrounded primarily by the private open space of the subject site and 4 neighbouring properties. The Tree Protection Zone of this tree has a minor overlap with the footprint of the dwelling within the neighbouring property to the north of the and a minor overlap with the footprint of the dwelling on the subject site. There is minimal canopy overhang of the dwelling on the subject site.

The vast majority of the trees canopy overhangs private open and recreational space. Concerns have been raised by a neighbouring landowner regarding falling branches and debris into their recreational open space with several small and medium size broken dead branches observed within the property.

Given the health and condition of the tree, appropriate levels of remedial and formative pruning utilising recommended arboricultural techniques will significantly reduce and manage the impacts this tree is having on the recreational open space.

- The appropriateness of the tree for its location on the property having regard to reasons of health or safety

- The risk presented by the tree to health and safety, as determined by a risk assessment undertaken by a suitably qualified and experienced arborist.
- History of any limb failures including the reasons for such limb failures.
- What is physically located beneath and surrounding the tree, including how the area is used.
- Whether fruit, litter or similar drop from the tree gives rise to any risks to health and safety or property damage.
- Whether the tree is causing any property damage which gives rise to health and safety risk.
- Whether the tree can be Pruned to manage the health and safety risks presented by the tree.

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- Whether any other steps can be taken to mitigate the health and safety risks presented by the tree.
- Any report from a licensed and/or qualified person in their field which provides evidence that the tree is causing a health or safety risk which can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree.
- A tree is ineligible for inclusion in the Register if a medical certificate is provided from a doctor or specialist in the relevant field to certify that a specific tree is causing a specific allergenic problem for a resident that significantly diminishes the quality of life of that person and there is no other way of managing the problem.

The tree does not show evidence of a history of live branch failures with the tree having a very low probability of failure for any medium or large live branches, however the presence of moderate amounts of deadwood within the outer canopy does represent a significant health and safety risk as these dead branches have a moderate to high probability of failure.

Appropriate levels of remedial and formative pruning utilising recommended arboricultural techniques will greatly reduce the risks of future potential deadwood failures and manage any health and safety concerns.

- Whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused

- Any evidence of property damage being caused.
- The extent of property damage being caused.
- Whether the property damage can reasonably be repaired without impacting on the viability of the tree.
- The estimated cost of repairing the property damage.
- If the tree's roots are blocking, breaking or otherwise damaging pipes, whether the pipes can be cleared and relined without removing the tree, or whether the pipes can be replaced without the digging of a trench.
- Whether the tree can be Pruned to reduce the property damage being caused.
- Any report from a licensed and/or qualified person in their field which provides evidence that the tree is causing structural damage to a building, services or infrastructure or is a risk to property, which cannot be alleviated through recommended arboricultural techniques and can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree.

No obvious property damage was observed during the inspection, such as root growth or broken branches impacting buildings or structures. The potential for future deadwood failures to cause damage to existing property is significant and neighbouring landowners have raised concerns that falling leaf litter and debris from the tree is staining paving.

Appropriate levels of remedial and formative pruning to remove the deadwood present and undertake tip reduction of live branches will significantly reduce the likelihood of damage occurring.

- Whether the tree is causing a public nuisance or creating any other nuisance to relevant landholders

- The conditions beneath the tree.
- The species of tree, including the frequency and extent of litter, leaves, bark, fruit and similar dropped by the tree.
- Whether any fruit, litter or similar drop from the tree gives rise to any risk of property damage.
- Whether the conditions beneath the tree could reasonably be changed to reduce the impact of the nuisance.

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As previously discussed under several of the above negative criteria considerations, appropriate arboricultural work to remove any deadwood from the tree, as well as pruning out any crossing branches, undertaking tip reduction and formative pruning of epicormic growth will suitably manage any nuisance this tree poses to relevant landholders.

As detailed on the Dispute Settlement Centre of Victoria website, "Common sense and court law acknowledge that trees drop leaves, bark, sticks, flowers, fruit and sap as part of their normal life cycle and that this doesn't justify excessive tree pruning or removal. In other words, this isn't usually considered a private nuisance."

- Whether the tree is an environmental weed

- The Advisory list of environmental weeds in Victoria¹ (as amended from time to time).
- Whether the tree is listed as a Noxious Weed.
- Whether the location of the tree and the specific context in which the tree is situated may be considered a weed, including the proximity of the tree to Public Land.
- The species in relation to its location. (*Note: for example, some trees are only considered to be weeds in circumstances, such as if they are located close to waterways or near areas of environmental significance*).
- Whether the tree is materially contributing to the spread of weed propagules.

This tree is a native species and is not listed as an environmental weed.

- Any other matter relevant to the circumstances associated with the nomination

- An Authorised Officer must consider any demonstrated financial hardship and inability to conduct routine maintenance of the tree (financial hardship includes where the resident has no source of income to pay for the maintenance and is receiving Centrelink benefits.)

No other matters have been identified under this criterion.

Conclusion

The *Eucalyptus botryoides* located at 6 Tennyson Ave, Caulfield North satisfies for of the Categories of Significance which makes it eligible for inclusion in the Classified Tree Register. Relevant consideration of the Negative Criteria has determined that any issues present regarding this tree can be addressed utilising recommended arboricultural techniques in accordance with AS4373-2007 Pruning of Amenity Trees.

The tree has good health and no significant structural faults were observed. The trunk, stems and limbs were observed to be solid and sound, with only the lowest branch to the north over the subject site having a semi-occluded wound. This branch still presents only a low risk of failure as the tree is responding well to the wound site. It is recommended that this branch undergo some multi-stage pruning to weight reduce the end of the branch, with potential pruning back to an established lateral shoot below the wound site in 2-3 years.

It is recommended in the short term that the tree undergo some remedial and formative pruning to remove the deadwood present within the canopy, as well as any rubbing and crossing branches. Some tip reduction pruning is also recommended as well as formative pruning of the epicormic shoots.

¹ White, M., Cheal, D., Carr, G. W., Adair, R., Blood, K. and Meagher, D. (2018). Advisory list of environmental weeds in Victoria. Arthur Rylah Institute for Environmental Research Technical Report Series No. 287. Department of Environment, Land, Water and Planning, Heidelberg, Victoria.

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Classified Tree Assessment Report

Date:	16/12/2022
Site Address:	6 Tennyson Ave, Caulfield North
Responsible Officer:	Jarrold Knight
Job Titles:	Co-Ordinator Urban Forest

Tree Species:	<i>Eucalyptus botryoides</i>
Tree Health:	Good
Tree Structure:	Fair-Good
Tree Height:	29m estimated.
Tree Canopy:	18m estimated.
Tree D.B.H.:	158cm (175cm DAB)
Tree T.P.Z.:	15m
Tree S.R.Z.:	4.2m

Tree Assessments

An initial ground based Visual Tree Assessment was conducted by a Council Officer on 10/12/2021 with an aerial inspection of the tree undertaken on 27/01/2022 by two AQF level 5 Consultant Arborists from Arborco P/L in the presence of a Council Officer.

A further ground based Visual Tree Assessment inspection was conducted on 26/10/2022. The inspection notes from the initial assessment and aerial inspection were found to be accurate.

Inspection Notes

The main structure of the tree including the unions, stems and limbs were found to be generally solid and sound. There is a large stub from a previously removed low limb on the east side of the tree next to the main union. The stub has begun to decay, but there is good callus formation and live wood growth around this stub. Penetration of the stub with a probe and sounding of the live wood did not indicate that any decay had spread into the trunk of the tree.

The second main union between the 2 stems on the north side of the tree has a slightly acute appearance, but there is no sign of included bark in the union. The lowest limb on the north side of the tree, growing over the subject site has the only significant structural issue observed within the tree with a semi-occluded canker wound on the upper surface of the limb. There is good wound wood formation around this wound. There is also a small-medium size rubbing bring growing from a tertiary union in the upper portion of the canopy, however this has not yet led to any wounding or decay to form.

The upper and outer canopy of the tree contains some moderate deadwood, with several dead stubs observed from past deadwood failures. Some of this deadwood has landed within neighbouring properties. There is established epicormic growth and some over-extension of branch ends, with evidence of a couple of small live branch failures present. Some acute unions and rubbing branches are present within the epicormic growth.

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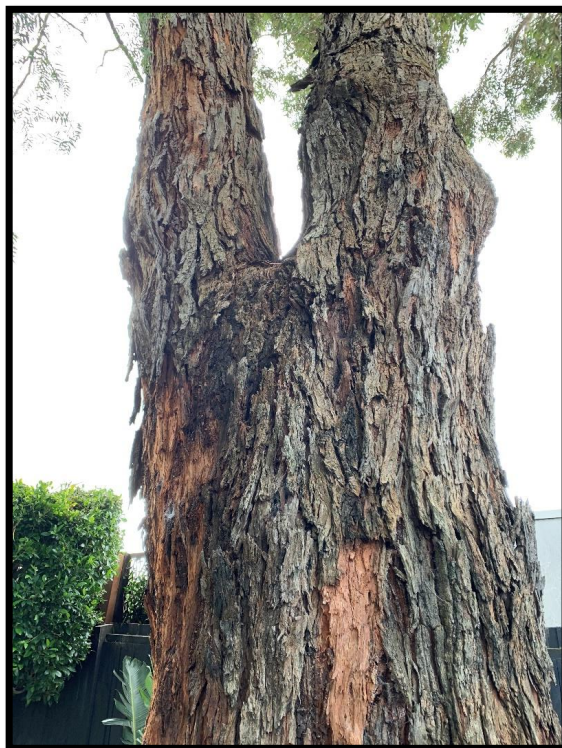


Eucalyptus botryoides – 6 Tennyson Ave, Caulfield North

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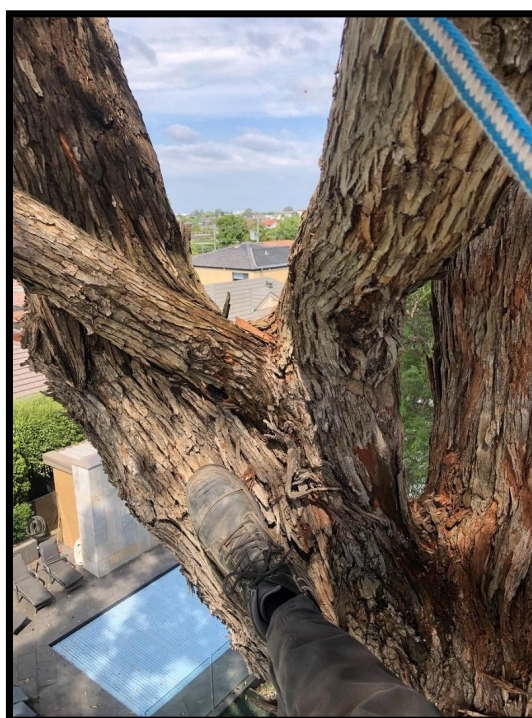


Ground based inspection photos of *Eucalyptus botryoides*

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Aerial inspection photos of *Eucalyptus botryoides* main structure

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Aerial inspection photos of *Eucalyptus botryoides* outer canopy

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Map 1: Tree Location with TPZ indicated

Applicable Classified Tree Selection Criteria (Appendix 1 of the Classified Tree Policy)

All criteria in Appendix 1 and the respective descriptions were considered in determining whether the trees are eligible for inclusion in the Classified Tree Register (**Register**). The applicable Categories of Significance from previous the assessment of the Tree are deemed to still apply.

The following criteria were considered as relevant:

4. Particularly old specimen
5. Outstanding size (girth height spread)
6. Aesthetic value
10. An outstanding example of the species
11. Outstanding habitat and biodiversity value

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The following criteria were considered as not relevant:

1. Horticultural or genetic value
2. Unique location or context
3. Rare or localised distribution
7. Curious growth habit
8. Historical significance
9. Connection to Aboriginal culture

The tree is assessed as meeting the relevant criteria as follows:

4 Particularly old specimen

This tree is considered to be a particularly old specimen for the species within a developed urban environment with an estimated age of 80+ years.

5 Outstanding size (girth height spread)

This tree is of an outstanding size for height and trunk girth. It is the tallest tree within the local vicinity and highly visible from the surrounding streets.

6 Aesthetic value

This tree is a particularly healthy and well-formed example of the species given its size and age. It is striking within the landscape and provides significant amenity to the wider community.

10 An outstanding example of the species

Given its size and health, this is an outstanding example of the species within the Glen Eira municipality. It is uncommon for this species of tree to reach this size and be in good condition within the urban environment.

11 Outstanding habitat and biodiversity value

This tree is of outstanding value to native wildlife. As a large, tall, flowering native tree it is supporting a range of animal and insect life which has been documented by nearby residents.

Consideration of Negative Assessment Criteria (Appendix 2 of the Classified Tree Policy)

All the following negative criteria and the respective guidelines were considered as part of the assessment in determining whether the tree is eligible for inclusion in the Register. All relevant submissions and objections raised by affected landholders along with the comments and findings contained within the submitted Arboricultural Risk Assessment report prepared by John Holliday of The Green Connection dated 28/07/2022 have been addressed within the framework of the negative criteria.

1. The condition of the tree, (such as, for example, its health, appearance and structural integrity).

- dead or it is dying and is unlikely to respond well to recommended arboricultural techniques to improve its health;
- structurally unsound and it cannot be made safe through recommended arboricultural techniques to improve its structural integrity.

Submissions to Council:

"It is clearly a dangerous tree..... posing an imminent danger and causing significant damage."

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Comments:

The tree was not observed to be dead, dying or structurally unsound. It has good canopy density with healthy foliage and minimal dieback. The main structure and stability of the tree has no issues, with only one low lateral branch growing to the north over the subject site having a manageable structural defect in the form of a semi-occluded wound. This branch still presents only a low risk of whole-branch failure as the tree is responding well to the wound site. It is recommended that this branch undergo some multi-stage pruning to weight reduce the end of the branch, with potential pruning back to an established lateral shoot below the wound site in 2-3 years. Outer canopy issues such as moderate levels of deadwood, smaller crossing branches, unmanaged epicormic growth and some branch overextension is manageable, and the tree will respond well to remedial and formative pruning utilising recommended arboricultural techniques.

A risk assessment of the tree has been provided below.

2. The appropriateness of the tree for its location on the property having regard to the existing buildings on the property.

- The extent of the tree's Tree Protection Zone.
- The proximity of the tree to any buildings or areas of recreational open space on the property.
- Whether the tree can be Pruned to reduce any unreasonable impacts that it may be having on the property.

Submissions to Council:

"The dwelling is so close (3.15m) that it is within the SRZ of the tree."

