



GLEN EIRA CITY COUNCIL

ORDINARY COUNCIL MEETING

THURSDAY 25 SEPTEMBER 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 Karlake
Councillor Sam Parasol
Councillor Luca Ragni
Councillor Kay Rimbardo
Councillor Kimberley Young
Councillor Li Zhang

Chief Executive Officer: Lucy Roffey

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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 Monday 29 September 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 2 September 2025 be confirmed.

7. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**7.1 PETITION: OPPOSE USER PAYS PARKING**

A petition containing 85 signatures was submitted to the Council Meeting.

The petition read as follows:

To her worship the Mayor and Councillors of the City of Glen Eira.

This petition draws to the attention of the Council – User Pays Parking.

We the undersigned residents request that Council: Oppose 'user pays parking' on Glen Huntly Rd, Elsternwick for on street and off-street parking.

RECOMMENDATION

That Council:

1. receives and notes the petition; and
2. Refers this petition to the relevant Council officers for investigation including a detailed response to the submitter.

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 RECORD OF ASSEMBLIES**

Author: *Karling Colomiere, Coordinator Councillor Business*

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

Trim No: *25/1339916*

Attachments: 1. *Record of Assembly - 19 August 2025* [↓](#)
2. *Record of Assembly - 26 August 2025* [↓](#)
3. *Record of Pre-Meeting - 2 September 2025* [↓](#)

RECOMMENDATION

That Council notes the Records of Assemblies for:

1. 19 August 2025 Assembly;
2. 26 August 2025 Assembly; and
3. 2 September 2025 Pre-meeting.

Record of Assembly
19 August 2025
Assembly commenced at 6.45pm

Councillors Present: Mayor Cr Simone Zmood Cr Arabella Daniel Cr Margaret Esakoff Cr Jane Karlake Cr Sam Parasol Cr Luca Ragni Cr Kay Rimbaldo Cr Kimberley Young Cr Li Zhang	Officers Present: Lucy Roffey (CEO) Niall McDonagh Jane Price Kellie Vise Rosa Zouzoulas John Vastianos Diana Vaynrib Karling Colomiere Kylie Webster Mary Lennon Brooke Ranken Karen Oh
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1. Acknowledgement
2. Apologies - Nil
3. Conflicts of Interest - Nil
4. Councillor Training – Year 1 Mandatory Professional Development
5. Community Consultation Results: Cat Curfew Options
6. Draft Domestic Animal Management Plan 2026-2029
 - Draft Council meeting report review - COMMUNITY CONSULTATION: DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN 2026-29
7. BREAK (10mins)
8. Draft 24/25 Financial Report Presentation
 - Draft Council meeting report review - ADOPTION OF 2024-25 FINANCIAL REPORT
9. **General Business:**
 - Chief Financial Officer – Rates Notices
 - Director Planning and Place – Pick my Park Discussion
 - Cr Rimbaldo – Meet Your Councillor Update
 - Cr Rimbaldo – Large Vehicle Parking Issue
 - Cr Ragni – Government Forum Discussion
 - Cr Ragni – Spa Closure at Carnegie Update
 - Cr Ragni – Senior Citizens Lunch
 - Cr Zhang – Our Plan Our Place Pop Up Event
 - Cr Karlake – e-Scooters Safety
 - Cr Karlake – Food Relief Services
 - Mayor, Cr Zmood – Local Government MAP Discussion
 - Mayor, Cr Zmood – Calendar Meeting Update
10. Draft OCM Agenda Review
11. Councillor/CEO Only Time (Cr Parasol)
 - Meeting Debrief

Assembly concluded at 10.35pm

Assembly of Councillors**26 August 2025****Meeting commenced at 6:59pm**

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: Lucy Roffey (CEO) Niall McDonagh Jane Price Kellie Vise Rosa Zouzoulas John Vastianos Diana Vaynrib Karling Colomiere Kylie Webster Geoff Hills Lana Cari Hayley Moraitis Rob Parker Kiran Nagra
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1. Acknowledgement
2. Apologies - Nil
3. Conflicts of Interest - Nil
4. Annual Community Grants Program 2025-2026
5. Update - Independent Living Services - Glen Eira and Bayside Collaboration
6. Customer Service Discussion
7. Pre-OCM check-in 2 September 2025
 - Item 8. Delegate Reports
 - Item 10.2. Community Consultation: Draft Domestic Animal Management Plan 26-29
 - Item 10.3. Prevention of Family Violence and Violence Against Women Policy
 - Item 10.6. Council Lease – Carnegie Toy Library Inc.
 - Audit and Risk Committee Minutes
8. General Business
 - Cr Ragni – road signage query
 - Chief Executive Officer – external meeting update
 - Cr Karslake – communications query
 - Cr Rimbaldo – community event query
 - Director Customer and Corporate Affairs – correspondence and security update
 - Cr Zmood – advocacy query
9. Councillor/CEO only time
 - Meeting debrief

Assembly concluded at 9.27pm

OCM Pre-Meeting
Tuesday 2 September 2025

Pre-meeting commenced at 6.48pm

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

1. Acknowledgement
 2. Apologies – Nil
 3. Disclosure of Conflicts of Interest – Nil
 4. Procedural Motions - Hybrid meeting
 5. Council Meeting Security Procedure
- 6.52pm Cr Eskakoff left the hybrid meeting*
6.53pm Cr Esakoff rejoined the hybrid meeting
6. Item 10.2 Community Consultation: Draft Domestic Animal Management Plan 2026-29
 7. General Business
 - Chief Executive Officer – external meetings update
 - Director, Sustainability, Assets and Leisure – landscaping update
- 6.59pm Cr Eskakoff left the hybrid meeting*
7.00pm Cr Esakoff rejoined the hybrid meeting

Pre-meeting concluded at 7.03pm

10. OFFICER REPORTS (AS LISTED)**10.1 ELSTERNWICK CLUB REDEVELOPMENT – DRAFT CONCEPT PLANS AND COMMUNITY ENGAGEMENT**

Author: Matt Barbetta, Coordinator Open Space Planning and Strategy

Director: Lauren Richardson, Acting Director Planning and Place

Trim No: 25/1281912

Attachments: 1. Draft Landscape Concept Package [📎](#)

EXECUTIVE SUMMARY

The purpose of this report is to present the draft concept plans for The Elsternwick Club site and seek Council's endorsement to commence the second phase of engagement.

The concept plans have been shaped by the initial community visioning phase, the Community Advisory Committee and through the landscape consultant procurement process. The concept envisages a site that is inclusive, flexible, and distinctive, celebrating its heritage, enhancing biodiversity, and creating a high-quality open space that will serve the community for generations.

Officers are now seeking Council's endorsement to commence the second phase of engagement from 26 September to 26 October 2025. This will see the draft concept presented through online tools, targeted workshops with schools, the Disability Reference Committee and Traders Association, and pop-up sessions at key local sites. Promotion will use Council's social media channels and broad advertising to reach a wide audience.

This engagement builds on previous community visioning, with future consultation planned for the building's use, naming, and other opportunities.

RECOMMENDATION

That Council resolves to undertake phase 2 community consultation seeking feedback on the draft landscape concept package from 26 September to 26 October 2025.

BACKGROUND

The Elsternwick Club site was acquired by Council in 2023 through an agreement with the Club for \$14.75M, with settlement scheduled for May 2027. The purchase, funded primarily through open space contributions, will deliver a new public open space in an identified gap area in the Glen Eira Open Space Strategy Refresh (2020).

In the interim, The Elsternwick Club will continue operations onsite while transitioning to merge with two neighbouring clubs. The Club no longer has gaming machines (or licences), and officers are providing support during this transition including exploring ways to recycle, resell or reuse equipment, non-essential fixtures and furniture.

A structural assessment was undertaken to better understand the building and its heritage. The assessment confirmed the heritage elements and contributory status of the building. This will provide a foundation for future work on its retention, redesign for future use and maintenance requirements.

The site, including the original Sandham Estate building is a contributory building, covered by Heritage Overlay 60 (HO60 – Stanmere/Elsternwick Club – Individually significant

heritage place), and the site's heritage character and size have provided scope for a high-quality landscape design response.

Cultural Heritage Management Plan advice has also been obtained, confirming that the project is exempt under current legislative requirements. Notwithstanding this exemption, officers are committed to working with Traditional Owners to embed Indigenous recognition throughout the project, including through design, naming and interpretive opportunities.

Previous Engagement

In February and March 2025, a 'community visioning' engagement program sought ideas and aspirations for the new open space. Feedback informed key priorities and guiding themes for the design. The visioning engagement summary was presented to Council at the Ordinary Council Meeting 29 April 2025.

A Community Advisory Committee (CAC) was formed to gather and interpret feedback, providing valuable local input and helping to refine the development of concept plans – the group has now met four times. This committee is chaired by the Mayor and includes Councillor and resident representatives.

Landscape Design EOI

Given the unique site and opportunity, officers undertook an open Expression of Interest process to attract leading landscape architecture practices. The opportunity generated strong industry interest, with submissions received from a diverse range of well-regarded local and national firms.

From this, a shortlisted panel was invited to present creative, site-specific concepts that balanced heritage protection, community aspirations, environmental sustainability and innovative design. This process led to the selection and subsequent engagement of Hassell Consultants who best captured the community's vision and the site's unique potential.

Project Scope

The project is focused on developing a concept for a high-quality, accessible public open space at the Elsternwick Club site. The work explores opportunities for environmental sustainability, the retention and adaptive reuse of heritage building elements and materials, and the creation of flexible spaces for community use. Cost estimates will also be prepared to support Council's advocacy efforts and guide future budget planning.

ISSUES AND DISCUSSION

Draft Landscape Design Package

The draft landscape concept package (Attachment 1) presents the proposed design for the site, drawing on the community visioning engagement, officer feedback and input from four Community Advisory Committee meetings. This package will be turned into easy-to-understand material to facilitate effective community engagement. It outlines the site context, design approach, and the way heritage, ecology and future community use have shaped the concepts.

"The Elsternwick Commons" concept envisions an accessible, green and flexible public space that celebrates and protects the site's 1888 heritage building while creating a park setting unlike any other in Glen Eira. It integrates several distinct garden areas including a flexible open lawn for gatherings and events, and a network of paths, with more intimate or separate spaces that are welcoming to people of all ages and abilities.

The package shows both the structural framework of the design, such as pedestrian movement, key spaces and layouts. It also presents the finer details including the materials palette, site character, materials reuse opportunities and play space concepts. The planting

palette is climate-resilient, biodiverse and seasonally engaging, with water-sensitive urban design supporting sustainability.

Overall, the package demonstrates how the site can evolve into a resilient, inclusive and distinctive community open space; that is adaptable over time, respectful of history, and uniquely positioned to foster community connection, activity and wellbeing. It is a culmination of community input and quality design work.

Design Considerations

- **Heritage Protection** – The heritage-listed building, constructed in 1888 as part of the Stanmere Park Estate, is a significant example of Boom period Italianate architecture (HO60 in the Glen Eira Planning Scheme). Non-heritage additions such as the bistro, kitchen, and gaming areas will be removed to restore the building's integrity.
- **Maximising Public Space** – The project aims to create a publicly accessible, inclusive space that fosters health, well-being, and social connection, informed by community engagement and future growth needs.
- **Environmental Sustainability** – The design will embed environmental sustainability principles, supporting biodiversity, climate adaptation, and resilient landscape design.
- **Future Building Use** - While the present focus is on the landscape, potential future uses for the building will be identified through the Strategic Property Plan and Community Infrastructure Plan (currently being developed), with community engagement around the future use of the building scheduled for 2026–2027. Potential uses will be integrated into the detailing of the park design to ensure appropriate access, servicing, and connections between the building and the park. The transformation of the site will therefore be staged with the park development being stage 1 of the proposal.
- **Naming Process** - A future naming process will be undertaken in line with the State Government's Naming Rules for Places in Victoria, including consultation with Traditional Owners, the Community Advisory Committee, and the broader community.

Significant community input will continue to inform the future use and development of the site.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

The draft concepts incorporate increased tree canopy, water-sensitive urban design features, and a diverse planting palette to support biodiversity and urban cooling. These align with Council's Climate Emergency Response Strategy and Urban Forest Strategy objectives.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Design and engagement activities are funded through the current capital works budget with a total allocation of \$125,000. Future delivery of the park will require additional capital investment, with costs to be confirmed following the finalisation of the concept plan. It is anticipated that the cost to redevelop the site, including the building could be up to \$15 million. Project delivery is currently unfunded in the long term capital works program. Future funding through advocacy including to State and Federal Government will be undertaken to assist to secure capital funds to deliver this project following endorsement of the design and use of the building.

POLICY AND LEGISLATIVE IMPLICATIONS

The project aligns with the Glen Eira Open Space Strategy Refresh (2020), Urban Forest Strategy, and relevant Council Plan objectives.

A future naming process will be undertaken in accordance with the Geographic Place Names Act 1998 (Vic) and the Naming Rules for places in Victoria.

Engagement is in line with our Community Engagement Policy, ensuring a transparent, inclusive process that provides meaningful opportunities for the community to contribute to decision-making.

COMMUNICATION AND ENGAGEMENT

In February 2025, Council endorsed a multi-year community engagement program to design and construct a unique open space on the site of the current Elsternwick Club. The first phase of this highly successful community engagement program was completed earlier this year with the community showing keen interest in the project. The public submissions informed the vision for the site which guided the concept design development. This next phase will involve sharing the concept designs with the community and seeking their feedback. We committed to multiple stages of engagement with the community to ensure they genuinely shape the design of the Elsternwick Club site.

Phase one: Community visioning and Community Advisory Committee

Phase one of the community engagement program focused on community visioning to inform the site's future use and design. This ran for a four-week period from 5 February to 5 March 2025.

We asked the community to share their vision for transforming the site and invited applications to join the project's Community Advisory Committee (CAC). The CAC then helped ensure the broad community's feedback was embedded in the concept designs as they were developed and helped to inform the design of the next phase of engagement.

Overall, **369** pieces of feedback were received — and 10 community members were appointed to the CAC. The phase one engagement results, and the recommendations made by the CAC over four meetings (held from May – August 2025) have helped to shape the draft concept plan in preparation for further broad community engagement in phase two.

Phase two: Concept plan design and development

Broad community engagement on the draft concept plan is proposed to be held over a four-week period from Friday 26 September to Sunday 26 October, at the 'Consult' level of the IAP2 Spectrum.

This engagement phase aims to gather the community's feedback to inform decision making on the draft design before the plans are then finalised. At the end of the engagement period, the CAC will provide recommendations to inform the final concept designs, utilising the community's feedback in their advice.

The concept plan engagement phase will be promoted through the Have Your Say page, using a range of online engagement tools that match the time commitment, interest, and interaction style of different community members. For example:

- *Quick poll*: A single-question 'sense check' to capture broad community sentiment with minimal effort required.
- *Social map*: Allows participants to pin comments directly onto the draft concept plans.
- *Online survey*: Provides opportunity for detailed feedback and open-ended responses. Hard copy surveys will also be available, as required or requested.

The opportunity for the community to get involved will also be promoted broadly through in-person pop-up engagements in Elsternwick — with targeted workshops and information sessions being held to reach key stakeholders and demographics cohorts.

Promotional content will be distributed through letterbox drops, posters, and postcards and across *Glen Eira News*, Council's digital channels and targeted promotion through stakeholder networks.

Following the end of the engagement period, an engagement summary report will be prepared, and the outcome of the broad community engagement will be presented to a future Council meeting. These engagement results will be used to inform any changes to the concept plan.

LINK TO COUNCIL PLAN

Strategic Direction 2: Well designed and maintained open spaces and places
Our public open spaces and places support a healthy and connected community and contribute to a more sustainable and vibrant city

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The Elsternwick Club project represents a rare and significant opportunity to transform a heritage-rich site into a high-quality public open space that reflects community aspirations, celebrates history, and enhances sustainability. The draft concept plans build on extensive visioning and advisory committee input, presenting a design that is inclusive, adaptable, and distinctive in character.

Endorsing the second phase of community engagement will allow Council to test and refine these ideas with the broader community, ensuring the final concept is responsive to community needs.



H

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Document Control			
Rev	Date	Approved By	Description
01	26.05.2025	Adam Gardner	Design Competition
02	23.07.2025	Adam Gardner	Concept Refinement
03	21.08.2025	Adam Gardner	For Community Consultation

THE BRIEF

A VISIONARY OPEN SPACE DESIGN CONCEPT.

Community Feedback

→ *71% Shaded areas with trees or structures, comfortable spaces providing cooling and shelter

→ *40% Flexible green spaces (lawns and open areas for gathering or small events)

→ *47% Social gathering areas (spaces with seating for informal socialising)



Sustainable

Showcase innovative and sustainable design principles that create an inclusive and engaging environment for all community members.



Flexible

Prioritise accessibility, heritage interpretation, environmental resilience, and the creation of a space that serves multiple functions and diverse needs.



Site Response

Integration of retained heritage building and of landscape with Sandham Street and Allison Road and sense of address.

*Data from Glen Eira City Council Community Engagement Survey

SITE CONTEXT

Over the next 10 years, Elsternwick's population is forecast to grow by 11%¹, resulting in an increase in high-density housing, limiting future residents' access to outdoor space and their own backyard.

With less than 3sqm of open space per person², Glen Eira already has limited open space diversity, stressing the importance of delivering public spaces that service the community, encourage public interaction and foster social cohesion for all.

We have completed an audit of the site's surrounding open space to identify gaps in amenity and reveal what the future of the Elsternwick Club could be...

1 - Elsternwick Structure Plan 2023, Glen Eira City Council, 2023

2 - Elsternwick South Master plan, Draft Place Analysis Report, Glen Eira City Council, 2019



Rippon Lea Estate



Yalukit William Reserve (Elsternwick Park)



Harleston Park



Elsternwick Plaza



How can we create a distinct identity for the Elsternwick Club, set apart from adjacent open space offerings?



THE COMMONS

Commons

noun

1. land or resources belonging to, or affecting the whole of a community.

The Commons is an open and inclusive place for everyone. Designed as an extension of the suburban backyard, The Commons is vibrant and familiar, where daily rituals and incidental encounters play out amongst family, friends and neighbours. Playful, warm and inviting, this space evolves throughout the day and across seasons in response to how people inhabit the space. The Commons will provide a social, environmental and culturally significant gathering space for the Elsternwick community that responds to the identified gap in community needs and surrounding public open space.



CONCEPT

An urban mosaic

Mosaics are an ancient art form, composed by assembling small, irregular pieces of materials, such as stone, glass and tile. Through this process, these once disconnected fragments take on a new identity, a sum greater than their individual parts.

We envision the Elsternwick Commons as a rich and diverse mosaic, crafted from a carefully curated palette inspired by people, places and their stories.

We begin, as always, with Country. We explore and celebrate First Nation's history and narratives and understanding the ecological systems and processes that have shaped land upon which we work. We embrace the site's heritage features as a grounded presence in the site, taking cues from its the materiality and character.

To organise these elements, we draw upon characteristics from familiar urban typologies; the plaza as a democratic heart, the local pocket park as an accelerator of social interaction, and the playground as the spark of whimsy and wonder that connects people of all ages to their inner child.

Through a cohesive design strategy, these individual elements are fused to create a new urban landscape; a civic stage for gathering and connection, one with a distinct identity and an unparalleled offering.

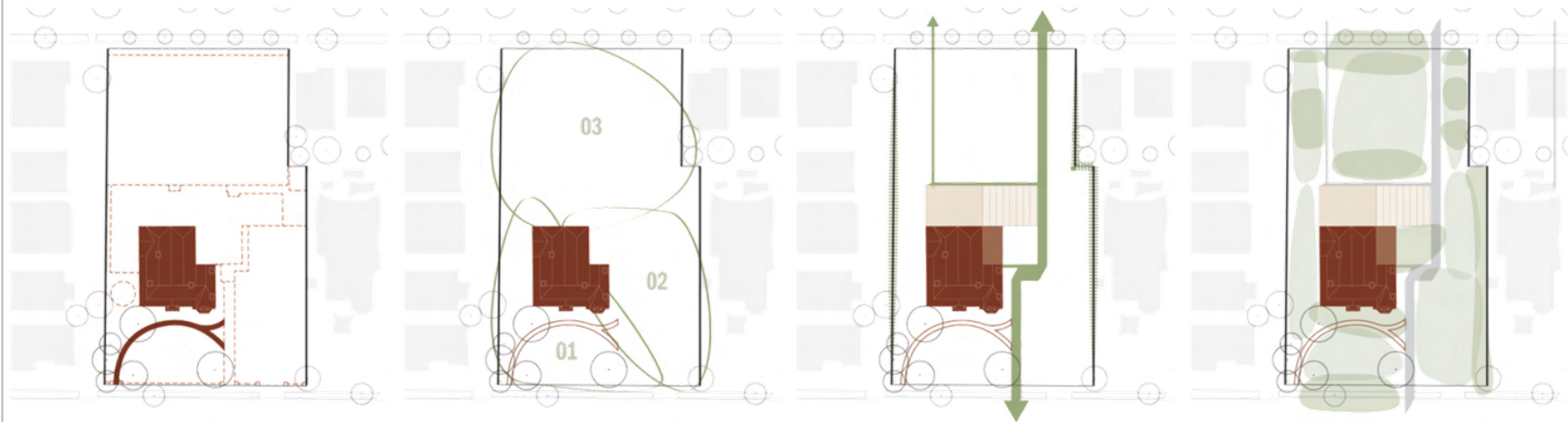


The Elsternwick Club | photos by Hassell



Park Güell, Barcelona | Gaudí

DESIGN APPROACH



1. REVEAL HERITAGE

→ Existing barriers and structures are removed to reveal and celebrate historic elements, anchoring the site and maximising open space.

2. THREE GARDENS

→ Three gardens are formed within the site, each with their own distinct character and offering.

3. ENHANCE PERMEABILITY

→ Street frontages are connected through key movement spines, guiding movement and providing an accessible and inviting entry.

4. DEFINE SPACES

→ Create a series of diverse spaces, able to host a wide range of activities.

CONCEPT PLAN

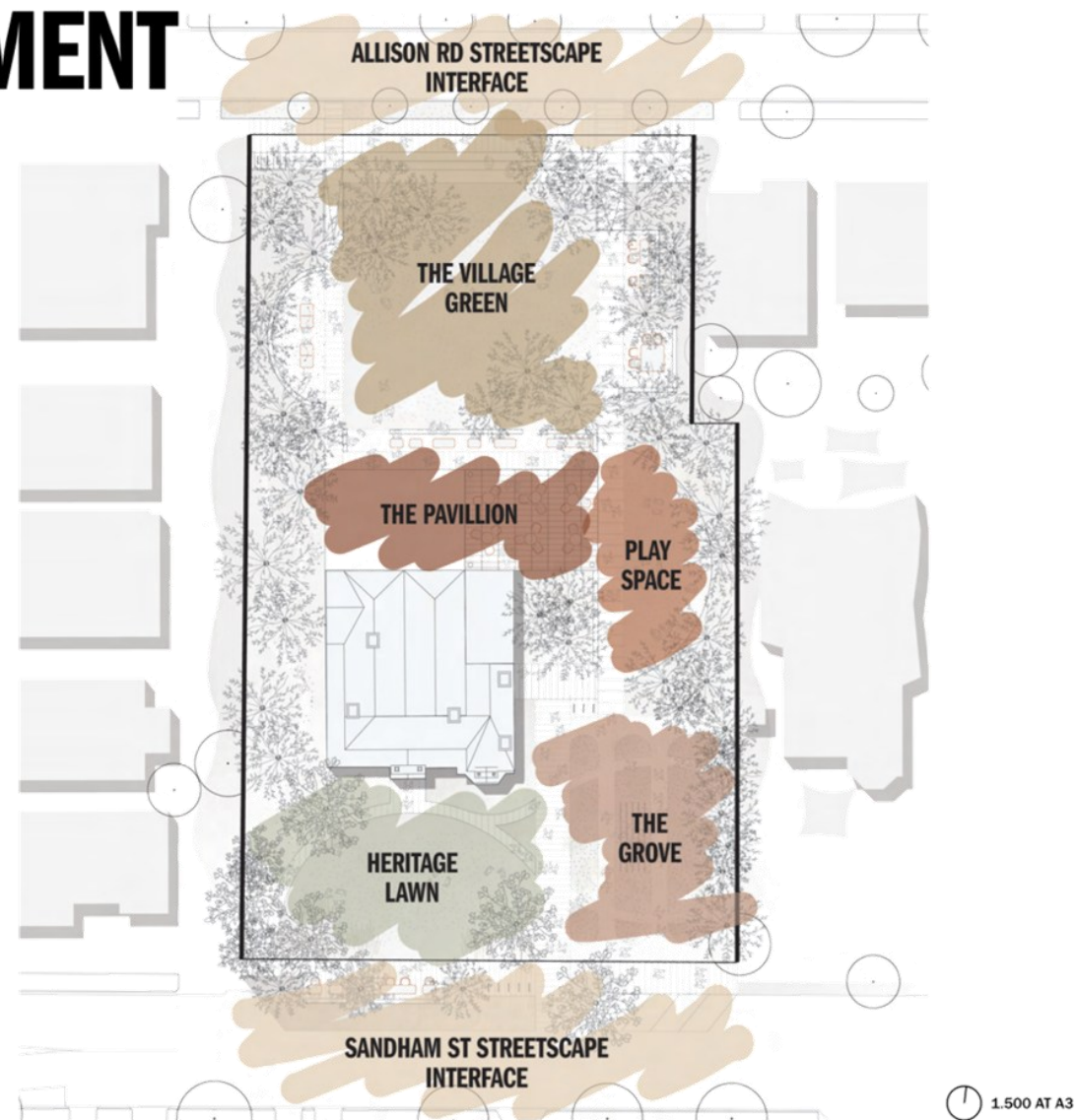


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Elsternwick Club Concept Design

Hassell ©

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ARRANGEMENT PLAN

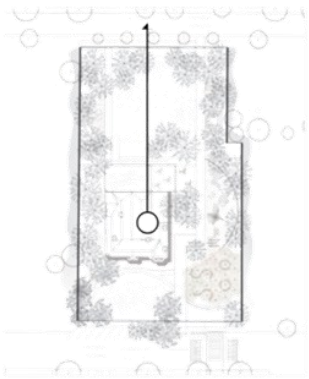


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Elsternwick Club Concept Design

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SITE SECTION



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Elsternwick Club Concept Design

