



Agenda Paper

for the

Ordinary Meeting of Council

To be held at the Council Chambers, Civic Centre,
Boxshall Street Brighton

on

**Tuesday, 21 November, 2017
at 7.00pm**

Cr: Cr Laurence Evans (Mayor)

Councillors: Cr Rob Grinter
Cr Alex del Porto
Cr James Long BM JP
Cr Michael Heffernan
Cr Clarke Martin
Cr Sonia Castelli



Members of the Gallery

Your attention is drawn to Section 92 of Council's Governance Local Law No 1.

Section 92 The Chair's Duties and Discretions

In addition to other duties and discretions provided in this Local Law, the Chair –

- (a) must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community.
- (b) may demand retraction of any inappropriate statement or unsubstantiated allegation;
- (c) must ensure silence is preserved in the public gallery during any meeting
- (d) must call to order any member of the public who approaches the Council or Committee table during the meeting, unless invited by the Chair to do so; and
- (e) must call to order any person who is disruptive or unruly during any meeting.

An Authorised Officer must, if directed to do so by the Chairman, remove from a meeting any Councillor or other person who has committed such an offence.

Your cooperation is appreciated

Chairperson of Council

Order of Business

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1. Prayer

O God
Bless this City, Bayside,
Give us courage, strength and wisdom,
So that our deliberations,
May be for the good of all,
Amen

2. Acknowledgement of Original Inhabitants

We acknowledge that the original inhabitants of this land that we call Bayside were the Boon wurrung people of the Kulin nation.

They loved this land, they cared for it and considered themselves to be part of it.

We acknowledge that we have a responsibility to nurture the land, and sustain it for future generations.

3. Apologies**4. Disclosure of any Conflict of Interest of any Councillor****5. Adoption and Confirmation of the minutes of previous meeting**

5.1 Confirmation of the Minutes of the Ordinary meeting of Bayside City Council held on 24 October 2017.

6. Public Question Time

7. Petitions to Council

7.1 PETITION: REDUCTION OF SPEED LIMIT TO 40KMPH IN MARY AVENUE, HIGHETT

Corporate Services - Governance
File No: PSF/17/68 – Doc No: DOC/17/237554

Petition from residents requesting Bayside City Council to reduce the speed limit to 40kmph in Mary Avenue, Highett. (28 signatories).

"We the undersigned hereby petition Bayside City Council to reduce the speed regulation in Mary Avenue, Highett to 40 kph.

There are in excess of 14 children under the age of 13 living or staying in Mary Avenue, Highett and the taxi company in Bay Road use Mary Avenue to test their brakes and do excessive and unsafe speeds and many drivers use Mary Avenue as a through road and travel at excessive and unsafe speed."

Petition Requirements

The submitted petition containing 28 signatories meets the required format of a petition in accordance with Council's Governance Local Law No: 1, Clause 65.

Officer Comment

Speed limits in Victoria are established by VicRoads. Council does not have the authority to authorise the change requested by the petitioners. Council staff will review the issues identified in the petition and engage with VicRoads regarding the speed limit. If the recorded traffic speed is assessed as warranting intervention, there may be other traffic management options available to reduce vehicle speeds in Mary Street, Highett.

Recommendation

That the petition be received and referred to the Chief Executive Officer for consideration and response.

Support Attachments

Nil

7.2 PETITION - RE-ESTABLISHMENT OF THE BAYSIDE FILM FESTIVAL

Corporate Services - Governance
File No: PSF/17/68 – Doc No: DOC/17/229484

Petition from residents requesting Bayside City Council to re-establish the Bayside Film Festival. (50 signatories).

“We the undersigned hereby petition Bayside City Council to re-establish the Bayside Film Festival and to recommend a shared financial responsibility through the privatisation of the festival with assistance from Bayside City Council.

We propose the following notions:

1. Obtaining financial support through a crowdfunding campaign
2. Moving the festival to an outdoor setting such as Dendy Park (allowing for lowered costs, and accommodation for more attendees)
3. Volunteer options for secondary school students to be involved in the festival
4. Film entries for all ages with different award categories
5. Community involvement for the selecting of the films.”

Petition Requirements

The submitted petition containing 50 signatories meets the required format of a petition in accordance with Council’s Governance Local Law No: 1, Clause 65.

Recommendation

That the petition be received and a report be submitted to the December 2017 Ordinary Meeting of Council for consideration.

Support Attachments

Nil

8. Minutes of Advisory Committees

Nil

9. Reports by Special Committees

Nil

10. Reports by the Organisation

10.1 NATIONAL DISABILITY INSURANCE SCHEME

City Planning & Community Services - Community Services
File No: PSF/17/71 – Doc No: DOC/17/241157

Executive summary

Purpose and background

The purpose of this report is to provide information on the impact of the National Disability Insurance Scheme (NDIS) rollout and to seek a Council decision regarding its registration as a NDIS service provider.

The NDIS represents a significant change to the way support services to people with disabilities are funded and delivered. To be eligible for NDIS, a person must be aged under 65 years and have a permanent disability that significantly affects their ability to participate in everyday activities.

The NDIS is a nationally based scheme with funding and governance shared across Commonwealth, State and Territory Governments. The scheme is funded by the redirection of existing money spent by the Australian, State and Territory governments on disability services and from July 2014 was further resourced through an increase to the Medicare levy. Any NDIS funding not offset by these sources will be provided from general budget revenue or borrowings. When the NDIS is fully implemented, it is expected that around 460,000 Australians will receive individualised support.

The main governance arrangements are:

- the NDIS is administered by the National Disability Insurance Agency (NDIA) and is governed by a Board;
- decisions on NDIS policy are made by the Standing Council on Disability Reform, which is a Council of Australian Governments (COAG) ministerial council; and
- the NDIA holds NDIS funds contributed by participating governments in a single pool, manages these funds, administers access to the NDIS and approves the payment of individualised packages.

The NDIS is being progressively rolled out across Victorian regions and is currently being established in half of Victorian regions. The City of Bayside forms part of the Bayside Peninsula rollout area and will commence implementation of the NDIS from 1 April 2018. The Bayside Peninsula rollout area includes the Cities of Bayside, Port Phillip, Stonnington, Glen Eira, Kingston, Frankston and the Mornington Peninsula Shire.

Six months prior to the commencement of the NDIS, the State Government appoints a Local Area Coordination Partner (LAC). The Brotherhood of St Laurence is the appointed LAC for the Bayside Peninsula region. The LAC has responsibility to assist people with a disability to advocate, plan, organise and access the support and services needed to live an ordinary life. This includes assessing eligibility for NDIS and if assessed as eligible, to help establish a NDIS support plan with reasonable and necessary supports. The LAC is also required to assist people with disabilities, but who are ineligible for NDIS, to access mainstream services.

The main focus of the NDIS is to provide individualised packages of support to eligible people with a disability. This allows participants to select and purchase services to support their individual needs.

Council currently receives funding from the Victorian Government through the Home and Community Care Program for Younger people (HACC PYP) to provide basic entry level services to people aged under 65 years who have a disability and whose capacity for independent living is at risk. Services are funded through the government grant, fees and charges and a Council contribution. Council services include: respite care, household cleaning assistance, personal hygiene assistance, delivered meals and minor property maintenance related to safety.

Council is a minor provider of disability services in the broader scheme of available services and programs, particularly for those clients expected to be eligible for NDIS. Significant funding is allocated for non-Council specialist disability programs such as accommodation, aids and equipment, transport and mobility assistance, recreational opportunities, advocacy and employment programs.

Key issues

Service provision and funding

There are three distinct disability cohorts accessing Council and non-Council services:

- NDIS eligible clients in receipt of disability specialist services and not receiving services from Council;
- NDIS eligible clients currently in receipt of Council services; and
- NDIS ineligible clients currently in receipt of Council services.

The following table details Council's expected funding and service provision in 2017/18.

Government grant (actual)	Fees and charges (est)	Council contribution (est)	Total expenditure (est)	Service hours (est)	No. of clients to transition to the NDIS (est)	No. of clients ineligible for NDIS (est)
\$1,005,710	\$70,000	\$375,000	\$1,450,710	20,830	120	100

As people transition to the NDIS, funding will be progressively withdrawn from the Government's grant to Council and redirected to the NDIS. It is expected that around \$700,000 will be redirected, however, an exact amount will not be known until people are approved for the NDIS by the NDIA. The expected \$305,000 residual funds from the government grant are expected to be sufficient to service non NDIS eligible people, however, this will need to be monitored. Council's financial contribution will progressively reduce as clients transition to the NDIS.