Comments:

The tree is not considered to be located within close proximity to any dwellings, with all habitable buildings located over 10m from the base of the tree, well outside the Structural Root Zone (SRZ). The nearest building structure to the tree is a gazebo in the rear yard of 6 Tennyson Ave, located approximately 9m from the base of the tree. The tree is surrounded mostly by the private open spaces of the 5 relevant properties, with the Tree Protection Zone (TPZ) of this tree having only a minor overlap with the footprint of the dwelling on the subject site and the dwelling within the neighbouring property to the north. The canopy of the tree has minimal overhang of the 2 nearest dwellings.

The majority of the trees canopy overhangs private recreational open space, with any potential impacts able to be managed utilising standard recommended arboricultural techniques such as deadwood removal and formative pruning.

3. The appropriateness of the tree for its location on the property having regard to reasons of health or safety.

- The risk presented by the tree to health and safety, as determined by a risk assessment undertaken by a suitably qualified and experienced arborist.
- History of any limb failures including the reasons for such limb failures.
- What is physically located beneath and surrounding the tree, including how the area is used.
- Whether fruit, litter or similar drop from the tree gives rise to any risks to health and safety or property damage.
- Whether the tree is causing any property damage which gives rise to health and safety risk.
- Whether the tree can be Pruned to manage the health and safety risks presented by the tree.
- Whether any other steps can be taken to mitigate the health and safety risks

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presented by the tree.

- Any report from a licensed and/or qualified person in their field which provides evidence that the tree is causing a health or safety risk which can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree.
- A tree is ineligible for inclusion in the Register if a medical certificate is provided from a doctor or specialist in the relevant field to certify that a specific tree is causing a specific allergenic problem for a resident that significantly diminishes the quality of life of that person and there is no other way of managing the problem.

Submissions to Council:

"Over time branches small and large have fallen from the tree."

"Melbourne has suffered a spate of deaths in recent times"

"Locally 2 large gum trees were completely uprooted and fell within the last 2 months."

"The issue is that these type[s] of trees that "Appear" to be ok are still notorious for dropping limbs. This is exactly what happened at Flemington Racecourse. This tree poses an unacceptable risk in its location as to enjoy our backyard puts us directly under the tree. I do not believe you can find an expert / arborist that can honestly say this tree does not pose a risk."

"The subject tree is of a species known for SLF and even possessing the adaptive mutation to regrow entire trees from fallen limbs. (McDougall, 1998)"

"More than 35% of the root zone has been lost to dwelling, pools and hard landscaping (see site photograph section 9 of this document). The resulting loss of root volume creates water stress which is reflected in the canopy as dieback and branch loss."

"The property owner has expressed feelings of grave concern for the safety of himself and his family after recent near misses with limbs failing in summer whilst using the pool."

"The frequency of tree related deaths has risen sharply in Victoria over the last three (3) years leading to understandable concern amongst homeowners as to the risk of hazard associated with trees previously considered safe."

"In the event removal is prohibited by the responsible authority then risk management strategies such as pruning of high-risk limbs to AS4373-2007 and cabling of major scaffold limbs is recommended."

Risk Assessment table from Arboricultural Risk Assessment Report prepared by John Holliday of The Green Connection dated 28/07/2022.

Target range	2
Size range	Property
Reduce Mass to	100%
Probability of failure range	3
Risk rating	1/50 000 Tolerable

Additional submissions to Council:

"Since my last email there have been 2 stories in the news of gum tree's dropping branches in Victoria, [i]n 1 case a person died, in another case serious injury."

"Will council pay for repair or replacement of the blanket? What about any other damage caused by the tree?"

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“Also attached is 1 of many branches (a lot bigger than those that pierced the blanket) that have broken off the tree but are sitting / caught in other branches. These are an imminent danger as these are just waiting on wind or movement before they fall.”

Comments:

The tree does not display any history of significant limb or branch failures with the tree having a very low probability of failure for any medium to large live branches or structural limbs. Evidence has been presented of small-medium size branch failures, both of deadwood and live branches, with the largest documented failure being deadwood approximately 100mm in diameter.

The likelihood and frequency of serious injury or death resulting from a tree failure is extremely low as detailed in analyses of the topic “The epidemiology of injuries related to falling trees and tree branches” by Teagan L. Way RN, MS, & Zsolt J. Balogh MD, PhD, FRACS and “A review of deaths in Australia from accidental tree failures” by Mark A Hartley and Jessica J Chalk.

Trees are living, dynamic organisms, and the causes of failure for one individual tree cannot be universally applied to all trees. The factors affecting each tree are unique and requires each tree to be assessed individually. News reports regarding an individual tree failure do not provide sufficient analysis of the circumstances and allow for any meaningful conclusion regarding the cause. Thorough inspection and assessment of a tree by suitably qualified Arborists will identify any issues and likely causes of failure. The concept of Sudden/Summer Limb Failure is something that affects a wide range of tree species globally, with the cause most likely associated with a lack of comprehensive inspections taking place to identify issues prior to the failure occurring. The paper “Ecology of Sydney plant species” by Doug Benson and Lyn McDougall cited in the submitted Arboricultural Risk Assessment Report prepared by John Holliday of The Green Connection dated 28/07/2022 provides no comment on the concept of Sudden/Summer Limb Failure regarding the subject tree species or any other tree species.

The levels of encroachment into the root zone of this tree have been predominately unchanged for the last 25 years, with the exception of the installation of a pool and surrounding paving located within a neighbouring property which was completed in 2019. The level of encroachment from this construction was approximately 10% of the TPZ, with the tree showing no indication of an adverse impact to its health and structure from this activity.

The above Quantitative Tree Risk Assessment (QTRA) outcome was provided in the submitted Arboricultural Risk Assessment Report and calculates the Risk of Harm to property only, with the target being property value over \$36,000 AUD. Given that the anticipated size of the failure is factored into the estimated value of the property damage, the inference from the above QTRA calculation is for either a whole tree or large limb failure being anticipated to occur. This is supported by the tables recommendation to reduce the mass of the tree [by] 100%.

The Report’s Risk Assessment indicates a Probability of Failure (PoF) of 3 which as specified within the QTRA user’s manual indicates that the failure point of the tree being assessed has been initially benchmarked at PoF 1 – the highest possible PoF. Utilizing this benchmark is contrary to the tree data provided in this report which categorises the tree as having Fair Structure which is described within the appendix of the Report as “The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance at some branch unions or branches may be exhibiting minor structural faults. If the tree has a single trunk, this may be on a slight lean, or be exhibiting minor defects. Probability of significant failure is low.” A tree with Fair Structure as described within this Report would need to have its PoF benchmarked at 7, with the resultant highest possible PoF being 5 which would provide a Risk Rating outcome of 1/300,000 however even a PoF this high applied to a large limb or the whole tree is not supported by the evidence provided.

A correct QTRA outcome for this tree considering a Risk of Harm (RoH) to human life from a large limb or whole tree failure has an output of less than 1/1,000,000 which is considered to be broadly acceptable and already as low as reasonably practicable (ALARP). This is based

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off a target range of 2, a size range of 1 for large limb or whole tree failure, or using the size range for property, and a PoF of 6.

An assessment for the RoH for smaller branches within size range 4, impacting a target range 2 and having a high PoF of 2 still produces an outcome of 1/50,000 which is considered tolerable if ALARP. Any QTRA conducted on a tree requires considering whether the RoH is ALARP when imposed on others if the RoH is higher than 1/1,000,000 and lower than 1/10,000. Complete removal of this tree is not considered to be an appropriate or reasonably practicable course of action to ensure the lowest possible RoH from this tree. Utilising standard recommended arboricultural techniques such as deadwood removal and formative pruning are effective and appropriate methods of ensuring the tree presents as low risk. No limbs within the tree are considered to be "high risk" and requiring of cabling.

By undertaking standard pruning works and managing this tree, the RoH outcome can easily be lowered to 1/1,000,000.

The presence of minor deadwood within the tree, whether still attached or hanging up within the canopy can be addressed by undertaking standard tree maintenance utilising recommended arboricultural techniques. Pruning out the deadwood present within the canopy is a recommended action and will result in significantly less debris falling, particularly of any sticks and small branches that have potential to cause an injury or damage the pool blanket.

4. Whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused.

- Any evidence of property damage being caused.
- The extent of property damage being caused.
- Whether the property damage can reasonably be repaired without impacting on the viability of the tree.
- The estimated cost of repairing the property damage.
- If the tree's roots are blocking, breaking or otherwise damaging pipes, whether the pipes can be cleared and relined without removing the tree, or whether the pipes can be replaced without the digging of a trench.
- Whether the tree can be Pruned to reduce the property damage being caused.
- Any report from a licensed and/or qualified person in their field which provides evidence that the tree is causing structural damage to a building, services or infrastructure or is a risk to property, which cannot be alleviated through recommended arboricultural techniques and can only be overcome by implementing a remedy that is unreasonable or greatly disproportionate to the value of the tree.

Additional submissions to Council:

"[A]ttached are photos of minor branches that have fallen from the tree in the last 2 weeks that have pierced holes in the new pool blanket."

Comments:

There was no obvious property damage observed during any of the onsite tree inspections conducted as part of the initial assessment undertaken by the Team Leader – Urban Forest, or the Co-Ordinator Urban Forest.

The installation of the pool blanket and subsequent possibility of damage from any minor deadwood falling from the tree can be rectified by undertaking standard tree maintenance utilising recommended arboricultural techniques. Suitable management of this tree will ensure it presents a low risk of causing property damage.

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5. Whether the tree is causing a public nuisance or creating any other nuisance to relevant landholders.

- The conditions beneath the tree.
- The species of tree, including the frequency and extent of litter, leaves, bark, fruit and similar dropped by the tree.
- Whether any fruit, litter or similar drop from the tree gives rise to any risk of property damage.
- Whether the conditions beneath the tree could reasonably be changed to reduce the impact of the nuisance.

Submissions to Council:

“Twigs, fruit and leaves found in NE corner of tennis court 35m from tree”

Comments:

All trees naturally drop small debris as part of their life cycle. As detailed on the Dispute Settlement Centre of Victoria website, “Common sense and court law acknowledge that trees drop leaves, bark, sticks, flowers, fruit and sap as part of their normal life cycle and that this doesn’t justify excessive tree pruning or removal. In other words, this isn’t usually considered a private nuisance.”

Appropriate recommended arboricultural techniques to remove any deadwood and crossing branches from the tree, undertake formative pruning of epicormic growth and tip reduction will suitably manage the levels of falling debris from this tree.

6. Whether the tree is an environmental weed.

- The Advisory list of environmental weeds in Victoria¹ (as amended from time to time).
- Whether the tree is listed as a Noxious Weed.
- Whether the location of the tree and the specific context in which the tree is situated may be considered a weed, including the proximity of the tree to Public Land.
- The species in relation to its location. (*Note: for example, some trees are only considered to be weeds in circumstances, such as if they are located close to waterways or near areas of environmental significance*).
- Whether the tree is materially contributing to the spread of weed propagules.

Comments:

This tree is a native species and is not listed as an environmental weed.

7. Any other matter relevant to the circumstances associated with the nomination.

- An Authorised Officer must consider any demonstrated financial hardship and inability to conduct routine maintenance of the tree (financial hardship includes where the resident has no source of *income to pay for the maintenance and is receiving Centrelink benefits*.)

¹ White, M., Cheal, D., Carr, G. W., Adair, R., Blood, K. and Meagher, D. (2018). Advisory list of environmental weeds in Victoria. Arthur Rylah Institute for Environmental Research Technical Report Series No. 287. Department of Environment, Land, Water and Planning, Heidelberg, Victoria.

OFFICIAL**Additional submissions to Council:**

"The owners of the tree say they are not responsible for repair or replacement cost as they (as well as me) are under strict instructions from council not to touch the tree."

Comments:

Inclusion of a tree in the Classified Tree Register seeks to protect significant trees from removal or excessive and unnecessary pruning or lopping. Appropriate maintenance and pruning of a Classified Tree is both permitted and encouraged to ensure the tree remains healthy, and has previously been recommended for this tree.

Any tree protected by the Classified Tree Local Law can undergo minor pruning without the need for a permit. This includes pruning of any branches less than 10cm in circumference, with no more than 10% of the canopy being removed. Pruning an amount greater than this requires a permit to be issued by Council, to ensure the work is being undertaken by a suitably qualified professional, working to the Australian Standards. There is no cost for this permit.

Conclusion

The *Eucalyptus botryoides* located at 6 Tennyson Ave, Caulfield North has good health with no significant structural faults present. The trunk, stems and limbs were observed to be solid and sound, with no indication of movement or instability within the root plate.

The tree satisfies five of the Categories of Significance which makes it eligible for inclusion in the Classified Tree Register and consideration of the Negative Criteria and the objecting submissions has determined that any issues present regarding this tree can be addressed utilising recommended arboricultural techniques in accordance with AS4373-2007 Pruning of Amenity Trees.

It is recommended that the tree be managed by a suitably qualified arboricultural company who could undertake any required remedial and formative pruning, remove any deadwood and crossing branches present within the canopy, tidy up epicormic growth. Regular (within 5 years) climbing inspections should also be undertaken to assess the condition of the tree and insure it maintains good health.



Tree Risk Assessment

for

Glen Eira City Council

Assessment of a *Eucalyptus botryoides* (Southern Mahogany) at 6 Tennyson Avenue, Caulfield North.

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6 February 2023

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 Glen Eira City Council
 6 Tennyson Avenue, Caulfield North.



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Table 1: Table of Revisions

Rev No.	Report Date	Description	Author	Internal Review Date	Reviewed by
1	27/1/23	Report for Submission to client	JRJ	1/2/23	ELB

Tree Risk Assessment
Glen Eira City Council
6 Tennyson Avenue, Caulfield North.



1. Introduction

Homewood Consulting Pty Ltd has been engaged by Glen Eira City Council to provide a condition report and risk assessment on one tree located at 6 Tennyson Avenue, Caulfield North. An inspection of the tree has been requested to assess the health, structure and risk that the tree currently presents in the landscape and to provide recommendations on its management.

On Tuesday, 24 January 2023 Senior Consultant Emma Barrett and Consultant Julian Jones conducted a site inspection. A summary of the assessment can be seen in Section 3.

A Visual Tree Assessment (VTA) was conducted for the tree. A VTA consists of a detailed visual inspection of a tree and its surrounding site, including a complete walk around the tree, looking at the buttress roots, trunk, branches and leaves. The tree is observed from a distance and close up to consider crown shape, landscape context and surroundings.

The assessment was conducted from ground level with no instruments used. Any assessments of decay are qualitative only. Tree height and canopy width were estimated.

2. Site Details

The tree is located at the rear boundary of the property, abutting the fence. The rear boundaries of several neighbouring properties are adjacent. The property is zoned Neighbourhood Residential (NRZ), there are no overlays that affect the property.