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SITE CHARACTER



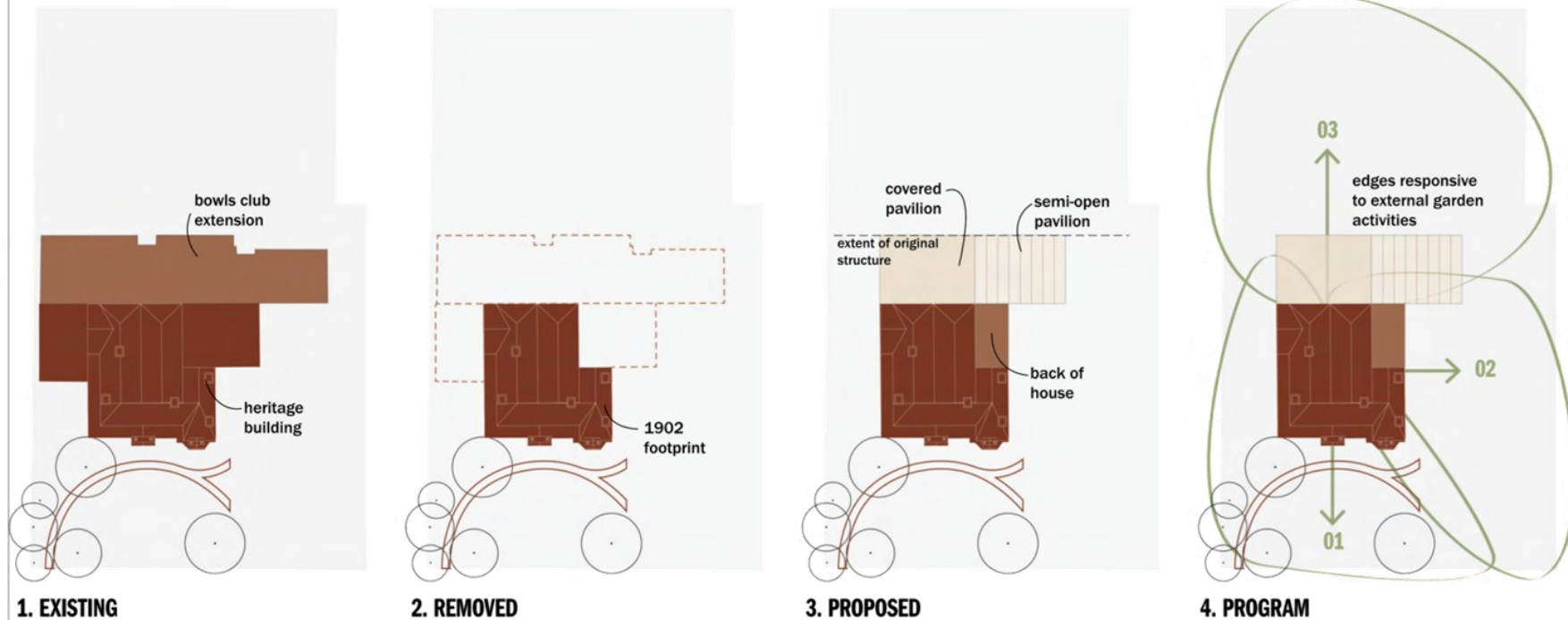
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Elsternwick Club Concept Design

Hassell ©

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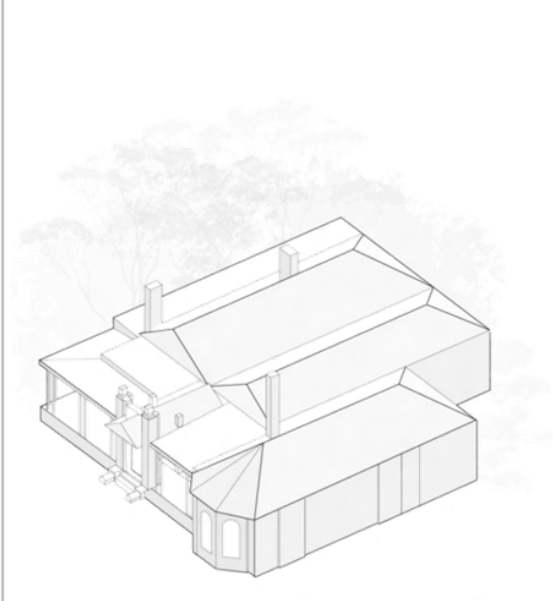
HERITAGE BUILDING

From an exclusive club to an inclusive and welcoming community centre



MATERIAL REUSE

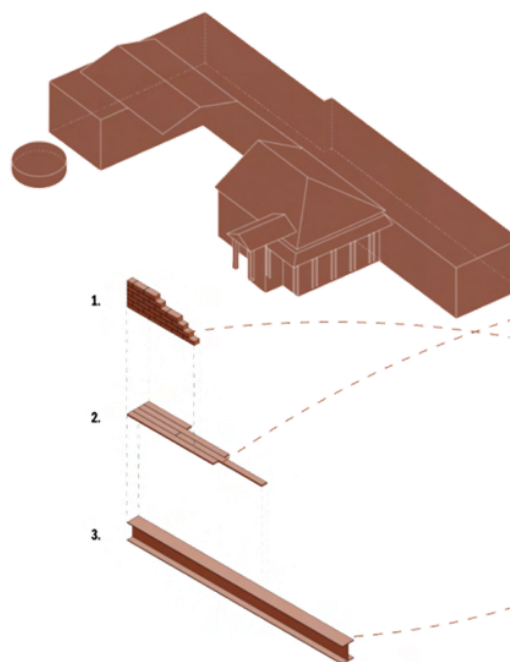
An sustainable design approach that re-uses site materials to reduce carbon footprint and celebrates it's heritage



PROTECT & PRESERVE

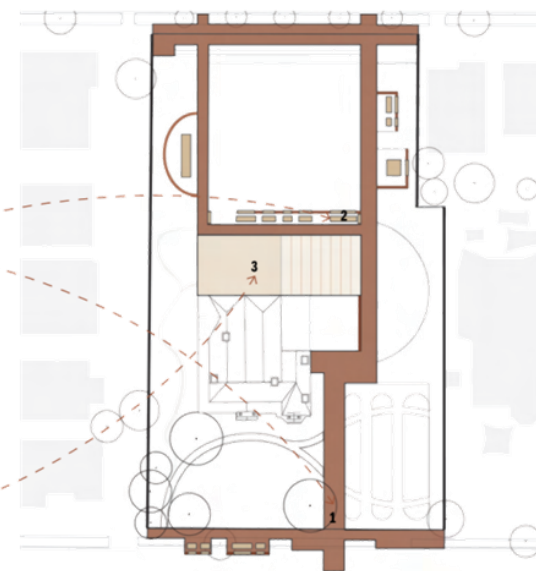
- Celebrate and enhance the presentation of the heritage building constructed in 1888 place by removing the later additions and allowing the building to sit as a central object within then park.
- Repurpose the building as a 'Community Hub', that facilitates community programs, events and classes.
- The community hub can be supported by a hospitality venue such as cafe or wine bar, providing both day time and evening activation opportunities.

017884
Elsternwick Club Concept Design



SALVAGE & RECLAIM

- Materials from the removed buildings and existing site have the opportunity to be salvaged and reclaimed for future use within the public realm.
- Bricks, timber decking, steel structures and other material can all be salvaged and repurposed to reduce the projects carbon footprint and minimize the need for new material resources.



REUSE & REIMAGINE

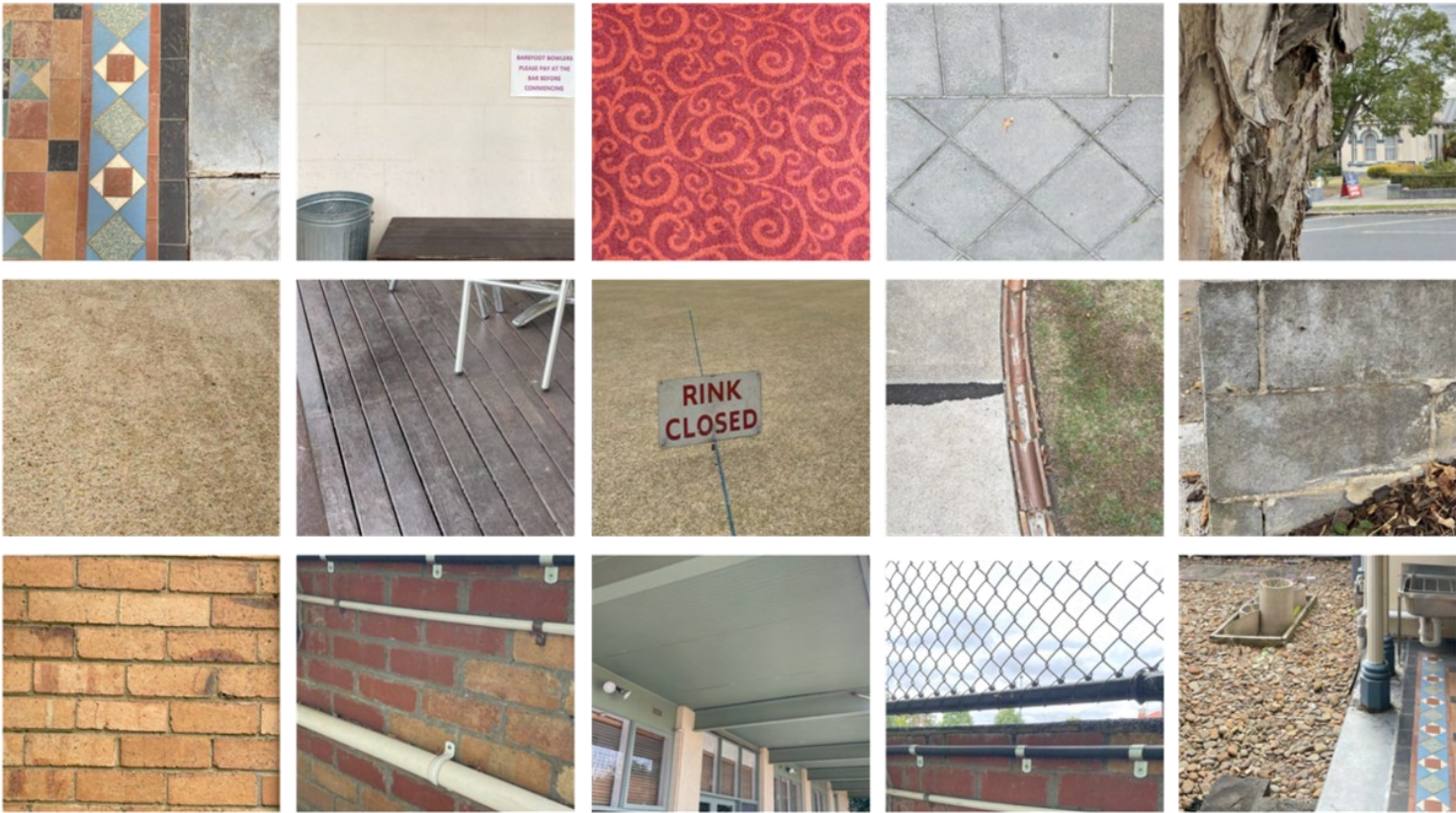
- Reused bricks provide and central boulevard and mosaiced ground plane that provides universal access into and throughout the precinct. Further re-use of the material also provide opportunity for terraces and retaining walls.
- Timber is proposed to be reused for fixed furniture elements and on-grade decking to define specific spaces like outdoor classrooms or yoga spaces.
- Steel I-beams can be repurposed as the framing and structural elements of the new pavilion structure, provided weather protection and shade.

Hassell ©

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MATERIAL PALETTE

Current fabric of Elsternwick club.
Retention of character wherever possible.

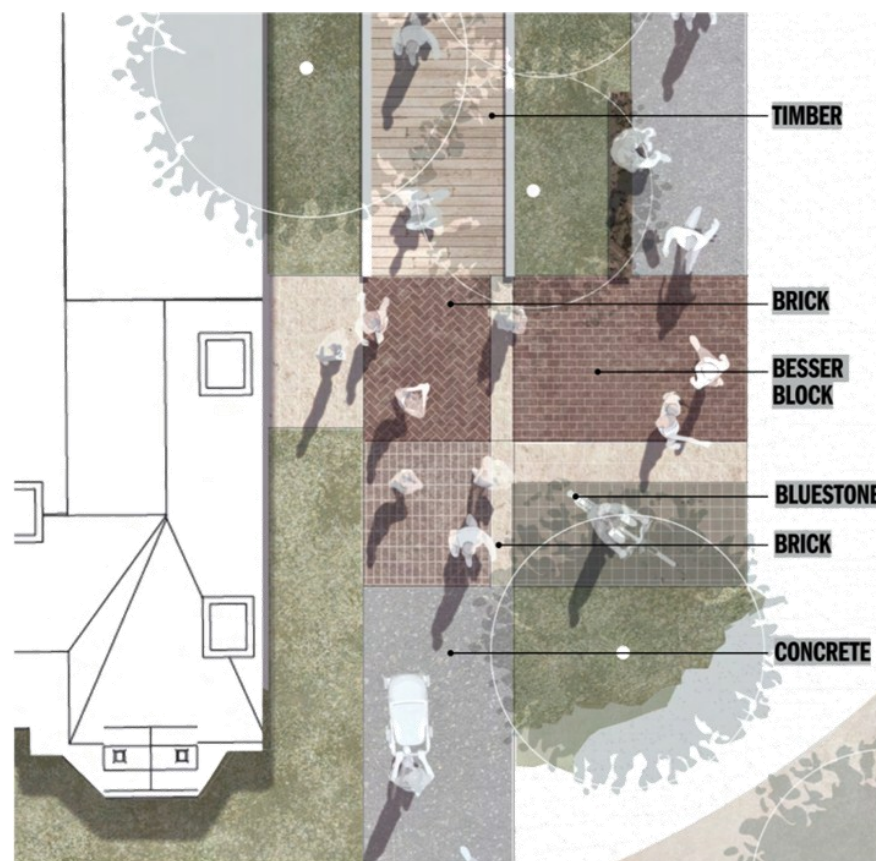
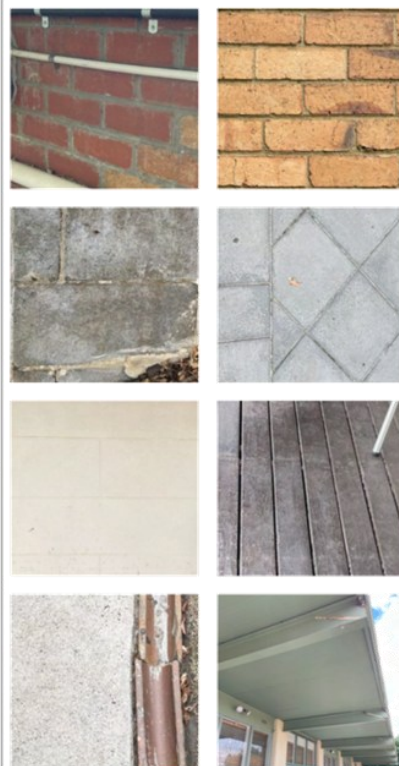


MATERIAL PALETTE

The design intent for the material palette of the Elsternwick Club New Open Space is to reclaim, reuse and re-purpose as much existing material on site as possible. This approach will retain and celebrate the sites heritage and character, whilst minimising it's carbon footprint through the procurement of new material.

The concept of an 'Urban Mosaic' allows materials to be interchangeable, depending on availability and quality. This framework also facilitates the use of additional material from surrounding construction sites, developments or Glen Eira depots as required to deliver the overall vision.

POSSIBLE CONFIGURATION OF REUSED MATERIALS:



PLAY SPACE

A flexible, imaginative and unique play space will accommodate and include equipment for various ages and abilities. Ensuring fun and dynamic play options to balance, climb, rock, slide, wing or spin.

Target groups include:



Areas for 0 - 3 year olds:

A focus on sensory experience, soft surfaces, low platforms and crawling spaces.



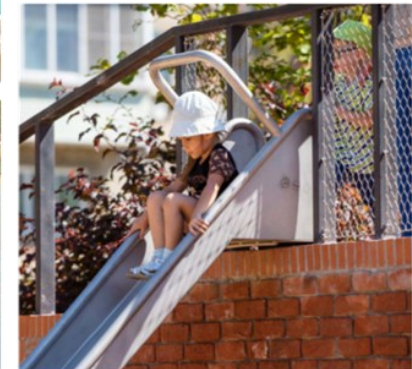
Areas for 3 - 6 year olds:

Small slides, imaginative play, climbing and balancing structures for social interaction.



Areas for 6 - 12 year olds:

Higher climbing opportunities, adventure elements. Places to gather and hangout exp



PLAY SPACE

Inspired by the club house, the play space pulls from the heritage Victorian-era geometries. Reinterpreting these to create create and engaging play opportunities. Architectural forms and ornamental motifs are abstracted into structures and play elements, By embedding these heritage references the design celebrates the sites history.



017884
Elsternwick Club Concept Design

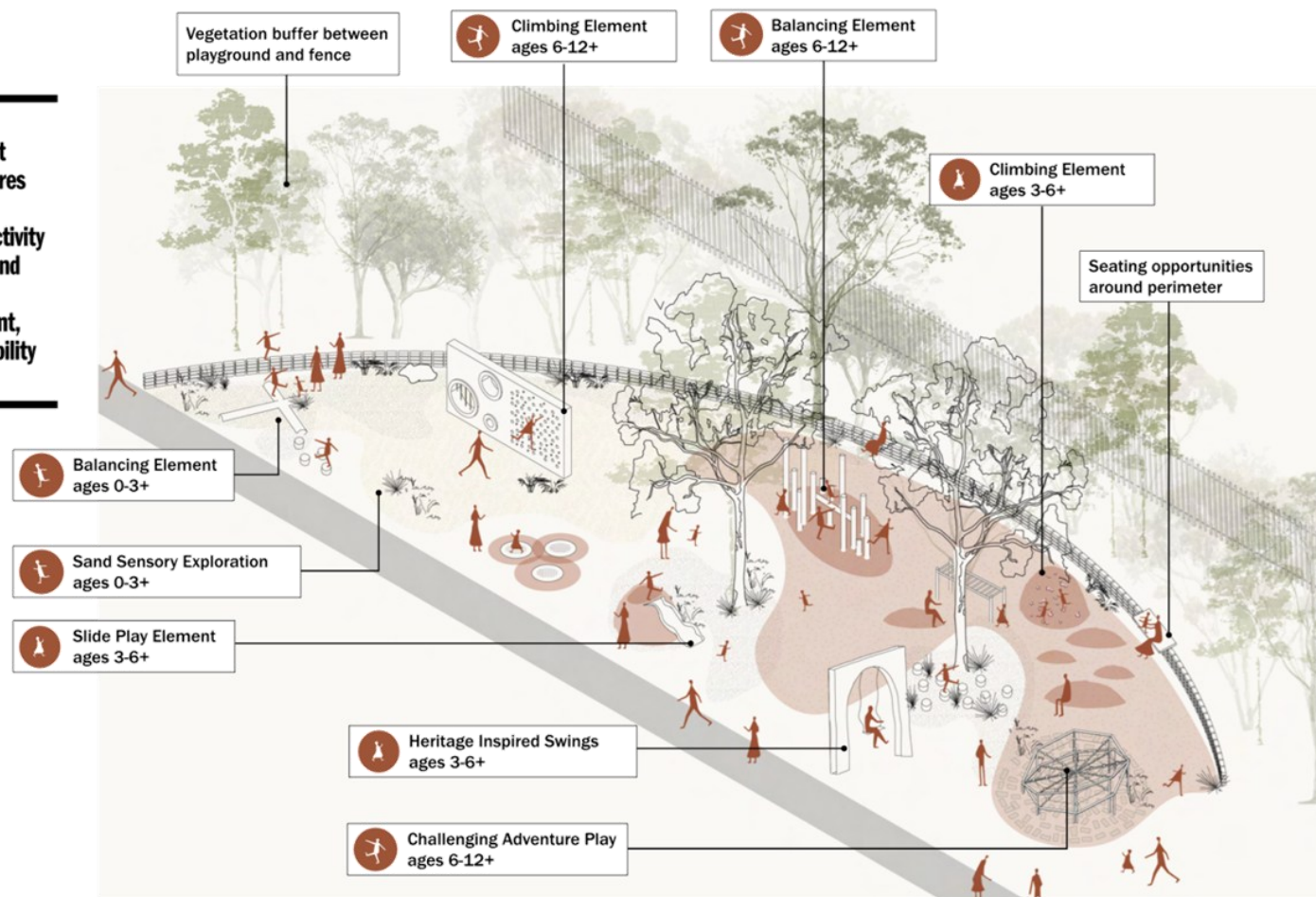


Hassell ©

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PLAY SPACE

The play space incorporates creative, site-responsive play opportunities that integrates landforms, custom structures and heritage inspired elements to encourage exploration, open-ended activity and a diversity of play opportunities and types. Natural materials and planting provide shade and sensory engagement, while ensuring durability and accessibility for all ages and abilities.



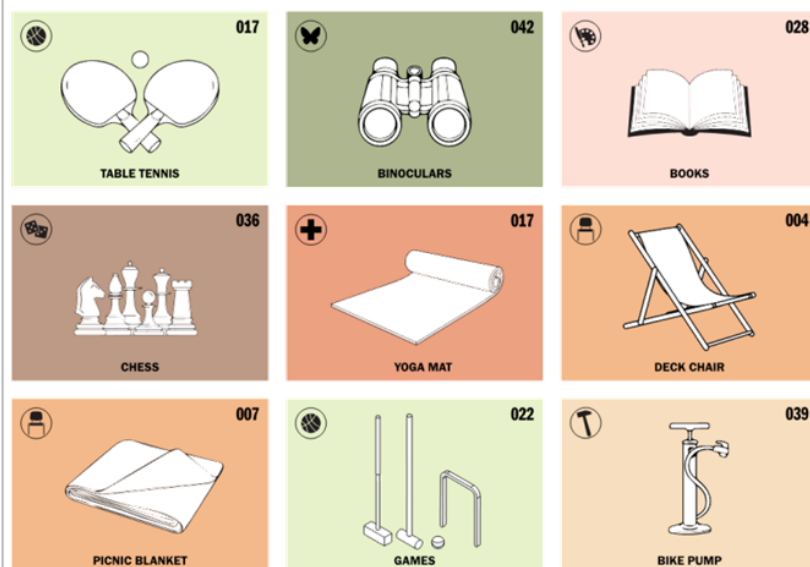
017884
Elsternwick Club Concept Design

Hassell ©

19

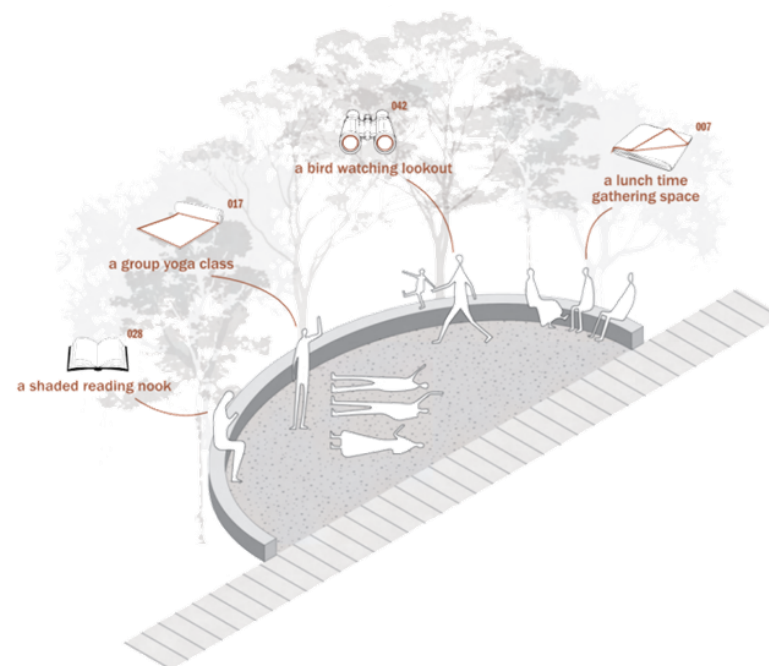
ACTIVITY TOOLKIT

A custom suite of flexible and interchangeable elements, unique to the Elsternwick Commons



TOOLKIT CATALOGUE

→ Drawing upon the 'library of things' concept implemented by many local councils, the Activity Toolkit is a custom designed catalogue of elements that can be borrowed from the community centre and used within the site.



FLEXIBLE SPACES, ENDLESS POTENTIAL

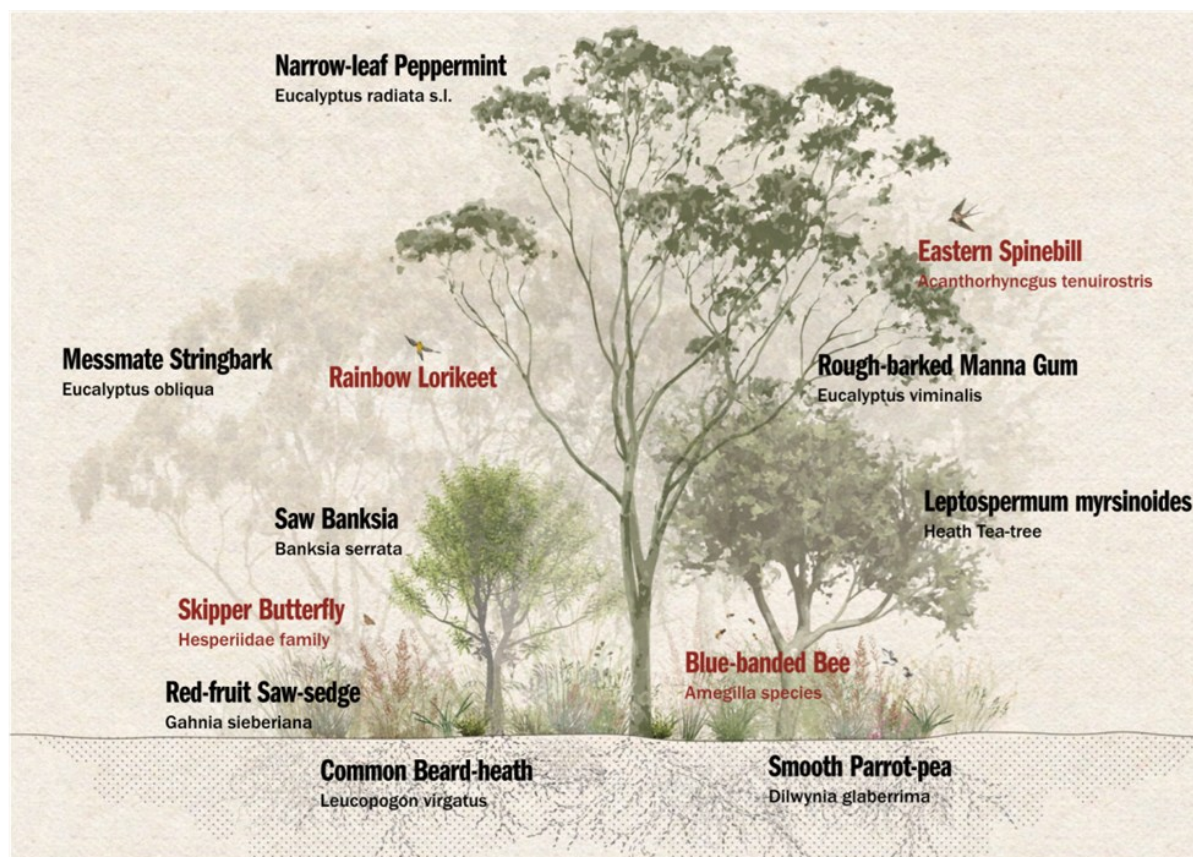
→ The site design creates a series of programmable spaces, which can be transformed through the use of various toolkit elements, allowing people to curate their own experience within the gardens.