It is expected that around 54 percent of clients under 65 years who utilise around 72 percent of delivered hours will transition to the NDIS. These clients are the most prolific users of service hours as a result of their significant disabilities. This means the 46 percent of clients not eligible for NDIS will be supported with the remaining 28 percent of residual funding.

The residual funding received by Council for people not eligible for the NDIS is guaranteed until June 2019. Council will continue to support non NDIS eligible clients during this time. While the State Government has indicated people not eligible for the NDIS will continue to be supported, how this will occur is still unclear. Council continues to advocate through the Municipal Association of Victoria and directly to the State Government to seek a guarantee for sufficient and ongoing funding to support this group of people.

Council also receives \$136,250 annually through the State Government's Building Inclusive Communities Program to support the broad participation and inclusion of people with a disability. Council employs a full time officer to undertake disability planning, advocacy and community development activities. This funding is guaranteed until June 2018. This funding will sit with the NDIA beyond 2018. Council will need to consider its disability inclusion, advocacy and planning role, and the extent to which Council chooses to fund these, as further information regarding how the NDIA will use these funds becomes clearer.

Client transition

It is proposed that Council will establish a dedicated transition officer from existing operational resources to ensure accurate and consistent information is provided to NDIS eligible clients and to advocate for and support participants to navigate the transition requirements. The transition officer will also provide information and support to clients who are not expected to be eligible for the NDIS. The funds for this position will primarily be redirected from the reduced Council contribution required to support clients who transition to the NDIS.

Quality standards and the range of services NDIS eligible clients will receive through the NDIS are not expected to diminish with the new arrangements. In fact, it is expected that clients will have access to a broader range of service options and specialist disability trained staff.

NDIS registered service providers

A key decision for Council is whether to register as a future provider of NDIS services.

NDIS service rates are administered by the NDIA and paid to organisations in arrears, unlike existing funding arrangements where Council receives its grant in advance. Service providers are required to provide services consistent with the rates schedule issued by the NDIA. Council's unit cost for a session of service provision is greater than the NDIA scheduled rate.

The NDIS is a competitive, client centred, market driven model of service delivery, so subsidising services with rates revenue would result in Council being non-compliant with the competitive neutrality requirement of the National Competition Policy. Under this policy, the provision of NDIS services would constitute a significant business activity for Council, requiring Council to ensure all costs associated with service delivery are identified and covered from the NDIA scheduled rate.

Council would be competing with a broad range of providers necessitating Council to actively promote and market its service. Estimations indicate a minimum allocation of \$100,000 per year for marketing would be required, which would put further pressure on Council's unit cost. As many providers are more experienced and better resourced to undertake a competitive approach, it will be relatively challenging for Council to attract and retain clients.

To date, only three rural Councils have registered as NDIS providers, two of which are reviewing their involvement. Metropolitan Councils who have made decisions about their NDIS future have decided to not register as NDIS providers. Of the five Councils in the Bayside Peninsula region the Cities of Glen Eira and Stonnington have made decisions to not register.

Council staff are in the main not disability specialist workers. They have generalist skills with introductory disability specific training. NDIS eligible clients including those not currently in receipt of services from Council may require and be better supported by more specialised disability providers who offer a broader range of services and cater for more complex care needs including those people with profound disabilities.

Impact on staff

Nine Council staff currently spend more than 30 percent of their time providing services to potential NDIS eligible clients. As clients transition and have the ability to choose disability specialist organisations Council expects that hours will reduce, creating a need to look at redeployment opportunities for these staff.

As previously noted, Building Inclusive Communities funding will sit with the NDIA from July 2018, and the impact of this on staff members will also need to be considered.

NDIS registered providers have no guarantee that clients will choose their organisation to provide services. This compels organisations to review their workforce strategies including moving to a more casualised workforce to accommodate the uncertainty of service demand and subsequent income. Learnings from regions that have transitioned to NDIS indicates that many staff take up work across multiple organisations, creating a range of challenges and risks.

Recommendation

That Council:

1. Does not register as a National Disability Insurance Service provider;
2. Advocates to the Brotherhood of St Laurence as the Local Area Coordination (LAC) agency to meet the needs of the Bayside community;
3. Writes to State and Federal members to advocate for a sufficient level of guaranteed funding for non-eligible NDIS clients beyond June 2019; and
4. Receives a further report prior to June 2018, with options for Council's ongoing role in relation to disability inclusion, advocacy and planning beyond the cessation of the Inclusive Communities funding in June 2018.

Support Attachments

Nil

Considerations and implications of recommendation

Liveable community

Social

The NDIS represents a significant change to the way that services are funded and delivered. People with disabilities are some of the most vulnerable members of the community. Approximately 46 percent of clients with a disability aged under 65 years who are in receipt of Council services will not be eligible for NDIS, as their level of disability is below the NDIS thresholds. The Victorian Government has committed to maintain existing funding for these clients until 30 June 2019. Funding arrangements beyond June 2019 are unknown. Council will continue to advocate for suitable funding to support this client group.

Natural Environment

There are no natural environment implications associated with this report.

Built Environment

There are no built environment implications associated with this report.

Customer Service and Community Engagement

A communication plan will be developed to meet the information needs of eligible and non-eligible NDIS people who are aged under 65 years.

Council staff will work in partnership with the Local Area Coordination Partner to support the implementation of the NDIS.

Human Rights

This report will not breach or infringe upon the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2016.

People with a disability are some of the most vulnerable people in the community. The rights of people with a disability are protected by law. Services for people with a disability aim to enhance their right to:

- Freedom, respect, equality and dignity
- Fulfil their potential
- Exercise control over their own lives
- Live free from abuse or neglect.

The philosophical premise of the NDIS is based on a client centred approach that allows clients to choose what services they need, when they need them, how they should be delivered and by whom they will be delivered.

Legal

Council is required to comply with the requirements of the National Competition Policy. Subsidising services with rates revenue in a competitive market would result in Council being non-compliant with the competitive neutrality requirement of the National Competition Policy.

Finance

A dedicated transition officer will be engaged at no additional cost to Council. Any identified financial impact on Council for non-eligible NDIS clients will be monitored through the transition phase. There is no guaranteed future funding level (post 2019) for younger people with a disability who are ineligible for the NDIS. Potential redundancies may occur where opportunities to re-deploy staff into alternative work roles do not exist.

Links to Council policy and strategy

The Council Plan 2017- 2021, Goal seven, Community Health and Participation commits the Bayside community being supported and engaged to live a healthy and active lifestyle regardless of aged, geographical location, personal circumstance or physical ability. Council achieves this in many ways including the delivery of a comprehensive range of assistance that supports older people to remain independent at home for as long as possible.

Council's Wellbeing for all Ages and Abilities Strategy 2017 – 2021 outlines the health and wellbeing priorities for the community. One of its key goals is to have a healthy and active community. Ensuring older people have access to appropriate supports is aligned to this goal.

10.2 BEAUMARIS HUB FEASIBILITY UPDATE

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/17/65 – Doc No: DOC/17/240809

Executive summary

Purpose and background

The purpose of this report is to provide Council with an update on the feasibility study currently being undertaken into establishing a Community Hub within the Beaumaris Reserve precinct.

Council has a number of facilities within Beaumaris Reserve including:

- Beaumaris Library;
- Beaumaris Seniors Citizens Centre;
- Beaumaris Community Tennis Club;
- Frank Reade Pavilion (servicing soccer and cricket); and
- Beaumaris Community Art Studio.

The development of a Community Hub at Beaumaris Reserve creates an opportunity to replace the outdated and not fit for purpose building infrastructure currently used by Beaumaris Soccer Club, Beaumaris Community Centre Tennis Club and Beaumaris Art Group. Funding for a feasibility study into the development of a Community Hub at Beaumaris Reserve is included in the 2017 Council Budget.

Beaumaris RSL

At its 19 September 2017 meeting Council resolved to include the Beaumaris RSL as part of the Beaumaris Reserve Hub Feasibility Study.

Beaumaris RSL has been without a physical location since the closure of its Balcombe Road facility in 2015. Since this time, the Friends of Beaumaris RSL have been advocating to RSL Victorian Branch to prevent the liquidation of the Beaumaris branch. The Friends of Beaumaris RSL was dissolved in September 2017 due to the election held to reinstate a committee of management for the Beaumaris RSL.

The RSL Victorian Branch has given the newly formed committee of the Beaumaris RSL until March 2018 to find a location for a new facility and present its proposed business model. Council has been advised by Beaumaris RSL that the proposed Beaumaris Community Hub is one of three options currently being explored by Beaumaris RSL.

The Beaumaris RSL has written to Council to advise its requirements for inclusion in the Beaumaris Hub include a commercial kitchen, dining room, bar, meeting room, storage and museum room, in addition to provision on the grounds to install three flag poles, and large military artefacts including a Pound Field Gun, Bofors Gun, MV Alvina Anchor, Dakota Aircraft Propeller, and Historic Sun Dial.