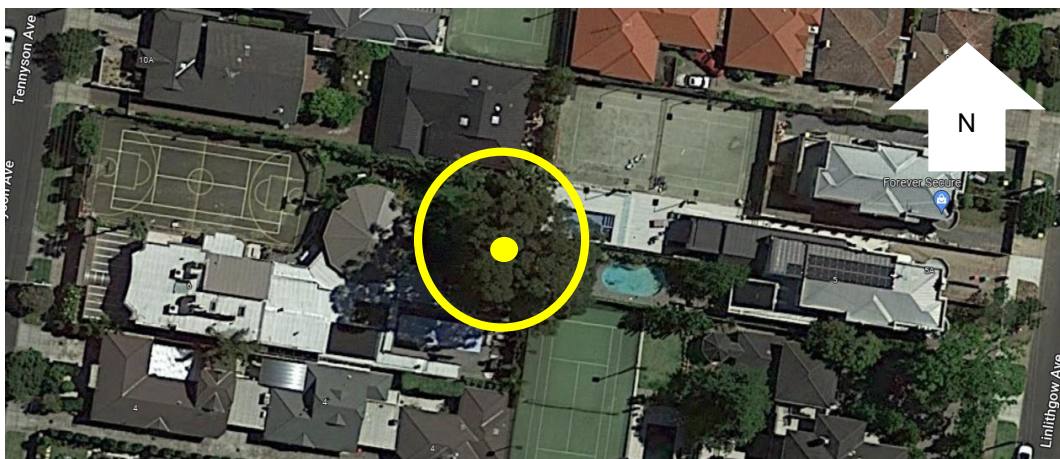


Figure 1: Approximate location of subject tree (Google 2023)

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3. Tree Details

Botanical Name	<i>Eucalyptus botryoides</i>	Health	Good
Common Name	Southern Mahogany	Structure	Fair
Origin	Native	Useful Life Expectancy (ULE)	10-20 years
Height x Width	30m x 19m	Landscape Contribution	High
Diameter at Breast Height (DBH)	160	Age Class	Mature



Figure 2: Tree photographed from Tennyson Ave

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4. Tree Condition

Eucalyptus botryoides (Southern Mahogany) is a medium sized tree indigenous to coastal regions of east Gippsland extending northeast into southern New South Wales. It is commonly planted throughout the high-rainfall parts of south-eastern Australia, and is an excellent shade tree for coastal sites (Nicolle, 2022). *E. botryoides* can grow up to 45m tall on fertile and sheltered sites (Nicolle, 2022); at an estimated 30m tall this specimen is an impressive example of its species.

The tree has 'Good' health, with good root flare and no obvious evidence of pest or disease. It displays a full canopy and shows evidence of mostly good management in the past.

The tree has 'Fair' structure, which is reduced from 'Good' due to the presence of a large co-dominant union (Figure 3). Codominant stems are a common reason for reducing a tree's structure rating. In normal development, branches attach to the trunk of the tree via a series of interlocking wood fibres. As the tree grows, fibres from the branch are 'overlaid' by fibres from the trunk and then branch fibres overlay the trunk fibres (Shigo, 1991). Where multiple stems develop from the trunk, the same degree of fibre interlocking is not exhibited leading to a weaker attachment (Shigo, 1991). However, the tree displays little to no evidence of any included bark or large 'ribs' that are indicative of a problematic codominant union.

The upper unions have good attachment, and no major structural faults were detected from a ground view (Figure 4). There was some evidence of previous branch failure and evidence of previous pruning management. The trunk had good flare.

The tree has a 'High' landscape value; it is the largest in its surrounds and is visible throughout the area (Figure 2, Figure 5).



Figure 3: Codominant stems of subject tree



Figure 4: The upper canopy

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Figure 5: Tree photographed from Northcote Ave.

4.1 Useful Life Expectancy

The Useful Life Expectancy (ULE) is an approximation of how long a tree can be retained in the landscape at an acceptable level of risk, provided environmental conditions remain the same.

A ULE of 10-20 years has been assigned to this tree. This can be extended if the tree is regularly managed into the future.

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5. Risk Assessment

The risk assessment method utilised is Tree Risk Assessment Qualification (TRAQ). This has been developed by the International Society of Arboriculture (Dunster et al., 2017).

TRAQ uses a qualitative approach to tree risk assessment and consists of the following main components:

- Likelihood of failure
- Likelihood of impact
- Consequences of failure

The assessor will identify a tree's defects and consider each individually within the framework of the above components. The final risk rating presented for a tree will relate to the specific tree-part or defect with the most severe consequence of failure categorisation.

TRAQ risk ratings must also be associated with a time frame. The time frame is the length of time within which the assessor is deciding whether a specific failure is likely to occur. For this report the timeframe considered is 12 months.

Further detail regarding the TRAQ method and definitions for risk components and categories assigned is presented in Appendix 1.

This tree presents a 'Low' risk of harm in its current environment.

Table 2: Risk Assessment using Tree Risk Best Management Practice

Likelihood of failure	Likelihood of Impact	Likelihood of Failure and Impact	Consequences to Target	Risk Rating
Possible	Medium	Unlikely	Severe (pedestrian)	Low

6. Recommendations/Discussion

Although it is probable that smaller canopy branches may fail and cause property damage, the risk to dwellings is considered low. The dwelling on the property is 14m from the base of the tree, and neighbouring dwellings are a distance away. Targets under the canopy include the 2 swimming pools and tennis courts of the property and of two adjacent properties, therefore, pedestrians have been regarded as the target within the risk assessment. A branch from the tree has previously impacted a pool cover at the rear of the property and pierced it (per say landowner 24 January 2023).

Large trees in a suburban environment should be assessed every 2 or 3 years and managed appropriately to ensure the risk is maintained at an acceptable level. Climbing inspections on large trees are recommended so that the upper canopy can be assessed, particularly the upside of branch unions, as it is sometimes difficult to do this from ground level.

No pruning works are considered necessary at this stage to reduce the risk associated with the tree. Over pruning can open up the canopy which makes the tree more vulnerable to wind forces not previously experienced. However, if there is still concern, this tree is a suitable candidate for cabling across its three large stems. Cabling is the process of attaching a cable from one stem to another to prevent failure of large limbs. This is carried out to reduce the risk of structural failure in the crown of a tree. Cabling helps support the tree by limiting the movement of branches.

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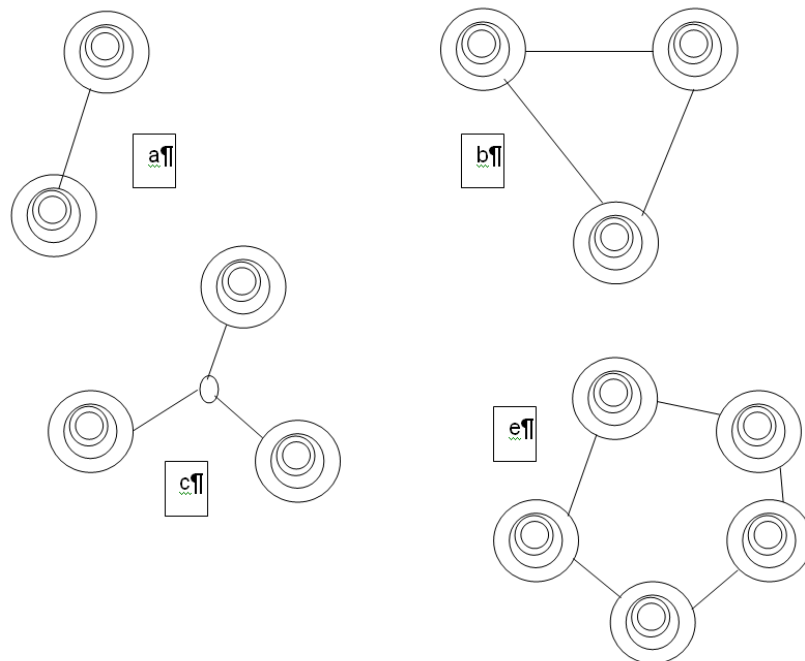


Figure 6: b) would be a suitable cabling arrangement for this tree.

it is recommended that:

- No pruning works are required; however, the tree should be reassessed in two years' time.
- A climbing inspection is advised if this has not been carried out in the last two years, to assess the upside of unions high up in the canopy, union attachment and evidence of decay present.
- If there is still concern regarding the safety or risk the tree presents, the tree is a suitable specimen for cabling.
- Any future works, including climbing assessment and cabling must be carried out by a qualified Arborist with experience in managing large trees.

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7. References

Dunster, J. A., Smiley, E. T., Matheny, N., & Lilly, S. (2017). *Tree risk assessment manual*. International Society of Arboriculture.

Nicolle, D. (2022). *Native Eucalypts of Victoria and Tasmania: South-eastern Australia*. Dean Nicolle.

Shigo, A. L. (1991). *Modern arboriculture: A systems approach to the care of trees and their associates*. Shigo and Trees, Associates.

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Appendix 1. Tree Risk Assessment Qualification (TRAQ)

A risk assessment using the International Society of Arboriculture's (ISA) Tree Risk Assessment Qualification (TRAQ) method has been conducted.

This method of risk assessment uses a qualitative approach to tree risk assessment and consists of the following main components:

- Likelihood of Failure
- Likelihood of Impact
- Consequences of Failure

Before making any assessment of these components, a timeframe must be established for the risk assessment. A timeframe is essential as it provides a point of reference for the level of risk determination. All trees could fail eventually, so risk ratings must be associated with a time frame. The time frame is the length of time within which the assessor is deciding whether a specific failure is likely to occur.

For this report the timeframe considered is 12 months.

It is important to note that the timeframe should not be considered a 'guarantee period' for the risk assessment.

The likelihood of failure is the chance of a tree or tree part failure occurring within the specified time frame. The likelihood of failure will fall within one of 4 categories (see Table 3) as determined by the following considerations:

- Site factors
- Response growth
- Tree health
- Tree species
- Load
- Defects and conditions

Table 3: Likelihood of failure

Likelihood of Failure	Definition
Imminent	Failure has started or is most likely to occur soon, even if there is no significant wind or increased load. The imminent category overrides the time frame stated in the scope of work.
Probable	Failure may be expected under normal weather conditions within the specified time frame.
Possible	Failure may be expected in extreme weather conditions, but it is unlikely during normal weather conditions within the specified time frame.
Improbable	The tree or tree part is not likely to fail during normal weather conditions and may not fail in extreme weather conditions within the specified time frame.

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The likelihood of impact is the chance of a tree failure impacting a target during the specified timeframe. Likelihood of impact will fall within one of 4 categories (see Table 4) and is determined by considering the following:

- Occupancy rates
- Location within the target zone
- Protection factors
- Direction of fall

Table 4: Likelihood of impact

Likelihood of Impact	Definitions
Very Low	The chance of the failed tree or tree part impacting the specified target is remote. Considers rarely used areas.
Low	There is a slight chance that the failed tree or tree part will impact the target. Considers occasionally used areas with no protection factors.
Medium	The failed tree or tree part could impact the target but is not expected to do so. Considers frequently used areas where the direction of fall may or may not be towards the target.
High	The failed tree or tree part is likely to impact the target. Considers constant targets with no protection factors, where direction of fall is towards the target.

The consequences of failure are the level of personal injury, property damage, or disruption of activities due to the failure of a tree or tree part. The consequences of failure are placed within one of 4 categories (see Table 5) as determined by considerations of:

- Tree or tree part size
- Fall distance of tree or tree part
- Protection factors
- Target value/damage

Table 5: Consequences of failure

Consequences of Failure	Definitions
Negligible	Consequences that do not result in personal injury, involve low-value property damage, or disruptions that can be replaced or repaired.
Minor	Consequences that involve minor personal injury, low- to moderate-value property damage, or small disruption of activities.
Significant	Consequences that involve substantial personal injury (requiring professional medical care), moderate- to high-value property damage, or considerable disruption of activities.
Severe	Consequences that could involve serious personal injury or death, high-value property damage, or major disruption of important activities.

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Once the likelihood of failure and the likelihood of impact have been categorised then TRAQ requires that the combined likelihood of a failure impacting a target be categorised. This is done using Matrix 1 which gives the likelihood of failure and impact as either Unlikely, Somewhat likely, Likely, or Very Likely.

Matrix 1: used to estimate the likelihood of a tree failure impacting a specified target.

Likelihood of Failure	Likelihood of Impact			
	Very Low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very Likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

The result from Matrix 1 is then combined with the Consequences of failure in Matrix 2, the result of which categorises the tree risk rating as either Low, Moderate, High, or Extreme.

Matrix 2: risk rating as the combination of likelihood of a tree failing and impacting a specified target, and the severity of the associated consequences.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Once the risk rating has been established then mitigation options should be considered if the risk rating exceeds the level of acceptable risk.

A hypothetical example of TRAQ application follows:

A mature tree with a large dead branch is growing next to a one-storey house. The dead branch is on the side of the tree away from the house. The likelihood of this dead branch failure within the next year was classified by a tree risk assessor as *probable*. The house is a static target with a constant occupancy rate. However, the likelihood of the branch falling from the opposite side of the tree through the rest of the tree to the house is *very low*. This results in a likelihood of failure and impact rating of *unlikely*.

Consider now that there is a parking area located partially under the branch and there are no lower branches that would mitigate the fall of the branch. A car is parked under the tree for 14 hours per day, and the driver is present for a minute or two each day as she walks

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between the house and the car. Thus the human occupancy rate in the target zone is rare, and the car occupancy rate is frequent. This leaves two scenarios to judge:

1. The rare human occupancy rate translates to a *very low* likelihood of impacting the driver. When that is combined with a *probable* failure likelihood, the combination results in the likelihood of failure impacting the driver of *unlikely*.
2. The car occupancy rate is frequent, and there are no structures or tree parts that would deflect or impede the fall of the branch on this side of the tree. You rate the likelihood of impact *medium*. Combining the *medium* likelihood of impact with the *probable* likelihood of failure of the branch, the likelihood of failure and impact for the car becomes *somewhat likely*.

The consequences of a medium-sized dead branch striking a house would be *minor*, the consequences of that branch striking an unoccupied, new car could be *significant*, and the consequences of its impacting a person would be *severe*. These consequences are combined with the likelihood of failure and impact to determine risk ratings as follows:

- For the house, the risk of a medium-sized, dead branch with a likelihood of failure and impact rating of *unlikely* and consequences rating of *minor* would result in a risk rating of *low*.
- For the parked car, the likelihood of failure and impact is *somewhat likely* and the consequences are *significant*, so the risk is *moderate*.
- For the driver of the car, the likelihood of failure and impact is *unlikely* and the consequences *severe*, so the risk is *low*.

The highest of these three individual ratings is *moderate*, thus the overall tree risk rating would be *moderate*. Whether the clients choose to mitigate the risk depends upon their perception of risk and what level of risk they find acceptable, as well as the cost, aesthetics, and inconvenience of mitigation.