→ These elements can be added to or interchanged depending on community feedback and other site events, allowing The Commons to remain flexible to the community's evolving needs.

PRE-1750 ECOLOGY

Heathy Woodland

The pre-clearing vegetation of the site is heathy woodland, characterised by a low eucalypt canopy and a diverse, dense heathy understorey of shrubs grasses and herbs. Reflecting this character in the planting design of the public space, there is an opportunity to provide habitat, food and shelter for a variety of small birds, insects and pollinators, including those listed in the City of Glen Eira 'Biodiversity Map', and allow the local community to learn and engage with these species.



PLANTING PALETTE

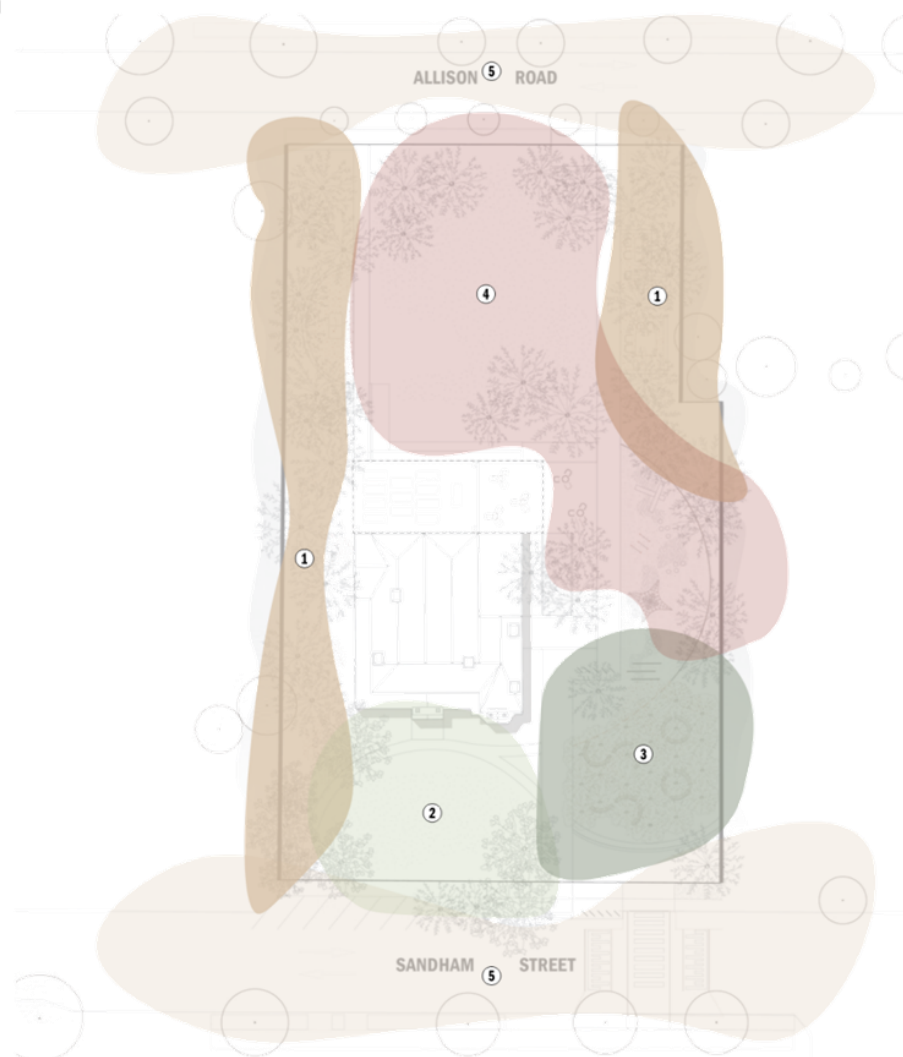
The planting design responds to Glen Eira's location within the Melbourne sandbelt, with species selected to suit the area's sandy, well-draining soils. This ensures long-term resilience and minimal maintenance. Designed to support biodiversity, the planting attracts birds, insects, lizards, and frogs by providing food, shelter, and habitat. Native and locally adapted species help strengthen ecological connections across the site.

Varied colours, textures, and seasonal interest make the planting visually engaging and encourage interaction, creating a vibrant and inviting space for people and wildlife alike.



SERIES OF ZONES

- 1. BOUNDARY
- 2. NATIVE HERITAGE GARDEN
- 3. URBAN FOREST/ATTACTOR
- 4. VIBRANT HEART
- 5. ROAD INTERFACE



PLANTING PALETTE

TREES



Eucalyptus mannifera



Corymbia citriodora



Acacia melanoxylon



Bursaria spinosa



Melaleuca ericifolia

SHRUBS



Banksia integrifolia



Correa alba



Acacia acinacea



Atriplex cinerea



Ozothamnus turbinatus



Leptospermum myrsinoides



Epacris impressa

GRASSES & HERBS



Chrysocephalum apiculatum



Themeda triandra



Microlena stipoides



Chorizema varium



Chrysocephalum semipapposum



Dichelachne crinita



Xanthorrhoea minor ssp. lutea

GROUND COVERS



Wahlenbergia stricta



Kennedia prostrata



Atriplex semi baccata



Brachyscome cardiocarpa



Dichondra argentea 'silver falls'



Grevillea Bronze Rambler

PLANTING PALETTE

SHRUBS



Grevillea rhyolitica



Leucophyta brownii



Bossiaea cinerea



Olearia ramulosa

GRASSES & HERBS



Austrostipa flavescens



Poa sieberiana



Craspedia variabilis



Imperata cylindrica



Xerochrysum palustre



Brunonia australis



Pimelea humilis



Ficinia nodosa



Vittardinia gracilis



Rytidosperma geniculatum



Arthropodium strictum



Linum marginale



Austrostipa stipoides

GROUND COVERS



Disphyma crassifolium



Viola hederacea



Calocephalus lacteus



Coronidium scorpioides

“What suburbia cries for are the means for people to gather easily, inexpensively, regularly, and pleasurably — a ‘place on the corner’.”

Ray Oldenburg















10.2 CANOPY TREE PROTECTION LOCAL LAW PERMIT DECISION REVIEW, 4 SEAVIEW AVENUE, BENTLEIGH.

Author: Jarrod Knight, Coordinator Urban Forest

Director: Niall McDonagh, Director Sustainability, Assets and Leisure

Trim No: 25/1331200

Attachments: 1. [Canopy Tree Protection Local Law Assessment Guidelines](#) [↓](#)
2. [Authorised Officer Preliminary Report - 0323CTLL2025](#) [↓](#)
3. [Xylem TreeCare Consulting Tree Assessment Report](#) [↓](#)

EXECUTIVE SUMMARY

The Desert Ash tree (*Fraxinus angustifolia*) located at 4 Seaview Avenue, Bentleigh, is a significant asset to the Glen Eira urban forest and local landscape. This tree, which has been assessed on two occasions in relation to this application by qualified arborists, displays 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 minor deadwood. Regular maintenance, including inspections and pruning every two to five 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, determined 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 (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 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 14 August 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 Desert Ash tree located at 4 Seaview Avenue, Bentleigh, resolves to:

1. refuse the issuance of a Permit for the removal of the Desert Ash tree in accordance with subclause 59(1)(b) of the Local Law; and
2. authorises 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 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 July 2025, Council received a permit application under the Glen Eira Canopy Tree Protection Local Law for the removal of the Desert Ash tree located at 4 Seaview Avenue, Bentleigh. This application was submitted on the basis that the tree was to be removed due to a proposed single dwelling knock down rebuild.

Council officers have completed an assessment of the permit application in accordance with Council's Canopy Tree Protection Local Law Assessment Guidelines (the Guidelines) and determined that a permit for removal should not be granted, with the applicant being notified on 14 August 2025. The applicant subsequently requested an internal review of the officer's decision on 17 August 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 Glen Eira Canopy Tree Protection 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 Desert Ash Tree

The Desert Ash tree has had two assessments by qualified arborists since the initial application was received under Council's Local Law. This includes:

- 01 August 2025: Authorised Officer Preliminary Report (*Attachment 2*); and
- 21 August 2025: Xylem TreeCare Tree Assessment, Council commissioned (*Attachment 3*).

These reports determined several findings, including that the tree is in an overall healthy condition, was assessed to be structurally sound and in no immediate danger of failure, and made a meaningful contribution to the landscape character of the area as well as Glen Eira's overall canopy cover.

Following the request for review of the officer decision not to issue a permit, Xylem TreeCare Consulting completed an independent assessment of the tree's condition and determined it 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.

Decision Making Criteria

In determining whether to grant a permit under the 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>	<p>The subject <i>Fraxinus angustifolia</i> is assessed as having good health, fair structure. Leaf and fruit drop are present, with some deadwood present, all of which are normal for a tree of this species and size.</p> <p>No significant defects were observed.</p>
The appropriateness of the tree for its location on the property having regard to the existing	If the application has not been made because of proposed buildings or works on the property, officers must consider,	The tree has a canopy spread of 14m which is covering parts of the subject site and an adjoining

Clause 36 (1) of the Local Law	Part 5 of the Canopy Tree Assessment Guidelines	Relevant information from the proposed report
buildings and conditions on the property;	<p>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. - 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>Note: this criterion only permits consideration of existing buildings and conditions on the property, not proposed buildings or conditions.</p>	<p>property.</p> <p>This has not been identified as a reason to remove the tree.</p>
Whether the proposed action is to be undertaken for reasons of health or safety;	<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 	<p>The tree has been assessed as having a low probability of failure with a Quantified Tree Risk Assessment Risk of Harm rating of tolerable. The tree is a healthy specimen with some minor structural defects that do not compromise the structural integrity of the tree.</p>

Clause 36 (1) of the Local Law	Part 5 of the Canopy Tree Assessment Guidelines	Relevant information from the proposed report
	<p>remedial works (e.g. pruning or cabling) can be undertaken to manage the human health and safety risks presented by the tree.</p> <ul style="list-style-type: none"> - 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>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 	<p>Not observed at the time of the inspection.</p> <p>There was no evidence presented that showed direct impact/damage to any buildings or structures located on the subject site.</p>

Clause 36 (1) of the Local Law	Part 5 of the Canopy Tree Assessment Guidelines	Relevant information from the proposed report
	<p>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.</p> <p>- 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.</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>	
Whether the tree is causing any unreasonable public nuisance or creating any unreasonable nuisance to private property owners or occupiers;	<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 	Not observed at the time of the inspection.

Clause 36 (1) of the Local Law	Part 5 of the Canopy Tree Assessment Guidelines	Relevant information from the proposed report
	<p>construction on the land.</p> <ul style="list-style-type: none"> - 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>	
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 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. <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 	The tree is not subject to any legislative controls that would impact the decision to issue a permit.

Clause 36 (1) of the Local Law	Part 5 of the Canopy Tree Assessment Guidelines	Relevant information from the proposed report
	works, or a Court Order requiring buildings, demolition or works that would impact on the tree.	
Any other matter relevant to the circumstances associated with the application.	Any other matters as raised as part of the application process.	Not observed at the time of the inspection.

The Canopy Tree Protection Local Law tree removal permit application was made based on the claim of the tree was required to be removed to enable the re-landscaping of the rear yard of the subject site. Officers have considered all the criterion within the Guidelines, as well as the feedback from the applicant and adjoining land holder and are confident that this assessment supports the decision to refuse the application for a permit to remove the tree.

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 4 Seaview Avenue, Bentleigh with regards 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 was advised that the Council will be considering a Council report on this matter at this Ordinary Council Meeting (25 September 2025), where a

decision will be made by Council on whether to issue a permit to remove the Desert Ash 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 *Fraxinus angustifolia* tree meets the criteria set out under the Glen Eira Canopy Tree Protection Local Law and as is classified as a canopy tree. The applicant has Applied for a tree removal permit regarding concerns about issues from debris drop and seed fall and based on a desire to undertake landscape works on the property. Assessment of the tree against the Canopy Tree Local Law Guidelines and the Canopy Tree Local Law Policy has been carried out.

The tree presents as a healthy specimen with no major defects observed and a medium to long useful life expectancy. No evidence was observed that showed that the tree was currently impacting on the surrounding infrastructure. Leaf and debris drop is also considered a natural part of a tree's life cycle. This tree is making a very significant contribution to the landscape, local ecology and to Glen Eira's overall tree canopy.

The tree is a significant specimen that can be effectively managed with standard arboricultural maintenance activities.



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CAULFIELD
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GARDENVALE
GLEN HUNTLY
MCKINNON
MURRUMBEENA
ORMOND
ST KILDA EAST

GLEN EIRA CITY COUNCIL

CANOPY TREE PROTECTION LOCAL LAW ASSESSMENT GUIDELINES





Date first adopted:	15 August 2024
Dates amended:	N/a
Next review date:	15 August 2029
Responsible Directorate	Sustainability, Assets and Leisure
Approved by:	Council
Internal external or both:	Both



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1. Introduction and Purpose

The purpose of these assessment guidelines (**the guidelines**) is to provide information that must be considered by officers when assessing 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 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



- 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.

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- 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.

Preliminary Canopy Tree Local Law Permit Assessment

Application Number: 0323CTLL2025

Part 1 - General Details

Date Application Received:	24 July, 2025
Property Address:	4 Seaview Avenue, Bentleigh
Location Details of Nominated Tree:	Rear yard of property
Tree/s Location:	Adjacent to brick garage and retaining wall
Permit Type Applied For:	Tree Removal

Part 2 - Inspection

Date of Inspection:	01 August 2025
Time of Inspection:	12:15 pm
Site Inspection:	Greenwood Consulting

Part 3 - Tree Condition and Protection Status

a) Tree One:

Tree Botanical Name:	<i>Fraxinus angustifolia</i>
Tree Health:	Good
Tree Structure:	Fair
Tree Height:	14m
Tree Canopy Width:	14m
Trunk Circumference:	183cm
Tree T.P.Z:	15m
Tree U.L.E.	30-60 Years
Does the Tree Meet the Local Law Trigger:	Yes
Relevant Consultant Comments: The tree exhibits minor branch failures 2 - 5 cm, elongated branches, several lopped branches, epicormic growth throughout structure, and deadwood 20 - 50 mm. Application on the basis that the tree owner would like to remove the tree to landscape the backyard.	

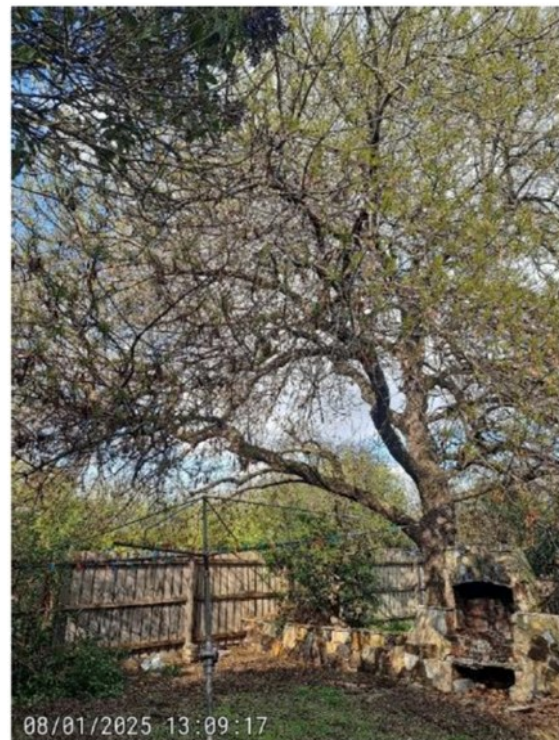
b) Pre-existing Development Applications

Existing planning permit application:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Existing building permit application:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the application related to re-development of the site:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Status of any re-development applications: Location checked for active applications within TRIM. No active applications at time of inspection. Email provided from Urban Planning with regards to information on undertaking a single knock down re-build on the site dated 29 July 2025. Urban Planning have been notified of the refusal to grant this permit.		

c) Guideline Criterion for Granting a Permit:

Officers Application of the Guidelines	
1. The condition of the tree, (Its health, appearance and structural integrity)?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> The subject Fraxinus angustifolia is assessed as having good health, fair structure. Leaf and fruit drop are present, with some deadwood present, all of which are normal for a tree of this species and size. No significant defects were observed.
2. The appropriateness of the tree for its location on the Property having regard to the existing buildings on the Property?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> There was no evidence presented that showed direct impact/damage to any buildings or structures located on the subject site. The tree has a canopy spread of 14m which is covering parts of the subject site and an adjoining property. This has not been identified as a reason to remove the tree.
3. Whether the proposed action is to be undertaken for reasons of health or safety?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> The tree has been assessed as having a low probability of failure with a Quantified Tree Risk Assessment Risk of Harm rating of tolerable. The tree is a healthy specimen with some minor structural defects that do not compromise the structural integrity of the tree.
4. Whether the tree has caused property damage, and the extent of the damage and cost of repair of the damage caused?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> Not observed at the time of the inspection.
5. Whether the tree is causing a public nuisance or creating any other nuisance to other relevant landholders?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> Not observed at the time of the inspection.
6. Whether the tree is an environmental weed?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> The tree is not listed as an environmental weed.

7. Any legislative requirements?	
Is this Guideline relevant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Comments:</u> The tree is not subject to any legislative controls that would impact the decision to issue a permit.
8. Any other matter relevant to the circumstances associated with the nomination?	
Is this Guideline relevant? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Comments:</u> Not observed at the time of the inspection.

Part 4 - Photos of the Tree:**Part 5 - Officers Decision:**

Grant Permit:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>Reason For Decision:</u> <p>The tree meets the criteria set out under the Glen Eira Canopy Tree Protection Local Law and as is classified as a canopy tree. The applicant has Applied for a tree removal permit regarding concerns about issues from debris drop and seed fall from the tree. Assessment of the tree against the Canopy Tree Local Law Guidelines and the Canopy Tree Local Law Policy has been carried out.</p>	

The tree presents as a healthy specimen with no major defects observed and a medium to long useful life expectancy. No evidence was observed that showed that the tree was currently impacting on the surrounding infrastructure. Leaf and debris drop is also considered a natural part of a tree's life cycle. This tree is making a very significant contribution to the landscape, local ecology and to Glen Eira's overall tree canopy.

The tree is a significant native specimen that can be effectively managed with standard arboricultural maintenance activities.

Authorised Officer's Name: Jarrod Knight

Position: Co-ordinator Urban Forest

Signature:

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a horizontal line and a small flourish.

Date: 01/08/2025

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City of Glen Eira
4 Seaview Avenue Bentleigh
Fraxinus angustifolia (Desert Ash)
Tree Assessment Report

Client Representative: Jarrod Knight,
Co-ordinator Urban Forest

Client: City of Glen Eira
Submission Date: 21/08/25

Xylem TreeCare Pty Ltd
303a/22 St Kilda Rd, St Kilda Vic 3182
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Table 1, Revision History

Revision	Revision Date	Details	Authorised
			Name/Position
1	21 August 2025	Final	David Smith, Senior Consulting Arborist

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1 Purpose

The purpose of this report is to undertake a visual tree inspection (VTA) of a *Fraxinus angustifolia* located at 4 Seaview Avenue Bentleigh and provision a Tree Assessment Report (TAR).

The field assessment was undertaken on 21 August 2025 by David Smith using a ground-based visual assessment. The tree has been assessed for Arboricultural value using tree attributes and overall condition to assist in determining retention value, significance and protection status under the Glen Eira Canopy Tree Protection Local Law.

1.1 Limitations of Assignment

- The hybridization of flora species can cause an intermediate or incomplete form of morphological features and thereby affect the accuracy of field identification.
- Seasonal variations influence the presence of flowering and fruiting in flora species and thereby can affect the accuracy of field identification. Seasonal variation was not captured during the field assessment due to the short duration of the assessment.
- At the time of assessment, no information has been made available regarding existing and/or proposed underground services other than those visible above ground.
- Xylem TreeCare has not undertaken any of the following items which may impact tree health:
 - Soil analysis
 - Below ground root analysis
 - Aerial tree inspections

1.2 Consulting Arborist

Table 2 Outlines the qualifications, experience and involvement of staff who have assisted in the development of this report.

Table 2, Staff Qualifications

Staff Member	Qualifications	Experience	Project Involvement
David Smith Senior Consulting Arborist	Diploma of Arboriculture Bachelor of Communications and Electronic Engineering Graduate Certificate Business Management	David has over 7 years in Project Management and more than 25 years’ experience in Arboriculture, with 17 years at Darebin City Council, including 11 years as Coordinator of Tree Management	Onsite inspection, report writing
Richard Forster, Consulting Arborist	Diploma of Arboriculture	Richard has 30 years’ experience within the arboriculture industry; 10 years as a Consulting Arborist	Report review

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2 Observations

The following observations were identified during the field and desktop assessments.

2.1 Site Information



Figure 1, Approximate location of subject tree

The subject area (Figure 1) is a private residence at 4 Seaview Avenue Bentleigh. The applicant wishes to remove the tree due to safety concerns, nuisance value and property damage. The tree overhangs a neighbouring property. The tree is a central feature of the rear yard and surrounds and makes a valuable contribution to the landscape and to Glen Eira’s overall tree canopy.



Figure 2, Subject tree in rear yard



Figure 3, Overhang over adjoining property

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2.2 Tree Condition

Table 3, Subject tree detail

Botanical Name	<i>Fraxinus angustifolia</i>	Common Name	Desert Ash
Origin	Exotic	Height	14 m
Maturity	Mature	Spread	14 m
Health	Good	Trunk Circumference	183 cm
Structure	Fair	Landscape Contribution	High
ULE	25-50 years	TRAQ Risk Rating	Moderate (deadwood)
Defects	No major structural defects observed		

The subject *Fraxinus angustifolia* is a mature exotic tree which has nearly reached its full height.

The tree displays good health, a full canopy, good root flare and no obvious evidence of pest or disease. Some deadwood (to 70mm) is present, and leaf and fruit drop are occurring which is normal for a tree of this species and size.

The tree displays good structure, unions have good attachment, and no major structural faults were observed. The tree exhibits minor branch failures 20 - 50 mm, several lopped branches and some minor epicormic growth.

The tree presents a moderate risk of deadwood failure, has high landscape contribution and has a useful life expectancy of 25-50 years.

No damage was observed to the house or shed from the tree roots (see *Figures 4 and 5*).



Figure 4, No damage noticeable to shed



Figure 5, No damage noticeable to house

Some surface roots were observed in the yard (see *Figures 6 and 7*).

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Figure 6, Surface roots (in front of BBQ/fence)



Figure 7, Surface roots (rear of BBQ/fence)

Some damage was observed to the stone BBQ (see figure 8).



Figure 8, Damage to stone BBQ / fence structure

3 Risk Assessment

The risk assessment process used was the ISA TRAQ (Tree Risk Assessment Qualification); refer to the Appendix for further detail on methods and definitions.

Table 4 represents the most severe risk rating identified with the subject tree.

A timeframe of 24 months has been used as an assessment period for this report.

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Table 4, TRAQ Assessment

Likelihood of Failure	Likelihood of Impact	Consequence	Risk Rating
Possible	High	Significant	Moderate

The subsequent risk rating for the subject tree failing and striking a target causing significant consequence with the next 24 months is **Moderate**. The tree part assessed for failure was 50-70 mm deadwood pieces in the tree canopy.

4 Discussion/Recommendations

A permit for tree removal has been requested by the applicant, listing concerns with safety (trip hazard), excessive leaf litter and minor property damage at current address as well as complaints from an adjoining property.

The subject *Fraxinus angustifolia* meets the criteria for a Canopy Tree or Classified Tree, as defined in the Glen Eira City Council Canopy Tree Protection Local Law (Glen Eira City Council Canopy Tree Protection Local Law, 15/08/2024), in that is:

- a) Palm tree taller than 8 metres measured from natural ground level; or
- b) Tree with a stump circumference of 140 cm or more measured at natural ground level; or
- c) Tree taller than 5 metres measured from natural ground level; and
 - a. Trunk circumference of 140cm or more measured at a point 140cm along the trunk's length from ground level; or
 - b. Combined trunk circumference of 140 cm or more measured at a point 140cm along the trunk's lengths from natural ground level; or
- d) Classified Tree recorded on the Glen Eira Classified Tree Register (Glen Eira Classified Tree Register, 2025); or
- e) Planted in satisfaction of a permit or planted in satisfaction of a direction in a Notice to Comply

4.1 Criteria for Granting a Permit in (Clause 36)

4.1.1 The Condition of the Tree

The subject *Fraxinus angustifolia* is assessed as having good health, fair structure with no observable major defects. Leaf and fruit drop are present, with some deadwood present, all of which are normal for a tree of this species and size.

Large trees in an urban environment require regular inspection (every 2-3 years is optimal) and maintenance, using a suitably qualified professional. This will mitigate the possibility of damage or injury to property or people.

4.1.2 The Appropriateness of Tree Location

The subject *Fraxinus angustifolia* has a canopy of 14m, covering parts of the subject site and an adjoining property.

The subject *Fraxinus angustifolia* is assessed as having moderate risk of failure (deadwood), good health and fair structure, with no damage to the house observed from tree roots (see *Figures 3 and 4*).

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Regular maintenance of the tree and surrounds will ensure the amenity and safety of the tree is maintained.

4.1.3 Health and Safety Considerations

The subject *Fraxinus angustifolia* is assessed as having moderate risk of failure (deadwood), good health and fair structure. Removal of deadwood will reduce the risk rating to low.

The applicant is also concerned that the tree roots are creating trip hazards (see *Figures 6 and 7*), not unusual for a tree of this type and size. This can be mitigated by soft landscaping underneath the canopy.

4.1.4 Property or Infrastructure Damage and Impact

Some damage was observed to the stone BBQ. This is expected, given the proximity to the tree trunk and structural roots and could be repaired if this structure was to be retained.

4.1.5 Nuisance Factors

Leaf and fruit drop is common with a tree this species and size. Regular property maintenance is required to keep leaf and fruit litter contained.

4.1.6 Weed Species Considerations

The subject *Fraxinus angustifolia* is not listed on the Victorian Noxious Weeds List, so does not meet the criteria for removal under this criterion. The tree is not within or adjacent to native areas such as riparian zones, bushland, and grasslands and can be managed within the urban environment.

4.1.7 Legislative Requirements

The subject *Fraxinus angustifolia* was assessed against this criterion & it is not considered relevant and subsequently has not affected the decision-making process.

4.1.8 Other Relevant Matters or Circumstances

The subject *Fraxinus angustifolia* was assessed against this criterion & it is not considered relevant and subsequently has not affected the decision-making process.

5 Summary

A permit for tree removal has been requested by the applicant, listing concerns with excessive leaf litter (including an adjoining property), safety concerns from trip hazards and minor property damage.