Council representatives have been working with a Project Reference Group (PRG), which includes representatives from Beaumaris Soccer Club, Beaumaris Community Centre Tennis Club, Beaumaris Art Group and Beaumaris RSL to explore the functional requirements needed to cater for each group within the one building.

Initial Community Hub compatibility

Working with Beaumaris Soccer Club, Beaumaris Community Centre Tennis Club and Beaumaris Art Group, Council staff have quantified the needs of these three stakeholder groups. Following a number of meetings and as a result of stakeholders displaying a willingness to work together and accept significant compromise, it appears that the needs of these three groups are able to be accommodated into a single Hub facility at Beaumaris Reserve.

Importantly these three stakeholders have similar volunteer based management models and have developed a usage timetable that shows they can compatibly share social and meeting room spaces.

Key issues

Compatibility of Beaumaris RSL and other stakeholders

RSL requirements including a commercial dining and bar operation are not compatible with the identified needs of the initial three stakeholders. Significant additional floor areas and facilities are needed to support the inclusion of the Beaumaris RSL in the Hub project.

Alterations to the war memorial area to improve its functionality on days of remembrance will be explored as part of the Beaumaris Community Hub project.

Project Costs

There are significant costs associated with the development of a Community Hub, which is not currently included within Council's Long Term Financial Plan. Indicative costs for the two proposed Hub options are:

- Community Hub (without RSL) - \$5.8 million
- Community Hub (with RSL) - \$7.5 million

The Beaumaris RSL would be required to fund the \$1.7 million difference in project costs and have advised Council that any RSL contribution would require RSL Victorian Branch approval.

Footprint

In order to accommodate the functional requirements of each of the stakeholders, any new building would need to be two stories in height in order to maintain the same or smaller footprint of the existing buildings at the site. The combined footprint of the current tennis, soccer and arts facilities is approximately 1,020 square metres. Indicative ground floor footprints of a new Community Hub (with surrounding paved areas) are:

- Community Hub (without RSL) – 650 square metres.
- Community Hub (with RSL) – 770 square metres.

Management model

With a variety stakeholders, each with different needs and modes of operation, any potential management model required for the Hub is likely to be complex. Given its proposed dining and bar management model, the inclusion of the Beaumaris RSL would create greater management complexity with likely Planning Permit implications resulting from the commercial nature of the requested dining room and bar.

Community response

There is likely to be significant local community interest in any Hub design. Reducing overall building footprint and minimising vegetation removal will be an important consideration for local residents.

For the above reasons the inclusion of Beaumaris RSL into the Beaumaris Reserve Community Hub project is not recommended.

Recommendation

That Council:

1. Continues to explore the feasibility of establishing a community hub within the Beaumaris Reserve precinct including the Beaumaris Soccer Club, Beaumaris Arts Group and Beaumaris Community Centre Tennis Club;
2. Does not include Beaumaris RSL in the feasibility study into establishing a community hub at Beaumaris Reserve; and
3. Notifies the Beaumaris RSL, Beaumaris Soccer Club, Beaumaris Arts Group and Beaumaris Community Centre Tennis Club of the outcomes of this report.

Support Attachments

Nil

Considerations and implications of recommendation

Liveable community

Social

The development of improved community art and sporting facilities will provide positive benefits for young people and adults, particularly through their participation and engagement in sport and art activities.

Natural Environment

Once the scope of the stakeholder needs has been finalised, a concept design will be developed that will demonstrate the building location and any impact on open space and vegetation.

Built Environment

The proposed scope of the Beaumaris Reserve Hub Feasibility Study will explore a new single facility to replace three outdated and not fit for purpose buildings currently housing the Beaumaris Arts Group, Beaumaris Soccer Club and Beaumaris Community Centre Tennis Club.

Customer Service and Community Engagement

A Project Reference Group has been established including representatives from Beaumaris Art Group, Beaumaris Community Centre Tennis Club, Beaumaris Soccer Club, Beaumaris RSL and Council.

Consultation with the three stakeholders including Beaumaris Arts Group, Beaumaris Soccer Club and Beaumaris Community Centre Tennis Club will continue as the Feasibility Study is developed.

Human Rights

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal

There are no legal implications associated with this paper.

Finance

A sum of \$30,000 has been allocated in the 2017/2018 budget to undertake the Beaumaris Community Hub Feasibility Study. Future budget allocations would be considered in line with the recommendations of the Feasibility Study.

Beaumaris RSL has not proposed any funding contribution to the project and has advised Council that any contribution would require RSL Victorian Branch approval. Beaumaris RSL will be presenting a preferred facility model for RSL Victorian Branch consideration in March 2017.

Links to Council policy and strategy

Improvement to sport and recreation facilities is supported by a number of key strategy and policy documents including the Council Plan 2017-2021, Bayside 2020 Community Plan, Recreation Strategy 2013, and Wellbeing for All Ages and Abilities Strategy 2013 – 2017.

The Bayside Library, Arts and Culture Strategy 2012-2017 recognises that artistic and cultural expression can grow when there are the right facilities for arts practice. The improvement of arts facilities at Beaumaris Reserve would provide appropriate spaces for artistic endeavour.

Options considered**Option 1**

Summary	Continue exploring the feasibility of establishing a community hub within the Beaumaris Reserve precinct including the following stakeholders; Beaumaris Soccer Club, Beaumaris Arts Group and Beaumaris Community Centre Tennis Club.
Benefits	The opportunity to return Council owned land returned to open space, as three outdated buildings may be replaced with a single facility using a smaller footprint. Existing stakeholders are engaged and have demonstrated a level of commitment to the project.
Issues	Not meeting the needs of Beaumaris RSL.

Option 2

Summary	Continue with the Beaumaris Hub Feasibility Study inclusive of all identified stakeholders, including Beaumaris RSL.
Benefits	Potential for external funding sources (RSL Victorian Branch).
Issues	Negotiations with external funding bodies may lead to project delays and there is no certainty of project funding. Delays in the delivery of the project have the potential to disadvantage existing stakeholder groups.

10.3 STATUTORY PLANNING SERVICE AND DELEGATIONS

City Planning & Community Services - Development Services
File No: PSF/17/70 – Doc No: DOC/17/245443

Executive summary

Purpose and background

The purpose is to update Council on progress in implementing service improvements in statutory planning and to propose changes to statutory planning delegations.

At its meeting of 29 November 2016, Council committed to allocate the additional revenue from increased statutory planning fees and application volumes, into improvements in statutory planning customer service levels. The improvements were to achieve faster application processing times, higher decision quality and a stronger customer experience. The initial focus was on increased staff resourcing levels and a stronger team structure, with a second phase to focus on process and digital transformation.

To date, the focus has not been on the customer service implications of delegations, however, this is also a critical area due to the implications for application processing time.

The current delegation in regard to Section 61 (1)(c) of the *Planning and Environment Act 1987* states that the power to make a decision of a planning permit application cannot be exercised in relation to:

- Any application 'called in' by a Councillor; and
- An application where more than one objection has been received and Council officers are recommending that a notice of decision to grant a permit be issued.

In relation to Victorian Civil and Administrative Tribunal (VCAT) matters, the current delegations state that where Council is a party to a proceeding at the VCAT, the Directors and Department Managers have the power to make a decision relating to the conduct of a proceeding including a decision to settle the proceeding (i.e. agree to a consent order).

The delegation level is more restricted when compared to other Councils for planning permit applications (6 objections for Glen Eira, 3 objections for Kingston where there are 5 or more dwellings, 15 objections for Port Phillip and 7 objections for Stonnington). This which results in a large number of applications being considered by the committee each month (15-20) and the need for fortnightly meetings. It is expected that this number will increase significantly in the coming months, due to the high volumes of applications being processed and higher numbers of objector consents at the Compulsory Conference stage of VCAT hearings.

The proposed delegation changes focus on:

- Strengthening the Vegetation Protection Overlay (VPO3);
- Empowering Statutory Planning Officers at VCAT; and
- Improving customer service levels of the Statutory Planning service, particularly for applications with limited community objections.

Key issues

Customer service levels

Increased resourcing levels are having a positive impact on quarterly application processing volumes. In October-December 2016, 239 applications were determined, increasing to 277 and 396 applications in the following quarters. In the final and most recent quarter (July-September) application volumes remained high (334), but were below the peak in the previous quarter. The reduced output reflected aspects such as the resignations of a number of planning team staff (5 FTE) and changes in management prompted by the departure of the Manager.