The above information regarding TRAQ has been taken directly from Dunster, JA, Smiley, ET, Matheny, N, & Lilly, S 2017, *Tree Risk Assessment Manual (Second Edition)*, Champaign, Illinois, International Society of Arboriculture.



Arboricultural Risk Assessment

REPORT COMMISSIONED BY:
Property owner

DATE OF ASSESSMENT:
Monday, November 04, 2024

SUBJECT SITE:
6 Tennyson Avenue, Caulfield North Vic 3161

DATE OF REPORT:
Wednesday, November 13, 2024

REPORT PREPARED BY:
Ira Francis
Consulting Arborist
Graduate Certificate Arboriculture (AQF 8)

VERSION 1

TMC REPORTS		ARBORICULTURAL CONSULTING SERVICES	
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1 Assignment

1.1 Author/Consulting Arborist

Name

Ira Francis

Consulting Arborist

Graduate Certificate Arboriculture

(AQF 8)

Company

TMC Reports

Phone

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1.2 Client

Name

Property owner

Site Address6 Tennyson Avenue,
Caulfield North Vic 3161**Intended Audience**

- The property/tree owner(s)
- Council Planning Department

1.3 Brief

The purpose of this report is to assess one *Eucalyptus botryoides* (Southern Mahogany) which is located within the rear yard of the subject site. Detail has been requested in relation to the following instructions:

- To provide an objective assessment of the tree in its current state.
- To determine the tree's risk rating.
- To provide recommendations in order to reduce the tree's risk rating to an acceptable level (if applicable).

2 Data collection

2.1 Site Visit

- Ira Francis, of TMC Reports, visited the site for an arboricultural assessment on Monday the 4th of November 2024 at 2:45pm.

2.2 Method of data collection

- The subject tree was assessed from observations made as viewed from ground level within the subject site.
- Field notes were documented and the summary of observations is an accurate account of notes gathered whilst in the field.
- The height of the tree was measured by using a Nikon Forestry Pro 2 Laser Range Finder.
- A digital camera was used at ground level to gather photographic evidence.
- A circumference tape measure was used to determine the trunk dimensions of the subject tree.
- The subject tree has been assessed using the Quantified Tree Risk Assessment (QTRA) model (9).

3 Site description

- The subject site is located in a Neighbourhood Residential Zone – Schedule 1 (NRZ1) within the Glen Eira City Council.
- The tree is located within the rear yard of the subject site, by the eastern boundary fence.
- The tree is located in a garden bed with small shrubs, and surrounded by lawn area within the subject site. A smaller canopy tree (*Schinus molle*) is located centrally within the rear yard.
- The neighbouring pool to the east (5a Linlithgow Avenue) is located within the dripline.
- The pool within the site is located just outside the dripline, estimated to be 12m away from the tree.
- The tree overhangs the rear yard within the subject site, including the in-ground trampoline and the outdoor room, and the rear yards of neighbouring properties (3, 5, & 5a Linlithgow Avenue).
- The terrain of site where the tree is located presented as predominantly level.
- No additional vegetation was assessed for the purposes of this report.

3.1 Permit requirement

A permit is required to remove, damage, kill, destroy, prune, or carry out any works within the Tree Protection Zone of this tree under Glen Eira Local Law.

3.1.1 Local law

Under Glen Eira local law, a 'Classified Tree' is any tree that is recorded in Council's Classified Trees Register, which contains significant specimens that provide high amenity, environmental benefits and character to the suburbs. These trees are individually nominated to the Register, which can be accessed [here](#).

A 'Canopy Tree' is any privately-owned or managed tree or palm (but is not a Classified Tree) which meets at least one of the following triggers:

- a) a palm tree taller than 8 metres measured from natural ground level; or
- b) a tree with a stump circumference of 140 cm or more measured at natural ground level; or
- c) a tree taller than 5 metres measured from natural ground level; and
 - i) a trunk circumference of 140cm or more measured at a point 140cm along the trunk's length from natural ground level; or
 - ii) a combined (i.e. aggregate) trunk circumference of 140 cm or more measured at a point 140cm along the trunks' lengths from natural ground level.

3.1.1.1 Canopy Tree Protection Local Law

Part 5 – Protection of Classified Trees and Canopy Trees

Glen Eira's urban forest is the sum of all trees, understorey, shrubs and ground covers and grasses across the municipality — public and private. Council recognises the important contribution that Canopy Trees and Classified Trees make to Glen Eira's Urban Forest and their importance to the overall municipal canopy cover. As such protection of these trees on private land is critical to achieving the targets set out in Council's Urban Forest Strategy. Trees are some of the most effective and efficient ways for cities to reduce their negative environmental impacts and adapt to climate change. Trees provide shade and cooling, especially over paved surfaces, which mitigate the urban heat island effect. They improve air quality by removing particulate matter and pollution as well as absorbing CO₂, help to reduce stormwater runoff volume and water pollution, reduce windspeeds and form green corridors that create habitat and biodiversity links for a range of wildlife in the urban context. Indiscriminate damage to or destruction of a Canopy Tree or Classified Tree results in a loss of canopy that impacts on these community benefits. This Local Law gives Council the necessary controls to effectively caretake the city's Canopy Trees and Classified Trees.

23. Protection of Classified Trees and Canopy Trees

1. Subclause (2) applies to any—
 - (a) Classified Tree; and
 - (b) Canopy Trees; and
 - (c) tree planted in satisfaction of a condition of a Permit; and
 - (d) tree planted in satisfaction of a direction in a Notice to Comply—
which is situated on any Private Land, whether or not the—
 - (e) Classified Tree; or
 - (f) Canopy Trees; or
 - (g) tree planted in satisfaction of a condition of a Permit; or
 - (h) tree planted in satisfaction of a direction in a Notice to Comply—
extends beyond the boundary of that Private Land.
2. A person must not without a Permit—
 - (a) remove, Damage, kill or destroy or direct, authorise or allow to be removed, damaged, killed or destroyed a Classified Tree or a Canopy Tree; or
 - (b) prune or direct, authorise or allow to be pruned a Classified Tree or a Canopy Tree; or
 - (c) carry out, or direct, authorise or allow to be carried out any Works within the Tree Protection Zone of a Classified Tree or a Canopy Tree; or
 - (d) remove, Damage, kill or destroy or direct, authorise or allow to be removed, Damaged, killed or destroyed a tree planted in satisfaction of a condition of a Permit or a direction in a Notice to Comply; or
 - (e) Prune or direct, authorise or allow to be Pruned a tree planted in satisfaction of a condition of a Permit or a direction in a Notice to Comply; or
 - (f) carry out, or direct, authorise or allow to be carried out any Works within the Tree Protection Zone of a tree planted in satisfaction of a condition of a Permit or a direction in a Notice to Comply.
3. Subclause (2) does not apply to—
 - (a) a person whose actions are required by any other legislation or by any other statutory authority; or
 - (b) a person acting in accordance with an instruction or direction from an Authorised Officer; or
 - (c) a tree that is a noxious weed; or
 - (d) such part of a tree that is above or below Public Land.
4. Subclause (2)(b) does not apply—
 - (a) to pruning carried out to control an immediate danger to life or property arising from a Classified Tree or a Canopy Tree

- (including without limitation an immediate danger as a result of damage to the Classified Tree or a Canopy Tree caused by a storm, lightning, earthquake, flood or other act of nature); and
- (b) if Council is notified within five (5) working days of the commencement of the pruning.
5. Subclause (2)(e) does not apply—
- (a) to pruning carried out to control an immediate danger to life or property arising from a tree planted in satisfaction of a condition of a Permit or from a tree planted in satisfaction of a direction in a Notice to Comply (including without limitation an immediate danger as a result of damage to the tree caused by a storm, lightning, earthquake, flood or other act of nature); and
- (b) if Council is notified within five (5) working days of the commencement of the pruning.
6. Subclause (2)(a) does not apply—
- (a) to topping or lopping carried out to control an immediate danger to life or property arising from a Classified Tree or a Canopy Tree (including without limitation an immediate danger as a result of damage to the Classified Tree or a Canopy Tree caused by a storm, lightning, earthquake, flood or other act of nature); and
- (b) if Council is notified within five (5) working days of the commencement of the topping or lopping.
7. Subclause (2)(d) does not apply—
- (a) to topping or lopping carried out to control an immediate danger to life or property arising from a tree planted in satisfaction of a condition of a Permit or from a tree planted in satisfaction of a direction in a Notice to Comply (including without limitation an immediate danger as a result of damage to the tree caused by a storm, lightning, earthquake, flood or other act of nature); and
- (b) if Council is notified within five (5) working days of the commencement of the topping or lopping.

Note: Notification as specified in Clauses 4-7 is to enable Council to carry out an onsite inspection of the tree(s).

8. Subclause (2)(b) does not apply to pruning, which is carried out to the following specifications—
- (a) up to a maximum of 10% of the Classified Tree's or Canopy Tree's total volume within 12 calendar months; and
- (b) in accordance with Standards Australia AS4373 – 2007; and
- (c) only to branches of the Classified Tree or a Canopy Tree that have a circumference of less than 100 millimetres at the point of contact with the larger branches or the trunk.

9. Subclause (2)(e) does not apply to pruning which is carried out to the following specifications—
- (a) up to a maximum of 10% of the tree's total volume within 12 calendar months; and
 - (b) in accordance with Standards Australia AS4373 – 2007; and
 - (c) only to branches of the tree with a circumference of less than 100 millimetres at the point of contact with the larger branches or the trunk.

4 Tree data

Botanical name	<i>Eucalyptus botryoides</i>
Common name	Southern mahogany
Origin	Native (NSW, VIC)
Age	Mature
Diameter at breast height (DBH)	1.59 m
Circumference at 1 m (CA1)	5.06 m
Diameter at base (DBH)	1.90 m
Height	35.0 m
Canopy spread N - S	20.0 m
Canopy spread E - W	21.5 m
Health	Good
Structure	Fair
ULE	10-20 years
Amenity value	High
TPZ radius	15.0 m
SRZ radius	4.3 m
Risk rating (6.3)	Unacceptable – where imposed on others (1/3K)
Permit requirements (3.1)	Yes (Local Law)

Comments

- Codominant union at approx. 4.0m above ground level, relatively open, some debris accumulated in trunk, but no obvious included bark.
- Historic failures up to 30cm diameter in canopy.
- Deadwood up to 15cm diameter in canopy.
- Trampoline and lawn area within dripline (i.e. directly underneath canopy) within subject site.
- Good colour and density of canopy foliage.
- Dwellings within site and neighbouring properties largely outside of dripline but located within 1x tree height.
- Tree has previously been pruned to uplift canopy over eastern properties.
- Reported damage costs:
 - Replacement of pool cover approx. \$11,000 in 2016
 - Regular property damage and maintenance costs to pool area and equipment reported within the eastern adjoining property approx. \$2,200 per year for the last 6 years

5 Photographic evidence



Subject tree location, in relation to pool and trampoline within site



Subject tree trunk



Subject tree canopy



Deadwood in canopy



Past failure approx. 30cm diameter



Fallen debris in site



Provided photo of fallen deadwood and damage



Provided photo of fallen deadwood



Provided photo of fallen deadwood

6 Conclusion

6.1 Overview

This is a mature and large example of a native species indigenous to south-east NSW and eastern VIC. The tree is considered to be of good health and of fair structure, with condition being normal for a tree of this age and species with minor structural defects. Being large and prominent with a spreading canopy, the tree offers high amenity value, but retention suitability is reduced due to its position in a residential area, where its significant size and normal shedding patterns are causing damage and concern. The tree overhangs the rear garden area and neighbouring properties (3, 5, & 5a Linlithgow Avenue).

6.2 Health & Structure

Foliage density and colour are normal and indicative of overall good health and vitality. Deadwood up to 10cm diameter is located throughout the canopy. It is normal for this species to periodically kill off and self-prune small branches, as part of maintaining its healthy canopy function, and the amount of deadwood visible in the tree and observed on the ground both on the day and via photos provided by the client is consistent with this. The tree will continue to regularly shed deadwood throughout its life. Deadwood can be pruned out of the canopy before it falls to avoid damage, where this style of active management is practical.

There are no notable health or structural defects in this tree which should be corrected.

A co-dominant union is prominent in the lower trunk of this tree, and the canopy is distributed relatively evenly between the two halves. Although this type of union is typically considered a defect as it is usually weaker than a standard union and therefore more likely to fail in comparison, the girth of wood present in this tree, and the lack of included bark (a typical weakening factor) suggests that the tree is NOT most likely to fail at this union.

Due to the size and age of this tree, it would be normal for decay to be present in some degree, however, no obvious signs of decay were observed, or any other signs of concern.

Failure in any union is possible, but given the absence of notable defects, the most likely next failure to occur in the future is a failure similar to those which have occurred in the past. Most likely are the pieces of deadwood that the tree will continue to shed throughout its life. Failures of small-medium lateral limbs, especially, in windy conditions, is considered to be the next most likely type of failure for this tree.

6.3 Risk assessment

The level of risk associated with this tree was calculated using the Quantified Tree Risk Assessment (QTRA) calculator (see Section 9).

The risk of harm associated with this tree is for failures similar to those which have already occurred.

Based on the reported costs of regular damage and maintenance due to the tree's normal deadwood shedding habits, which are expected to continue, the tree has been assigned target range 3 for property damage (9.2).

The probability of failure has been assigned probability range 2 (9.3) due to the frequent occurrence of deadwood shedding throughout the year.

According to the QTRA calculator, the tree currently presents with a risk that may be tolerable by agreement, or is otherwise unacceptable where imposed on others. The risk should be controlled unless there is a broad stakeholder agreement to tolerate it or the tree has exceptional value.