The subject *Fraxinus angustifolia* was assessed as having a moderate risk of failure (deadwood), good health and fair structure and is making a valuable contribution to the landscape and to Glen Eira's overall tree canopy.

The tree could be retained with regular property maintenance to keep leaf and fruit litter contained, with inspection and remedial pruning (mainly deadwood and stub removal) to mitigate the possibility of damage or injury to property or people and retain the amenity and canopy of this tree. Deadwood removal will reduce the risk rating of the tree to low.

Possible trip hazards due to surface root growth can be mitigated by soft landscaping underneath the canopy.

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8 Appendix

8.1 Descriptors

8.1.1 Origin

Category	Description
Melbourne	Native to the greater Melbourne metropolitan area as defined within Flora of Melbourne (S.G.A.P.M, 1991)
Victorian	Native to Victoria but not the greater Melbourne Metropolitan area
Australian	Native to Australia but not Victoria
Exotic	Not native to Australia

8.1.2 Maturity

Category	Description
Young	Sapling tree and/or recently planted. Approximately 5 or less years in location
Semi mature	Tree increasing in size and yet to achieve expected size in situation. Primary developmental stage
Early mature	Tree established, generally growing vigorously. > 50% of attainable age/size
Mature	Specimen approaching expected size in situation, with reduced incremental growth
Over-mature	Mature full-size with a retrenching crown. Tree is senescent and in decline. Significant decay generally present

8.1.3 Health

Category	Description
Good	<p>Full crown, with good foliage density. Foliage is entire with average colour, minimal or no pathogen damage. Above average growth indicators such as extension growth, leaf size and canopy density. Little or no canopy die-back. Generally, no deadwood on the perimeter of the canopy. Good wound wood development.</p> <p>Tree exhibits above average health, and no works are required.</p>
Fair	<p>Tree may have more than 30% deadwood or may have minor canopy dieback. Foliage density may be slightly below average for the species. Foliage colour may be slightly lower than average and some discolouration may be present. Typical growth indicators, e.g., extension growth, leaf size, canopy density for species and location. Average wound wood development</p> <p>The tree exhibits below average health, and remedial works may be employed to improve health</p>
Poor	<p>Tree may have more than 30% deadwood and canopy dieback may be present. Leaves may be discoloured and/or distorted, often small, and excessive epicormic growth may be present. Pathogens and/or stress agents may be present that could lead, or are leading to, the decline of the tree. Poor wound wood development.</p> <p>The tree exhibits low health and remedial works, or removal may be required</p>

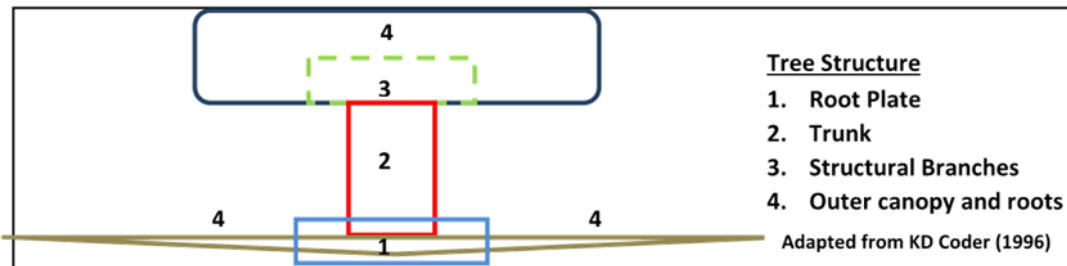
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Very Poor	The tree has more than 30% dead wood. Extensive canopy die back is present. Canopy is very sparse. Pathogens and/or stress agents are present that are leading to the decline of the tree. Very poor wound wood development.
	The tree exhibits very low health and remedial works, or removal are required.
Dead	Tree is dead and generally should be removed

8.1.4 Structure



Descriptor	Zone 1	Zone 2	Zone 3	Zone 4
	Root Plate	Trunk	Structural Branches	Outer crown and roots
Good	No damage, disease or decay, obvious basal flare / stable in ground	No damage, disease or decay, good taper	Well formed, attached, spaced and tapered	No damage, disease or decay or structural defects
Average	Minor damage or decay	Minor damage or decay	Typically formed, attached, and tapered	Minor damage, disease or decay, minor branch end weight or over-extension
Fair	Moderate damage or decay, minimal basal flare	Moderate damage or decay; approaching recognised thresholds	Weak, decayed or with acute branch attachments, previous branch failure evident	Moderate damage, disease, or decay; moderate branch end weight or over extension
Poor	Major Damage, disease, or decay; conks present	Major damage disease or decay; exceeds recognised thresholds, conks present	Decayed, cavities or has acute branch attachments with included bark; excessive compression flaring, failure likely	Major damage, disease or decay; conks present; major branch end weight or over extension
Very Poor	Excessive damage, disease or decay; unstable / loose in ground; failure probable	Excessive damage, disease or decay; cavities	Decayed, cavities or branch attachments with active splits, failure imminent	Excessive damage, disease or decay; excessive branch end weight or over extension

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8.1.5 Useful Life Expectancy

Category	Description
0 year	The tree is dead or mostly dead or constitutes an immediate and unacceptable hazard
0-5 years	The tree is unlikely to provide useful amenity for longer than 5 years. The tree is in advanced decline, poses an unacceptable hazard and/or requires a level of maintenance disproportionate with its' value.
5-15 years	The tree is unlikely to provide useful amenity for longer than 15years. The tree may be in serious decline, be a very short-lived species, present a moderately elevated hazard and/or require high levels of maintenance.
15-25 years	The tree is unlikely to provide useful amenity for longer than 25 years. The tree may be in moderate decline, a short-lived species, present a slightly elevated hazard and/or requires a moderate level of maintenance.
25-50 years	The tree is unlikely to provide useful amenity for longer than 50 years. The tree may be in a fair to good condition, have a moderate lifespan, present a low to moderate level of hazard and/or require moderate levels of maintenance.
>50 years	The tree is unlikely to provide useful amenity for greater than 50 years. The tree may be in good to excellent condition, a long-lived species, presents a low level of hazard and/or require a low level of maintenance

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8.2 Tree Risk Assessment Qualification (TRAQ)

The Tree Risk Assessment Qualification (TRAQ) is an assessment framework developed by the International Society of Arboriculture (ISA) to provide arborists with a standardised and systematic approach to tree risk assessment.

The assessment framework is a *qualitative* approach, as opposed to quantitative, meaning that observation, experience and perspective are used to draw data conclusions.

A timeframe for assessment is crucial in understanding the risk of tree failure. Consider, an assessment timeframe of 1 hour against 100 years; the outputs of this assessment will obviously be very different. It is also important to note that the longer the assessment period, the more uncertain the resulting data will be. Again consider, we may reasonably and accurately predict what may occur to a tree with the next hour but cannot predict with any certainty what may occur within 100 years.

TRAQ considers three primary factors:

- Likelihood of tree failure
- Likelihood of the failed tree impacting a target
- Consequence once the failed tree, or tree part, has impacted the target

The assessment of these three factors are categorised with two matrixes.

First, the Likelihood of Failure and Likelihood of Impact are used to determine the Likelihood of Failure/Impact combined. This occurs using the following matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	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 output of the combined Likelihood of Failure/Impact matrix is used with the Consequence of Failure assessment as input to the second matrix.

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

The subsequent output of the second matrix is the tree risk rating.

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The following definitions are used:

8.2.1 Likelihood of Failure

Category	Description
Improbable	The tree or branch is not likely to fail during normal weather conditions and may not fail in many severe weather conditions within the specified time frame
Possible	Failure could occur, but it is unlikely during normal weather conditions within the specified time frame
Probable	Failure may be expected under normal weather conditions within the specified time frame
Imminent	The tree is dead or mostly dead or constitutes an immediate and unacceptable hazard. Failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load

8.2.2 Likelihood of Impacting Target

Category	Description
Very low	The chance of the failed tree or branch impacting the specified target is remote. This is the case in a rarely used site fully exposed to the assessed tree or an occasionally used site that is partially protected by trees or structures. Examples include a rarely used trail or trail head in a rural area, or an occasionally used area that has some protection against being struck by the tree failure due to the presence of other trees between the tree being assessed and the targets
Low	It is not likely that the failed tree or branch will impact the target. This is the case in an occasionally used area that is fully exposed to the assessed tree, a frequently used area that is partially exposed to the assessed tree, or a constant target that is well protected from the assessed tree. Examples include a little-used service road next to the assessed tree or a frequently used public street that has a street tree between the street and the assessed tree
Medium	The failed tree or branch may or may not impact the target, with nearly equal likelihood. This is the case in a frequently used area that is fully exposed on one side to the assessed tree or a constantly occupied area that is partially protected from the assessed tree. Examples include a suburban street next to the assessed street tree or a house that is partially protected from the assessed tree by an intermediate tree
High	The failed tree or branch will most likely impact the target. This is the case when a fixed target is fully exposed to the assessed tree or near a high-use road or walkway with an adjacent street tree

8.2.3 Consequences of Failure

Category	Description
Negligible	Low value property damage or disruption that can be replaced or repaired, and do not involve personal injury
Minor	Low to moderate property damage or small disruptions to traffic or a communication utility
Significant	Property damage of moderate- to high value, considerable disruption, or personal injury
Severe	Serious personal injury or death, damage to high-value property, or disruption of important activities

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10.3 POLICY REVIEW: BUILDING SITE MANAGEMENT CODE OF PRACTICE

Author: Brooke Ranken, Manager Community Safety and Compliance

Director: Rosa Zouzoulas, Director Planning and Place

Trim No: 25/1306378

Attachments: 1. *CURRENT: Building Site Management Code of Practice* [↓](#)
2. *REVISED: Building Site Management Code of Practice* [↓](#)

EXECUTIVE SUMMARY

The Building Site Management Code of Practice Policy was implemented in November 2009 to provide guidance for Authorised Officers on managing amenity matters related to building activities.

The policy has been reviewed to assess its effectiveness, relevance, and compliance with Council's regulatory and legislative obligations. In June 2025, a formal review of the Building Site Management Code of Practice Policy was completed.

The current policy (Attachment 1) and the revised Code of Practice (the Code) (Attachment 2) are provided for Council's review and consideration.

RECOMMENDATION

That Council adopts the Building Site Management Code of Practice (Attachment 2).

BACKGROUND

The Code emphasises compliance with the following key requirements:

- Site containment;
- Stormwater protection; and
- Effective management of builders' refuse and excessive dust during construction activities, including proper containment, disposal, and removal.

Relationship between the Code of Practice and Council's Community Local Law 2019

The Code has been incorporated into Glen Eira City Council's Community Local Law 2019.

Clause 16 provides that:

- (1) A person in charge of a Building Site must comply with any requirements imposed by Council's incorporated Building Site Management Code of Practice.
- (2) Subclause 16(1) does not apply to a Building Site where only Minor Building Works will be undertaken.

Objective

The objective of the Code of Practice is for Council to:

- encourage the better management of building sites and amenity issues arising from building activity;
- prevent the escape of potential stormwater pollutants from building sites;

- provide a physical environment which aims to minimise hazards to health, amenity and safety of persons attending building sites and those adjacent, opposite or passing building sites;
- define the standards to which persons engaged in building activity or landscaping should adhere; and
- educate and encourage persons involved in Building Activity or landscaping to act responsibly to reduce the extent of litter and pollution for the benefit of the local community.

ISSUES AND DISCUSSION

The current policy was adopted in November 2009 to provide guidance for Authorised Officers on managing amenity matters related to building activities.

Since this time Council's Community Local Law was enacted in 2019. This review is therefore necessary to ensure alignment with Council's legislative and enforcement obligations.

There are a number of Codes of Practice in the industry which are in place to assist with local laws. It is noted through that this policy is not intended to override any state legislation, but rather to support the clauses in the local law. Each local law differs between local councils, and these are applied differently depending on what the local laws stipulate in terms of noise and other provisions. In developing this code of practice, advice from community consultations undertaken as part of the local law development and internal feedback outlined below was taken into account.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

There are no direct implications or actions specific to Council's Climate Emergency Response Strategy.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The financial resources required for the implementation of the reviewed Code are within Council's current allocated budget.

POLICY AND LEGISLATIVE IMPLICATIONS

Local Government Act 2020

Public transparency principles in the Act state:

- A. Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;
- B. Council information must be publicly available unless—
 - (i) the information is confidential by virtue of this Act or any other Act; or
 - (ii) public availability of the information would be contrary to the public interest;
- C. Council information must be understandable and accessible to members of the municipal community;
- D. Public awareness of the availability of Council information must be facilitated.

Public Transparency Policy (Adopted 11 August 2020)

The objectives of this policy are to:

- A. Embed a culture of public transparency as part of business as usual in Council;

- B. Increase transparency in Council's decision-making processes;
- C. Raise public awareness of the availability of Council information by promoting access to information that is current, easily accessible and disseminated in a timely manner; and
- D. Give effect to the public transparency principles set out in the Local Government Act 2020 (Vic).

Community Local Law 2019 (Local Law)

The objectives of the Local Law are to:

- (a) provide for the peace, order and good government of the Municipal District; and
- (b) promote a physical and social environment free from hazards to health, in which the local community of and visitors to the Municipal District can enjoy a quality of life that meets the general expectations of the local community; and
- (c) protect Council Assets; and
- (d) protect the use of Public Places and control activities in or near them; and
- (e) control noise, behaviour and liquor consumption in specified places, smoking in specified buildings and vehicles, busking, advertising signs, works and obstructions on roads, street trading and other activities; and
- (f) regulate the number and manner of keeping of animals; and
- (g) prohibit, regulate and control certain activities, events, practices or behaviours which cause detriment to the amenity of the Municipal District, nuisance or damage to property.

Community Local Law considerations

As an incorporated document into Council's Community Local Law which was enacted under the *Local Government Act 1989*, before the amendment can take effect it must:

- be endorsed by Council;
- Council must also publish the notice on its Internet Site s76(2) and 3(a) (2020 Act); and
- Council has an ongoing obligation to make sure that a copy of the document is available at Town Hall and on the Council website s76(3) (2020 Act).

COMMUNICATION AND ENGAGEMENT

According to the Council's Community Engagement Policy, this policy review does not require community engagement.

Internal consultations regarding the reviewed Code of Practice were conducted with the following stakeholders:

- Senior Legal and Governance Officer
- Coordinator Civic Compliance
- Manager Community Safety and Compliance
- Manager Planning and Building Services
- Manager Works Depot
- Coordinator Permits and Development

Additionally, the reviewed Code of Practice was presented to the Governance, Risk and Planning Committee on 5 August 2025 and to Councillors at the Assembly of 9 September 2025.

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

It is recommended that Council adopts the reviewed Building Site Management Code of Practice (Attachment 2).

Building Site Management Code of Practice

Date first adopted:	24 November 2009
Dates amended:	6 November 2019
Next review date:	November 2024
Position title of responsible business unit Manager:	Manager, Community Safety and Compliance
Approved by:	Council
Internal, external or both:	External

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1. TITLE

Building Site Management Code of Practice

2. OBJECTIVE

To:

1. encourage the better management of Building Sites and amenity issues arising from Building Activity;
2. prevent the escape of Potential Stormwater Pollutants from Building Sites;
3. provide a physical environment which aims to minimise hazards to health, amenity and safety of persons attending Building Sites and those adjacent, opposite or passing Building Sites;
4. define the standards to which persons engaged in Building Activity or landscaping should adhere; and
5. educate and encourage persons involved in Building Activity or landscaping to act responsibly to reduce the extent of litter and pollution for the benefit of the local community.

3. DEFINITIONS AND ABBREVIATIONS

Unless the contrary intention appears in this policy words defined—

- (a) in the Glen Eira City Council Community Local Law 2019 have the same meaning in this policy; and
- (b) below have that meaning in this policy.

Term	Meaning
Builder	A person who has been nominated as the builder on the building permit, and if no such application has been made the Person in Charge of the Building Activity or landscaping being carried out.
Builders' Refuse	includes any Potential Stormwater Pollutant, solid or liquid domestic or commercial waste, debris or rubbish, and without limiting the generality of the above, includes any glass, metal, plastic, paper, fabric, wood, food, vegetation, soil, sand, concrete, rocks and any other waste material, substance or thing generated by or in connection with Building Activity or landscaping.
Facility	A suitable rubbish receptacle capable of restricting debris and other waste from leaving the Building Site.
Minor Landscaping Work	landscaping valued at less than \$5,000
Owner	in relation to a Building means the owner of the land on which the Building is situated.
Potential Stormwater Pollutant	any material that upon entering the Stormwater System, degrades the quality of stormwater to the detriment of the environment, including litter, sediment, soil, mud, concrete and concrete washings, plaster, brick and tile dust, paint, thinners and acid.
Person in Charge	the Builder or the Owner or the person in control of the Building Site if that person is not the Builder or the Owner and in the case of a company each director of that company

Stormwater System	Stormwater System which provides for the conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems and natural waterways.
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4. POLICY

Stormwater Protection

- 4.1. Where any Building Activity or landscaping is being carried out on any land, the Owner, Builder or Appointed Agent must manage the Building Site to ensure:
- (a) no Potential Stormwater Pollutant will escape from a Building Site; and
 - (b) any Potential Stormwater Pollutant is contained or stored in a manner such as to prevent it escaping from the Building Site.
- 4.2. Building Activity must be contained entirely within the Building Site and/or within an area approved by Council or an Authorised Officer.

Control of Builders' Refuse and excessive dust in the course of carrying out Building Activity: Containment

- 4.3. Where any Building Activity or landscaping (other than Minor Building Works or Minor Landscaping Work) is being carried out on any land, the Owner, Builder or Appointed Agent must:
- (a) ensure that any Builders' Refuse from a Building Site or an approved area where Building Activity or landscaping are being conducted does not escape the site or approved area;
 - (b) ensure that any excessive dust from a Building Site or an approved area where Building Activity or landscaping are being conducted does not escape the site or approved area;
 - (c) provide a Facility for the purpose of disposal of Builders' Refuse and to the satisfaction of Council, its size, design and construction will be at the discretion of the Builder;
 - (d) place the Facility on the land and keep it in place (except for such periods as are necessary to empty the Facility) for the duration of the Building Activity or landscaping;
 - (e) not place the Facility on any Council Land, Road, bridge or ford, footpath, bicycle path or nature strip, or any culvert, kerbing or other land or works forming part of a Road without Council's consent;
 - (f) empty the Facility whenever full and if necessary, a replacement Facility should be provided during the emptying process.
- 4.4. The requirement to provide a Facility may be waived at the discretion of an Authorised Officer.

Control of Builders' Refuse: Disposal

- 4.5. During any Building Activity or landscaping, the Owner, Builder or Appointed Agent must ensure that:
- (a) all Builders' Refuse which requires containment is placed in the Facility referred to in clause 4.3(c);
 - (b) Builders' Refuse is not deposited in, or on any land other than in accordance with clause 4.3; and
 - (c) Builders' Refuse is not deposited in or over any part of the Stormwater System.

Control of Builders' Refuse: Removal

- 4.6. On any land where Building Activity or landscaping is being, or has been carried out, the Owner, Builder or Appointed Agent must remove and lawfully dispose of all refuse including,

without limiting the generality of the above, the Builders' Refuse in the Facility referred to in clause 4.3(c), within seven (7) days of completion of the Building Activity or landscaping or issue of an occupancy permit, whichever occurs last.

5. HUMAN RIGHTS CHARTER COMPATIBILITY

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

6. ASSOCIATED INTERNAL DOCUMENTS

Glen Eira City Council Community Local Law 2019

7. EXTERNAL REFERENCES/RESOURCES

None



GLEN EIRA
CITY COUNCIL

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

GLEN EIRA CITY COUNCIL

BUILDING SITE MANAGEMENT CODE OF PRACTICE

Date first adopted: 24 November 2009

Date last amended: September 2025

Next review date: September 2029

Policy owner: Manager, Community Safety and Compliance

Approved by: Council

BUILDING SITE MANAGEMENT CODE OF PRACTICE

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BUILDING SITE MANAGEMENT CODE OF PRACTICE

1. TITLE

Building Site Management Code of Practice (the Code)

2. OBJECTIVE

To:

- encourage the better management of Building Sites and amenity issues arising from Building Activity;
- prevent the escape of Potential Stormwater Pollutants from Building Sites;
- provide a physical environment which aims to minimise hazards to health, amenity and safety of persons attending Building Sites and those adjacent, opposite or passing Building Sites;
- define the standards to which persons engaged in Building Activity or landscaping should adhere; and
- educate and encourage persons involved in Building Activity or landscaping to act responsibly to reduce the extent of litter and pollution for the benefit of the local community.

3. RELATIONSHIP BETWEEN THE CODE AND THE LOCAL LAW

The Code has been incorporated into Glen Eira City Council's Community Local Law 2019. Clause 16 provides that:

- (1) A person in charge of a Building Site must comply with any requirements imposed by Council's incorporated Building Site Management Code of Practice.
- (2) Subclause 16(1) does not apply to a Building Site where only Minor Building Works will be undertaken.

4. DEFINITIONS AND ABBREVIATIONS

Unless the contrary intention appears in the Code, words defined—

- (a) in the Glen Eira City Council Community Local Law 2019 have the same meaning in the Code; and
- (b) below have that meaning in the Code.

Term	Meaning
Builder	A person who has been nominated as the builder on the building permit and if no such application has been made the Person in Charge of the Building Activity or landscaping being carried out.
Builders' Refuse	includes any Potential Stormwater Pollutant, solid or liquid domestic or commercial waste, debris or rubbish, and without limiting the generality of the above, includes any glass, metal, plastic, paper, fabric, wood, food, vegetation, soil, sand, concrete, rocks and any other

BUILDING SITE MANAGEMENT CODE OF PRACTICE

	waste material, substance or thing generated by or in connection with Building Activity or landscaping.
Facility	A suitable rubbish receptacle capable of restricting debris and other waste from leaving the Building Site.
Hoarding	Temporary fencing, boards, barricades or other standing structures installed around a building site to protect the public and secure the site when unattended.
Minor Landscaping Work	landscaping valued at less than \$5,000.
Minor Building Works	As defined in the Glen Eira City Council Community Local Law 2019.
Owner	in relation to a Building means the owner of the land on which the building is situated.
Potential Stormwater Pollutant	any material that upon entering the Stormwater System, degrades the quality of stormwater to the detriment of the environment, including litter, sediment, soil, mud, concrete and concrete washings, plaster, brick and tile dust, paint, thinners and acid.
Person in Charge	the Builder or the Owner or the person in control of the Building Site if that person is not the Builder or the Owner and in the case of a company each director of that company.
Road Occupancy Permit	A permit that allows an individual or company to temporarily occupy a public road, footpath, or nature strip for construction, storage, or works.
Site Fencing	Temporary fencing (including hoarding) around the entire perimeter of a building site to protect the public and secure the site when unattended.
Stormwater System	Stormwater System which provides for the conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems and natural waterways.

BUILDING SITE MANAGEMENT CODE OF PRACTICE

5. CODE OF PRACTICE

Site Containment

- 5.1. Prior to the commencement of any Building Work, a Building Site must be secured with adequate Hoarding or Site Fencing.
- 5.2. Hoarding or Site Fencing is to be erected securely on the boundary of the Building Sites property line and must not protrude in or on any land (e.g. footpath) other than the Building Site without a Council approved permit to do so.
- 5.3. Hoarding or Site Fencing must remain erected and securely fixed in place until the completion of the building work.
- 5.4. Entry to the Building Site must not take place other than across the Vehicle Crossing for the Building Site.
- 5.5. The requirement to provide Hoarding or Site Fencing under this clause may be waived or varied at Council's discretion.
- 5.6. Site lighting installed must be directed inwards in addition to being baffled or screened to prevent light spillage into adjoining properties. Where this is not possible due to height or location of lighting or other unavoidable contributing factors, the light impact must be mitigated by other means to the satisfaction of Council or an Authorised Officer.
- 5.7. Portable toilets must be contained within the site boundary and not be placed on any Road or Council Land.

Stormwater Protection

- 5.8. Where any Building Activity or landscaping is being carried out on any land, the Owner, Builder or Appointed Agent must manage the Building Site to ensure:
 - (a) no Potential Stormwater Pollutant will escape from a Building Site; and
 - (b) any Potential Stormwater Pollutant is contained or stored in a manner such as to prevent it escaping from the Building Site.
- 5.9. Building Activity must be contained entirely within the Building Site and/or within an area approved by Council or an Authorised Officer.
- 5.10. Waste from building activities including, but not limited to, concrete mixing, brick paving, asphalt cutting, and pavement crushing must be managed to prevent contamination of stormwater, damage to public trees, and harm to green infrastructure. These works should be carried out in designated containment areas, with appropriate sediment controls, such as gravel sausages, installed at entry pit and maintained to protect downstream stormwater infrastructure.
- 5.11. All waters (including stormwater, drainage, flushing, wash-down, recycled or other waters) must be contained and managed on site, discharged to stormwater or sewerage with appropriate approvals and treatment, or transported to a licensed treatment facility. Water must not leave the site in an uncontrolled manner.
- 5.12. All discharges must comply with Environment Protection Authority

BUILDING SITE MANAGEMENT CODE OF PRACTICE

(EPA) Victoria regulations.

Control of Builders' Refuse and excessive dust in the course of carrying out Building Activity: Containment

- 5.13. Where any Building Activity or landscaping (other than Minor Building Works or Minor Landscaping Work) is being carried out on any land, the Owner, Builder or Appointed Agent must:
- (a) ensure that any Builders' Refuse from a Building Site or an approved area where Building Activity or landscaping are being conducted, does not escape the site or approved area;
 - (b) ensure that any excessive dust from a Building Site or an approved area where Building Activity or landscaping are being conducted, does not escape the site or approved area;
 - (c) provide a Facility for the purpose of disposal of Builders' Refuse and to the satisfaction of Council, its size, design and construction (to a standard capable of preventing wind borne litter escaping the refuse facility) will be at the discretion of the Builder;
 - (d) place the Facility on the land and keep it in place (except for such periods as are necessary to empty the Facility) for the duration of the Building Activity or landscaping;
 - (e) not place the Facility on any Council Land, road, bridge or ford, footpath, bicycle path or nature strip, or any culvert, kerbing or other land or works forming part of a road without Council's consent;
 - (f) empty the Facility whenever full and if necessary, a replacement Facility should be provided during the emptying process.
- 5.14. The requirement to provide a Facility may be waived at the discretion of an Authorised Officer.

Control of Builders' Refuse: Disposal

- 5.15. During any Building Activity or landscaping, the Owner, Builder or Appointed Agent must ensure that:
- (a) all Builders' Refuse which requires containment is placed in the Facility referred to in clause 5.10(c);
 - (b) Builders' Refuse is not deposited in, or on any land other than in accordance with clause 5.10; and
 - (c) Builders' Refuse is not deposited in or over any part of the Stormwater System.