The planning team resources have recently returned to full capacity and it is expected that further increases in application processing volumes will occur. However, despite this underlying positive data, there will be a lag of at least another quarter before improvements in KPIs are observed (such as the percentage of applications determined within 60 days). This is because the higher volume of application processing takes a delayed time to substantially reduce the case backlog (approximately 700 active cases) in order to reduce the average approval timeframe. An additional challenge is a relatively high number of applications in the last quarter compared to the previous three quarters (363 compared to the average of 281 applications per quarter). Substantial improvements in KPI results are expected for 2017/18.

A broader range of improvements, such as a new website, are currently being implemented. These improvements will be presented at the December Council meeting, along with the next phase of improvement initiatives. However, with resourcing and structure implemented, the delegation framework is the next critical consideration for making a step change in improved customer service.

Delegations

The complexity of delegation is not straight forward enough to provide empirical evidence on what changes will or will not affect the committee as delegations incite a behaviour and compliance change in applicants.

However, there are clear benefits to our customers in shifting the focus of the type of applications being reported to the Committee. There are a range of timing, efficiency and customer service levels which would result from increasing delegations. Each application decided through officer delegation rather than by the Committee:

- Improves processing times due to a reduction of approximately 40 days per application (from an average of 120 days to 80 days), due to factors such as compulsory conferences and the lead time for preparing applications for the committee and the meeting cycle;
- Reduces the Council cost of each application (cost per application to reduce from \$2,200 to around \$2,000 based on proposed delegation changes), and reduces the applicant's financial holding costs cost per application (approximately \$10,000 per month based on a land price of \$2M);
- Potentially improves housing affordability by allowing new homes to be completed more quickly;
- Enables improved customer service (increases the ability for one officer to retain an application through the entire process) and reduces confusion and uncertainty though reduced process timeframes;
- Results in planning decisions that are more likely to be upheld at VCAT; and

- Reduces the frequency of Committee meetings to once a month, with an average of 10 applications being considered per meeting.

However, there are also benefits associated with applications being decided at Committee rather than under delegation. This is particularly in relation to high profile and contentious decisions, where the transparency of the Council processes provides a voice for both the applicant and objectors. The overall impact of the 'customer experience' of a matter going to Council is difficult to assess.

The proposed changes to delegations are provided as Attachment 1 and aim to target Committee attention on key community and Councillor interests, such as implementation of the Vegetation Protection Overlay.

It is proposed that these revised delegations will be trialled for a period of 6 months with a further report to be provided to the Council which considers the impact on application processing time, as well as applicant and objector satisfaction.

Recommendation

That Council resolves to:

- a) Note the update in the Statutory Planning service provided in this report.
- b) Adopts the proposed delegations as noted below for a trial period of 6 months:

Part 1 - Section 61 (1)(c) of the Planning and Environment Act 1987

Council officers do not have delegation to decide an application where:

- Any application is 'called in' by a Councillor; and
- An application where four or more objections have been received and Council officers are recommending that a notice of decision to grant a permit be issued.

Part 2 - Section 61 (1)(c) of the Planning and Environment Act 1987

Council officers do not have delegation to decide an application where:

- Any application is 'called in' by a Councillor; and
- An application for the removal of two or more trees protected by the Vegetation Protection Overlay (VPO) and Council officers are recommending that a planning permit or a notice of decision to grant a permit be issued.

Part 3 - Victorian Civil and Administrative Tribunal (VCAT)

Council officers are provided the following delegation:

- Where Council is a party to a proceeding at VCAT, the Director (DCPCS), Department Manager (MDS), Statutory Planning Coordinator (SPC) and Principal Statutory Planner (PSP) have the power to make a decision relating to the conduct of a proceeding including a decision to settle the proceeding (i.e. agree to a consent order) where there is three or less objectors.

Part 4 - Victorian Civil and Administrative Tribunal (VCAT)

Council officers do not have delegation to decide an application where a:

- Secondary Consent application to a VCAT permit has been made.
- c) Receive a further report in June 2018 reporting on the outcomes of the trial and any further recommendations.

Support Attachments

1. Proposed Delegations table - 6 month trial 17/18.

Considerations and implications of recommendation

Liveable community

Social

No adverse implications.

Natural Environment

No adverse implications. Positive benefits for the Natural Environment are being realised through better Statutory Planning decisions, which are being achieved and improved upon by the initiatives in this report.

Built Environment

No adverse implications. Significant positive benefits for the Built Environment are being realised through better Statutory Planning decisions and the delivery of the Bayside Planning Scheme, which are being achieved and improved upon by the initiatives in this report.

Customer Service and Community Engagement

Significant improvements in the service we provide our customers will be realised by the continuous improvement initiatives. The approach supports the achievement of the target service levels of 60% of Planning Applications being determined within the statutory timeframe. While the increased resourcing levels are significantly increasing the volume of planning application decisions, this is yet to translate to improved KPI outcomes due to the lag associated with active case backlogs (Refer below table). Proposed changes to delegations could also support a step change in application processing timeframes.

Local Government Performance Reporting Framework (LGPRF) Results

SERVICE PERFORMANCE MEASURES	14/15 Bayside LGPRF Result	15/16 Bayside LGPRF Result	16/17 Bayside LGPRF Result *
The average (median) number of calendar days between receipt of and a decision on the application.	115	88	118 days <i>Metro average = 97.75 days</i>
Number of Non-VicSmart planning application decisions made within 60 days.	44%	58%	43% <i>Metro average = 58%</i>
Number of VCAT decisions that agreed with Council / Delegates Decision.	41%	44%	46% VCAT determinations upheld <i>Metro average = 54%</i>

Human Rights

The implications of this Amendment have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Legal

The expected improvements in customer service levels and the proposed changes to delegations are expected to result in a small reduction in the number of planning appeals to VCAT.

Finance

The increase to staff resourcing has resulted in a cost incurred to Council however, this is offset by the additional fees received from planning applications. Increased efficiency resulting from both short and long term improvement activities, such as moving to a digital environment, aim to realise significant cost savings.

Further to this, failure to make decisions on planning applications within the statutory timeframes can result in costs being awarded against Council. Predominantly, these costs are the refund of VCAT application fees to the applicant. The costs for Council range from \$800 - \$4,000. On average, Council has been paying \$2,500 per failure appeal. In the current financial year, Council has paid \$2,523.10. In the 2016/17 financial year, Council paid \$11,156.

Links to Council policy and strategy

The initiatives in this report assists Council in achieving the following goal and strategy of the Council Plan 2017 - 2021:

- Goal 3: Implement improvements to the service, quality, efficiency and communication of Council's planning permit assessment service to enable prompt assessment of applications that comply with development controls.

Section 61 (1)(c) of the <i>Planning and Environment Act 1987</i>			
	Existing delegation - when Committee review is triggered	Proposed delegation - when Committee review is triggered	Change and reason
1.	<ul style="list-style-type: none"> <input type="checkbox"/> Any application 'called in' by a Councillor; and <input type="checkbox"/> An application where more than one objection has been received and Council officers are recommending that a notice of decision to grant a permit be issued. 	<ul style="list-style-type: none"> <input type="checkbox"/> Any application 'called in' by a Councillor; and <input type="checkbox"/> An application where four or more objections have been received and Council officers are recommending that a notice of decision to grant a permit be issued. 	<p>The change increases the number of objections triggering Committee from two to four.</p> <p>This change reduces the number of applications being considered by the Committee per calendar year by approximately 50.</p> <p>The applications mostly caught by this change are new dwellings, alterations to dwellings and dual occupancy developments which have a reasonably high level of compliance with the Bayside Planning Scheme.</p> <p>The change will improve customer service levels of the Statutory Planning service.</p>
2.	<ul style="list-style-type: none"> <input type="checkbox"/> Any application 'called in' by a Councillor; and <input type="checkbox"/> An application where more than one objection has been received and Council officers are recommending that a notice of decision to grant a permit be issued. 	<ul style="list-style-type: none"> <input type="checkbox"/> Any application 'called in' by a Councillor; and <input type="checkbox"/> An application for the removal of two or more trees protected by the Vegetation Protection Overlay (VPO) and Council officers are recommending that a planning permit or a notice of decision to grant a permit be issued. 	<p>This change will support officer's enforcement of the Planning Scheme by ensuring that future applicants and residents know significant tree removal will be heard by the committee.</p> <p>This will increase the number of applications considered by the Committee by approximately 20 per calendar year.</p> <p>This change 'hands back' some delegation to the Committee where in the past the removal of 2 or more trees without objection would have been decided under delegation.</p> <p>As part of the initiatives to improve the Statutory Planning service, Council officers will provide educational information to the community and potential applicants on the objectives of the VPO3.</p>