Target range	3
Probability of failure range	2
Size range	Property
Risk rating	Unacceptable – where imposed on others (1/3K)

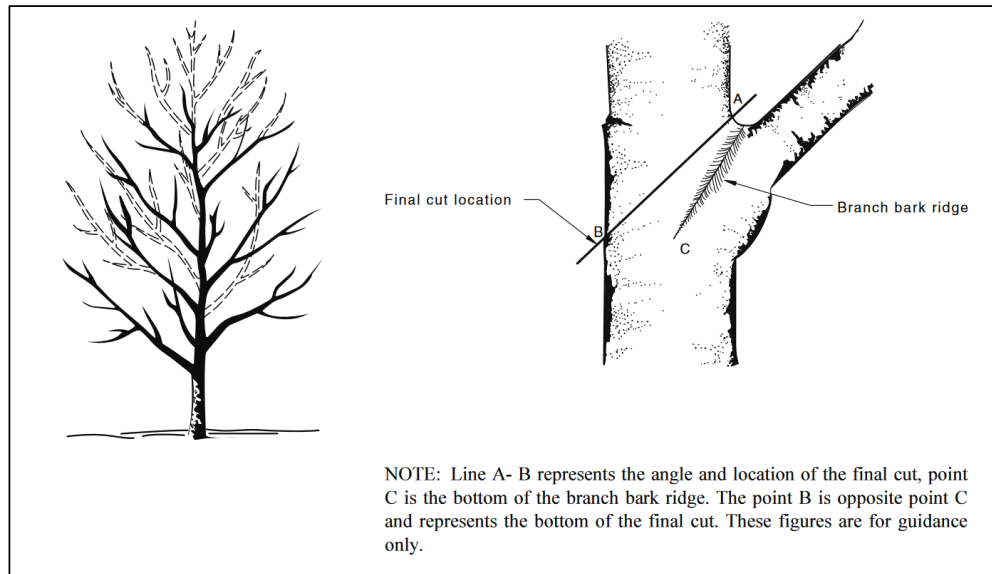
7 Recommendations

7.1 Option 1: Removal

- The tree should be removed.
- The tree poses an unacceptable risk of harm where imposed on others (1/3K).
- Removal of this tree will eliminate all risk and ongoing maintenance costs associated with this tree.
- Removal of this tree will also remove all benefits associated with this tree.
- In the event of removal, a minimum of 2 canopy trees should be planted in appropriate locations within the site in order to offset the canopy loss.
- This tree requires a permit to remove under Glen Eira Local Law.

7.2 Option 2: Pruning

- In the event that tree removal is not approved, the tree should be pruned.
- Deadwood >30mm diameter should be removed throughout the canopy.
- Reduction pruning should be used to reduce the overall size and spread of this tree, which will reduce the weight of some limbs, and reduce the number of targets likely to be affected by failures.
- Pruning is expected to reduce the risk to 'Tolerable', but will not eliminate ongoing maintenance costs.
- Pruning should be undertaken by a suitably qualified Arborist (minimum AQF level 3).
- The pruning should be undertaken in accordance with the Australian Pruning Standard AS 4373 – 2007.
- Extent of recommended pruning given below; pruning arborist should apply own expertise and judgement in carrying out recommended works.
- Not more than 30% of the canopy should be removed within a year.
- Canopy may be reduced preferentially on the eastern side to mitigate neighbour concerns by reducing spread above targets in that direction.
- This tree has good health and vigour and is expected to tolerate a significant prune, however, any pruning introduces wounds which may be an entry point for disease and decay. The larger the wound, the less likely the tree will be able to fully compartmentalise. It is therefore possible for pruning to ultimately weaken this tree.
- There is no amount of pruning which will fully eliminate shedding of debris from this tree into the site and surrounding properties without severely compromising the tree.
- Appropriate pruning can reduce likelihood of, but cannot fully eliminate, risk of failures from this tree.



From AS4373-2007 Pruning of amenity trees – canopy reduction pruning guidelines



Indicative recommended reduction pruning of subject tree canopy

Red – Suggested pruning locations
Yellow – Suggested amount of canopy reduction

8 Site map

Aerial image of site with approximate location of tree marked.

9 Quantified Tree Risk Assessment (QTRA)

9.1 Risk thresholds

Thresholds	Description	Action
1/1,000	Unacceptable Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> Control the risk
	Unacceptable (where imposed on others) Risks will not ordinarily be tolerated	<ul style="list-style-type: none"> Control the risk Review the risk
	Tolerable (by agreement) Risks may be tolerated if those exposed to the risk accept it, or the tree has exceptional value	<ul style="list-style-type: none"> Control the risk unless there is broad stakeholder agreement to tolerate it, or the tree has exceptional value Review the risk
1/10 000	Tolerable (where imposed on others) Risks are tolerable if ALARP	<ul style="list-style-type: none"> Assess costs and benefits of risk control Control the risk only where a significant benefit might be achieved at reasonable cost Review the risk
1/1 000 000	Broadly Acceptable Risk is already ALARP	<ul style="list-style-type: none"> No action currently required Review the risk

9.2 Target range

Target Range	Property (repair or replacement cost)	Human (not in vehicles)	Vehicle Traffic (number per day)	Ranges of Value (probability of occupation or fraction of £2 000 000)
1	£2 000 000 – >£200 000	Occupation: Constant – 2.5 hours/day Pedestrians & cyclists: 720/hour – 73/hour	26 000 – 2 700 @ 110kph (68mph) 32 000 – 3 300 @ 80kph (50mph) 47 000 – 4 800 @ 50kph (32mph)	1/1 – >1/10
2	£200 000 – >£20 000	Occupation: 2.4 hours/day – 15 min/day Pedestrians & cyclists: 72/hour – 8/hour	2 600 – 270 @ 110kph (68mph) 3 200 – 330 @ 80kph (50mph) 4 700 – 480 @ 50kph (32mph)	1/10 – >1/100
3	£20 000 – >£2 000	Occupation: 14 min/day – 2 min/day Pedestrians & cyclists: 7/hour – 2/hour	260 – 27 @ 110kph (68mph) 320 – 33 @ 80kph (50mph) 470 – 48 @ 50kph (32mph)	1/100 – >1/1 000
4	£2 000 – >£200	Occupation: 1 min/day – 2 min/week Pedestrians & cyclists: 1/hour – 3/day	26 – 4 @ 110kph (68mph) 32 – 4 @ 80kph (50mph) 47 – 6 @ 50kph (32mph)	1/1 000 – >1/10 000
5	£200 – >£20	Occupation: 1 min/week – 1 min/month Pedestrians & cyclists: 2/day – 2/week	3 – 1 @ 110kph (68mph) 3 – 1 @ 80kph (50mph) 5 – 1 @ 50kph (32mph)	1/10 000 – >1/100 000
6	£20 – £2	Occupation: <1 min/month – 0.5 min/year Pedestrians & cyclists: 1/week – 6/year	None	1/100 000 – 1/1 000 000

9.3 Probability of failure range

Probability of Failure Range	Probability
1	1/1 – >1/10
2	1/10 – >1/100
3	1/100 – >1/1 000
4	1/1 000 – >1/10 000
5	1/10 000 – >1/100 000
6	1/100 000 – >1/1 000 000
7	1/1 000 000 – 1/10 000 000
The probability that the tree or branch will fail within the coming year.	

9.4 Size range

Size Range	Size of tree or branch	Range of Probability
1	> 450mm (>18") dia.	1/1 – >1/2
2	260mm (10½") dia. – 450mm (18") dia.	1/2 – >1/8.6
3	110mm (4½") dia. – 250mm (10") dia.	1/8.6 – >1/82
4	25mm (1") dia. – 100mm (4") dia.	1/82 – 1/2 500
* Range 1 is based on a diameter of 600mm.		

10 Limitation of Liability

TMC Reports and their employees are tree specialists who use their qualifications, education, knowledge, training, diagnostic tools and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of this assessment and report.

Trees are living organisms that fail in ways the arboriculture industry does not fully understand. Conditions are often hidden within trees and below ground. Unless otherwise stated, observations have been made from ground level and limited to accessible components without dissection excavation or probing. There is no guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of this report, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters, and related incidents. Such issues cannot be taken into account unless complete and accurate information is given prior to or at the time of site inspection.

Information contained in this report covers those items that were examined and reflect the condition of those items at the time of inspection. There is no warranty or guarantee expressed or implied that the problems or deficiencies of the trees or property in question may not arise in the future. Trees can be managed, but they cannot be controlled. To live or work near a tree involves a degree of risk. The only way to eliminate all risks involved with a tree is to eliminate the tree.

All written reports must be read in their entirety. At no time shall part of the written assessment be referred to unless taken in full context of the whole written report.

11 Definition of terms

The following descriptors are used as indicators only. Other factors may be used in assessing an individual tree's health, structure, ULE, retention value and amenity value.

11.1 Tree health

- Good
- Fair
- Poor
- Very poor
- Dead

Good: The tree is demonstrating good or exceptional growth for the species. The tree should exhibit a full canopy of foliage and have only minor pest or disease problems. Foliage colour size and density should be typical of a health specimen of that species.

Fair: The tree is in reasonable condition and growing well for the species. The tree should exhibit an adequate canopy of foliage. There may be some dead wood in the crown, some grazing by insect or animals may be evident, and/or foliage colour, size or density may be atypical for a healthy specimen of that species.

Poor: The tree is not growing to its full capacity. Extension growth of the laterals may be minimal. The canopy may be thinning or sparse. Large amounts of dead wood may be evident throughout the crown, as well as significant pest and disease problems. Other symptoms of stress indicating tree decline may be present.

Very poor: The tree appears to be in a state of decline, and the canopy may be very thin and sparse. A significant volume of dead wood may be present in the canopy, or pest and disease problems may be causing a severe decline in tree health.

Dead: The tree is no longer alive.

11.2 Structure

- Good
- Fair
- Poor
- Very poor
- Failed

The definition of structure is the likelihood of the tree to fail under normal conditions. A tree with good structure is highly unlikely to suffer any significant failure, while a tree with poor to very poor structure is likely or very likely to fail.

Good: The tree has a well-defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunks or the branches. Major limbs are well defined. The tree would be considered a good example for the species. Probability of significant failure is highly unlikely.

Fair: The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance at some branch unions or branches may be exhibiting minor structural faults. If the tree has a single trunk, this may be on a slight lean, or be exhibiting minor defects. Probability of significant failure is low.

Poor: The tree may have a poorly structured crown, the crown may be unbalanced, or exhibit large gaps. Major limbs may not be well defined; branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered major root damage. Probability of significant failure is moderate.

Very poor: The tree has a poorly structured crown. The crown is unbalanced, or exhibits large gaps. Major limbs are not well defined. Branch unions may be poor or faulty at the point of attachment. A section of the tree has failed, or is in imminent danger of failure. Active failure may be present, or failure is probably in the immediate future.

Failed: A significant section of the tree or the whole tree has failed.

11.3 Useful life expectancy (ULE)

- Unsafe or 0 years
- Less than 5 years
- 5 to 10 years
- to 20 years
- 20 + years

Useful life expectancy is approximately how long a tree can be retained safely and usefully in the landscape providing site conditions remain unchanged and the recommended works are completed.

It is based on the principals of safety and usefulness in the landscape and should not reflect personal opinions on species suitability.

Unsafe or 0 years: The tree is considered dangerous in the location and/or no longer provides any amenity value.

Less Than 5 years: The tree under normal circumstances and without extra stress should be safe and have value of maximum of 5 years. The tree will need to be replaced in the short term. Replacement plants should be established as soon as possible if there is efficient space, or consideration should be given to the removal of the tree to facilitate replanting.

5 to 10 Years: The tree under normal circumstances and without extra stress should be safe and have value of maximum of 10 years. Trees in this category may require regular inspections and maintenance particularly if they are large specimens. Replacement plants should be established in the short term if there is sufficient space, or consideration should be given to the removal of the tree to facilitate replanting.

10 to 20 Years: The tree under normal circumstances and without extra stress should be safe and of value of up to 20 years. During this period, regular inspections and maintenance will be required.

20 + Years: The tree under normal circumstances and without extra stress should be safe and of value of more than 20 years. During this period, regular inspections and maintenance will be required.

11.4 Tree retention value

- High
- Moderate
- Low
- Neighbouring tree
- Council Owned Tree

High: The tree may be significant in the landscape, offer shade and other amenities such as screening. The tree may assist with erosion control, offer a windbreak or perform a vital function in the location (e.g. habitat, shade, flowers or fruit). The tree is free from structural defects and is vigorous. Consider the retention of the tree and designing the development to accommodate the tree.

Moderate: The tree may offer some screening in the landscape or serve a particular function in the location and have minor structural defects. The tree may be entering the mature stage of its life cycle. The tree may be retained if it does not hamper the design intent.

Low: The tree offers very little in the way of screening or amenity and may have significant structural defects. The tree may also be mature and entering the senescent stage of its life cycle. The tree may be removed if necessary.

Neighbouring tree: The tree is located within an adjoining private property/land. The tree is to be protected unless written consent from the tree owner(s) and/or responsible authority is obtained. Consider the retention of the tree unless written consent is obtained from the tree owner and/or responsible authority.

Council Owned Tree: The tree is located within Council owned land. The tree is to be protected unless written consent from the responsible authority is obtained. Consider the retention of the tree unless written consent is obtained from the tree owner and/or responsible authority.

11.5 Age

- Young
- Semi Mature
- Mature
- Senescent

Young: Juvenile or recently planted approximately 1-7 years.

Semi Mature: Tree actively growing.

Mature: Tree has reached expected size in situation.

Senescent: Tree is over mature and has started to decline.

11.6 Amenity value

- Very low
- Low
- Moderate
- High

Very Low: Tree makes little or no amenity value to the site or surrounding areas. In some cases, the tree might be detrimental to the area's amenity value (e.g. unsightly, risk of weed spread)

Low: Tree makes some contribution of amenity value to the site but makes no contribution to the amenity value of surrounding areas. The removal of the tree may result in little loss of amenity. Juvenile trees, including street trees are generally included in this category. However, they may have the potential to supply increased amenity in the future.

Moderate: The tree makes a moderate contribution to the amenity of the site and/or may contribute to the amenity of the surrounding area.

High: The tree makes a significant contribution to the amenity value of the site, or the tree makes a moderate contribution to the amenity value of the larger landscape.

The amenity value rating considered the impact that the tree has on any neighbouring sites as being equally important to that supplied to the subject site. However, trees that contribute to the general area (e.g. streetscape) are given a greater weight.

11.7 Terms within tree data table

- DBH
- DAB
- CA1
- TPZ
- SRZ

DBH: Diameter at breast height (1.4m from ground level). Combined DBH has been calculated according to the Australian Standard AS4970 – 2009 'Protection of Trees on Development Sites'

DAB: Diameter at base of tree

CA1: Circumference of trunk at 1m from ground level. Combined circumference is the sum of individual stem circumferences.

TPZ: Tree Protection Zone

SRZ: Structural Root Zone

11.8 Priority

Priority describes the urgency of works that are recommended. The recommended works would be used to develop maintenance regimes and maintenance programs.

- N/A
- Very Low
- Low
- Medium
- High
- Urgent

N/A: No works required

Very Low: Recommended works should be carried out within five years (e.g. formative pruning that will not become critical for the tree within the next five years, removal of very small trees).

Low: Recommended works should be carried out within two years (e.g. clearance pruning that is just within code).

Medium: Recommended works should be carried out within one year (e.g. the tree is significantly within code but not yet causing a problem).

High: Recommended works should be carried out within six months (e.g. structural pruning where the tree has significant defects that may cause failure resulting in damage or injury).

Urgent: Recommended works should be carried out as soon as possible (e.g. tree removal where the tree shows signs of immanent failure that is likely to cause significant damage or injury).