Control of Builders' Refuse: Removal

- 5.16. On any land where Building Activity or landscaping is being, or has been carried out, the Owner, Builder or Appointed Agent must remove and lawfully dispose of all refuse including, without limiting the generality of the above, the Builders' Refuse in the Facility referred to in clause 5.10(c), within seven (7) days of completion of the Building Activity or landscaping or issue of an occupancy permit, whichever occurs last.

BUILDING SITE MANAGEMENT CODE OF PRACTICE

Public Safety

- 5.17. Council public assets may require repair at any stage of the project, not just on completion. If damage occurs (for example, a footpath depression or a damaged stormwater pit) you must promptly repair or make it safe. If full reinstatement is not immediately possible, use temporary surface treatments (such as asphalt, steel plates or compacted fine gravel, pit lid replacement) to keep the area safe and accessible until permanent repairs are undertaken.
- 5.18. If a footpath/road is authorised to be blocked, a traffic management plan must be in place with clear warning signs and a safe, accessible alternative route must be provided and maintained for pedestrians of all abilities, at all times.

Other obligations

- 5.19. This Code of Practice does not remove or replace the requirement for compliance with other laws, regulations and technical standards that apply to Building Work and Building Activity. All Building Work and Building Activity must:
 - (a) Comply with Council's Community Local Law 2019;
 - (b) follow all relevant laws, regulations and technical standards, including, occupational health and safety, environmental protection, planning and building laws;
 - (c) have a Construction Management Plan in place and have all necessary approvals, consent and permits obtained, such as Asset Protection Permits and Road Occupancy Permits; and
 - (d) comply with any conditions of a planning permit.

6. LEGISLATIVE COMPATIBILITY

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

In line with the *Gender Equality Act 2020* (Vic), a Gender Impact Assessment is not required for this code of practice.

7. ASSOCIATED COUNCIL DOCUMENTS

Glen Eira City Council Community Local Law 2019

8. EXTERNAL REFERENCES/RESOURCES

Local Government Act 1989
Local Government Act 2020
Occupational Health and Safety Act 2004
Road Management Act 2004
Environment Protection Act 2017



GLEN EIRA
CITY COUNCIL

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10.4 COUNCIL LEASE TO ST JOHN'S AMBULANCE

Author: Amanda Mills, Coordinator Property and Leasing

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/1328002

Attachments: 1. Location and lease plan [↓](#)
2. Key Selection Criteria - community organisation [↓](#)

EXECUTIVE SUMMARY

This report seeks Council approval to enter into a new lease with St John Ambulance Australia (Victoria) Limited (**St John Ambulance**) for its continued occupation of Council property at 1B Birch Street, Caulfield South.

RECOMMENDATION

That Council:

1. Authorises officers to enter into and finalise a new lease with St John Ambulance Australia (Victoria) Limited, ACN 688490851 for its continued occupation of 1B Birch Street, Caulfield South, Victoria 3162 for an initial term of five years, plus one option of a further four years; and
2. Executes the lease in an appropriate manner by affixing the common seal of Council.

BACKGROUND

St John Ambulance's Glen Eira Division (the Division) currently occupies 1B Birch Street, Caulfield South. St John Ambulance originally established the buildings and improvements on the land and is responsible for maintenance, repairs, alterations to buildings and capital investment at the site. As such this organisation has a ground lease with Council, with a peppercorn rental charge.

St John Ambulance has a proud and longstanding history of service within the Glen Eira community. Since 1883 its volunteers have provided vital first aid support at local events, delivered accredited training programs, and contributed to emergency response efforts across the municipality and Victoria.

The Division has been located at the Birch St Hall since 1956, after commencing initially at the Caulfield Town Hall in 1930.

The Division's facility is open for all members of the community to join and help contribute to a range of community programs – whether it is first aid and medical services at emergencies or events, support roles (communications, logistics), youth specific first aid programs, first aid in school delivery, first aid in kindergartens, community transport or many others.

The Division maintains a broad and diverse volunteer base, ranging in age from 12 to 92 years, with over 55% identifying as female. The members reflect a rich history of service, with some joining as recently as 2025 and others contributing since as early as 1949. This diversity spans generations, genders, skills, and experiences, strengthening its capacity to serve the community with empathy, skill, and dedication.

A location and lease plan for the Birch Street ambulance hall is shown in Attachment 1.

ISSUES AND DISCUSSION

Council's Leasing and Licensing Policy 2019 provides that clubs and groups with exclusive occupation of Council owned or managed land must have a current lease.

Prior to expiry of its current lease, St John's Ambulance was asked to submit a formal request for a new lease of the Birch Street premises and address Key Selection Criteria (see Attachment 2) against which Council will consider offering a new lease. In addition, the St John's Ambulance was asked to provide a new (or most recent) Business Plan covering the next 5-9 years and evidence of its financial viability.

St John's Ambulance submitted a detailed application with its organisation's Strategic Plan 2024-2026 (the Division doesn't have its own Business Plan). St John Ambulance operates under a robust and sustainable business model that prioritises financial resilience, community impact, and strategic growth. As outlined in its Strategic Plan 2024–2026, it is committed to enhancing operational efficiency, investing in digital transformation, and expanding its service reach to ensure long-term viability. It maintains detailed financial oversight and forecasting to support its capacity to deliver services and maintain infrastructure over the proposed nine-year lease term.

In terms of capital investment and facility management, St John Ambulance is actively investing in the renewal and maintenance of its buildings and operational infrastructure. It is committed to ensuring its facilities are safe, accessible, and fit for purpose. Planned capital works include upgrades to training spaces, energy-efficient retrofits, and improvements to accessibility features. These investments are aligned with its sustainability goals, which include reducing its environmental footprint and enhancing community value.

Revenue streams for the Division include training services, event health services, and fundraising, all of which are managed with strong governance and accountability frameworks

Officers assessed the application for a new lease as satisfactory and supports offering it a new community lease.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

All new leases include a Climate Emergency clause. This clause notes that Council has declared a Climate Emergency and as part of *Our Climate Emergency Response Strategy 2021-2025 Policy*. A tenant must endeavour to reduce its environmental impact by conducting activities such as waste disposal, energy efficiency and improvement works in a sustainable manner.

In terms of any refurbishments and capital investment of its premises, St John's Ambulance will be asked to make sure to include these requirements as part of our landlord consent documentation.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

In line with *Council's Leasing and Licensing Policy 2019*, a community tenant has a lease, including options, of not more than nine years. As such it is proposed to offer St John's Ambulance a new lease under the following terms:

Tenure:	An initial lease term of five years plus one option of a further four years.
Rental:	An annual rental of \$104.00 plus GST increasing by 3% on each anniversary of the lease.
Outgoings:	St John's Ambulance will continue to be responsible for all repairs, maintenance and capital investment in its premises.
Insurance:	Public Liability Insurance of \$20m (minimum)

New lease documents will be updated to contain more rigorous wording around Council's expectations with regard to tenants maintaining their facilities, including capital investment and asset management in the first five years of their lease with Council. These expectations will be discussed with St John Ambulance prior to the commencement of its new lease.

POLICY AND LEGISLATIVE IMPLICATIONS

A new lease as outlined above complies with the *Local Government Act 2020* and *Council's Leasing and Licensing Policy 2019*.

The land and building at 1B Birch Street, Caulfield South is not a short-medium term strategic site in the *Strategic Property Plan 2025-2030*.

COMMUNICATION AND ENGAGEMENT

There is no requirement to consult with the community on new leases to existing tenants.

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 St John Ambulance's Glen Eira Division has been actively involved in strengthening community resilience, with members recognised for their dedication to service, emergency response, health care and service to the public. The Division's history at the Birch Street ambulance hall reflects a deep commitment to supporting residents in times of need, fostering a safer and more prepared community.

Officers have considered the formal request for a new lease of the site by St John Ambulance against the Key Selection Criteria and recommend that Council enters into a new lease agreement.

OFFICIAL

Location plan



Lease plan – shown outlined in red



Front of St John Ambulance Hall





GLEN EIRA
CITY COUNCIL

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

COMMUNITY GROUP LEASES 2023-2025 – KEY SELECTION CRITERIA

KSC 1	Accessibility	<p>The Community Group must demonstrate how it:</p> <ul style="list-style-type: none"> • provides community access to members of the public • offers a variety of flexible activities and programs • provides fair and equitable pricing options for membership or use of the facility
KSC 2	Community benefit	<p>The Community Group must demonstrate how it:</p> <ul style="list-style-type: none"> • delivers quality community programs • engages at all levels and with all sectors of the community • provides opportunity for social interaction
KSC 3	Sustainability, including investment in facilities	<p>The Community Group must provide its Business Plan for the next 5-9 years (or the agreed term of the new lease) outlining:</p> <ul style="list-style-type: none"> • its business model and practices to maintain and achieve financial sustainability • planned investment in well managed and maintained buildings, grounds and court infrastructure • its planned and achievable capital works investment
KSC 4	Accountability	<p>The Community Group must demonstrate how it will:</p> <ul style="list-style-type: none"> • deliver and support national (peak body) programs, as applicable • meet all Child Safe Standard requirements • develop and distribute policies and procedures relevant to its permitted use of the Council facility to ensure Occupational Health and Safety for its committee, members and visitors • ensure successful management of legal and financial matters • evaluate performance of all areas of the group • have an active committee committed to short- and long-term planning • clearly define leadership role of committee members • Provide for regular contact and communication with relevant Council officers and departments within Council



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10.5 SALE OF LAND FROM PREVIOUSLY DISCONTINUED ROAD, REAR 61 AND 63 DOWNSHIRE ROAD AND 54 AND 56 SHOOBRA ROAD, ELSTERNWICK

Author: Amanda Mills, Coordinator Property and Leasing

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/1316127

Attachments: 1. Discontinuance plan [↓](#)
2. Title plan [↓](#)
3. Gazettal Notice 4 November 2010 [↓](#)
4. Location plan [↓](#)

EXECUTIVE SUMMARY

On 4 November 2010 Council discontinued the road at the rear of 61 to 75 Downshire Road and 54 to 68 Shoobra Road, Elsternwick, shown hatched in the Discontinuance Plan in Attachment 1, Title Plan in Attachment 2 and Gazettal Notice dated 4 November 2010 in Attachment 3. Parts of the road were sold to adjoining owners, others remained unsold and vested in Council.

The owners of the adjoining properties at 63 Downshire Road and 54 Shoobra Road, Elsternwick, requested to purchase the previously discontinued 2.44m wide sections of road adjoining their properties shown hatched in the Location Plan in Attachment 4 and identified as Lots 1 and 2 on TP944623J (**the Land**).

At its Ordinary Council Meeting on 10 June 2025 Council resolved to commence the statutory procedures under the *Local Government Act 2020* (**the Act**) to sell the Land from the previously discontinued road in accordance with Council's *Road and Reserves Discontinuance and Sale Policy 2022* (**the Policy**).

Specifically, Council resolved to:

1. resolves the statutory procedures be commenced pursuant to section 114 of the *Local Government Act 2020* to sell the land from the discontinued road adjoining 61 and 63 Downshire Road and 54 and 56 Shoobra Road, Elsternwick to the owners of 63 Downshire Road and 54 Shoobra Road, Elsternwick by private treaty;
2. gives notice of the intention to sell the land on Council's website stating that Council proposes to sell the land to the adjoining property owners at 63 Downshire Road and 54 Shoobra Road in Elsternwick, by private treaty in accordance with Council's Road and Reserves Discontinuance and Sale Policy 2022;
3. writes to all adjoining property owners and occupiers informing them of the proposal and providing them with a copy of the notice of intention to sell;
4. as part of its community engagement process invites both written and verbal submissions on the proposed discontinuance and sale;
5. resolves that in the event that no submissions are received, a further report be presented to the Council whether to sell the land, part of the land or not to sell the land;
6. resolves that in the event that submissions are received, Council considers the submissions at an Ordinary meeting of Council, including hearing of any submitters who requested to be heard as part of their submission and then determine whether to sell the land, part of the land or not to sell the land.

7. Notwithstanding the present intention to sell the land to the owners of 63 Downshire Road and 54 Shoobra Road in Elsternwick, in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to sell the land to any other interested property owners.

Public notice of the proposed sale was advertised on Council's website inviting both written and verbal submissions. No submissions were received from the public in relation to the proposal.

This report seeks Council's approval to sell the Land to the owners of 63 Downshire Road and 54 Shoobra Road, Elsternwick in accordance with the Policy.

RECOMMENDATION

That Council,

1. resolves, having undertaken a consultation process in accordance with section 114 of the *Local Government Act 2020*, for the proposed sale of the land from the previously discontinued road at the rear of 61 and 63 Downshire Road and 54 and 56 Shoobra Road, Elsternwick, and having received no submissions directs that the land shown as Lots 1 and 2 on TP944623J in Attachment 2 be sold by private treaty to the owners of
 - a. 54 Shoobra Road, Elsternwick (Lot 1); and
 - b. 63 Downshire Road, Elsternwick (Lot 2);
2. directs the Chief Executive Officer, or any such person that the Chief Executive Officer approves, sign any transfer and any other documents required to be signed in connection with sale and transfer to the adjoining owners

BACKGROUND

On 4 November 2010 Council discontinued the road at the rear of 61 to 75 Downshire Road and 54 to 68 Shoobra Road, Elsternwick, as shown in the Gazettal Notice in Attachment 3.

Following the discontinuance, the majority of the land from the road was sold to the adjoining property owners. Two parcels of land, shown hatched on the Location Plan in Attachment 2 and identified as Lots 1 and 2 on the Title Plan in Attachment 2 (the Land) remained unsold.

The owners of the adjoining properties at 63 Downshire Road and 54 Shoobra Road, Elsternwick have requested to purchase the unsold land from Council.

Public notice of the proposal was given on Council's website commencing Monday 21 July 2025 and remained on the website for the duration of the 28-day submission period. In addition, all adjoining property owners were informed of the proposal in writing and informed of their right to make a submission.

No submissions were received.

ISSUES AND DISCUSSION

In line with the Policy the four adjoining property owners of the Land have been consulted.

Whilst the owners of 61 Downshire Road and 56 Shoobra Road did not express an interest in the Land, the owners of 63 Downshire Road and 54 Shoobra Road, Elsternwick, have

both signed a Letter of Offer to acquire the Land, conditional upon Council successfully completing the statutory process.

The Land contains both a Council drain and South East Water sewer and accordingly appropriate encumbrances were saved at the time of the discontinuance in November 2010.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

The proposed sale of the Land has no effect in relation to our Climate Emergency.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The owners of 63 Downshire Road and 54 Shoobra Road, Elsternwick, have signed Letters of Offer to purchase the land for the following sums (incl. GST):

Lot	Property	Market Value	Total Purchase Price, including costs
1	Rear 54 Shoobra Road	\$36,300	\$49,125
2	Rear 63 Downshire Road	\$36,300	\$49,125

These amounts comprise the following:

- The market value of each Lot in accordance with valuation dated 19 February 2024. It is noted that a new valuation will need to be requested closer to the settlement date, but this is a statutory requirement only and will not affect the agreed sale price.
- An equal share of Council's reasonable costs associated with undertaking both the statutory procedures and preparation for sale of the Land, estimated to be a total of \$25,650.

POLICY AND LEGISLATIVE IMPLICATIONS

The Land has already been discontinued as a road.

All policy and legislative procedures have been carried out and are in accordance with the Policy and legislative requirements.

COMMUNICATION AND ENGAGEMENT

Council has completed the required procedures and community consultation in accordance with section 114 of the *Local Government Act 2020* and its *Community Engagement Policy 2024* with publication of a notice on Council's website, together with the distribution of correspondence to all necessary stakeholders.

LINK TO COUNCIL PLAN

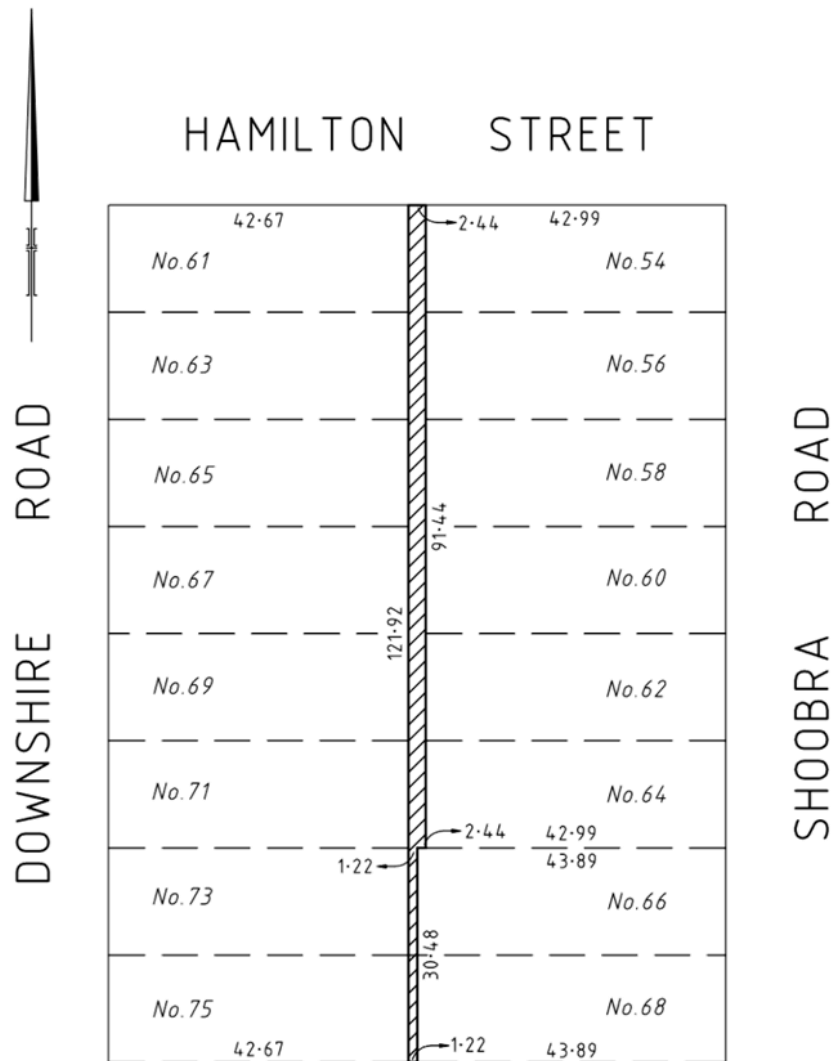
Strategic Direction 1: Well informed, transparent decisions and highly valued services
We build trust through engaging with our community, delivering quality services and making evidence-based decisions

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.

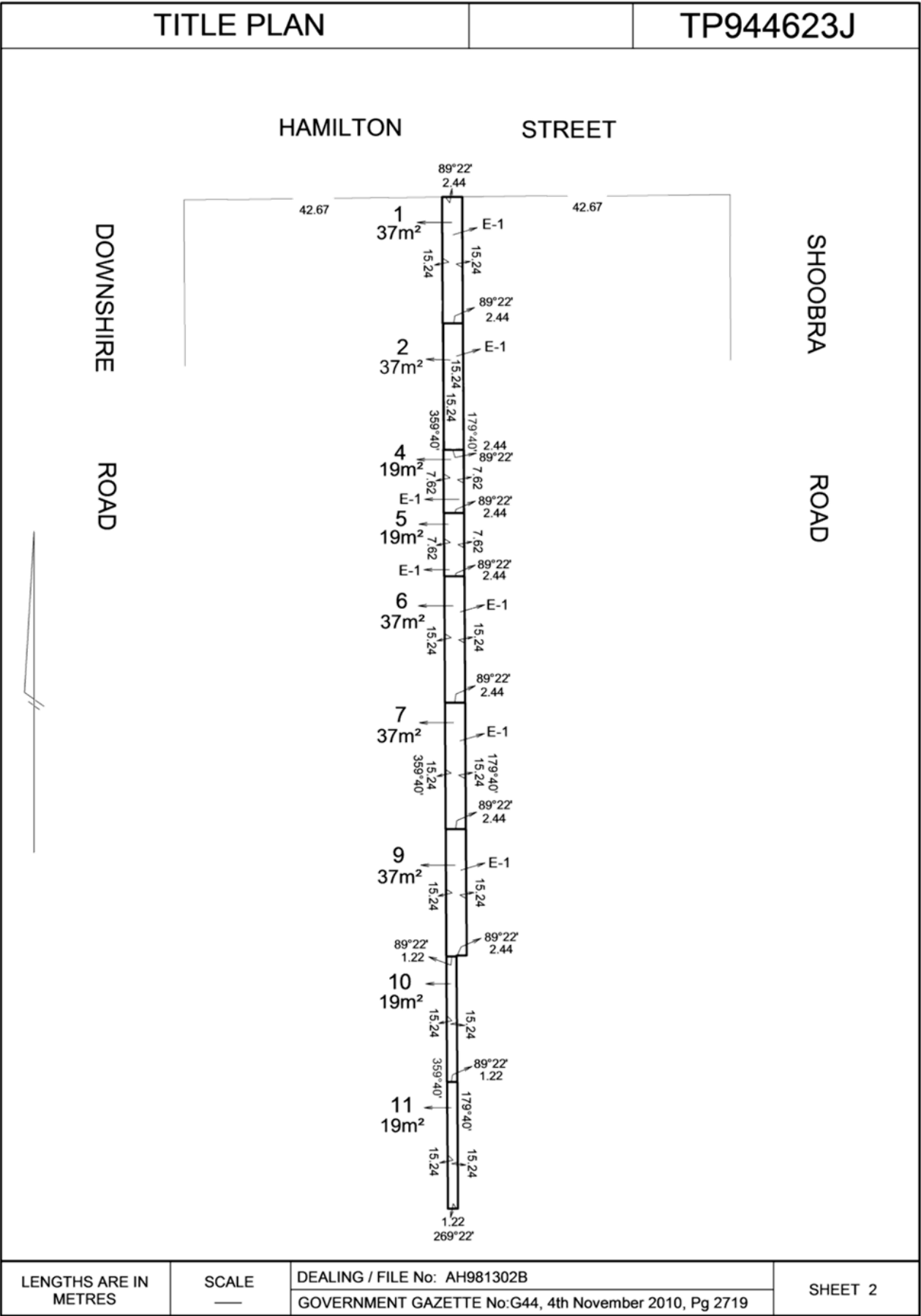
CONCLUSION

Council has given public notice of its intention to sell the land from the former road to the adjoining owners. No submissions were received. It is therefore considered by officers that the sections of previously discontinued road can be sold to the adjoining owners at 63 Downshire Road and 54 Shoobra Road, Elsternwick in accordance with the Policy.



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TITLE PLAN				EDITION 2		TP944623J	
LOCATION OF LAND				NOTATIONS			
PARISH: PRAHRAN EAST OF ELSTERNWICK				WARNING			
TOWNSHIP: -				THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND			
SECTION: -				ANY ONE LOT MAY NOT HAVE BEEN CREATED			
CROWN ALLOTMENT: 35				CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION			
CROWN PORTION: (PART)				LOTS 3 AND 8 HAVE BEEN OMMITED FROM THIS PLAN			
LAST PLAN REFERENCE: TP423438K				THIS PLAN IS NOT BASED ON SURVEY			
DERIVED FROM: VOL.2260 FOL.831 & VOL.3701 FOL.110							
DEPTH LIMITATION: -							
EASEMENT INFORMATION						THIS PLAN HAS BEEN PREPARED BY LAND VICTORIA FOR TITLE DIAGRAM PURPOSES	
E - ENCUMBERING EASEMENT. R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.							
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of			
ALL LAND IN THIS PLAN	AS PROVIDED FOR IN SEC 207C LGA 1989	SEE DIAG	SEC 207C LGA1989	GLEN EIRA CITY COUNCIL		Checked by: TSG	
E-1	AS PROVIDED FOR IN SEC 207C LGA 1989	SEE DIAG	SEC 207C LGA1989	SOUTH EAST WATER LIMITED		Date: Assistant Registrar of Titles	
<div>SEE SHEET 2</div>							
LENGTHS ARE IN METRES		SCALE		DEALING / FILE No: AH981302B		DEALING CODE: 207D	
				GOVERNMENT GAZETTE No: G44, 4th November 2010, Pg 2719		SHEET 1 OF 2	



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RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

TP944623J

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT 2		RECTIFICATION - PLAN AMEND	AY661933B	04/12/24	2	REN

Victoria Government Gazette

G 44 4 November 2010 2719

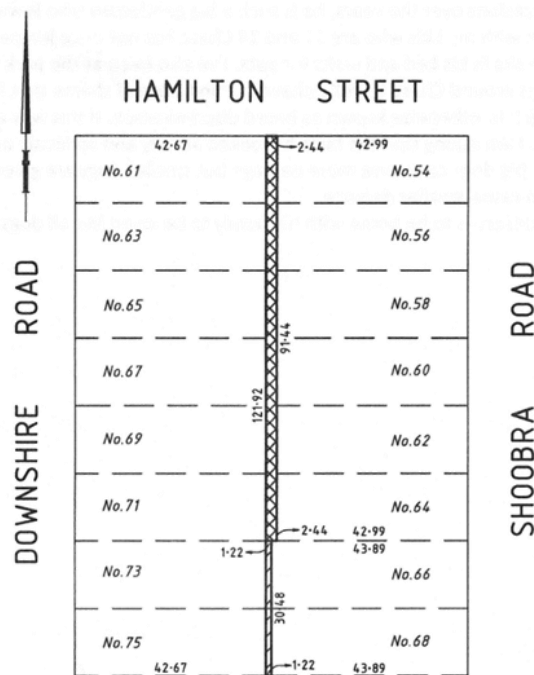
GLEN EIRA CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Glen Eira City Council has formed the opinion that the road at the rear of 54 to 68 ShooBRA Road and 61 to 75 Downshire Road, Elsternwick, shown hatched and cross-hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by Private Treaty to the adjoining property owners.

The section of road shown hatched is to be sold subject to the right, power or interest held by Glen Eira City Council in the road in connection with any drains or pipes under the control of that authority in or near the road.

The section of road shown cross-hatched is to be sold subject to the right, power or interest held by South East Water Limited and Glen Eira City Council in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



ANDREW NEWTON
Chief Executive Officer



10.6 DISCONTINUANCE AND SALE OF ROAD ABUTTING 1A FLORENCE STREET, ORMOND

Author: Amanda Mills, Coordinator Property and Leasing

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/1314967

Attachments: 1. Location and site plan [↓](#)
2. Title plan [↓](#)

EXECUTIVE SUMMARY

The owner of 1A Florence Street, Ormond requested that Council discontinue and sell the 3.05m wide road adjoining 1A Florence Street, 2/1 Florence Street and 357 Koornang Road, Ormond, shown in Attachment 1, being the part of the land contained in certificate of title volume 11520 folio 145 (**Road**) shown in Attachment 2.

At its Ordinary Council Meeting on 10 June 2025, Council resolved to commence the statutory procedures under the *Local Government Act 1989 (Act)* to discontinue the Road and sell the part of the Road to the adjoining owners at 1A Florence Street and 357 Koornang Road, Ormond (**Proposal**) in accordance with Council's *Road and Reserves Discontinuance and Sale Policy 2022 (Policy)*.