Victorian Civil and Administrative Tribunal (VCAT)			
	Existing delegation – when officers are required to consider a matter	Proposed delegation – when officers are required to consider a matter	Change and reason
3.	<input type="checkbox"/> Where Council is a party to a proceeding at VCAT, the Directors and Department Managers have the power to make a decision relating to the conduct of a proceeding including a decision to settle the proceeding (i.e. agree to a consent order).	<input type="checkbox"/> Where Council is a party to a proceeding at VCAT, Director (DCPCS), the Department Manager (MDS), Statutory Planning Coordinator (SPC) and Principal Statutory Planner (PSP) have the power to make a decision relating to the conduct of a proceeding including a decision to settle the proceeding (i.e. agree to a consent order) <u>where there is three or less objectors.</u>	<p>The purpose of this change is to state that regardless of parties to the appeal, Council officers (those listed) have the power to settle the proceeding without needing to go back to the Committee where the original number of objectors would not have required the decision to be made by the Committee.</p> <p>Council officers have recently been reporting on average 2-3 VCAT consent orders to the Committee. The Committee has agreed to approximately 95% of these consent orders. Those consent orders not agreed by Council have generally not gone far enough to achieve compliance with the prescriptive standards of the Bayside Planning Scheme.</p> <p>This change ‘returns’ some of the delegation to the Committee, especially where there is greater interest from the community.</p>
4.	<input type="checkbox"/> Secondary Consent to a VCAT permit to be reported to the Committee	<input type="checkbox"/> Secondary Consent to a VCAT permit to be reported to the Committee	<p>This provision is to remain as it exists.</p> <p>All Secondary Consent applications to a VCAT permit will continue to be reported to the Committee for a decision.</p>

10.4 CON/17/76 CASTLEFIELD RESERVE PAVILION REDEVELOPMENT

Environment, Recreation & Infrastructure - City Assets & Projects
File No: PSF/17/74 – Doc No: DOC/17/231447

Executive summary

Purpose and background

The purpose of this report is to recommend the appointment of a contractor to undertake the Castlefield Reserve Pavilion Redevelopment under Contract CON/17/76. This project includes total demolition of the existing sports pavilion, full construction of the proposed new sports pavilion, arrangement of all services, construction of garden beds, concrete pathways, concrete accessible car space and re-instatement of the existing gravel carpark.

Castlefield Sports Pavilion is home to two tenant sporting clubs, junior football and junior/senior cricket. These clubs provide community access to sporting and recreational opportunities for the local Hampton and surrounding communities.

Key issues

Six companies were invited to tender for the works through a selective tender process utilising the State Government Construction Supplier Register. All invited tenderers had the experience and resources to undertake the project. The following companies submitted a tender:

- (1) 2Construct Pty Ltd;
- (2) Bowden Corporation Pty Ltd; and
- (3) Stokes Rousseau Pty Ltd.

Each submission was reviewed at a Tender Evaluation Panel Meeting. Input was received from the appointed Quantity Surveyor.

From the initial evaluation, Bowden Corporation Pty Ltd (Bowden) was shortlisted based on the evaluation criteria and invited for an interview.

At interview, Bowden demonstrated its understanding of the technical requirements of the works, experience, subcontractors and resources to deliver the demolition of the existing and construction of the new football and cricket pavilion.

Bowden has completed a number of successful sportsground pavilion construction projects of similar size and value for both Bayside City Council and other Victorian Local Councils in the last three years. Reference checks with previous clients were positive. A financial assessment was also requested and Bowden was deemed financially capable of completing the works.

As shown in Confidential Attachment 1 – Evaluation Matrix, the tender evaluation panel concluded that Bowden offered the best value for money and recommends that the contract be awarded to Bowden Corporation Pty Ltd.

Recommendation

That Council:

1. Awards contract CON/17/76 Castlefield Reserve Pavilion Redevelopment to Bowden Corporation Pty Ltd for the lump sum price of \$1,111,044.31 (excl. GST) and \$1,222,148.74 (incl GST);
2. Authorises the Chief Executive Officer to sign all necessary documentation related to CON/17/76 Castlefield Reserve Pavilion Redevelopment; and
3. Advises the unsuccessful tenderers accordingly.

Support Attachments

1. Confidential Attachment 1 - CON/17/76 Castlefield Reserve Pavilion Redevelopment (separately enclosed) (confidential)

Considerations and implications of recommendation**Liveable community****Social**

The facilities at the Castlefield Recreational Reserve support a range of community programs and service provisions, predominantly junior football and cricket. This project is aimed at reinvigorating these facilities at the ground to provide better sporting infrastructure for sporting communities.

Natural Environment

The new building has the following Environmental Sensitive Design (ESD) characteristics:

- Rainwater is harvested and re-used;
- Mechanical ventilation is minimised by use of high level fixed ventilation louvres;
- Artificial lighting is minimised by the use of highlight windows providing natural light so lights do not need to be turned on as frequently, and by the use of motion sensor lights that will not stay on when rooms are not in use;
- The building is well insulated avoiding the need for artificial heating or cooling; and
- Building materials have high recycled content and low emissions.

Built Environment

The Castlefield Reserve Pavilion was constructed in 1965 and has been identified in the Accelerated Sportsground Pavilion Improvement Plan as a high priority for renewal to ensure the pavilion provides the most effective and functional layout to meet the tenant club's (junior football and cricket) current and future needs, and to allow a clean modern appearance with low maintenance.

Customer Service and Community Engagement

Sporting Clubs and funding partners have been involved in the project from inception to now, and the proposal has received wide endorsement.

Information regarding the works and disruptions at the reserve will be communicated to tenant clubs and park users with site signs throughout construction.

Human Rights

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal

This Request for Tender was undertaken in accordance with the Bayside City Council's Quotation and Tendering Procedure and section 186 of the Local Government Act 1989.

Finance

The Capital Works Budget for 2017/18 has an allocation of \$1,522,810.00 (ex GST) for this project. The following table summarises the project budget. Note prices are excluding GST.

Contract cost	\$1,111,044.31
Contingencies, design and project management costs (15%)	\$ 166,656.65
Project Cost (ex GST)	\$1,277,700.96

The expected project cost is \$1,277,700.96 (ex GST), which is within the allocated budget. Any savings in budget will be used to offset any projects within the capital program that are over budget.

Links to Council policy and strategy

The recommendation of this report will improve sport and recreation facilities as identified in a number of key strategy and policy documents including Council Plan 2013-2017, Bayside 2020 Community Plan, Open Space Strategy 2012, Recreation Strategy 2013, Sportsground Pavilion Improvement Plan 2013 and Wellbeing for All Ages and Abilities Strategy 2013 - 2017.

Options considered

Not applicable to this report.

10.5 CONTRACT CON/17/103 - DEBT COLLECTION SERVICES CONTRACT - PROCUREMENT AUSTRALIA

Corporate Services - Finance
File No: PSF/17/69 – Doc No: DOC/17/242808

Executive summary

Purpose and background

The purpose of this report is to recommend the awarding of a Debt Collection Services contract for two years from 1 December 2017 to 30 November 2019 with an additional 2 x 1 year options to extend.

ML+C Collections Pty Ltd have carried out debt collection services on behalf of Bayside City Council since May 2005. The current contract with ML+C Collections Pty Ltd expires on 30 November 2017.

Key issues

The services provided under the contract include

- The preparation and issue of a solicitor's letter of demand to the ratepayer/debtor immediately upon instructions from Council
- Liaison with ratepayer/debtor to ascertain their ability to pay an account and, subject to instructions from Council, negotiation of payment arrangements with the ratepayer/debtor
- Effective and efficient methods of locating ratepayers/debtors who are not at their original place of business or residence
- Written confirmation of payment arrangements to ratepayers/debtors and recording terms of payment arrangements
- Drafting and dispatch of notices to ratepayers/debtors advising of non-compliance with account payment arrangements
- Effective and efficient monitoring and management of all account payment arrangements
- Effective and efficient reporting to Council. A regular status report is required to be supplied by the service provider to Council detailing all referrals to date, amount paid, costs incurred, amount collected, and balance owing and recovery action to date.

Procurement Australia (PA) was appointed as a disclosed agent for Bayside City Council for the purposes of calling and evaluating public tenders for Debt Collection Services. Thirty (30) tenders were received by PA, and these were evaluated and scored against the published selection criteria.

All suppliers charge in accordance with the Magistrates Court of Victoria – Scale of Costs for all items in relation to debt collection. Council's 2017/18 Budget provides for an amount of \$123,250 for debt recovery which is recoverable from customers.