12 Quantified Tree Risk Assessment – Version 5

The input values for the three components of the QTRA calculation are set out in broad ranges of Target, Size, and Probability of Failure. The assessor estimates values for these three components and inputs them on either the manual calculator or software application to calculate the Risk of Harm.

12.1 Assessing Land-use (Targets)

The nature of the land-use beneath or adjacent to a tree will usually inform the level and extent of risk assessment to be carried out. In the assessment of Targets, six ranges of value are available. Table 2 sets out these ranges for vehicular frequency, human occupation and the monetary value of damage to property.

12.2 Human occupation

The probability of pedestrian occupation at a particular location is calculated on the basis that an average pedestrian will spend five seconds walking beneath an average tree. For example, an average occupation of ten pedestrians per day, each occupying the Target for five seconds is a daily occupation of fifty seconds, giving a likelihood of occupation 1/1,728. Where a longer occupation is likely, as with a habitable building, outdoor café, or park bench, the period of occupation can be measured, or estimated as a proportion of a given unit of time, e.g. six hours per day (1/4). The Target is recorded as a range.

12.3 Weather Affected Targets

Often the nature of a structural weakness in a tree is such that the probability of failure is greatest during windy weather, while the probability of the site being occupied by people during such weather is often low. This applies particularly to outdoor recreational areas. When estimating human Targets, the risk assessor must answer the question 'in the weather conditions that I expect the likelihood of failure of the tree to be initiated, what is my estimate of human occupation?' Taking this approach, rather than using the average occupation, ensures that the assessor considers the relationship between weather, people, and trees, along with the nature of the average person with their ability to recognise and avoid unnecessary risks.

12.4 Vehicles on the Highway

In the case of vehicles, likelihood of occupation may relate to either the falling tree or branch striking the vehicle or the vehicle striking the fallen tree. Both types of impact are influenced by vehicle speed; the faster the vehicle travels the less likely it is to be struck by the falling tree, but the more likely it is to strike a fallen tree. The probability of a vehicle occupying any particular point in the road is the ratio of the time it is occupied - including a safe stopping distance - to the total time. The average vehicle on a UK road is occupied by 1.6 people (DfT 2010). To account for the substantial protection that the average vehicle provides against most tree impacts and in particular, frontal collisions, QTRA values the substantially protected 1.6 occupants in addition to the value of the vehicle as equivalent to one exposed human life.

12.5 Property

Property can be anything that could be damaged by a falling tree, from a dwelling, to livestock, parked car, or fence. When evaluating the exposure of property to tree failure, the QTRA assessment considers the cost of repair or replacement that might result from failure of the tree. Ranges of value are presented in Table 2 and the assessor's estimate need only be sufficient to determine which of the six ranges the cost to select. In Table 2, the ranges of property value are based on a VOSL of £2,000,000, e.g. where a building with a replacement cost of £20,000 would be valued at 0.01 (1/100) of a life (Target Range 2). When assessing risks in relation to buildings, the Target to be considered might be the building, the occupants, or both. Occupants of a building could be protected from harm by the structure or substantially exposed to the impact from a falling tree if the structure is not sufficiently robust, and this will determine how the assessor categorises the Target.

12.6 Multiple Targets

A Target might be constantly occupied by more than one person and QTRA can account for this. For example, if it is projected that the average occupation will be constant by 10 people, the Risk of Harm is calculated in relation to one person constantly occupying the Target before going on to identify that the average occupation is 10 people. This is expressed as Target 1(10T)/1, where 10T represents the Multiple Targets. In respect of property, a Risk of Harm 1(10T)/1 would be equivalent to a risk of losing £20,000,000 as opposed to £2,000,000.

12.7 Tree or Branch Size

A small dead branch of less than 25mm diameter is not likely to cause significant harm even in the case of direct contact with a Target, while a falling branch with a diameter greater than 450mm is likely to cause some harm in the event of contact with all but the most robust Target. The QTRA method categorises Size by the diameter of tree stems and branches (measured beyond any basal taper). An equation derived from weight measurements of trees of different stem diameters is used to produce a data set of comparative weights of trees and branches ranging from 25mm to 600mm diameter, from which Table 1 is compiled. The size of dead branches might be discounted where they have undergone a significant reduction in weight because of degradation and shedding of subordinate branches. This discounting, referred to as 'Reduced Mass', reflects an estimated reduction in the mass of a dead branch.

12.8 Probability of Failure

In the QTRA assessment, the probability of tree or branch failure within the coming year is estimated and recorded as a range of value (Ranges 1 – 7, Table 3). Selecting a Probability of Failure (PoF) Range requires the assessor to compare their assessment of the tree or branch against a benchmark of either a non-compromised tree at Probability of Failure Range 7, or a tree or branch that we expect to fail within the year, which can be described as having a 1/1 probability of failure. During QTRA training, Registered Users go through a number of field exercises in order to calibrate their estimates of Probability of Failure.

12.9 The QTRA Calculation

The assessor selects a Range of values for each of the three input components of Target, Size and Probability of Failure. The Ranges are entered on either the manual calculator or software application to calculate a Risk of Harm. The Risk of Harm is expressed as a probability and is rounded, to one significant figure. Any Risk of Harm that is lower than 1/1,000,000 is represented as <1/1,000,000.

12.10 QTRA Informative Risk Thresholds

The QTRA advisory thresholds in Table 4 are proposed as a reasonable approach to balancing safety from falling trees with the costs of risk reduction. This approach takes account of the widely applied principles of ALARP and ToR, but does not dictate how these principles should be applied. While the thresholds can be the foundation of a robust policy for tree risk management, tree managers should make decisions based on their own situation, values and resources. Importantly, to enable tree assessors to provide appropriate management guidance, it is helpful for them to have some understanding of the tree owner's management preferences prior to assessing the trees.

A Risk of Harm that is less than 1/1,000,000 is Broadly Acceptable and is already ALARP. A Risk of Harm 1/1,000 or greater is unacceptable and will not ordinarily be tolerated. Between these two values, the Risk of Harm is in the Tolerable Region of ToR and will be tolerable if it is ALARP. In the Tolerable

Region, management decisions are informed by consideration of the costs and benefits of risk control, including the nature and extent of those benefits provided by trees, which would be lost to risk control measures.

For the purpose of managing risks from falling trees, the Tolerable Region can be further broken down into two sections. From 1/1,000,000 to less than 1/10,000, the Risk of Harm will usually be tolerable providing that the tree confers 'average benefits' as discussed above. As the Risk of Harm approaches 1/10,000 it will be necessary for the tree manager to consider in more detail the benefits provided by the tree and the overall cost of mitigating the risk.

A Risk of Harm in the Tolerable Region but 1/10,000 or greater will not usually be tolerable where it is imposed on others, such as the public, and if retained, will require a more detailed consideration of ALARP. In exceptional circumstances a tree owner might choose to retain a Risk of Harm that is 1/10,000 or greater. Such a decision might be based on the agreement of those who are exposed to the risk, or perhaps that the tree is of great importance. In these circumstances, the prudent tree manager will consult with the appropriate stakeholders whenever possible.

Greenwood Consulting Pty Ltd

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A.B.N. 54 170 171 876

Web: www.rgc.net.au



Reference: 8105 250313 GE Tennyson Caulfield North 6 Av.docx

Date: Wednesday, 12 March, 2025

Client: Glen Eira City Council

Address: Cnr Glen Eira and Hawthorn Roads Caulfield

Contact: Mr Jarrod Knight

Phone 1: 0418-881-595

Email: jknight@gleneira.vic.gov.au

Phone 2:

Site address: 6 Tennyson Avenue, Caulfield North

Re: Extended arboricultural report for a single tree at 6 Tennyson Avenue, Caulfield North.

This tree is a *Eucalyptus botryoides* (Southern Mahogany) that is located within the rear garden of the above address and for which a tree removal permit application has been made.

A second inspection of this tree has not been undertaken by Greenwood Consulting for the preparation of this report

A total of four (4) inspections have been undertaken within the recent past of this tree (February 2022 – Glen Eira City Council, February 2023 – Homewood Consulting P/L, November 2024 - TMC Reports and November 2024 – R. Greenwood Consulting P/L).

Documents reviewed

The following documents were reviewed in the preparation of this report.

Date	Title	Author	Company
29/11/2024	8105 GE Canopy Tree Inspections. 6 Tennyson Avenue Caulfield North (Ref: 8581b1d3-16fc-4835-b677-5d27ee8bdf25)	Shane Simons	R. Greenwood Consulting P/L
13/11/2024	Arboricultural Risk Assessment. 6 Tennyson Avenue Caulfield North Version 1	Ira Francis	TMC Reports
06/02/2023	Tree Risk Assessment. 6 Tennyson Avenue Caulfield North (Ref: 4799)	JRJ ELB	Homewood Consulting P/L
09/02/2022	Classified Tree Assessment Report. 6 Tennyson Avenue Caulfield North	Responsible officer - C Renaud	Glen Eira City Council

Glen Eira City Council

The Glen Eira City Council report (February 2022) is based on a climbing inspection and was apparently undertaken by contract climbers and council staff and concluded that the tree was, at the time of inspection, acceptably sound and that it presented a tolerable risk of harm.

While it would appear that a formal risk assessment was not undertaken at time of the inspection, it would appear to be the opinion of the authors that the tree was stable and that it presented a tolerable risk of harm.

The need for ongoing tree maintenance in the form of remedial and formative pruning was noted.

Homewood Consulting P/L

The Homewood Consulting report (February 2023) included a formal Tree Risk Assessment Qualification (TRAQ) and concluded that this tree presented, at that time, a low risk of harm.

Again, the need for ongoing maintenance of large trees within the urban environment was noted although the authors of this report considered these works to not be required at the time of the inspection.

TMC Reports

The TMC Reports report (November 2024) is titled Arboricultural Tree Risk Assessment and reference is made to the Quantified Tree Risk Assessment (QTRA) methodology. The risk of harm is noted as 1 / 3,000 which is, within the QTRA methodology, considered to be unacceptable where the risk of harm is imposed on others.

This risk of harm is imposed on those persons that are located within the fall zone of the tree and or those who are responsible for property in this area.

This report lists the annual cost of this tree, including property damage and maintenance cost associated with this tree, as being approximately \$2,200 per annum over the past 6 years.

While the proportion of this cost that is attributable to damage is not stated, it could be assumed to be somewhat less than the \$2,200 per annum stated above.

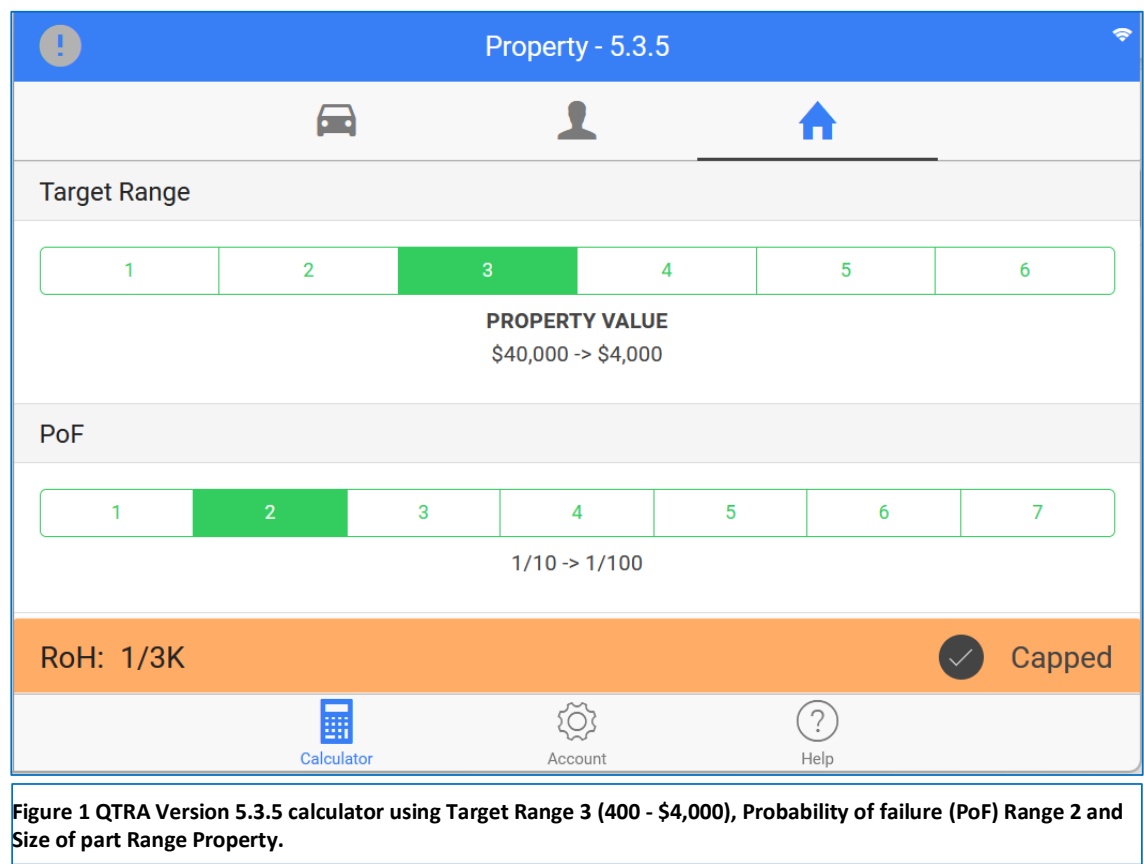
This report lists the QTRA Inputs as:

Target Range = Range 3 (\$4,000 - \$40,000).

Probability of Failure Range = Range 2 (1 – 10 / -> 1/100)

Size of part Range = Property.

This gives an annualised risk of harm as 1/3,000 (Figure 1).



However, given the annualised cost of damage and maintenance listed above of \$2,200, the more appropriate Target Range value should be Target Range 4 (\$400 - \$4,000) and this gives a QTRA risk of harm value of 1/30,000 (Figure 2).

Within the QTRA methodology, this risk of harm is regarded as Tolerable.

Figure 2 QTRA Version 5.3.5 calculator using Target Range 4 (400 - \$4,000), Probability of failure (PoF) Range 2 and Size of part Range Property.

R. Greenwood Consulting P/L

The R. Greenwood Consulting report (November 2024) was undertaken in response to a Tree Removal Permit Application and notes that the QTRA risk of harm for this tree is Tolerable.

While the full QTRA method is not explicated within this report, this assessment is consistent with the each of the assessments above with the exception of the TMC Reports report.

Discussion & conclusion

All four reports regard this tree is being of good health and structure and with a moderate to long Useful Life Expectancy.

Three of the four reports regard the risk of harm as being tolerable or low and the fourth report from TMC Reports appears to misapply the QTRA method with regard to the Target Range Value.