Specifically, Council resolved to:

- give public notice of the intention to discontinue and sell the land and invite submissions on the matter;
- notify all adjoining property owners and occupiers informing them of the proposal and providing them with a copy of the Public Notice; and
- in the event that no submissions were received, submit a further report to Council to seek a final decision on whether to discontinue and sell the road, part of the road or not to discontinue and sell the road.

Public notice of the proposal was advertised in The Age newspaper and on Council's website inviting both written and verbal submissions. No submissions were received from the public in relation to this matter.

This report seeks Council's approval to discontinue the Road and sell part of the Road to the owners of the adjoining properties at 1A Florence Street and 357 Koornang Road, Ormond; and retain the balance of the discontinued Road.

RECOMMENDATION

That Council, acting under clause 3 of Schedule 10 of the *Local Government Act 1989 (Act)*:

1. resolves, having followed all the required statutory procedures under s 207A and 224 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the section of road adjoining 1A Florence Street, Ormond, 2/1 Florence Street, Ormond and 357 Koornang Road, Ormond, being part of the land contained in certificate of title volume 11520 folio 145 and shown hatched on the site plan in Attachment 1 (**Road**), is not reasonably required as a road for public use for the reasons set out in this report, to discontinue the Road ;

2. directs that a notice be published in the *Victoria Government Gazette* under clause 3(a) of Schedule 10 of the Act;
3. directs that once discontinued:
 - a. the part of the Road shown as Lot 1 on the title plan in Attachment 2 be transferred to the owner of 1A Florence Street, Ormond;
 - b. the part of the Road shown as Lot 3 on the title plan in Attachment 2 be transferred to the owner of 357 Koornang Road, Ormond; and
 - c. Council retains the balance of the Road shown as Lot 2 on the title plan in Attachment 2; and

In accordance with Council's *Road and Reserves Discontinuance and Sale Policy 2022 (Policy)*.

4. directs that any easements, rights or interest required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road;
5. directs that the Chief Executive Officer, or any such person that the Chief Executive Officer approves, sign any transfer and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the adjoining owners; and
6. writes to the owner of 2/1 Florence Street advising that they do not own the part of the Road contained within their property and advising them to contact Council should they wish to purchase the land at a future date.

BACKGROUND

The Road is shown hatched on the site plan contained in Attachment 1.

The owner of the property at 1A Florence Street, Ormond requested that Council discontinue and sell to them part of the 3.05m wide road adjoining that property.

A site inspection confirmed that the hatched section of road has not been constructed and is presently enclosed within the properties at 1A Florence Street, Ormond, 2/1 Florence Street, Ormond and 357 Koornang Road, Ormond. This occupation appears to have prevailed for a considerable period of time.

On 10 June 2025, Council resolved to commence the statutory procedures to consider whether or not to discontinue and sell the Road to the adjoining owners, and to give public notice of the Proposal under s 207A and 223 of the Act.

ISSUES AND DISCUSSION

The Road is not on Council's Register of Public Roads.

Given the long-term occupation of the Road by the adjoining property owners at 1A Florence Street, Ormond, 2/1 Florence Street, Ormond and 357 Koornang Road, Ormond, the Road is no longer used for access by any or either of the adjoining properties for access.

Council officers have considered whether the Road is redundant, in line with the Policy which states:

"In considering whether a section of Road or Reserve is redundant, Council will consider whether the land is still required for a public purpose (now or in the future)..."

The Road is not required for a public purpose and is not expected to be required for a public purpose in the future.

All necessary Council departments and service authorities were previously consulted. The following statutory authorities were asked to respond to the question of whether they have any existing asserts in the Road that should be saved under section 207C of the Act:

1. South East Water;
2. Melbourne Water;
3. CitiPower;
4. United Energy;
5. Multinet Gas;
6. Telstra;
7. Optus;
8. AusNet Services; and
9. Glen Eira City Council.

On 15 May 2024, Council advised that the Road is located in a Melbourne Water Special Building Overlay, and it will not object to the Proposal subject to a 1.83m drainage easement being created over the eastern boundary of the Road, in favour of Council.

On 21 August 2024, South East Water (**SEW**) advised that the Road contains existing SEW sewer assets. With respect to these assets, SEW will not object to the Proposal subject to an easement being created over the Road in favour of SEW to protect that asset.

On 4 September 2024, Telstra advised that it has no assets located within or above the Road, and no objections to the Proposal, provided that the adjoining owners:

- call Dial Before You Dig prior to any construction activities in the vicinity of Telstra's communication plant; and
- upon receipt of plans, obtains a Telstra accredited Asset Plant Locator to confirm the location of the plant.

The Council and SEW easements will be created over the Road as a condition of transfer to the adjoining owners.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

The proposal to discontinue the road and sell the land has no effect in relation to our Climate Emergency.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The owners of 1A Florence Street and 357 Koornang Road have signed cost agreements to purchase their respective part of the Road for the following amounts:

Property	Market value (incl GST)	50% Market value (incl GST)	Contribution to Council's costs (incl GST)	Total amount payable by purchaser (incl GST)
1A Florence Street, Ormond	\$34,100	\$17,050	\$9,548	\$26,598
357 Koornang Road, Ormond	\$9,350	\$4,675	\$7,500	\$12,175

In addition to the purchase price, the owners of 1A Florence Street and 357 Koornang Road have agreed to pay all of Council's legal and associated costs to discontinue and sell the road to them.

If the Road is discontinued and sold to the owners of 1A Florence Street and 357 Koornang Road, Council requires both owners to consolidate the title to the former Road with the title

to each of their properties, within 6 months of the date of transfer of the former Road at their cost.

POLICY AND LEGISLATIVE IMPLICATIONS

All policy and legislative procedures have been carried out and are in accordance with the Policy and legislative requirements

COMMUNICATION AND ENGAGEMENT

The public notice required under s 223 of the Act was placed in:

- The Age on 7 July 2025; and
- Council's website on 4 July 2025.

Council informed various owners and occupiers of the properties in the vicinity of the Road of the proposal by letter dated 11 July 2025, and provided a copy of the public notice.

No submissions were received by Council in response to the public notice by the closing date, being 4 August 2025.

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

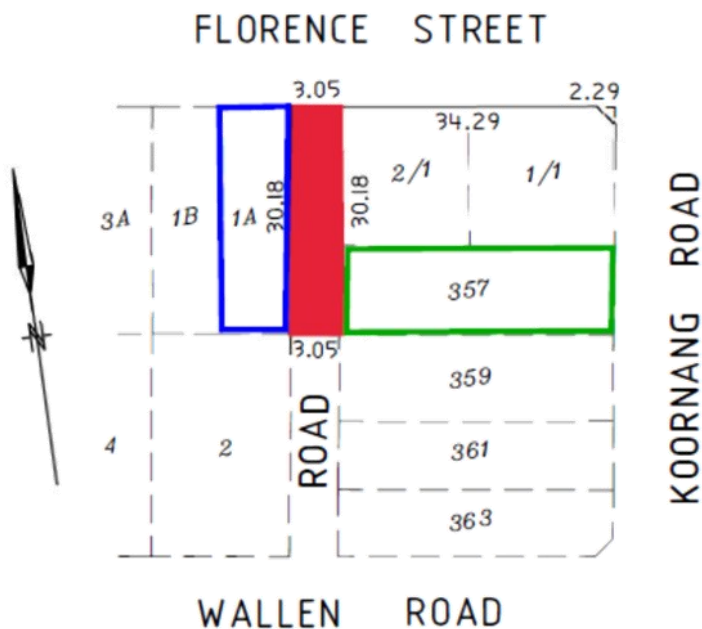
OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

Council officers are of the opinion the Road is no longer required by Council, and it is appropriate to discontinue and sell the Road to the owners of 1A Florence Street and 357 Koornang Road, Ormond, in accordance with the Policy.

OFFICIAL



TITLE PLAN		TP959869Q	
LOCATION OF LAND PROPERTY ADDRESS: FLORENCE STREET, ORMOND PARISH: PRAHRAN TOWNSHIP: EAST OF ELSTERNWICK SECTION: CROWN ALLOTMENT: CROWN PORTION: 73 (PART) LAST PLAN REFERENCE: PART OF ROAD R1 ON LP11411 DERIVED FROM: VOL. 11520 FOL. 145		NOTATIONS WARNING: THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR UPDATED INFORMATION. THIS PLAN IS NOT BASED ON SURVEY MGA2020 Co-ordinates (of approx. centre of land in plan) E 328 900 ZONE 55 N 5 803 110 DEPTH LIMITATION : DOES NOT APPLY	
EASEMENT INFORMATION			
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)			
Reference Easement	Purpose	Width (Metres)	Origin Land Benefited/In Favour Of
ALL THE LAND IN THIS PLAN	AS PROVIDED FOR IN SEC 207C LGA 1989	3.05	SEC 207C LGA1989 SOUTH EAST WATER CORPORATION
	AS PROVIDED FOR IN SEC 207C LGA 1989	3.05	SEC 207C LGA1989 GLEN EIRA CITY COUNCIL
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>FLORENCE STREET</p> <p>LOT 1 69m²</p> <p>LOT 2 3.3m²</p> <p>LOT 3 19.7m²</p> <p>ROAD</p> </div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> <p>KOORNANG ROAD</p> </div> </div>			
ORIGINAL SHEET SIZE A3 SCALE 1:250 GOVERNMENT GAZETTE No: SURVEYOR REFERENCE No: 14215S/3 VERSION: A		CERTIFICATION BY SURVEYOR SHEET 1 OF 1 SHEETS <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p>Hellier McFarland Development Consultants Town Planners Land Surveyors Level 2, 1911 Malvern Road, Malvern East, VIC 3145 PO Box 1206, Darling, VIC 3145 Tel: 03 9532 9951 Fax: 03 9532 9941 www.hmf.com.au info@hmf.com.au</p> </div> <div style="width: 40%; text-align: center;"> <p>LICENSED SURVEYOR Raymund Francis Earls</p> </div> </div>	

**10.7 APPOINTMENT AND AUTHORISATION OF AUTHORISED OFFICERS -
PLANNING AND ENVIRONMENT ACT 1987**

Author: Ludwig Cook, Legal and Governance Officer

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/1322991

Attachments: 1. S11A - Brendan Ward, Senior Urban Planner - Instrument of Appointment and Authorisation [↓](#)

EXECUTIVE SUMMARY

Section 147(4) of the *Planning and Environment Act 1987* allows Council to authorise Council officers to be an authorised officer under the *Planning and Environment Act 1987*, thereby enabling them to exercise the statutory powers and perform the functions of an authorised officer, including the carrying out of enforcement activities.

RECOMMENDATION

That Council in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*, resolves that:

1. the member of Council staff referred to in the attached Instrument of appointment and authorisation ('Instrument') be authorised as set out in the Instrument; and
2. the Instrument be sealed; and
3. the Instrument comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it, or the officer named in the instrument ceases to be an employee of Glen Eira City Council.

BACKGROUND

Council routinely appoints Council officers to undertake enforcement of Acts, regulations and local laws. Typically, the Chief Executive Officer directly appoints and authorises staff, but section 188(2)(c) of the *Planning and Environment Act 1987* prohibits Council from delegating this function to the CEO. Where officers are appointed to enforce the *Planning and Environment Act 1987*, Council must directly authorise those officers.

ISSUES AND DISCUSSION

Section 147(4) of the *Planning and Environment Act 1987* provides for Council to authorise officers in writing to be an authorised officer under the *Planning and Environment Act 1987*, thereby enabling them to carry out the statutory functions of an authorised officer, including the carrying out of enforcement activities.

Authorisations are required for members of staff whose duties require them to enforce the *Planning and Environment Act 1987*.

An Authorised Officer, authorised by Council under the *Planning and Environment Act 1987*, may, subject to any statutory and procedural requirements, conduct enforcement when breaches of the *Act* occur.

When breaches are detected, an Authorised Officer may, subject to any statutory and procedural requirements, exercise investigative powers, including entry to land without consent, applying for search warrants, issuing infringements or commencing prosecutions.

The attached Instrument appoints an officer pursuant to section 147(4) of the *Planning and Environment Act 1987* and includes the general appointment provision in section 313 of the *Local Government Act 2020* so the officer may, where necessary, institute proceedings in the corporate name of Council.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

Not applicable.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

Not applicable.

POLICY AND LEGISLATIVE IMPLICATIONS

The attached Instrument is made pursuant to the *Planning and Environment Act 1987* and the *Local Government Act 2020*.

COMMUNICATION AND ENGAGEMENT

Internal consultations have been conducted to ensure the Instrument is consistent with day-to-day work at Council.

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's authorisation of the Council officer referred to in the attached Instrument as an Authorised Officer will enable the officer to exercise the power and perform the functions of an authorised officer under the *Planning and Environment Act 1987*.

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "**officer**" means -

Brendan Ward, Senior Urban Planner

By this instrument of appointment and authorisation Glen Eira City Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer generally to institute proceedings for offences against the *Planning and Environment Act 1987* and any regulations made under that Act.

It is declared that this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked or the officer ceases to be an employee of Glen Eira City Council.

This instrument is authorised by a resolution of the Glen Eira City Council on 25 September 2025.

..... Councillor

..... Chief Executive Officer

Date:

10.8 FINANCIAL MANAGEMENT REPORT AS AT 31 AUGUST 2025

Author: Alon Milstein, Coordinator Financial Accounting

Director: John Vastianos, Chief Financial Officer

Trim No: 25/1341197

Attachments: 1. August Finance Report [↓](#)

EXECUTIVE SUMMARY

Council plays a pivotal role in fostering a thriving, inclusive, and sustainable community through the delivery of a broad and diverse range of services and facilities. These encompass essential infrastructure, community programs, recreational spaces, health and wellbeing initiatives, and support services each contributing to a healthy, well-connected, and liveable municipality for all residents.

This report presents the Financial Management performance for the period ending 31 August 2025. It is designed to support informed decision-making by highlighting and explaining significant variances. Detailed financial data and analysis are provided in Attachment 1.

The forecast operating surplus for the 2025–26 financial year is \$3.95 million, which is \$2.09 million below the originally adopted budget surplus of \$6.03 million. This variance is primarily due to the early receipt of 50 per cent of the estimated 2025–26 Financial Assistance Grant in June 2025; a timing issue that does not reflect a reduction in total funding.

It is important to note that the operating surplus does not equate to a cash profit. Rather, it reflects the net result of total revenue and expenditure, inclusive of accruals, one-off transactions, and non-cash accounting adjustments such as depreciation and provisions. These elements are essential for presenting a complete and accurate picture of Council's financial position and operational performance.

This result must be viewed in the context of ongoing financial pressures facing local government. Council continues to navigate a challenging fiscal environment marked by rising service delivery costs, constrained revenue growth due to rate capping, and increasing regulatory obligations. These factors place significant strain on operational budgets and necessitate careful prioritisation of resources to maintain service levels and infrastructure investment.

In response, Council is actively progressing a suite of strategic financial levers to strengthen its long-term financial position. These include reviewing service delivery models, exploring alternative revenue streams, optimising asset utilisation, and prioritising capital investment to ensure alignment with community needs and financial sustainability objectives. This work is underpinned by Council's commitment to responsible stewardship of public funds and ensuring that resources are allocated transparently and effectively.

Council remains committed to reinvesting any available surplus into capital works and debt redemption. While cash holdings remain low, Council is actively managing its financial position to ensure sufficient reserves are maintained. These reserves are earmarked for key obligations including open space development, contract deposits, employee entitlements, and residential aged care deposits.

Through this disciplined approach, Council continues to demonstrate prudent financial management and a strong commitment to fulfilling its responsibilities to the community, ensuring public resources are managed transparently and effectively to support both current service delivery and future community needs.

RECOMMENDATION

That Council notes the Financial Management Report for the period ending 31 August 2025.

BACKGROUND

Under section 97 of the *Local Government Act 2020*, councils are required to present a quarterly budget report at a public Council meeting, including a comparison of actual and budgeted results, explanations of material variations, and any other prescribed matters. Glen Eira City Council prepares and reviews financial reports on a monthly basis, supporting timely oversight, informed decision-making, and a commitment to financial transparency and accountability.

The attached report presents a comparison of Council's year-to-date actual operating income and expenditure against both the budgeted year-to-date figures and the forecast to 30 June 2026. This analysis enables Council to monitor financial performance, assess alignment with strategic objectives, and identify any emerging variances requiring attention.

In addition to operating results, the report provides a review of the Capital Works Program and an assessment of Council's cash flow position. The report also examines rate debtors and incorporates the Victorian Auditor-General's Office financial sustainability indicators, which benchmark Council's long-term financial health across key metrics such as liquidity, indebtedness, and asset renewal.

ISSUES AND DISCUSSION

(a) Key Highlights - Current Financial Position

The forecast result expected for the financial year is a surplus of \$3.95m. Key highlights for the period ending 31 August 2025 include:

Key Highlights	July 2025	August 2025	Movement	Comments
	\$ 000's	\$ 000's	\$ 000's	
Forecast Surplus	3,476	3,946	469	No material forecast movements for August. Refer to the Financial Management Report for further details.
Forecast Liquidity	151.24%	153.89%	2.65%	Forecast liquidity has increased due to higher than anticipated inflows.
Forecast Capital Works	34,911	35,338	426	\$426k increase for Pathway Project - Glen Huntly Park funded by Caulfield Racecourse Reserve Trust. Refer to the Financial Management Report for further details.

(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 31 August 2025 is as follows:

Description	2025-26 Current Month	2025-26 Year to Date
Opening Balance as at 1 July 2025		\$26,886,612
Open Space Contributions Received	\$1,033,476	\$1,357,176
Open Space Capital Expenditure	\$0	\$0
Closing Balance Open Space Reserve		\$28,243,788
Committed Open Space Purchases		(\$14,750,000)
Available Open Space Reserve Funds		\$13,493,788

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 acknowledging that our rates have been below similar councils for a long time.
- **Community Engagement** – ensure that priorities reflect feedback from, and engagement with, the community.

POLICY AND LEGISLATIVE IMPLICATIONS

- Glen Eira Council Financial Plan 2024-25 to 2033-34
- Glen Eira Council Revenue and Rating Plan 2025-2029
- Glen Eira Council Budget 2025-2026
- Glen Eira Council Plan 2021-2025
- 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

In preparing the Financial Management Report, Council officers take into account a range of other plans and strategic documents that outline services and initiatives requiring both 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 exercise disciplined financial management to deliver strong outcomes for the community. In an environment marked by economic uncertainty, rising service delivery costs, and increasing regulatory demands, Council remains proactive in identifying and mitigating financial risks that could impact long-term sustainability. Through ongoing monitoring, strategic planning, and transparent reporting, Council ensures that resources are allocated effectively and responsibly. This commitment to sound financial stewardship enables Council to maintain service levels, invest in critical infrastructure, and respond adaptively to emerging challenges, reinforcing its role as a trusted custodian of public funds and a resilient partner in community wellbeing.

OFFICIAL

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2025

Financial Management Report for the period ending 31 August 2025

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Financial Strategy16

OFFICIAL

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2025

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

At the end of August, the year-to-date performance against budget from ordinary activities showed higher than anticipated income of \$1.48m and a favourable variance in operating expenditure of \$830k.

Please note that a large amount of the current variances is due to timing differences (i.e. between the scheduling of budgets and timing of actual results). The next few months should reflect whether these variances (particularly the expenditure variances) become more permanent for the 2025-26 financial year.

b) Current Month Forecast Result

The forecast result expected for the financial year is a surplus of \$3.95m. This compares unfavourably against the original adopted 2025-26 Budget surplus of \$6.03m mainly due to the timing of the early receipt of 50 per cent of the estimated 2025-26 Financial Assistance Grant allocation received in June 2025 (\$2.55m). This is a timing variance only. 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 the 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.

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 since 2021, including the future settlement of Elsternwick Club, is \$39m.

OFFICIAL

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2025

The balance of the Open Space Reserve as at 31 August 2025 is as follows:

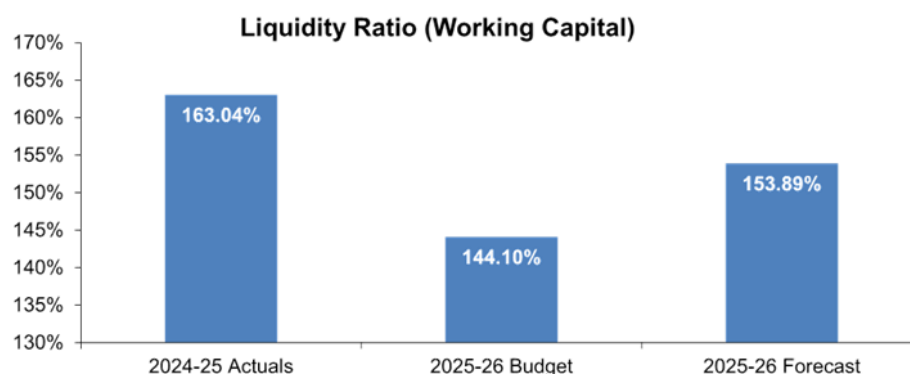
Description	2025-26 Current Month	2025-26 Year to Date
Opening Balance as at 1 July 2025		\$26,886,612
Open Space Contributions Received	\$1,033,476	\$1,357,176
Open Space Capital Expenditure	\$0	\$0
Closing Balance Open Space Reserve		\$28,243,788
Committed Open Space Purchases		(\$14,750,000)
Available Open Space Reserve Funds		\$13,493,788

d) Loan borrowings

Council has secured loan facilities totalling \$64m through the Treasury Corporation of Victoria. The breakdown of these borrowings is as follows:

- \$47m in general-purpose loans from the Treasury Corporation of Victoria
- \$7m under the 2019 Community Infrastructure Loans Scheme, comprising:
 - \$2m for the *Eat Street Community Space Project*
 - \$5m for the *Bentleigh Library Redevelopment*
- \$10m under the 2020 Community Sports Infrastructure Loans Scheme for the *Carnegie Memorial Swimming Pool Redevelopment*.

As at 31 August 2025, the closing balance of loan borrowings stands at \$59.55m. Council has budgeted average annual repayments of \$7m in principal and interest, with no additional loan drawdowns planned for the 2025–26 financial year.

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 Emergency Services and Volunteers Fund.

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

OFFICIAL

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2025

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

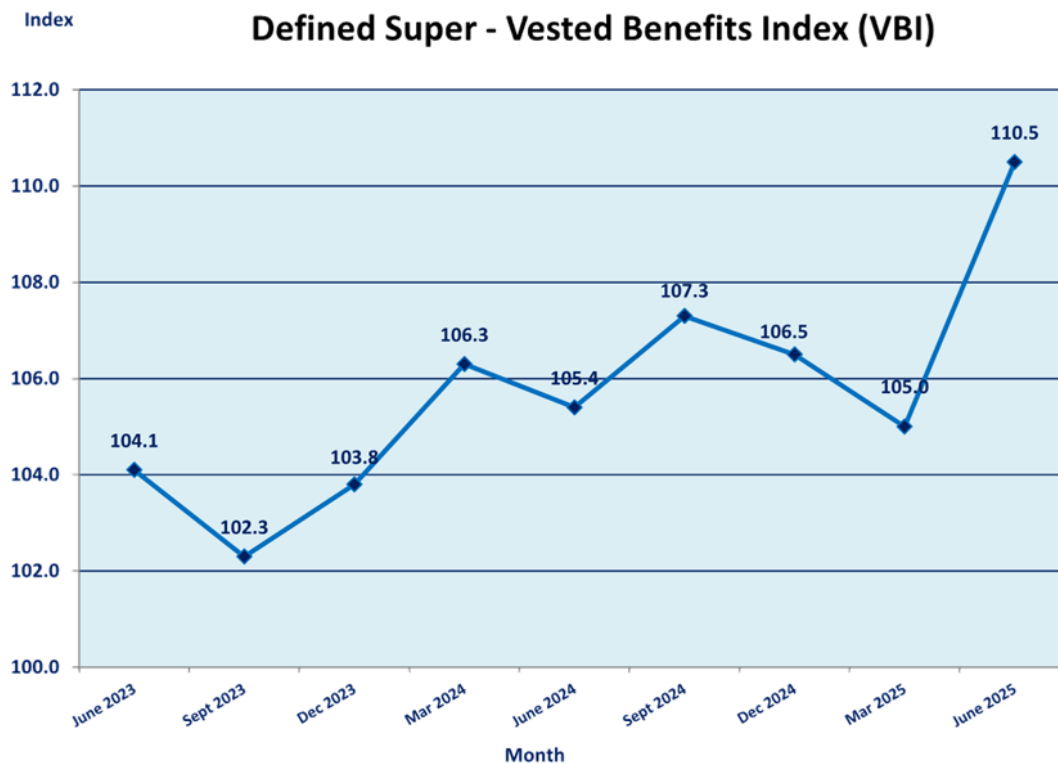
Defined benefit plans are required by law to have an actuarial investigation at least once every three years. Vision Super monitors the vested benefit position of the defined benefits plan on a quarterly basis.

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 per cent. 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 per cent or more. In the event the VBI falls below the nominated shortfall threshold (i.e., 97 per cent), 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 June 2025.