After considering the Procurement Australia report and the list of awarded tenderers the following suppliers were shortlisted by Officers for interview

- ML+C Collections Pty Ltd (our current provider)
- Recoveries & Reconstructions Pty Ltd
- Midstate Credit Collect Pty Ltd

Whilst it was considered that all three providers could perform the services required, Midstate Credit Collect Pty Ltd (MCC) demonstrated a better understanding of the sensitivities of these services upon the wider community and utilised superior systems and technology which will be used by both their staff and Council to monitor and update overdue accounts. MCC is a Victorian-based business and most of their 60+ Local Government clients are also Victorian.

MCC has also outlined an additional service which they can provide on an opt-in, fee for service basis, where they monitor and follow-up overdue accounts which do not meet our criteria for legal action. This is expected to assist customers with genuine financial issues to prevent legal action being taken, thus exacerbating their financial situation. No other provider offers such an in-depth product, and, whilst outside the scope of the tender, was considered a major advantage for both Council and its customers.

Recommendation

That Council

1. Awards Con/17/103 Debt Collection Services contract to Midstate Credit Collection Pty Ltd for a period of 2 years commencing 1 December 2017 with an additional 2 x 1 year options to extend;
2. Authorises the Chief Executive Officer to sign all necessary documentation related to Con/17/103 Debt Collection Services contract; and
3. Advises the unsuccessful shortlisted tenderers accordingly

Support Attachments

Nil

Considerations and implications of recommendation

Liveable community

Social

Council requires from the supplier, an understanding of Local Government, corporate social responsibility and a customer focus.

Natural Environment

There are no natural environmental impacts associated with this report.

Built Environment

There are no built environmental impacts associated with this report.

Customer Service and Community Engagement

Council requires from the supplier, an understanding of Local Government, corporate social responsibility and a customer focus.

No community engagement has been undertaken in preparing this report.

Human Rights

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal

Section 180 of the Local Government Act gives Council the authority to recover unpaid rates and charges in the Magistrates Court. Section 181 of the Local Government Act gives Council the authority to sell land to recover unpaid rates and charges.

Finance

Council's 2017/18 Budget provides for an amount of \$123,250 for debt recovery which is recoverable from ratepayers.

Links to Council policy and strategy

Debt Recovery and its associated tender is contained within Goal 8 Governance in the Council Plan 2017-2021. We want an organisation that is financially stable and with decision making that is open, transparent, and informed by the community.

10.6 OPEN SPACE LIGHTING POLICY (2014) - RESCISSION

Environment, Recreation & Infrastructure - Open Space, Recreation & Wellbeing
File No: PSF/17/65 – Doc No: DOC/17/239684

Executive summary

Purpose and background

At its 25 July 2017 Ordinary Meeting, Council adopted the Council Strategy and Policy Review Program 2017-2021 (the Program). The purpose of this report is to rescind the current Open Space Lighting Policy (2014) and meet one of the requirements of the Program. Policy guidance for staff on the objectives of the Open Space Lighting Policy (2014) is available in other existing Council Policies and Masterplans.

Key issues

Open Space Lighting Policy (2014)

The intent of the Open Space Lighting Policy 2014 (as set out in Attachment 1) was to provide a clear and consistent approach to the decision-making process for the provision of external lighting across Council managed open space. The decision making criteria as outlined in the Policy are grouped as follows:

- Planning and Land Use;
- Community/Social;
- Energy/Ecological/Waste Impacts; and
- Financial.

Policy guidance on this issue is provided and duplicated in the Open Space Strategy and specific foreshore and park masterplans. It is proposed that these and other documents provide appropriate policy direction to allow the Open Space Lighting Policy (2014) to be rescinded.

Future approach to open space lighting proposals

Decisions regarding lighting in Bayside's open space network will be made by considering the classification and prime function of the open space as defined in the Bayside Open Space Strategy. The Open Space Strategy addresses the Planning and Land Use criteria in the Open Space Lighting Policy (2014).

In addition to the Open Space Strategy, foreshore and park masterplans have been developed to provide a clear and consistent approach for maintenance, renewal and improvement of open space areas, including lighting. The development of any masterplan requires comprehensive community consultation to be undertaken and where relevant, this includes open space lighting.

Outside of the masterplan process, any new open space lighting requests will continue to be assessed by the Manager Open Space, Recreation and Wellbeing in accordance with the Community and Stakeholder Engagement Policy.

Council's Environmental Sustainability Framework and Procurement Policy provide direction on the assessment of Energy/Ecological/Waste impacts and Council's budgeting processes determine the financial merits of public lighting proposals.

Any new open space lighting request will be considered by the Manager Open Space, Recreation and Wellbeing recognising the Open Space Strategy, relevant masterplans, Environmental Sustainability Framework, budget, Community and Stakeholder Engagement Policy. Subject to the outcomes of this assessment process, Council may be requested to formally consider an open space lighting proposal.

It is recommended that the Open Space Lighting Policy (2014) be rescinded as its purpose in providing guidance in decisions relating to open space lighting is more appropriately provided in other Council policies and masterplans.

Recommendation

That Council:

1. notes that the assessment criteria in the Open Space Lighting Policy (2014) are addressed in a number of Council's policies and masterplans and an assessment has indicated that the Open Space Lighting Policy (2014) is not required; and
2. rescinds the Open Space Lighting Policy (2014) as shown in Attachment 1.

Support Attachments

1. Attachment 1 - Open Space Lighting Policy (2014)

Considerations and implications of recommendation

Liveable community

Social

The purpose of open space lighting is to illuminate areas frequently used at night to afford a sense of safety and for clear visual passage. Council aims to address the need for providing safe access to open space while protecting and enhancing its natural and built assets. Decisions on open space lighting are informed by the use of the open space as outlined in the Bayside Open Space Strategy.

Natural Environment

The consideration of open space lighting will be informed by foreshore and park master plans.

Built Environment

There are no built environment implications associated with the recommendations included in this report.

Customer Service and Community Engagement

Local residents and open space stakeholders will be consulted regarding any new proposed provision of open space lighting in accordance with the Community and Stakeholder Engagement Policy.

Human Rights

The implications of this report have been assessed and are not considered likely to breach or infringe upon, the human rights contained within the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Legal

There are no legal implications associated with the recommendations included in this report.

Finance

There are no financial implications associated with the recommendations included in this report. Financial issues regarding the installation of open space lighting are considered as part of the budget process.

Links to Council policy and strategy

The program for review or development of Council Strategy and Policy incorporates actions from the Council Plan 2017-2021. The Better Place Strategic Planning Framework provides the alignment of Council Strategy and Policy to deliver against Council's strategic objectives.

The Community and Stakeholder Engagement Policy guides community input into Council's decision making.

The Bayside Open Space Strategy and park and foreshore masterplans provide guidance on use of open space areas and the need for lighting.

The Environmental Sustainability Framework provides guidance on ecological and energy sustainability matters relating to lighting



Council Policy

Council policy title:	Open Space Lighting Policy 2014
Council policy ref no:	C/POL/CST/041
Council policy owner:	Director City Strategy
Adopted by:	Bayside City Council
Date adopted:	
Scheduled review:	[Every 3 years, commencing (date of approval)]

(Council Policy is a public statement formally resolved by Council, which clearly states Council's requirements in relation to a particular matter or issue. For Council policy approval process see Section 10 and Appendix 1 of the Policy Handbook.)

1. Policy intent

The intent of the Open Space Lighting Policy (the Policy) is to provide a clear and consistent approach to the decision-making process for the provision of external lighting across Bayside City Council (Council) managed open space that is consistent with relevant Council plans and strategies as well as relevant legislation.

The purpose of open space lighting is to illuminate areas frequently used at night to afford a sense of safety and for clear visual passage. Council aims to address the need for providing safe access to open space while protecting and enhancing its natural and built assets.

The Policy acknowledges that it is not environmentally nor economically feasible to illuminate large areas of open space and that lighting will be provided based on a clear purpose and a balanced decision-making process.

2. Policy objectives

The Policy aims to achieve the following objectives:

- Objective 1: To provide a set of guiding policy statements for the provision of lighting across Bayside's open space network that contribute to Council's objective to provide well connected and safe areas of open space, whilst protecting and enhancing its natural and built assets;
- Objective 2: To ensure that the social, environmental, community, financial and legal requirements associated with lighting are considered during the decision-making process for the provision of lighting in open space areas;
- Objective 3: To ensure that decisions regarding lighting across the open space network are made with consideration to the classification and prime function of the open space as defined in the *Bayside Open Space Strategy*; and
- Objective 4: To support Council's goal to achieve carbon neutrality (zero net emissions) for its operations by 2020¹ by restricting non-purposeful lighting of open spaces.