If this error is corrected, then the four reports are in agreement that the risk of harm associate with this tree is low or tolerable.

While it is always the case that large trees can fail unexpectedly or in very high winds and that significant harm may occur, it is the consensus of the three of the four reports that this risk of harm is tolerable.

And it is my opinion that the risk of harm quoted in the TMC Reports report is in error and should be corrected to a Risk of Harm of 1/30,000.

This tree does not present an unacceptable risk of harm.

Site image



Figure 3 Site image showing approximate tree location

Reference

Ellison, M. J., 2025, *Quantified Tree Risk Assessment, User Manual, (Version: 5.3.9_2025_01)*, Quantified Tree Risk Assessment P/L, 9 Lowe Street, Macclesfield, Cheshire, SK11 7NJ, United Kingdom.

Ellison, M. J., 2025, *Quantified Tree Risk Assessment, Calculator, (Version: 5.3.5, App version 2.1.0)*, Quantified Tree Risk Assessment P/L, 9 Lowe Street, Macclesfield, Cheshire, SK11 7NJ, United Kingdom.

Yours sincerely,

Roger Greenwood.

Grad. Cert. Arb.
B. App. Sci. (Hort)
Dip. App. Sci. (Hort)
Adv. Cert. Arb.

8105 GE Canopy Tree Inspections

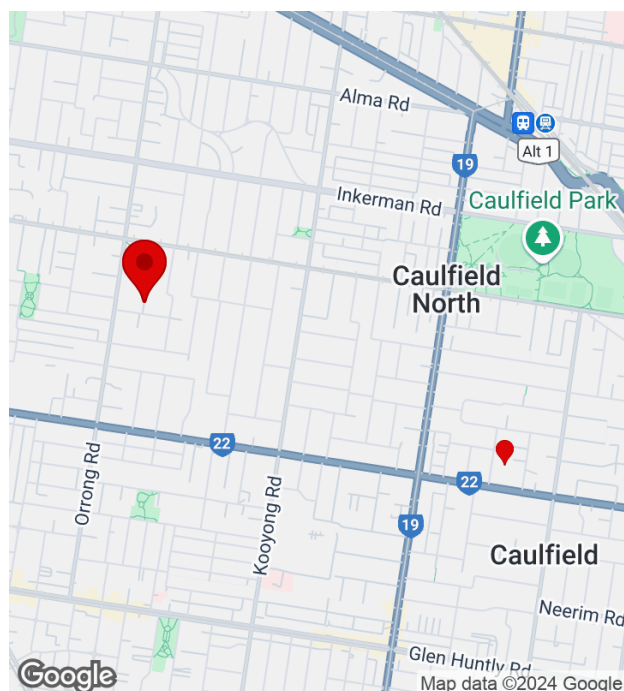
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8105 GE Canopy Tree Inspections

Canopy tree works permit application assessments.

10:00, November 29, 2024

12/1/2024, 11:02:01 PM UTC



CREATED

🕒 11/21/2024, 3:06:31 AM UTC

👤 by Shannan Rodwell

UPDATED

🕒 12/1/2024, 11:02:01 PM UTC

👤 by Shane Simons

LOCATION

📍 -37.873192, 145.009560

8105 GE Canopy Tree Inspections

8581b1d3-16fc-4835-b677-5d27ee8bdf25

Inspection ID	27
Application Date	November 13, 2024
Applicant Name	Amy Ferglin
Site Address	6-8 Tennyson Avenue Caulfield North
Applicant Address	
Phone 1	0435-753-553
Phone 2	
Email	asferglin@yahoo.com
Works Company	Not noted
No Trees	1
Type Works	Tree removal.
Works Notes	See Arb Report
Appointment Date	November 29, 2024
Appointment Time	10:00
Site Plan	2 Attachments
Inspection Comp	Yes
Contract Value	

Tree data (1 Item)

Tree data - 1. 1

Tree ID	1
GS	Ebotryoides, Eucalyptus botryoides, Southern Mahogany
Genus Species	Eucalyptus botryoides
Canopy Tree?	Yes
Height	33
Trunk Circumference	507
Health	Good
Structure	Good
ULE	30 - 60
Type Works 1	
Works Notes 1	
QTRA RoH	Tolerable.
Issues	Risk., Infrastructure.
Issues severity	Previous failures and property damage from small branch failures (live and dead wood) refer to report
Grant Permit	

8105 GE Canopy Tree Inspections

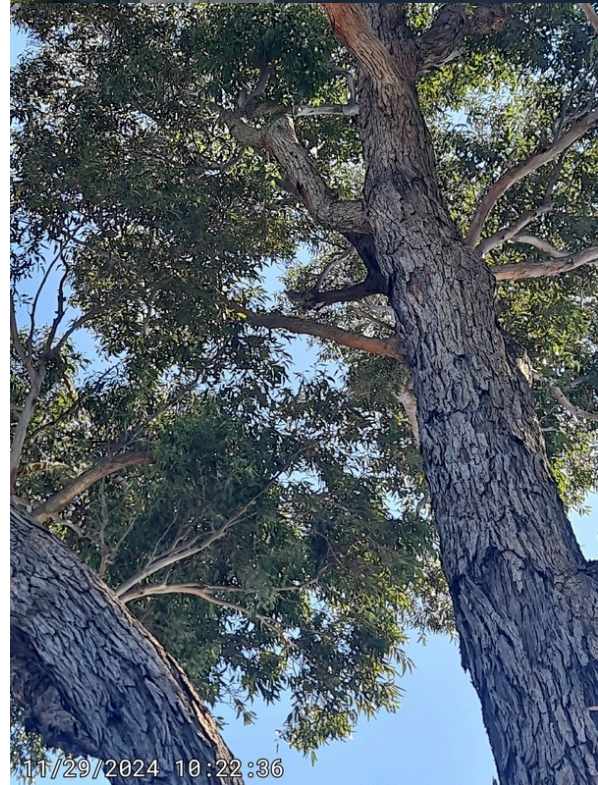
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Permit notes |

Photos

8105 GE Canopy Tree Inspections

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R. Greenwood Consulting P/L

Page 4 of 4
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10.7 ADOPTION OF INTERNAL RESOLUTION PROCEDURE - MODEL COUNCILLOR CODE OF CONDUCT

Author: Joanne McKay, Coordinator Legal and Governance

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/176446

Attachments: 1. Draft Internal Resolution Procedure [↓](#)

EXECUTIVE SUMMARY

Changes were introduced to the Local Government Act 2020 (the Act) in October 2024, which require all Councillors to observe a Model Councillor Code of Conduct as prescribed in the Local Government (Governance and Integrity) Amendment Regulations 2020 (**Regulations**). To comply with requirements of the Act and the Regulations, Council must also adopt an Internal Resolution Procedure (Procedure) by 1 July 2025 which provides for dealing with alleged breaches of the Model Councillor Code of Conduct.

The draft Procedure provides Councillors who are a party to a dispute with support and encouragement to resolve the dispute in an effective manner. It also aims to ensure Councillors can work through disputes while maintaining effective working relationships.

It is proposed that Council adopt the draft Internal Resolution Procedure attached to this report to comply with its obligations under the Act and Regulations.

RECOMMENDATION

That Council adopt the Internal Resolution Procedure at Attachment 1 of this report.

BACKGROUND

Since 26 October 2024 Councillors have been required to comply with the Model Councillor Code of Conduct prescribed in Schedule 1 of the Regulations. The Model Code of Conduct sets out clear standards for the behaviour and responsibilities of Councillors in order to assist Councillors to effectively perform their role. All Councillors committed to complying with the Model Code of Conduct upon taking the Oath/Affirmation of Office.

The Act and Regulations require that Councils also adopt an Internal Resolution Procedure by 1 July 2025 to deal with alleged breaches of the Model Councillor Code of Conduct.

ISSUES AND DISCUSSION

Disputes between Councillors may arise in a variety of circumstances. The draft Procedure applies to circumstances where a Councillor raises a dispute against another Councillor in relation to their obligations under the Model Councillor Code of Conduct. It sets out the roles and responsibilities of the parties involved and steps through the various aspects of the process.

The Procedure has been drafted with the assistance of external legal expertise to ensure it addresses all the matters required by the Act and Regulations and in particular that it contains the information prescribed in Schedule 1A of the Regulations.

The draft Procedure provides parties that are subject to a dispute with support and encouragement to resolve the dispute in a manner that enables the Councillors to move forward and maintain effective working relationships. It contains a two-stage approach to dealing with a dispute. The first stage being a discussion between the parties in an attempt to resolve the dispute. Where the dispute cannot be resolved, or a Councillor does not feel comfortable communicating directly with another Councillor, the second stage is conciliation.

It is acknowledged that the proposed Procedure will not be suitable for resolution of all disputes between Councillors, but it is designed to minimise the cost and disruption disputes can cause to Council and individual Councillors and, where possible, avoid disputes escalating and becoming the subject of an internal arbitration.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

There are no climate emergency response strategy implications in Council adopting the proposed Internal Resolution Procedure.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The adoption of the proposed Internal Resolution Procedure will be resourced within Council's current budget.

POLICY AND LEGISLATIVE IMPLICATIONS

By adopting the proposed Internal Resolution Procedure, Council will be compliant with its legislative requirements at section 140 of the *Local Government Act 2020* and regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*.

COMMUNICATION AND ENGAGEMENT

The proposed Procedure has been reviewed by Council officers to ensure it can be implemented effectively and meets compliance obligations under the Act and Regulations. If adopted it will be published on Council's website and included in Council's Good Governance Framework.

LINK TO COUNCIL PLAN

Strategic Direction 1: Well informed, transparent decisions and highly valued services
We build trust through engaging with our community, delivering quality services and making evidence-based decisions

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

The proposed Internal Resolution Procedure will ensure Council has clear procedures in place for managing disputes between Councillors and is compliant with its obligations under the *Local Government Act 2020* and the *Local Government (Governance and Integrity) Regulations 2020*.



GLEN EIRA
CITY COUNCIL

BENTLEIGH
BENTLEIGH EAST
BRIGHTON EAST
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CAULFIELD
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GLEN HUNTLY
MCKINNON
MURRUMBEENA
ORMOND

ST KILDA EAST

GLEN EIRA CITY COUNCIL

INTERNAL RESOLUTION PROCEDURE – MODEL COUNCILLOR CODE OF CONDUCT

Date first adopted: 8 April 2025

Next review date: April 2029

Responsible Officer: Manager Legal, Risk and Governance

Approved by: Council

INTERNAL RESOLUTION PROCEDURE – MODEL COUNCILLOR CODE OF CONDUCT

1. Purpose

This Internal Resolution Procedure (**Procedure**) is adopted under and in accordance with section 140 of the *Local Government Act 2020 (Act)* and regulation 12A of the *Local Government (Governance and Integrity) Regulations 2020*.

This Procedure will be observed when dealing with alleged breaches of the Model Councillor Code of Conduct.

2. Councillors' Commitment

In taking the oath of office, Councillors committed to upholding the standards of Councillor behaviour, promoting cooperation, integrity and respectful relationships to ensure that they can perform their role effectively and in accordance with good governance principles, the Act and Model Councillor Code of Conduct.

Councillors understand that building respectful relationships, cooperation and trust goes beyond adherence to legislative provisions. Strong working relationships enable diversity of thinking and differences in opinions while also recognising that agreement and consensus will not always be possible. Productive, respectful relationships rely on establishing shared underlying values and agreed behaviours, along with a commitment to taking proactive steps to ensure all parties can work together effectively.

3. Internal Resolution Procedure

Disputes between Councillors may arise in a variety of circumstances. This Procedure is to apply to those disputes in which one Councillor (**the Complainant**) alleges that another Councillor (**the Respondent**) has breached the Model Councillor Code of Conduct.

This Procedure provides both parties to a dispute with support and encouragement to resolve the dispute in a manner that enables the Councillors to move forward and maintain effective working relationships.

This Procedure is designed to minimise cost and disruption of disputes to Council and individual Councillors and, where possible, avoid disputes escalating and becoming the subject of an internal arbitration.

It is acknowledged that this Procedure will not be suitable for resolution of all disputes between Councillors.

An overview of the Procedure is annexed, in the form of a flowchart.

4. First Stage of Internal Resolution Procedure – Discussion

A Complainant is encouraged to raise their issue directly with the Respondent in a respectful and courteous manner, either in person or in writing, where they feel comfortable to do so.

Councillors are encouraged to recognise that:

- (a) certain behaviours and communications may be perceived by others to be causing issues or offence that may not have been intended;
- (b) it can provide useful insight to reflect on their own behaviour or motivation and possible contribution to the dispute, whether intended or not; and
- (c) dealing with the dispute early is more likely to avoid the issue escalating and resolve it before it threatens the effective operation of Council.

It is useful to frame any issue from the Councillor's perspective (eg "I felt disrespected when you said / did ..."), rather than accusing another person of holding a particular position or taking a negative action deliberately. A Councillor should let the other Councillor know how they feel and ask for an explanation, rather than making accusations or assumptions.

5. Second Stage of Internal Resolution Procedure – Conciliation

Where a direct conversation between Councillors has not been successful in resolving the dispute, or a Councillor does not feel comfortable communicating directly with another Councillor, the second stage of this Procedure is conciliation.

5.1 Initiating conciliation

A Complainant initiating conciliation must notify the Mayor and the Respondent of the dispute by completing a **Conciliation Application Form**. That form (see Attachment 1 to this Procedure) must:

- (a) specify the names of the Complainant and Respondent;
- (b) specify the provision (or provisions) of the Model Councillor Code of Conduct alleged to have been breached;
- (c) detail what was said or done by the Respondent to constitute a breach of the Model Councillor Code of Conduct;
- (d) attach any supporting information to provide examples of the behaviour complained of (eg screenshots or emails);
- (e) detail the type of resolution that the Complaint is seeking; and
- (f) be dated and signed by the Complainant.

5.2 Participating in conciliation

Councillors are not obliged to engage in conciliation but should only decline to participate if they honestly and reasonably believe that their participation would adversely affect their health or wellbeing or would otherwise be unsafe.

A Respondent declining to participate in the conciliation must advise the Complainant and the Mayor of their unwillingness to participate, and the reasons for it. That advice must be provided no more than one week after receiving the Conciliation Application Form.

5.3 Conduct of conciliation

Conciliation is to be conducted by the Mayor except when the Mayor is a party to the dispute or otherwise unable to conduct conciliation. In that case the Deputy Mayor will assume the role of the Mayor in the conciliation process. If both the Mayor and the Deputy Mayor are parties to the dispute or otherwise unable to conduct the conciliation, the role of the Mayor must be performed by a Councillor jointly chosen for the purpose by the parties. Where no Councillors (including the Mayor and Deputy Mayor) are able to perform the role of conciliator, the Councillor Conduct Officer may appoint another person (with specialist knowledge of conciliation processes) to conduct the conciliation.