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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 forecast adjustments for August 2025

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Income Statement

for the period ending 31 August 2025

	2025-26 Year to Date Actual	2025-26 Year to Date Budget	2025-26 Year to Date Variance	2025-26 Year to Date Variance	2025-26 Previous Month End Forecast	2025-26 Current Month Forecast	2025-26 Forecast Movement	2025-26 Annual Budget	2025-26 Budget Forecast Variance
	\$ 000's	\$ 000's	\$ 000's	(%)	\$ 000's	\$ 000's	\$ 000's	\$ 000's	(%)
Income from Ordinary Activities									
General Rates	118,196	118,196	1	0.0%	118,737	118,793	56	118,737	0.0%
Supplementary Rates	504	500	4	0.0%	850	852	2	850	0.2%
Waste & Recycling Charges	28,382	28,366	16	0.1%	28,366	28,399	33	28,366	0.1%
Grants (Operating & Capital)	5,030	4,435	595	13.4%	26,134	26,294	160	28,690	(8.4%)
Interest Received	485	377	109	28.8%	2,260	2,333	73	2,260	3.2%
User Fees	5,096	4,472	624	14.0%	30,007	29,876	(131)	30,007	(0.4%)
Statutory Fees & Fines	2,032	1,995	38	1.9%	11,970	11,986	16	11,970	0.1%
Contributions (Monetary)	1,357	1,250	107	8.6%	5,000	4,907	(93)	5,000	(1.9%)
Other Income	300	316	(15)	(4.9%)	2,593	2,556	(37)	2,593	(1.4%)
Total Income from Ordinary Activities	161,383	159,905	1,477	0.92%	225,917	225,996	79	228,473	(1.1%)
Expenses from Ordinary Activities									
Employee Costs	14,926	15,829	903	5.7%	94,630	94,346	284	94,630	0.3%
Materials & Consumables	861	985	124	12.6%	5,138	5,075	63	5,138	1.2%
Contractor Payments	11,344	11,260	(84)	(0.7%)	64,111	64,023	88	64,111	0.1%
Maintenance	1,441	1,557	115	7.4%	8,876	8,686	191	8,876	2.1%
Utility Services	947	790	(157)	(19.8%)	5,363	5,285	77	5,363	1.4%
Insurances	1,928	2,084	155	7.4%	2,350	2,178	172	2,350	7.3%
Other Expenses	1,578	1,374	(204)	(14.8%)	7,299	7,498	(198)	7,299	(2.7%)
Grants & Subsidies	44	20	(24)	(116.0%)	1,646	1,667	(20)	1,646	(1.2%)
Borrowing Costs	406	406	0	0.0%	2,438	2,438	(0)	2,438	(0.0%)
Total Expenses from Ordinary Activities	33,476	34,306	830	2.4%	191,852	191,196	657	191,852	0.3%
Surplus/(deficit) before non operational activities	127,907	125,599	2,307	1.8%	34,064	34,800	736	36,620	(5.0%)
Non-operational Activities									
Proceeds from Sale of Property, Infrastructure, Plant and Equipment	43	62	(19)	(30.2%)	370	339	(31)	370	(8.4%)
Written Down Value of Assets Sold/Disposed	6	5	(1)	0.0%	1,431	1,435	(4)	1,431	(0.3%)
Depreciation & Amortisation	5,377	4,918	(458)	(9.3%)	29,527	29,759	(232)	29,527	(0.8%)
Surplus/(deficit) for the period	122,567	120,737	1,829	1.5%	3,476	3,946	469	6,032	(34.6%)

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Balance Sheet**for the period ending 31 August 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 2024-25	Annual Budget 2025-26	Annual Forecast 2025-26	Year to Date Actual 2025-26	Previous Month End Actuals
	\$ 000's	\$ 000's	\$ 000's	\$ 000's	\$ 000's
Assets					
Current Assets					
Cash and Cash Equivalents	77,437	55,106	66,901	73,606	66,137
Trade and Other Receivables	22,648	22,583	22,648	179,218	195,967
Other Assets	5,714	6,063	5,714	5,528	5,636
Total Current Assets	105,799	83,752	95,263	258,353	267,741
Non-Current Assets					
Property, Infrastructure, Plant and Equipment	2,885,292	2,717,244	2,892,836	2,881,330	2,882,919
Right-of-use-assets	1,215	681	1,215	1,215	1,215
Intangible Assets	589	334	589	539	564
Investments in Joint Operations	327	282	327	326	326
Other Financial Assets	5	5	5	5	5
Total Non-Current Assets	2,887,428	2,718,547	2,894,972	2,883,417	2,885,030
TOTAL ASSETS	2,993,227	2,802,299	2,990,235	3,141,769	3,152,771
Liabilities					
Current Liabilities					
Trade and Other Payables	18,041	12,926	14,418	19,938	19,848
Trust Funds and Deposits	25,218	23,892	25,218	54,750	55,144
Unearned Income	4,988	3,028	4,988	-	-
Provisions	13,782	14,780	13,782	13,636	13,605
Interest-Bearing Liabilities	2,155	2,959	2,959	1,959	1,967
Lease Liabilities	706	537	537	706	706
Total Current Liabilities	64,890	58,122	61,902	90,989	91,271
Non-Current Liabilities					
Provisions	1,479	1,173	1,479	1,479	1,479
Interest-Bearing Liabilities	57,716	54,375	54,375	57,594	57,762
Lease Liabilities	839	229	229	839	839
Other Liabilities - Joint Operations	3,010	4,753	3,010	3,010	3,010
Total Non-Current Liabilities	63,044	60,530	59,093	62,923	63,091
Total Liabilities	127,934	118,652	120,995	153,912	154,362
Net Assets	2,865,295	2,683,646	2,869,240	2,987,858	2,998,409
Equity					
Accumulated Surplus	1,024,176	1,016,637	1,028,122	1,145,385	1,156,969
Asset Revaluation Reserve	1,812,971	1,637,316	1,812,971	1,812,969	1,812,969
Public Open Space Reserve	26,887	28,433	26,887	28,244	27,210
Strategic Asset Development Reserve	1,260	1,260	1,260	1,260	1,260
Total Equity	2,865,295	2,683,646	2,869,240	2,987,858	2,998,409

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Capital Works Program**for the period ending 31 August 2025**

This represents our portfolio of capital projects that have been adopted and formally approved by Council as part of the 2025-26 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 August 2025, the total capital works expenditure forecast for 2025-26 is expected to be \$35.34m, represented by:

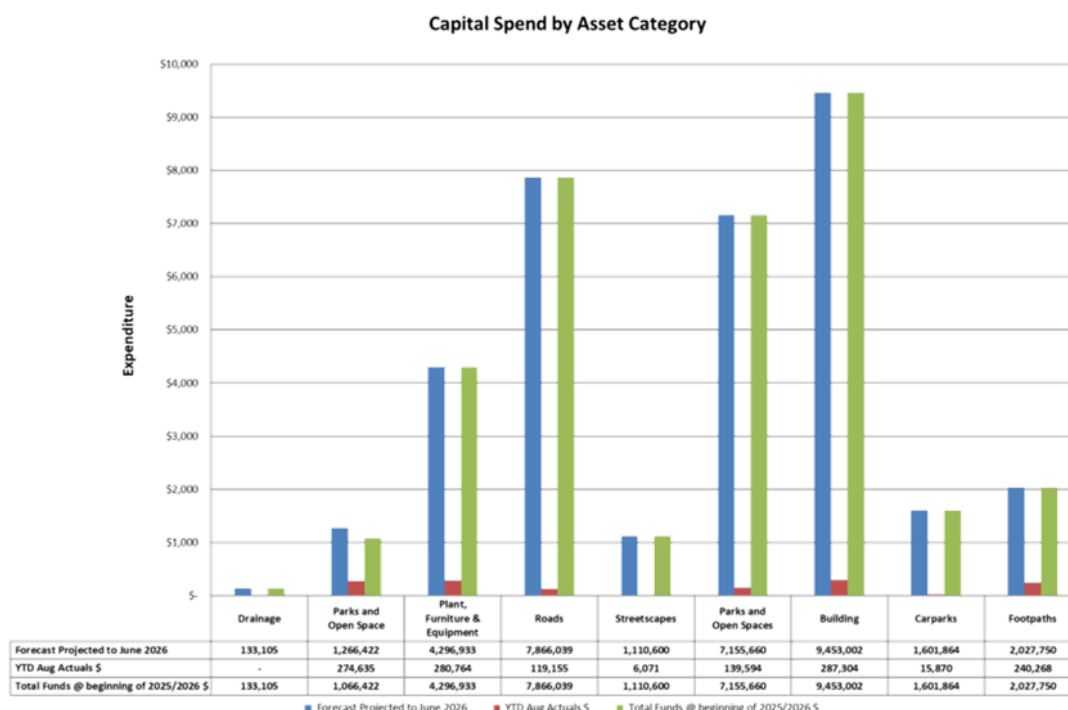
- New capital works projects as per the adopted 2025-26 Budget \$27.17m
- Carry forward projects from 2024-25 \$7.54m
- Accumulated project forecast adjustment \$626k.

Forecast adjustments for August 2025:

- \$426k increase for Pathway Project - Glen Huntly Park funded by Caulfield Racecourse Reserve Trust.

Capital Works Performance Graphs

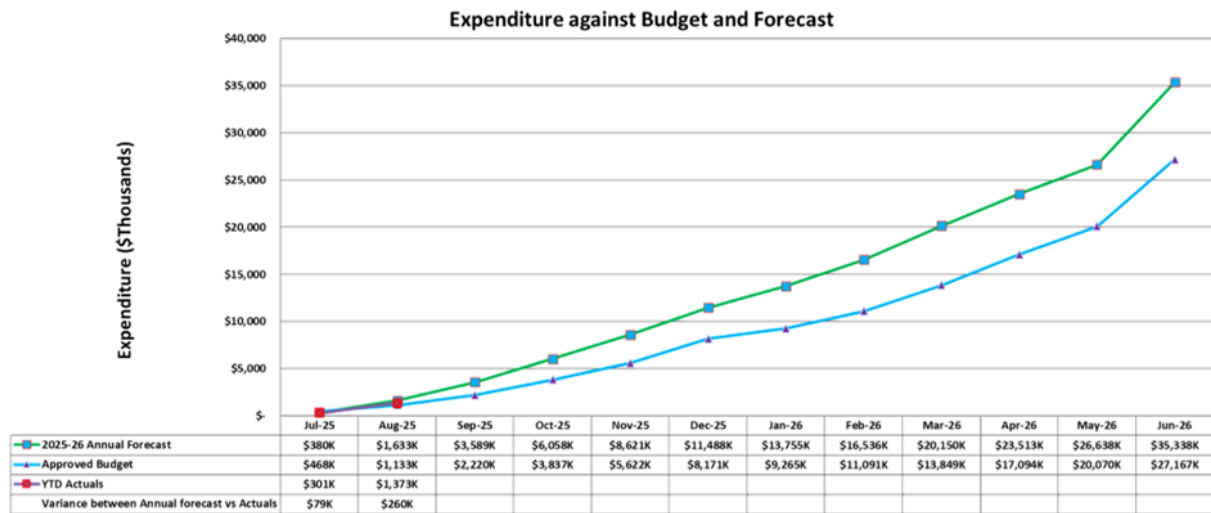
The below graphs reflect the 2025-26 budget allocations for the main asset category and monthly expenditure against budget and forecast.



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The August capital expenditure is \$260k below forecast, primarily due to timing differences in Renewal Projects, which is \$187k behind forecast. The variance is expected to be recovered in the coming months, as projects catch up to their planned timelines.

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Capital Works Program Expenditure for period ending 31 August 2025								
Description	Adopted Capital Budget	Carry Forwards from 2024-25	Budget Plus Carry Forwards	Adjustments	Annual Forecast	Year To Date Actual Expenditure	Year To Date Forecast	Year To Date Variance
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
PLACE								
CYCLING ACTION PLAN	433,600	-	433,600	-	433,600	-	-	-
SHOPPING/ACTIVITY CENTRE IMPROVEMENTS	150,000	-	150,000	-	150,000	-	-	-
INTEGRATED TRANSPORT STRATEGY	80,000	-	80,000	-	80,000	-	-	-
BETTER STREETS BETTER PLACES PROGRAM	852,000	-	852,000	-	852,000	-	-	-
CARNEGIE LANEWAY IMPROVEMENTS	75,000	-	75,000	-	75,000	-	-	-
CARNEGIE MASTER PLAN	450,000	-	450,000	-	450,000	-	-	-
PLACEMAKING STRATEGY IMPLEMENTATION	150,000	-	150,000	-	150,000	6,071	-	(6,071)
TOTAL PLACE	2,190,600	-	2,190,600	-	2,190,600	6,071	-	(6,071)
TRANSFORMATION & TECHNOLOGY								
GIS UPGRADE/REPLACEMENTS	-	236,113	236,113	-	236,113	-	23,611	23,611
TOTAL TRANSFORMATION & TECHNOLOGY	-	236,113	236,113	-	236,113	-	23,611	23,611
RECREATION AND OPENSACE								
OPEN SPACE STRATEGY INITIATIVES	678,311	595,995	1,274,306	-	1,274,306	36,647	118,000	81,353
RECREATION PROGRAM	750,000	767,257	1,517,257	626,168	2,143,425	248,009	247,979	(30)
SPORTSGROUND LIGHTING UPGRADE	300,000	-	300,000	-	300,000	-	-	-
PUBLIC TOILET BLOCK UPGRADE	79,500	-	79,500	-	79,500	-	-	-
PARKING SPACES IN OUR PLACES	150,000	-	150,000	-	150,000	-	20,000	20,000
TOTAL RECREATION AND OPENSACE	1,957,811	1,363,252	3,321,063	626,168	3,947,231	284,656	385,979	101,323
COMMUNITY FACILITIES								
BUILDING IMPROVEMENTS	-	138,235	138,235	-	138,235	51,720	51,720	-
PARK PAVILION UPGRADE	4,500,000	1,962,365	6,462,365	-	6,462,365	153,830	146,000	(7,830)
CARNEGIE LIBRARY	50,000	-	50,000	-	50,000	-	-	-
CARNEGIE MEMORIAL SWIMMING POOL	100,000	-	100,000	-	100,000	33,695	40,000	6,305
TOTAL COMMUNITY FACILITIES	4,650,000	2,100,600	6,750,600	-	6,750,600	239,244	237,720	(1,524)
SUSTAINABILITY								
SUSTAINABILITY INITIATIVES	2,066,980	699,771	2,766,751	-	2,766,751	145,642	159,074	13,432
BICYCLE PARKING IMPLEMENTATION	20,000	-	20,000	-	20,000	-	-	-
INTEGRATED WATER MANAGEMENT	90,000	-	90,000	-	90,000	-	-	-
OPEN SPACE STRATEGY INITIATIVES	550,000	225,713	775,713	-	775,713	5,265	(17,655)	(22,920)
TOTAL SUSTAINABILITY	2,726,980	925,484	3,652,464	-	3,652,464	150,907	141,419	(9,488)
COMMUNITY SAFETY								
TRANSPORT PLANNING	2,057,834	2,071,796	4,129,630	-	4,129,630	35,135	-	(35,135)
TOTAL COMMUNITY SAFETY	2,057,834	2,071,796	4,129,630	-	4,129,630	35,135	-	(35,135)

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Capital Works Program Expenditure for period ending 31 August 2025 (continued)								
Description	Adopted Capital Budget	Carry Forwards from 2024-25	Budget Plus Carry Forwards	Adjustments	Annual Forecast	Year To Date Actual Expenditure	Year To Date Forecast	Year To Date Variance
	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)	(\$)
RENEWALS								
FURNITURE & FITTINGS	69,631	62,000	131,631	-	131,631	55,799	79,500	23,701
INFORMATION SYSTEMS	877,200	-	877,200	-	877,200	29,180	29,180	-
SUPERSTRUCTURE COMPONENT RENEWALS	120,000	-	120,000	-	120,000	-	-	-
VEHICLE REPLACEMENT	1,000,000	132,136	1,132,136	-	1,132,136	23,569	102,921	79,352
FIRE COMPONENT RENEWALS	11,359	-	11,359	-	11,359	835	1,000	165
BUILDING IMPROVEMENTS	681,050	153,869	834,919	-	834,919	2,434	3,000	566
FLOOR COVERINGS	400,000	-	400,000	-	400,000	-	-	-
ROOF REPLACEMENT PROGRAM	41,647	-	41,647	-	41,647	-	-	-
STRUCTURAL RENEWALS	200,000	75,272	275,272	-	275,272	32,578	36,000	3,422
SECURITY ENHANCEMENTS	20,000	-	20,000	-	20,000	-	-	-
SENIOR CITIZEN BUILDINGS RENEWALS	53,060	-	53,060	-	53,060	-	-	-
LIBRARY COLLECTIONS	605,412	-	605,412	-	605,412	81,629	112,322	30,694
FOOTPATH PROGRAM	2,500,000	-	2,500,000	-	2,500,000	285,158	250,000	(35,158)
KERB AND CHANNEL REPLACEMENT PROGRAM	330,000	-	330,000	-	330,000	40,150	-	(40,150)
ROAD REHABILITATION PROGRAM	1,062,000	-	1,062,000	-	1,062,000	10,750	-	(10,750)
DRAINAGE IMPROVEMENTS	1,266,700	33,105	1,299,805	-	1,299,805	-	-	-
GLENWORKS PROGRAM	1,697,113	-	1,697,113	-	1,697,113	-	-	-
RIGHT OF WAY IMPROVEMENTS	-	210,210	210,210	-	210,210	4,100	9,330	5,230
CAR PARKS RENEWAL PROGRAM	100,000	-	100,000	-	100,000	-	-	-
RECREATION PROGRAM	374,122	180,195	554,317	-	554,317	-	-	-
AQUATIC CENTRE REDEVELOPMENT	1,141,041	-	1,141,041	-	1,141,041	60,413	171,000	110,587
PARKS MINOR CAPITAL WORKS	842,457	-	842,457	-	842,457	-	50,000	50,000
SHADE STRUCTURES	17,926	-	17,926	-	17,926	-	-	-
RESIDENTIAL AGED CARE MINOR IMPROVEMENTS	173,400	-	173,400	-	173,400	30,175	-	(30,175)
TOTAL RENEWALS	13,584,118	846,787	14,430,905	-	14,430,905	656,769	844,253	187,484
TOTAL CAPITAL WORKS EXPENDITURE	27,167,343	7,544,032	34,711,375	626,168	35,337,543	1,372,783	1,632,982	260,199

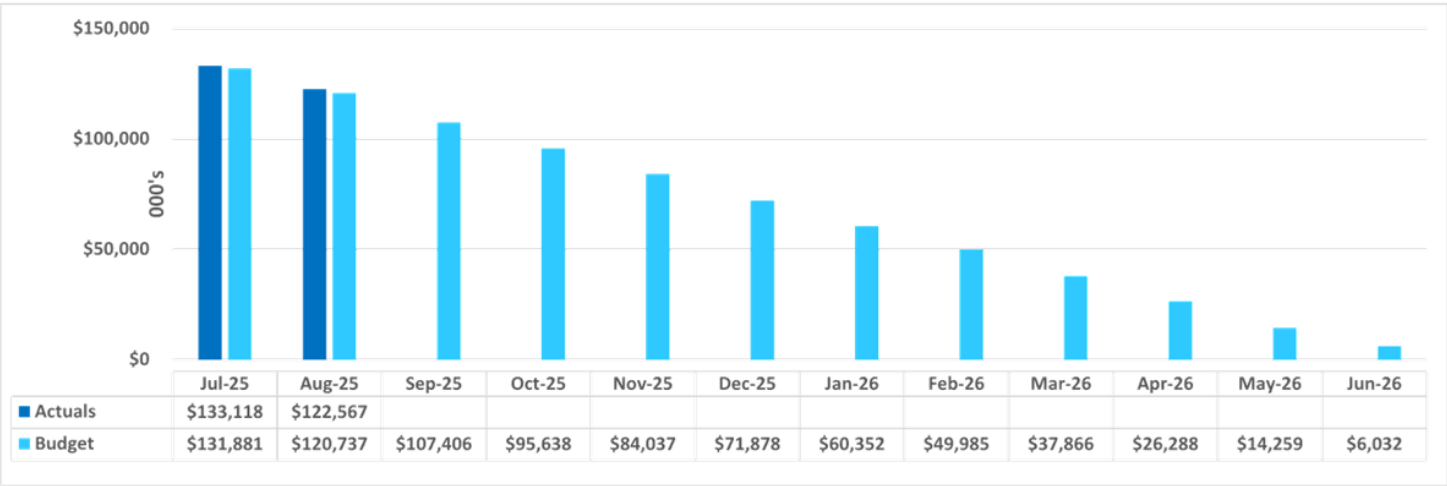
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Performance Graphs

Financial Performance
for the period ending 31 August 2025



The July 2025 year to date financial performance was \$1.83m higher than the year-to-date budget mainly due to:

- Better than anticipated income received for User Fees \$624k, Grants \$595k, Interest Received \$109k and Contributions (Monetary) \$107k.
- Favourable variances in expenditure items including Employee Costs \$903k, Insurances \$155k, Materials and Consumables \$124k and Maintenance \$115k. These are offset by an increase in Other Expenses \$204k, Utility Services \$157k and Contractor Payments \$84k.

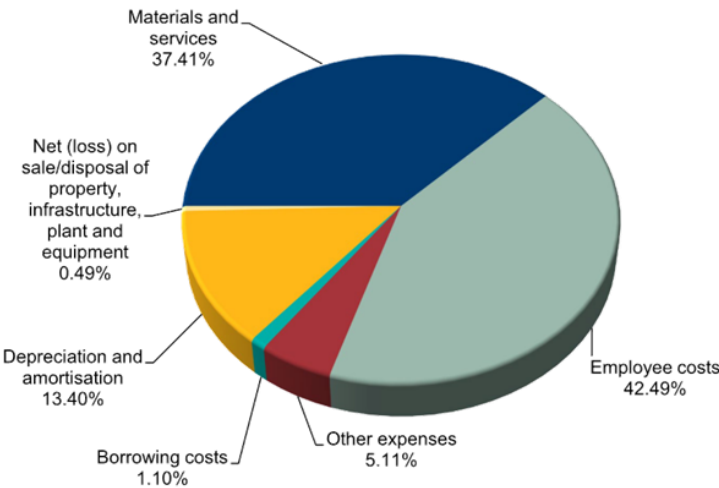
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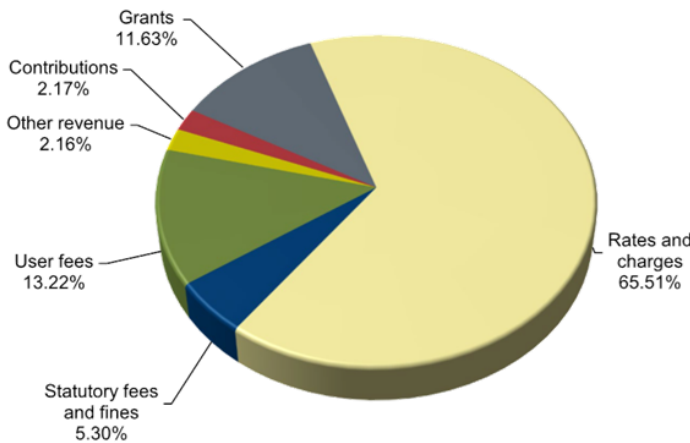
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Financial Performance
for the period ending 31 August 2025

2025-26 Forecast categories of expenditure



2025-26 Forecast sources of income

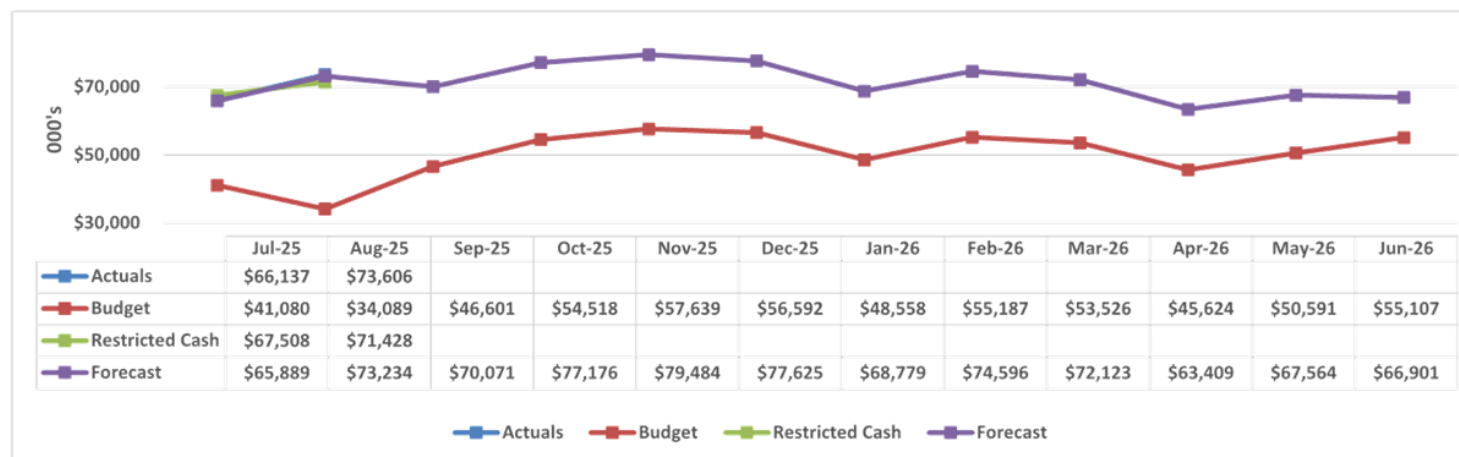


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Cash and Investments
for the period ending 31 August 2025



- **Cash Balance** – Council's year to date cash balance of \$73.61m is above budget for the current month. Council's forecast position to June 2026 of \$66.90m 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 31 August 2025 is \$71.43m, this includes: residential aged care deposits of \$15.62m, leave provisions of \$15.12m, trust funds and deposits of \$7.50m (including asset protection permits), open space reserve of \$28.24m, strategic asset development reserve \$1.26m and Emergency Services and Volunteers Fund \$3.68m. Noting that the open space (\$28.24m) is not held in cash reserve.
- **Return on Investments** – Council has achieved an average return on investments of 3.6 per cent for the month of August 2025.

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Rates Income and Debtors
for the period ending 31 August 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 2025-26 was set at forecast CPI of 3% (2.75% for 2024-25).

Rate Payments – Rates are paid in four instalments during the year: February, May, September, and November. Council's cash flow is impacted by the timing of rate payments. The following table reflects the rate debtors balance as at 31 August 2025.

Rate Debtors	2025-2026 Year to date
	\$'000
Arrears Brought Forward	16,383
Credits Brought Forward	(1,579)
2025-26 Rates & Garbage Generated	146,446
2025-26 Fire Services Property Levy	29,755
Total Rates & Charges	191,005
Payments/Adjustments:	
Glen Eira Pension Rebate	(24)
State Government Rebate	(1,593)
Fire Services Property Levy Rebate	(299)
Receipts	(19,783)
Interest	(493)
Supplementary Valuations	1,114
Adjustments	-
Total Payments/Adjustments	(21,078)
Rates & Charges Balance at Month End	169,927

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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.

OFFICIAL

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2025

Financial Strategy (continued)

Monthly Report Relative to Financial Strategy

Financial Sustainability Risk Indicators	Objective	Draft 2024-2025 Actuals	Draft Risk 2024-2025	2025-2026 Annual Budget as at 30 June 2026	2025-2026 Annual Forecast as at 30 June 2026	2025-2026 Risk based on Annual Forecast as at 30 June 2026	Comment
(1) Net Result	To generate surpluses consistently greater than 0%.	9.13%	Low	2.64%	1.75%	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%.	4.81%	Medium	-1.22%	-2.20%	High	Council anticipates a low underlying result during 2025-26.
(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.	1.63	Low	1.44	1.54	Low	Council's forecast to 30 June 2026 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%.	170%	Low	117%	100%	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.	33.00%	Low	31.08%	30.34%	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.	1.17	Medium	1.16	1.19	Medium	Council operates at a medium level of risk with respect to capital replacement.
(7) Renewal Gap	To ensure there is sufficient spending on Council's asset base. Low risk indicator is to be greater than 1.0.	1.02	Low	0.89	1.02	Low	Council spend on its asset base is at a low level of risk.

10.9 TENDER 2025.71 FINANCE SYSTEM REPLACEMENT STAGE 2

Author: Evan Perkins, Project Manager

Director: Kellie Vise, Director Customer and Corporate Affairs

Trim No: 25/1326559

Attachments: 1. 2025.71 Finance System Replacement Stage 2 Tender Evaluation Panel Recommendation Report (CONFIDENTIAL)
2. 2025.71 Probity Advisory Report Finance System Replacement Stage 2 (CONFIDENTIAL)

EXECUTIVE SUMMARY

The purpose of this report is to recommend a contractor to be appointed to undertake the works tendered in Tender number 2025.71 - Finance System Replacement Stage 2.