¹ Bayside Climate Change Strategy – A Plan for Council's Operations, 2012, p.37
Version 2
June 2014

3. Scope

This Policy applies to the following areas of Council managed open space, as defined in the *Bayside Open Space Strategy (2012)*:

- Council owned and/or managed parks and gardens;
- Playgrounds, trails and paths situated within parks, gardens and reserves;
- Foreshore and open space carparks;
- Inland conservation reserves;
- The foreshore reserve; and
- Beaches.

This Policy does not apply to:

- Council owned and/or managed sportsgrounds;
- Council streetscapes, shopping precincts and adjoining car parks;
- Open space areas managed by other authorities (railways, roads);
- Privately owned open space (private golf courses, retail centres); and
- Public golf courses.

4. Roles & Responsibilities

The Director, City Strategy and Manager, Sustainability and Open Space are responsible for approving, implementing, complying with, and providing advice on the Policy.

5. Monitoring, Evaluation & Review

This Policy shall be monitored, evaluated and reviewed by the Manager, Environmental Sustainability and Open Space to assess the impacts and ensure the objectives of the Policy are met. Reviews of the Policy are carried out at a minimum of every three years.

6. Policy Statement

6.1 New Lighting Requests

New lighting requests will be assessed by the Manager, Environmental Sustainability and Open Space or their delegate, based on the Assessment Criteria contained in Appendix 1.

Lighting requests that do not fulfil the criteria will be declined and a written response provided to the customer, outlining the reason/s for its rejection.

Upon request by the customer, declined lighting requests can be appealed to the Director, City Strategy for further consideration.

6.2 Community Engagement

Council will engage the community when undertaking reviews of lighting in open space areas to promote awareness of public lighting and to allow public participation in decisions about public lighting.



6.3 Lighting Policy determined by Open Space Function

Lighting an area of open space will be assessed in accordance with its 'prime function', as defined in the Bayside City Council Planning Scheme and the Bayside Open Space Strategy 2012, and the circumstances as outlined below.

Social Family Recreation Parks, Relaxation Parks and Formal Gardens

- Lighting of parks and gardens will be assessed where the park is used for passive recreation and/or when amenity or public safety is a significant issue or when the park is used as a pedestrian or cycling route subject to the consideration of the issues and impacts outlined within Section 6.5 of this Policy.

Conservation Reserves

- Lighting will not be introduced in conservation reserves, (i.e. PCRZ land defined in the Bayside Planning Scheme) due to their high conservation value and the risk of adverse impact on the diverse ecological communities that inhabit these spaces.

Foreshore and Beaches

- Foreshore and Beaches will generally remain unlit, inclusive of informal tracks.
- Time restricted lighting of beach areas may be considered in situations (eg. for a public safety or other community beneficial purpose), where the Assessment Criteria in Appendix 1 are met,
- Lighting in coastal areas, where installed, will be designed and sited in accordance with Coastal Siting and Design Guidelines² and Safer Design Guidelines for Victoria³.

Foreshore Car parks and Car parks linked to open space areas

- Car parks in foreshore areas or other open spaces shall generally remain unlit.
- Time restricted lighting of car parks may be implemented where the assessed need and benefits are warranted (e.g. for a public safety or other community beneficial purpose).
- Car park lighting, where installed, must meet the Australian Standards for car parks as defined in AS 1158: 2005 Lighting for Roads and Public Spaces.

Sportsgrounds

- This Policy does not apply to lighting of Council owned or managed sportsgrounds. The decision making and prioritisation process for the provision of lighting at Bayside's sportsgrounds is contained within Council's Sportsground Lighting Guideline (G/REC/RE/001).

6.4 Route or Access Lighting

- The provision of pedestrian or cycling route lighting through open spaces will be assessed for need and benefit (where street lighting is not sufficient) to improve

² Siting and Design Guidelines for the Victorian Coast, May 1988, Tract Consultants Pty Ltd. and Chris Dance Land Design Pty. Ltd for the Victorian Coastal Council.

³ DSE and Environment Crime Prevention Victoria, (2005), Safer Design Guidelines for Victoria, DSE, Victoria.



linkages and connections between open spaces and key destinations within Bayside with consideration of the issues and impacts outlined within Section 6.3 of this Policy.

- The provision of access lighting for open space infrastructure with frequent night activity, such as boat ramps will be assessed for need and benefit and consideration of the issues and impacts outlined within Section 6.3 of this Policy.
- Lighting where installed, will be designed and sited in accordance with Coastal Siting and Design Guidelines (in coastal areas only), AS 1158: 2005 Lighting for Roads and Public Spaces, AS4282:1997 Control of Obtrusive Effects of Outdoor Lighting and Safer Design Guidelines for Victoria.

6.5 Lighting Impact Mitigation

There are a number of social, environmental and economic issues associated with lighting that will be considered when making decisions regarding lighting in open spaces. Council endeavours to minimise any negative impacts from the provision lighting through implementing the following policies:

A. Social and Community Impacts

- Council will engage the community when undertaking reviews of lighting in open space as outlined in Section 6.2.
- Lighting of public open spaces will be undertaken in accordance with AS 1158: 2005 Lighting for Roads and Public Spaces and Safer Design Guidelines for Victoria⁴.
- Lighting will be designed to minimise visual intrusion into residential or conservation areas through appropriate siting and design of the light fixture, and inclusion of optical controls as specified in AS 4282:1997 Control of Obtrusive Effects of Outdoor Lighting.
- Numbers and styles of lights in open spaces will be rationalised to maximise visual amenity.

B. Energy Consumption and Greenhouse Gas Emissions

- Council will consider the Energy Hierarchy to prioritise actions and achieve its greenhouse reduction goals in the order of:
 1. Energy conservation
 2. Energy efficiency
 3. Renewable energy
 4. Offsets
- Council will consider energy efficient lighting solutions, as recommended in the Sustainable Public Lighting Action Plan 2009 and the Greenhouse Action Plan Reviews 2008 and 2009.

⁴ DSE and Environment Crime Prevention Victoria, (2005), Safer Design Guidelines for Victoria, DSE, Victoria.



- Council will regularly assess the lighting arrangements at each of its open spaces to ensure lights are operational only when necessary, and unwanted or unneeded lights turned off or removed where feasible.

C. Ecological Impacts

- Council will minimise the impacts from lighting on terrestrial and aquatic ecosystems by avoiding the placement of lighting in all open spaces classed as Conservation Reserves.
- Council will undertake appropriate measures to minimise light pollution from entering Conservation Reserves as specified in AS 4282:1997 Control of Obtrusive Effects of Outdoor Lighting.

D. Waste

- Council will minimise the creation of waste including hazardous waste by selecting energy efficient and long life-lighting solutions.
- Council will investigate recycling options for spent lamps as a preference to disposal options.



7. Related documents

National Legislation and Standards	AS 1158: 2005 Lighting for Roads and Public Spaces AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting
State Legislation and Guidelines	<i>Local Government Act 1989</i> Victorian Coastal Strategy 2008 Siting and Design Guidelines for the Victorian Coast, May 1988, Tract Consultants Pty Ltd. and Chris Dance Land Design Pty. Ltd for the Victorian Coastal Council ESCV, Public Lighting Code, September 2001, Melbourne Safer Design Guidelines for Victoria, DSE and Environment Crime Prevention Victoria, DSE, 2005
Council Strategies	Bayside Open Space Strategy 2012 Community and Stakeholder Engagement Policy 2009 Bayside Climate Change Strategy 2011
Plans	Council Plan 2013-2017 (2014 Review) Wellbeing for all Ages and Abilities Strategy 2013-2017 Bayside Climate Change Strategy – A Plan for Council's Operations, AECOM, 13 February 2012, (Adopted 18 May 2012) Draft Bayside Coastal Management Plan 2013 Sustainable Public Lighting Action Plan, Draft V2, 15 September, 2009
Guidelines	Sportsground Lighting Guideline, G/REC/RE/001.



8. Terms and Abbreviations

Term	Meaning
Glare	The sensation produced by a lighting source which causes visual annoyance or discomfort.
Spill	Light that falls outside of the intended area to be lit.
Illuminance	A measurement of the density of light upon a surface.
Uniformity	The degree of variation of illuminance over a given area.
Open Space Function	The activity or activities that take place in an area of open space.e.g. social family recreation, sportsground, relaxation park, garden, conservation reserve, etc.
Open Space Prime Function	Open spaces with more than one function have been allocated a "prime function", to ensure that open spaces are planned and managed to suit the prime function of that open space appropriately whilst still allowing other, complimentary uses which don't undermine the prime function of the space.
Ecological light pollution'	Refers to the effects of the alteration of natural light regimes in terrestrial and aquatic ecosystems.
Illumination	The amount of light emitted from a lamp is measured in lumens. The amount of light hitting a surface is measured in lux, or lumens per square meter.
Lamp	The component of the luminaire that produces light, for example, an incandescent light bulb.
Environmental Sustainability	'the ability to maintain the qualities that are valued in the physical environment'. (www.ces.vic.gov.au).