When, in this Procedure, reference is made to the Mayor it includes:

- (a) the Deputy Mayor; and
- (b) a Councillor jointly chosen for the purpose by the parties,

when the Mayor and/or the Deputy Mayor are parties to the dispute or otherwise unable to conduct a conciliation.

5.4 Roles and responsibilities

The role of the Mayor is to provide guidance to the parties to the dispute about the Standards of Conduct in the Model Councillor Code of Conduct, and actively explore whether the dispute can be resolved by agreement between them.

The role of the Complainant and Respondent is to explain their respective positions and, in a show of goodwill, actively explore the possibility of resolving the dispute by agreement.

All Councillors are responsible for conducting themselves in a courteous and respectful manner at all times during the conciliation.

The role of the Councillor Conduct Officer is to provide the Mayor with the administrative support necessary to arrange and conduct the conciliation.

5.5 Support from Council

Council, through the Councillor Conduct Officer, will provide administrative assistance to the Mayor when arranging a time and place for conciliation, including any technical assistance that may be required. The Councillor Conduct Officer may arrange for a person with specialist knowledge of conciliation processes to be present to assist the Mayor through the process of conducting the conciliation. Council will make a venue available to the Councillors within Council's offices that is private and suited to the conciliation process.

Where the Mayor is unable to perform the role, functions and duties of the conciliator for any reason, an external conciliator may be appointed to conduct the conciliation through the Councillor Conduct Officer. Any externally appointed conciliator must follow this procedure when conducting the conciliation.

Council will not provide any substantive guidance or advice about the subject matter of the dispute, or pay the costs of legal advice or representation for any Councillor in connection with this Procedure. Parties to a dispute may seek their own legal or other advice at their own cost, if they choose to do so.

5.6 End or termination of conciliation

Conciliation will end or be terminated if any of the following occurs:

- (a) the parties cannot jointly choose a Councillor to conduct the conciliation within one week of being asked to do so;
- (b) the Respondent notifies the Mayor that they do not wish to participate in conciliation, and the reasons for it, within one week of receiving the Conciliation Application Form;
- (c) the Respondent does not respond to the Conciliation Application Form at all within two weeks of receiving it;
- (d) conciliation has not occurred within four weeks of the Complainant submitting the Conciliation Application Form;
- (e) conciliation has occurred and the parties have been unable to resolve the dispute; or
- (f) the dispute has been resolved.

The time for conciliation may be extended by agreement between the parties to the dispute, whether or not the matter has been escalated to one of the formal dispute resolution procedures outlined in the Act.

5.7 Confidentiality

Parties and other participants are expected to maintain confidentiality concerning the dispute and the operation of this Procedure.

5.8 Record of outcome

The Mayor must document any agreement that is reached between the Complainant and Respondent. The agreement must be signed by the Complainant, Respondent and Mayor. Copies must be provided to the Complainant and Respondent, and the original must be retained by the Mayor. Again, parties and the Mayor are expected to maintain the confidentiality of the agreement reached.

6. Internal Resolution Procedure does not Apply in these Circumstances

The following disputes are not covered by this Procedure:

- (a) differences between Councillors in relation to policy or decision making, which are appropriately resolved through discussion and voting in Council meetings;
- (b) complaints made against a Councillor or Councillors by a member or members of Council staff, or by any other external person;
- (c) allegations of sexual harassment;
- (d) disclosures made about a Councillor under the *Public Interest Disclosures Act 2012*, which can only be made to the Independent Broad-based Anti-corruption Commission; and
- (e) allegations of criminal misconduct, which should be immediately referred to Victoria Police or the relevant integrity authority.

7. Formal Dispute Resolution Procedure

This Procedure operates alongside, and does not replace, the formal dispute resolution procedures outlined in the Act.

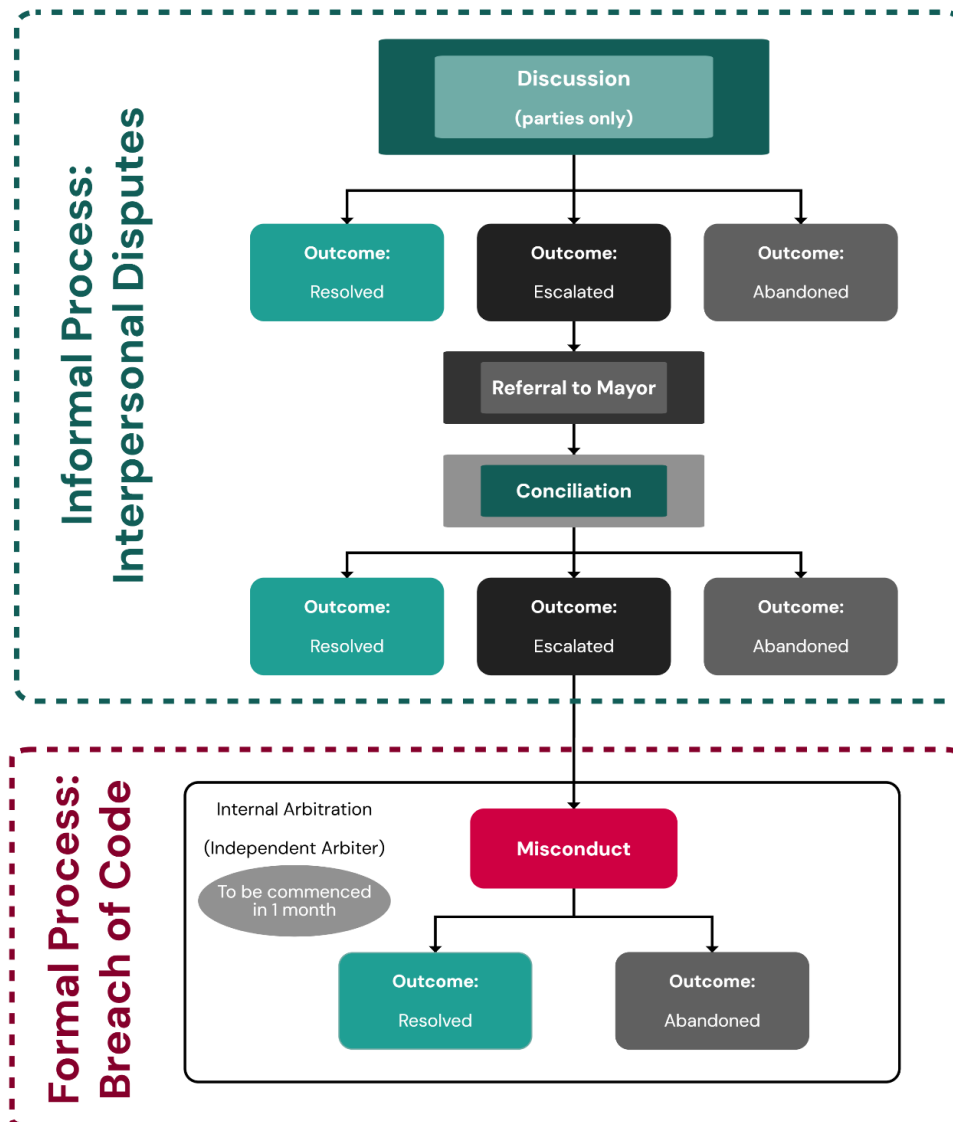
The formal dispute resolution procedure applies to misconduct, serious misconduct and gross misconduct.

Section 141 of the Act provides for an internal arbitration process concerning a breach of the Standards of Conduct set out in the Model Councillor Code of Conduct.

Conciliation Application Form

Complainant:	
Respondent:	
Provisions of Model Councillor Code of Conduct breached:	
Action constituting breach:	
(Include dates, times and detailed descriptions of the action complained of. Attach further documents as necessary.)	
Details of the resolution sought by the Applicant:	
(Examples of resolutions may include:	
<ul style="list-style-type: none"> • Issuing an apology • Agreement to improve conduct and/or to refrain from acting in a certain way) 	

Signed by)
)
 on)
)

Annexure**INTERNAL RESOLUTION PROCEDURE FLOWCHART**



GLEN EIRA
CITY COUNCIL

Glen Eira City Council

Corner Glen Eira and Hawthorn Roads, Caulfield

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Caulfield South, 3162

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mail@gleneira.vic.gov.au
www.gleneira.vic.gov.au

10.8 TOWN HALL FLAG POLICY

Author: Diana Vaynrib, Manager Risk and Governance

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/171549

Attachments: 1. Draft Updated Town Hall Flag Policy [↓](#)

EXECUTIVE SUMMARY

The Flag Policy (Policy) was adopted in 2020 and is due for review. The Policy outlines arrangements for the flying of the Australian Flag, the Australian Aboriginal Flag and the Torres Strait Islander Flag at the Glen Eira City Council Town Hall, in accordance with the Australian National Flag protocols issued by the Commonwealth Government.

Officers have reviewed the policy to ensure that it complies with the Australian National Flag protocols issued by the Commonwealth Government and have suggested minor amendments. The Policy format was also updated in line with Council's new policy template.

RECOMMENDATION

That Council adopts the updated Town Hall Flag Policy, as amended (**Attachment 1**).

BACKGROUND

The Policy was first adopted by Council in September 2020 as a discretionary Council policy and is due for cyclic review. The Policy outlines arrangements for the flying of the Australian Flag, the Australian Aboriginal Flag, the Torres Strait Islander Flag at the Glen Eira City Council Town Hall, in line with the Australian National Flag protocols issued by the Commonwealth Government.

The Australian Flags booklet (Protocol) issued by the Department of the Prime Minister and Cabinet, establishes the protocol which, while not binding, is routinely followed at the Australian, Victorian and local government level when flying flags.

According to the Protocol:

“The Australian Aboriginal Flag and the Torres Strait Islander Flag should be flown on additional flagpoles, where available, next to or near the Australian National Flag on Australian Government buildings and establishments. If there is only one flagpole available, the Australian Aboriginal Flag and the Torres Strait Islander Flag should not replace the Australian National Flag. If there are two flagpoles available, it is at the discretion of the authority concerned to determine which flag should be flown with the Australian National Flag.”

The Town Hall has two sets of three flagpoles at the Town Hall site, which display the Australian flag, the Australian Aboriginal Flag and the Torres Strait Islander Flag at each location.

ISSUES AND DISCUSSION

The Policy has been reviewed for accuracy and to ensure that it complies with the Australian National Flag protocols issued by the Commonwealth Government. Minor amendments have been suggested.

Summary of proposed changes to the Policy:

- update to the policy title to make it clear that it applies to the Glen Eira City Council Town Hall;
- strengthen provisions within the policy stating that it complies with the Australian National Flag protocols issued by the Commonwealth Government;
- change the policy owner to reflect the updated organisational structure.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

There are no climate emergency response strategy implications from Council adopting the policy attached to this report.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The updated Policy would be implemented using existing resources.

POLICY AND LEGISLATIVE IMPLICATIONS

The Policy aligns with Council's commitment and strategic direction 5 to support our residents to be healthy, strong and resilient and embrace and celebrate our diverse community. The Policy also complies with the Australian National Flag protocols issued by the Commonwealth Government.

COMMUNICATION AND ENGAGEMENT

The updated Policy will be available on Council's website.

LINK TO COUNCIL PLAN

Strategic Direction 5: A healthy, inclusive and resilient community

We support our residents to be healthy, strong and resilient and will embrace and celebrate our diverse community.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

The amended Policy outlines the arrangements for the flying of the Australian Flag, the Australian Aboriginal Flag, the Torres Strait Islander Flag and other flags at the Glen Eira City Council Town Hall, in line with the Australian National Flag protocols issued by the Commonwealth Government and streamlined provisions for the approval of flying other flags.



GLEN EIRA
CITY COUNCIL

BENTLEIGH
BENTLEIGH
EAST
BRIGHTON
EAST
CARNEGIE
CAULFIELD
ELSTERNWICK
GARDENVALE
GLEN HUNTLY
MCKINNON
MURRUMBEEN
A ORMOND

ST KILDA EAST

GLEN EIRA CITY COUNCIL

Town Hall Flag Policy

Date first adopted: 8 September 2020

Date last amended: [8 April 2025]

Next review date: [April 2029]

Policy owner: Director Customer and
Corporate Affairs

Approved by: Council

Policy category: Category 2 – Discretionary
Council Policy

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1. OBJECTIVES

- 1.1 To make clear arrangements for the permanent flying of the Australian Flag, the Aboriginal Flag, the Torres Strait Islander Flag at the Town Hall, in line with the Australian National Flag protocols issued by the Commonwealth Government.

2. SCOPE

- 2.1 This Policy applies to flags and flagpoles located at Glen Eira Town Hall.

3. POLICY

3.1 Flagpoles at Glen Eira Town Hall

- 3.1.1 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.
- 3.1.2 There are two (2) locations with flags on the grounds of the Glen Eira Town Hall with three (3) flagpoles in each of the two locations.
- 3.1.3 The Australian National Flag, the Australian Aboriginal Flag and the Torres Strait Islander Flag will be flown on the three (3) flagpoles referred to at 3.1.2 in accordance with the protocols issued by the Commonwealth Government.

3.2 Flags displayed in the Council Chamber

- 3.2.1 The Australian National Flag, the Australian Aboriginal Flag and the Torres Strait Islander Flag are to be displayed in the Council Chambers in accordance with the adopted Glen Eira Reconciliation Action Plan.

3.3 General

- 3.3.1 The Australian National Flag, the Australian Aboriginal Flag and the Torres Strait Islander Flag must be flown and displayed in accordance with all relevant protocols issued by the Commonwealth Government.
- 3.3.2 In the event of an inconsistency between this Policy and the Australian National Flag Protocols, the Australian National Flag Protocols will prevail.

4. LEGISLATIVE COMPLIANCE

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

- 4.2 In line with the *Gender Equality Act 2020* (Vic), a Gender Impact Assessment is not required for this policy.

5. ASSOCIATED COUNCIL DOCUMENTS

- Glen Eira Reconciliation Action Plan

6. EXTERNAL REFERENCES/RESOURCES

- Australian Flags booklet produced by the Commonwealth Government:
<https://www.pmc.gov.au/resources/australian-flags-booklet>
- Australian National Flag Protocols produced by the Commonwealth Government:
<https://www.pmc.gov.au/honours-and-symbols/australian-national-symbols/australian-national-flag/australian-national-flag-protocols>
- *Flags Act 1953 (Cth)*



GLEN EIRA
CITY COUNCIL

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11. URGENT BUSINESS

12. ORDINARY BUSINESS

12.1 Requests for reports from a member of Council staff

12.2 Right of reply

12.3 Notice of Motion / Notice of Rescission

12.4 Councillor questions

13. CONFIDENTIAL ITEMS

Nil

14. CLOSURE OF MEETING