RECOMMENDATION

That Council having reviewed and considered the confidential tender evaluation report (attachment 1 to this report):

1. appoints **Tenderer 4, as the provider under Tender number 2025.71** for an amount of \$1,206,614 exclusive of GST, subject to a suitable contract being negotiated.
2. authorises the CEO to finalise contract negotiations.
3. prepares the contract in accordance with the Conditions of Contract included in the Tender.
4. authorises the CEO to execute the contract on Council's behalf.
5. notes the attachment to the report remain confidential in accordance with section 3(1)(g) of the *Local Government Act 2020* or until Council resolves otherwise.
6. authorises Council officers to disclose any confidential information in relation to this item, but only to the extent necessary to give effect to the resolution; and
7. authorises Council officers to disclose the successful tenderer name in the meeting minutes for this item.

BACKGROUND

At the 29 April 2025 Ordinary Council Meeting Council endorsed an exemption under section 5.7 and Appendix 2 of the Procurement Policy from the procurement thresholds set out in section 5.5 and Appendix 1 of the Procurement Policy.

The exemption sought to allow for Council to conduct a closed Request for Tender process for the procurement of an implementation partner to deliver the Oracle Cloud ERP Financials solution on the basis that:

- a) Such exemption has been approved by the CEO; and

- b) The CEO recommends that the Council approve such exemption; and
- c) Exceptional circumstances apply where it has been demonstrated that such exemption is in the best interests of the community.

The tender sought to identify a suitable vendor with the capability and experience required to complete the implementation of the Oracle Cloud ERP Financials platform.

The contract excludes the required cloud services agreement and licensing agreements, which are already in place directly with Oracle.

TENDER PROCESS

Probity and Tender Evaluation Plan

A Probity and Tender Evaluation Plan (the Plan) was approved prior to commencing the tender process. The plan provided the framework for governance and probity within which the tender was undertaken. Landell Group was appointed as the probity advisor for the tender process.

The Plan formed the planning and control document used in conducting the evaluation of responses received for the Request for Tender process. The Plan detailed:

- the processes and principles to be followed when evaluating tender;
- individual's responsibilities, and;
- the evaluation schedule.

The Tender Probity Advisory Report is Attachment 2 to this report.

Tenders Collected/Received

Four (4) tender documents were requested.

Four (4) submissions were received by the closing date.

EVALUATION PROCESS**Evaluation Criteria**

All conforming tenders were evaluated against the following criteria:

MADATORY CRITERIA	INDICATORS
Attendance to Hosted Solution Access	<ul style="list-style-type: none"> Attendance to Hosted Solution Access session.
Cyber Security and Information governance questionnaire	<ul style="list-style-type: none"> Satisfactory responses to the Cyber Security and information Governance Questionnaire.
CRITERIA	INDICATORS
1. Ability to meet the Specified Services	<ul style="list-style-type: none"> Ability to meet all requirements as captured in the Requirements Traceability Matrix sheet. Demonstrated ability to deliver the required services as a core function of the vendor organisation. Demonstrated ability to provide high-calibre and suitably experienced resources with the capability and capacity to meet the specification requirements. Demonstrated through evidence examples of completion of comparable projects. Demonstrated through evidence examples of delivery of high quality and client focused professional services that facilitate successful project delivery and project outcomes.
2. Cost to Council	<ul style="list-style-type: none"> Total cost to Council (excl. of GST). (Fixed price) including implementation, integration, training, and support. Schedule of rates.
3. Sustainability - Economic, Environmental and Social.	<ul style="list-style-type: none"> Commitment to sustainability initiatives.

4. Ability to provide a safe workplace.	<ul style="list-style-type: none"> • Demonstrated commitment to and ability to achieve a safe workplace.
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ISSUES AND DISCUSSION

Not applicable.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

There are no Climate Emergency Response Strategy implications.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

The budget funding for this project is \$1,700,000 excluding GST, which includes budget for project management and implementation costs. This budget does not include the ongoing licencing and maintenance cost which will be included in Council's annual budgeted recurrent costs. Of this approximately \$700,000 has been allocated from the budget of the original project that was paused.

The pricing proposal submitted is within the budgeted funding for the project.

The procurement process risk assessment identified a range of additional risks which have been treated through the RFT approach, mitigating for both the process itself, and the subsequent implementation project.

These treatments included the:

- application of a competitive procurement process, and rigour in the awarding of the project contract.
- engagement with the market, ensuring value for the community and organisation.
- Specialist legal advice from independent legal counsel.
- Delivery against a comprehensive procurement plan.
- Oversight and guidance from an independent Probity Advisor.
- Market scan and identification of potential vendors to invite by an external ICT advisory.
- Assessment of RFT outcomes and evaluation by the independent Probity Advisor.
- Completion of reference checks from vendor clients with comparable project delivery requirements.

Risks posed during the implementation of the project will be mitigated through:

- Stringent project management and governance practices.
- Oversight by the Executive Sponsor and Project Control Group.
- The appointment of a specialist Project Manager with in-depth experience of working with the recommended vendor, and with the Oracle Cloud ERP Financials solution.

POLICY AND LEGISLATIVE IMPLICATIONS

This report is in accordance with the Procurement Policy and the *Local Government Act 2020*.

COMMUNICATION AND ENGAGEMENT

Not applicable.

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 conflict of interest in this matter.

CONCLUSION**Tender Evaluation Panel Conclusion**

The Tender Evaluation Panel, appointed by the Director Customer and Corporate Affairs, reached the conclusion that when assessed against the evaluation criteria, the tender of **Tenderer 4** represented the best quality and value for money for the community.

The report of the Tender Evaluation Panel is provided in Attachment 1. This attachment contains confidential information within the meaning of the term in the *Local Government Act 2020* (the Act) being private commercial information, information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
- (iii) the meeting will be closed to the public (under s 66(2) of the Act) should such information need to be considered and discussed and all documents containing such information shall remain confidential.

10.10 TENDER 2025.139 PROVISION OF TRAFFIC MANAGEMENT SERVICES

Author: Poulse Varghese, Senior Project Engineer

Director: Niall McDonagh, Director Sustainability, Assets and Leisure

Trim No: 25/1309792

Attachments: 1. 2025.139 Traffic Management Services_Tender Evaluation Panel Recommendation Report (CONFIDENTIAL)

EXECUTIVE SUMMARY

The purpose of this report is to recommend a panel of contractors be appointed to undertake the works tendered in Tender number 2025.139 Provision of Traffic Management Services.

RECOMMENDATION

That Council having reviewed and considered the confidential Tender Evaluation report (**Attachment 1**).

1. appoints [Tenderer 1](#) as the panel contractor under Tender number 2025.139 for an amount in accordance with the Schedule of Rates submitted;
2. appoints [Tenderer 4](#) as the panel contractor under Tender number 2025.139 for an amount in accordance with the Schedule of Rates submitted;
3. appoints [Tenderer 5](#) as the panel contractor under Tender number 2025.139 for an amount in accordance with the Schedule of Rates submitted;
4. appoints [Tenderer 11](#) as the panel contractor under Tender number 2025.139 for an amount in accordance with the Schedule of Rates submitted;
5. appoints [Tenderer 12](#) as the panel contractor under Tender number 2025.139 for an amount in accordance with the Schedule of Rates submitted;
6. appoints [Tenderer 13](#) as the panel contractor under Tender number 2025.139 for an amount in accordance with the Schedule of Rates submitted;
7. prepares the contracts in accordance with the Conditions of Contract included in the tender;
8. authorises the CEO to execute the contracts on Council's behalf;
9. notes the attachment to the report remain confidential in accordance with section 3(1)(g) of the *Local Government Act 2020* or until Council resolves otherwise; and
10. authorises Council officers to disclose any confidential information in relation to this item, but only to the extent necessary to give effect to the resolution.
11. authorises Council officers to disclose the successful tenderer name in the meeting minutes for this item.

BACKGROUND**Reason for Tender**

Council's existing Contract for Provision of Traffic Management Services for various locations within City of Glen Eira expires on 1 October 2025. Council has invited tenders for a new Provision of Traffic Management Services contract.

Proposed Contract period

The proposed term of the contract is three (3) years.

Proposed term including option(s) at the discretion of Council, the contract may be extended for a further two (2) terms of one (1) year each.

TENDER PROCESS**Advertising**

An invitation to submit tenders for the contract as described in the preceding section was advertised on Saturday 5 July 2025 in *The Age* newspaper Saturday edition, Council's eTendering Portal on 7 July 2025, and closed on Friday 25 July 2025.

Tenders Collected or Received

29 tender documents were requested.

Fifteen (15) submissions were received by the closing date.

EVALUATION PROCESS**Evaluation Criteria**

All conforming tenders were evaluated against the following criteria:

CRITERIA	INDICATORS
1. Total Cost to Council	<ul style="list-style-type: none">• Overall cost of services to Council (exclusive of GST)
2. Ability to provide specified works/services	<ul style="list-style-type: none">• Capability – Experience, Skills and Capacity<ul style="list-style-type: none">- Proven previous experience in traffic management and record of completing services to the quality standards required and within budget.- Experience and competence of the personnel that the Tenderer proposes to use with particular regard to their skills and experience in the technical areas required by the contract.- Demonstrated track record (including satisfactory references) in similar or related field.

CRITERIA	INDICATORS
	<ul style="list-style-type: none"> • Management & Methodology and Quality Management Systems <ul style="list-style-type: none"> - The availability within the Tenderer's organisation of personnel with appropriate management skills together with effective management systems in place appropriate to the successful management of the contract. - A demonstrated understanding of the scope of works by means of describing the methodology proposed to be used to ensure the contract is carried out according to the specifications. - Effective Quality Management systems in place and operating in order to carry out the services.
3. Sustainability - Economic, Environmental and Social.	<ul style="list-style-type: none"> • Commitment to sustainability initiatives.
4. Ability to provide a safe work place.	<ul style="list-style-type: none"> • Demonstrated commitment to and ability to achieve a safe work place.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

This contract is aligned with Council's 'Our Climate Emergency Response Strategy 2021-2025', and the following Goals and Objective:

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

Objective 3.1: Ensure new and existing buildings and infrastructure are resilient to climate change impacts.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The provision of traffic management services is funded from a variety of Council capital works programs including:

- Laneway Reconstruction Program
- Drainage Program
- LATM replacement program
- Car Park Works
- Local Road Reconstruction
- Minor Shopping Centre Works
- Park Services
- Glenworks maintenance works

Over the life of the proposed contract, Council can expect to expend around \$1.5m to \$2m on traffic management services.

POLICY AND LEGISLATIVE IMPLICATIONS

This report is in accordance with the Procurement Policy and the *Local Government Act 2020*.

LINK TO COUNCIL PLAN

Strategic Direction 2: Well designed and maintained open spaces and places. Our public open spaces and places support a healthy and connected community and contribute to a more sustainable and vibrant city.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION**Tender Evaluation Panel Conclusion**

The Tender Evaluation Panel appointed by the Director Sustainability, Assets and Leisure reached the conclusion that when assessed against the evaluation criteria, the tenders of the following contractors represented the best quality and value for money for the community:

Tenderer
Tenderer 1
Tenderer 4
Tenderer 5
Tenderer 11
Tenderer 12
Tenderer 13

The report of the Tender Evaluation Panel is attached. This attachment contains confidential information within the meaning of the term in the *Local Government Act 2020* (the Act) being private commercial information, information provided by a business, commercial or financial undertaking that —

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
- (iii) the meeting will be closed to the public (under s66(2) of the Act) should such information need to be considered and discussed and all documents containing such information shall remain confidential.

10.11 TENDER 2025.138 DELIVERY OF ROAD RESURFACING AND ASSOCIATED CIVIL WORKS

Author: Salim Murtaza, Manager Works Depot

Director: Niall McDonagh, Director Sustainability, Assets and Leisure

Trim No: 25/1308016

Attachments: 1. Tender 2025.138_Road Resurfacing and Associated Civil Works
Tender Evaluation Panel Recommendation Report Council_SIGNED
260825 (CONFIDENTIAL)

EXECUTIVE SUMMARY

The purpose of this report is to recommend a contractor be appointed to undertake the works tendered in Tender number 2025.138 Delivery of Road Resurfacing and Associated Civil Works for the delivery of the 2025/26 Local Streets Improvement Project.

Following a comprehensive assessment of eleven submissions against criteria including cost, capability, sustainability, and safety, Tenderer 9 has been identified as offering the best value and quality for the community.

This contract consolidates road resurfacing and associated civil works, such as footpaths, kerb and channel, signage, lighting, and drainage into a single procurement package. The integrated approach enhances delivery efficiency, reduces administrative duplication, and supports strategic asset renewal.

Aligned with Council's Climate Emergency Response Strategy, the project will utilise 100% Green asphalt and low carbon concrete, significantly reducing environmental impact while improving infrastructure resilience.

Council officers recommend awarding the contract to Tenderer 9 and authorising the CEO to execute the agreement. Confidentiality provisions apply to the tender evaluation report, with limited disclosure permitted to enable implementation.

This initiative reflects Council's commitment to creating safer, more sustainable, and connected public spaces through thoughtful planning and community-focused delivery

RECOMMENDATION

That Council having reviewed and considered the confidential Tender Evaluation report (**Attachment 1**).

1. appoints **Tenderer 9** as the contractor under Tender number 2025.138 for an amount in accordance with the Schedule of Rates submitted;
2. prepares the contracts in accordance with the Conditions of Contract included in the tender;
3. authorises the CEO to execute the contracts on Council's behalf;
4. notes the attachment to the report remain confidential in accordance with section 3(1)(g) of the *Local Government Act 2020* or until Council resolves otherwise; and
5. authorises Council officers to disclose any confidential information in relation to this item, but only to the extent necessary to give effect to the resolution.

6. authorises Council officers to disclose the successful tenderer name in the meeting minutes for this item.

BACKGROUND

Reason for Tender

Launched as an annual road resurfacing program under the Asset Management Plan, the initiative focused on improving the condition of local roads through panel contractors. In 2024/25, this program evolved significantly. Reflecting Council's vision for place-based improvements, the scope was expanded to include the renewal of footpaths, kerb and channel, signage, lighting, and drainage—delivering not just infrastructure upgrades, but meaningful enhancements to the everyday experience of the community.

The results were immediate and visible. Streets became safer, more accessible, and more welcoming. Residents expressed strong support for the broader improvements, recognising the tangible uplift in their neighbourhoods. These enhancements fostered a greater sense of pride, safety, and connection within the community.

Building on this success, the 2025/26 program will be delivered through a single integrated tender process. This approach ensures greater efficiency, coordination, and value for money, while continuing to deliver high-impact outcomes for the community.

Renamed Council's **Local Streets Improvement Project**, this initiative represents a holistic, cost-effective strategy to create high-quality public spaces. It is a testament to how thoughtful planning, community feedback, and collaborative delivery can transform local environments and support community wellbeing in a financially sustainable way.

Proposed Contract period

The proposed term of the contract is for one year.

TENDER PROCESS

Advertising

An invitation to submit tenders for the contract as described in the preceding section was advertised on Saturday 5 July 2025 in *The Age* newspaper Saturday edition, Council's eTendering Portal on 7 July 2025, and closed on Friday 25 July 2025.

Tenders Collected or Received

34 tender documents were requested.

Eleven (11) submissions were received by the closing date.

EVALUATION PROCESS

Evaluation Criteria

All conforming tenders were evaluated against the following criteria:

CRITERIA	INDICATORS
1. Cost to Council.	<ul style="list-style-type: none">Comparative Cost (GST exclusive).

CRITERIA	INDICATORS
2. Ability to undertake Works as specified.	<ul style="list-style-type: none"> • Relevant, substantiated experience in completing similar projects and the ability to perform. • Ability to complete works to the Council's specified time frame. • Proposed methodology and resource allocation. • Technical skills and work quality systems in place. • Customer service.
3. Sustainability - Economic, Environmental and Social.	<ul style="list-style-type: none"> • Commitment to sustainability initiatives.
4. Ability to provide a safe workplace.	<ul style="list-style-type: none"> • Demonstrated commitment to and ability to achieve a safe workplace.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

This contract is aligned with Council's 'Our Climate Emergency Response Strategy 2021-2025', and the following Goals and Objective:

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

Objective 3.1: Ensure new and existing buildings and infrastructure are resilient to climate change impacts.

The Project addresses sustainability in terms of economic, environmental and social aspects over 23 streets proposed for resurfacing and civil works as follows:

Council previously used 20% Green asphalt in resurfacing works, but now all roads will be resurfaced using 100% Green asphalt, which is a more sustainable material made from recycled tyres, glass, plastics, and reclaimed asphalt. This shift helps reduce landfill waste and lowers the carbon footprint of road construction.

Concrete, where applicable, the contract proposes the utilisation of ECO-Pact low-carbon concrete or similar mixes that incorporate supplementary cementitious materials (SCMs) like fly ash and GGBFS and may include recycled plastic fibres.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The budget for this contract is about \$1.7 million based on the 2025/26 financial year. The recommended Tenderer is within the budget.

This tender structure consolidates resurfacing and associated civil works into a single procurement package that reduces administrative duplication, minimises procurement risk, and enhances community satisfaction. Operationally, sequencing roads, kerb and channel, footpaths, drainage, and lighting in one package improves efficiency in delivery and reduces delays, variations, and cost impacts.

POLICY AND LEGISLATIVE IMPLICATIONS

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

2020.

The tender procurement arrangement will assist the Council in managing both strategic and operational risks. At a strategic level, it supports long-term infrastructure assets are properly managed and reduces financial management risks through planned and controlled use of Council's finances.

At an operational level, it addresses asset renewal risks by maintaining infrastructure assets within intervention levels and reducing damage or access issues caused by developers or utility companies. It also mitigates health and safety risks by ensuring contractors comply with OHS standards, contract conditions, and specifications.

LINK TO COUNCIL PLAN

Strategic Direction 2: Well designed and maintained open spaces and places. Our public open spaces and places support a healthy and connected community and contribute to a more sustainable and vibrant city.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The Tender Evaluation Panel appointed by the Director Sustainability, Assets and Leisure reached the conclusion that when assessed against the evaluation criteria, the tender from [Tenderer 9](#) represented the best quality and value for money for the community.

The report of the Tender Evaluation Panel is attached. This attachment contains confidential information within the meaning of the term in the *Local Government Act 2020* (the Act) being private commercial information, information provided by a business, commercial or financial undertaking that —

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
- (iii) the meeting will be closed to the public (under s66(2) of the Act) should such information need to be considered and discussed and all documents containing such information shall remain confidential.

10.12 TENDER 2025.107 PROVISION OF CLEANING SERVICES TO AQUATIC AND LEISURE FACILITIES

Author: Peter Tillotson, General Manager - Glen Eira Leisure

Director: Niall McDonagh, Director Sustainability, Assets and Leisure

Trim No: 25/1326918

Attachments: 1. 2025.107 GE Leisure Cleaning Tender Evaluation Panel Recommendation Report (CONFIDENTIAL)

EXECUTIVE SUMMARY

The purpose of this report is to recommend a contractor be appointed to undertake the works tendered in Tender number 2025.107 Provision of Cleaning Services to Aquatic and Leisure Facilities.

The report recommends that Council awarding Tender 2025.107 to Tenderer 2 for cleaning services across Glen Eira Leisure sites, including the newly operational Carnegie Memorial Swimming Pool. The contract will commence on 21 October 2025 for two years, with options for three one-year extensions.

Following a competitive process with 11 submissions, Tenderer 2 was selected for offering the best value and quality, meeting criteria for service capability, cost, sustainability, and safety. The estimated annual cost is \$1,099,871.07 (excl. GST), well within the allocated budget.

The contract supports Council's Climate Emergency Response Strategy, requiring sustainable practices and alignment with 6 Star Green Star standards. It also advances Strategic Direction 2 of the Council Plan, promoting well-maintained public spaces.

The report also seeks Council's authorisation for the CEO to execute the contract.

RECOMMENDATION

That Council having reviewed and considered the confidential Tender Evaluation report (**Attachment 1**).

1. appoints [Tenderer 2](#) as the contractor under Tender number 2025.107 for an amount in accordance with the Schedule of Rates submitted;
2. prepares the contracts in accordance with the Conditions of Contract included in the tender;
3. authorises the CEO to execute the contracts on Council's behalf;
4. notes the attachment to the report remain confidential in accordance with section 3(1)(g) of the *Local Government Act 2020* or until Council resolves otherwise; and
5. authorises Council officers to disclose any confidential information in relation to this item, but only to the extent necessary to give effect to the resolution.
6. authorises Council officers to disclose the successful tenderer name in the meeting minutes for this item.

BACKGROUND**Reason for Tender**

The initial term of contract C2022.85 for Cleaning Services ended on 21 August 2025. With Carnegie Memorial Swimming Pool (CMSP) now in operation, a new request for tender was advertised to consolidate all Glen Eira Leisure (GEL) sites under one contract for operational efficiency and cost savings.

Proposed Contract period

The contract is a Lump sum and Schedule of Rates contract. The term of the contract is for an initial term of (2) two years commencing on 21 October 2025, with options on the part of Council to extend for (3) three further terms of (1) one years each.

TENDER PROCESS**Advertising**

An invitation to submit tenders for the contract as described in the preceding section was advertised on Saturday 22 June 2025 in *The Age* newspaper Saturday edition, Council's eTendering Portal on 23 June 2025, and closed on Friday 18 July 2025.

Tenders Collected or Received

62 tender documents were requested.

Eleven (11) submissions were received by the closing date.

EVALUATION PROCESS**Evaluation Criteria**

All conforming tenders were evaluated against the following criteria:

CRITERIA	INDICATORS
1. Ability to provide the specified works/services.	<ul style="list-style-type: none">• Demonstrated experience in cleaning of sports & aquatic centres or similar public facilities.• Demonstrated ability to provide experienced personnel/ equipment & tools meeting the Specification requirements.• Demonstrated ability to efficiently handle tasks at site and also thro software/portal and produce quality, accurate and detailed reports pertaining to general building cleaning services and specified KPI's.• Demonstrate ability to manage quality in the provision of cleaning services to all the 3 facilities and related issues including substantiation of the hours estimated.

CRITERIA	INDICATORS
2. Cost to Council.	<ul style="list-style-type: none"> Total cost to Council (excl. of GST).
3. Sustainability - Economic, Environmental and Social.	<ul style="list-style-type: none"> Commitment to sustainability initiatives.
4. Ability to provide a safe workplace.	<ul style="list-style-type: none"> Demonstrated commitment to and ability to achieve a safe workplace.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

This contract is aligned with Council's 'Our Climate Emergency Response Strategy 2021-2025', and the following Goals and Objective/s:

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

Objective 3.1: Ensure new and existing buildings and infrastructure are resilient to climate change impacts.

Objective 3.2: Increase and diversify public green space across the Municipality, ensuring equal access for all.

Goal 5 : Net zero Council emissions by 2025.

(Principle 5)

Objective 5.1: Ensure all Council buildings, assets and infrastructure are energy efficient, fossil fuel free and powered by 100 per cent renewable energy.

Objective 5.2: Use Council's purchasing power to stimulate the circular economy.

Project Sustainability Summary

This project addresses sustainability through the following:

The tender specifications call for use of chemicals that are environmentally friendly, sustainable and procured in a sustainable manner. Additionally, it is required that the operations are conducted in a sustainable manner including optimal use of lighting during night cleaning operations. The cleaning specifications included requirements derived from the 6 Star Green Star accreditation for the Carnegie Memorial Swimming Pool.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The annual budget for this contract is \$1,250,000 (based on the 2025/2026 financial year and market response).

Based on the schedule of rates submitted, accepting the tender of Tenderer 2 would result in a cost per annum of \$1,099,871.07 GST exclusive.

The estimated cost for contract 2025.107 GEL Cleaning Contract is \$1,099,871.07 per annum and \$2,199,742 for the initial two (2) year contract term and \$5,499,355.35 over the full contract period (inclusive of extensions) of five (5) years.

POLICY AND LEGISLATIVE IMPLICATIONS

This report is in accordance with the Procurement Policy and the *Local Government Act 2020*.

LINK TO COUNCIL PLAN

Strategic Direction 2: Well designed and maintained open spaces and places. Our public open spaces and places support a healthy and connected community and contribute to a more sustainable and vibrant city.

OFFICER DECLARATION OF CONFLICT OF INTEREST

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

CONCLUSION

The Tender Evaluation Panel appointed by the Director Sustainability, Assets and Leisure reached the conclusion that when assessed against the evaluation criteria, the tender from **Tenderer 2** represented the best quality and value for money for the community.

The report of the Tender Evaluation Panel is attached. This attachment contains confidential information within the meaning of the term in the *Local Government Act 2020* (the Act) being private commercial information, information provided by a business, commercial or financial undertaking that —

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
- (iii) the meeting will be closed to the public (under s66(2) of the Act) should such information need to be considered and discussed and all documents containing such information shall remain confidential.

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**12.3.1 NOTICE OF MOTION NO. 25/004 - STRATEGY TO COMBAT ANTISEMITISM**

Trim No: 25/1351335

A Notice of Motion was submitted to the Chief Executive Officer by Cr Margaret Esakoff with the support of Cr Arabella Daniel and Cr Sam Parasol, on 16 September 2025. To be heard at the 25 September 2025 Ordinary Council Meeting.

This purpose of this Notice of Motion is to call for a report for Council officers to address Council's role and explore opportunities to strengthen community resilience against hatred and extremism.

MOTION

That Council officers bring a report to a Council meeting on 25 November 2025 which:

1. Outlines the current mechanisms Council is using to combat antisemitism at the local level.
2. Addresses what role Council can play in ensuring that both the Jewish community and the broader community, feel safe to live, shop, worship, recreate and just 'be' a member of the Glen Eira community.
3. Explores the broader implications and opportunities associated with Council developing a stand-alone strategy to address antisemitism and promote social cohesion at the local level.
4. Considers additional frameworks or resources that could be used to strengthen community resilience against hatred and extremism including the *Model Antisemitism Strategy for Local Councils* published by Waverley Council and the *Local Government Antisemitism Action Plan* provided at the Combat Antisemitism Movement's 2025 Australian Mayors Summit against antisemitism.

12.4 Councillor questions

13. CONFIDENTIAL ITEMS**RECOMMENDATION**

That pursuant to Section 66(1) and 66(2)(a) of the Local Government Act 2020, the Council resolves that so much of this meeting be closed to members of the public, as is required for Council to consider the following matters that are confidential in accordance with Section 3(1) of the Act:

13.1 Relocation of the Elsternwick Maternal and Child Health Service

This agenda item is confidential information for the purposes of section 3(1) of the Local Government Act 2020:

- because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and
- This agenda item seeks to resolve an upper amount for negotiation on the lease of a property. This needs to remain confidential to ensure Council is not placed at a financial disadvantage

14. CLOSURE OF MEETING