Please note: This policy is current as at the date of approval. Refer to Council's website (www.bayside.vic.gov.au) or staff intranet to ensure this is the latest version.



Appendix 1: Assessment Criteria for Lighting Requests in Open Spaces

New lighting requests will be assessed by the Manager, Environmental Sustainability and Open Space, based on consideration of the statements contained within this policy, and by assessing the request against the Assessment Criteria below.

Lighting requests will be approved if it is demonstrated that all of the Assessment Criteria are met.

In the event that a request is declined, appeals can be made to the Director, City Strategy for further consideration.

Open Space Lighting Request Assessment Criteria	
A Planning/Land Use	
1. Is the proposed lighting request consistent with the policy according to the 'classification' and 'prime function' of the open space as defined under the Bayside City Council Planning Scheme and the Open Space Strategy?	YES/NO
B Community/Social	
2. Can it be demonstrated that the proposed lighting request will provide a benefit for the community?	YES/NO
3. Has consultation with the community and key stakeholders been carried out and demonstrated that the majority of stakeholders find it beneficial?	YES/NO
4. If the proposed request is for public security purposes, is it supported by sufficient data or evidence?	YES/NO/N/A
C Energy/Ecological/Waste Impacts	
5. Is the proposed lighting request consistent with the impact mitigation policies listed in Section 6. 5?	YES/NO
D Financial	
6. Can the request be accommodated within the current service budget,(ie. Minor works) or require consideration in a future Capital Bid process?	Provide comment.



10.7 QUARTER ONE PERFORMANCE REPORT - JULY TO SEPTEMBER 2017

CEO - Strategy and Performance
File No: PSF/17/64 – Doc No: DOC/17/245515

Executive summary

Purpose and background

The report presents the first quarter performance against the Council Plan activities, and the financial results for the period to 30 September 2017.

The report is designed to ensure consistency with the adopted 2017/18 Budget and Council Plan activities, in compliance with statutory requirements. The performance report includes the following components:

- performance against Council Plan and Budget;
- financial results (including operating results, cash position, and Victorian Auditor-General's Office indicators);
- capital program delivery; and
- summary of community engagement activities undertaken during the reporting period.

The report also includes the following detailed financial schedules:

Income statement

This schedule indicates the major line items for operating revenue less operating expenses to arrive at the net operating result.

Capital program

This schedule comprises the capital budget by program area – capital expenses less capital revenue to arrive at net capital.

Balance sheet

This schedule reports the assets and liabilities to show the net worth of Council.

Cash flow statement

This schedule provides the status of Council's cash movements and cash position at the completion of the quarter as well as the year end forecast.

Key issues

Of the 59 activities reported against, 2 have been completed and 53 are tracking at least 90% on target (including 16 not due to commence). Of the 4 remaining activities, 1 is tracking between 70-90% of target and 3 are tracking below 70% of their quarterly target.

Quarterly performance reporting allows Council to effectively measure, monitor, review and report on its performance, while providing open and transparent reporting to the community.

Financial report - 2017/18 Forecast operating result

The September 2017 result is a surplus of \$7.3M which is \$2.0M favourable to budget.

The current forecast for the year represents a surplus of \$21.1M which is (\$925k) unfavourable to Budget.

The underlying forecast operating services result is favourable to budget by \$85k and excludes the following one off or timing items totalling \$1.010M:

(\$269k) Operating Grant funding received in prior year for 2017/18 programs:

(\$302k) Capital grants and contributions received in advance or deferred to align with the expected completion of capital projects (Blackspot, Brighton Library Interior Upgrade, Elsternwick Park No 1 Oval Precinct and Dendy Street Beach).

(\$439k) expenditure for Aged & Disability Regional projects for which funding was received in 2016/17.

Capital program result

The year-to-date net capital result is favourable to budget by \$1M. Council is forecast to be net (\$59k) over budget for capital works at 30 June 2018. Taking into account the impact of \$500k net of proposed carry forwards, the capital budget is favourable by \$441k.

Capital program status

For 2017/18 there are 134 capital projects to be delivered, with 68 projects in progress at the end of the first quarter and 66 not yet due to commence.

Recommendation

That Council:

1. notes the Quarter 1 Performance Report against the Council Plan activities for the period July to September 2017; and
2. adopts the financial report to 30 September 2017.

Support Attachments

1. Quarterly Report to Council Q1 2017 (separately enclosed)

Considerations and implications of recommendation

Liveable community

Social

The report summarises progress on a range of programs which contribute to the social environment of the Bayside community, through the delivery of activities in line with the goals of the Council Plan 2017-2021.

Natural Environment

The report summarises progress on a range of programs which contribute to the natural environment of the Bayside community, through the delivery of activities in line with Goal 5 'Environment' of the Council Plan 2017-2021.

Built Environment

The report summarises progress on a range of programs which contribute to the built environment of the Bayside community, through the delivery of activities in line with the goals of the Council Plan 2017-2021.

Customer Service and Community Engagement

The performance report provides information within Section 5 on community engagement activities undertaken by Council during the reporting quarter.

Human Rights

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Legal

The performance report assists Council to meet the requirements of Section 131 of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*, which require reporting against the Council Plan and preparation of an Annual Report.

Finance

The September 2017 result is a surplus of \$7.3M which is \$2.0M favourable to budget.

The current forecast for the year represents a surplus of \$21.1M which is (\$925k) unfavourable to Budget.

Links to Council policy and strategy

The performance report provides information on performance against the Council Plan 2017-2021 and the Annual Budget 2017-18. The eight goals of liveability outlined in the Council Plan are also aligned to and contribute towards achievement of the Bayside Community Plan 2025.

10.8 COUNCIL ACTION AWAITING REPORT

Corporate Services - Governance
File No: PSF/17/68 – Doc No: DOC/17/249172

Executive summary

Purpose and background

This report presents to Council a schedule of actions pending for the period to 21 November 2017.

Key issues

This report contains resolutions of Council that require a further report to Council.

Recommendation

That Council notes the Council Action Awaiting Report.

Support Attachments

1. Council Action Awaiting report

Council Action Awaiting Report Attachment

DATE OF MEETING		COUNCIL RESOLUTION	DIVISION	COMMENTS/STATUS
19.08.14	10.7	<p><u>Planning Scheme Amendment C116: Mandatory height controls in Hampton Street Activity Centre & Willis Street Urban Design Framework</u></p> <p>3. receives a further report at the conclusion of the exhibition process for both Amendments to consider submissions and legal representation requirements.</p>	DCPCS	<p>Officers are currently in the process of seeking authorisation for Amendment C130.</p> <p>It is Council's confirmed intention to run amendment C116 and C130 for Hampton in parallel. Amendment C116 has been put on hold pending outcome of Amendments C113-C115.</p>
25.11.14	10.4	<p><u>Home and Community Care (HACC) Service Review</u></p> <p>8. receives further reports as information becomes available on the arrangements to be put in place in subsequent years, in order to consider Council's future role and contribution to meeting the needs of its community for home support services;</p>	DCPCS	Report to proceed to the June 2018 Council Meeting.
25.08.15	10.1	<p><u>Hampton Willis Street Precinct – Traffic Management and Scout Hall Site</u></p> <p>That Council:</p> <p>4. receives a further separate report no earlier than the November Ordinary Meeting of Council regarding the future use or sale of 6A Willis Street Hampton:</p>	DCorp	A report was presented outlining the options for 6A Willis Street. Consideration was deferred to a future time pending the outcome of traffic management in the precinct. A report will be provided to the new Council on the future of the site including use as carpark, open space or sale.
22.09.15	10.7	<p><u>Strategic Service Review – Family & Childrens Services</u></p> <p>That Council</p> <p>8. develops a ten year improvement plan for kindergartens;</p> <p>12. considers the statement of purpose principles identified in the Family and Children's Services review as part of the development of the next Early Years Action Plan due in 2017</p>	DCPCS	<p>Interim Report was presented to 23 August 2016 Council meeting. Resolution stated that ten year improvement plan is to be presented to April 2017 Council meeting.</p> <p>To be undertaken when Early Years Action Plan is developed as part of the Wellbeing for all Ages Abilities Plan in 2017.</p>

27.10.15	10.1	<p><u>Request to purchase land 3 Hansen Street</u> That Council indicates its intention to sell a portion of the land adjacent to number 3 Hansen Street to the owner of the abutting land and refers the matter to the Director of Corporate Services to negotiate a suitable sale price and conditions and Council to further consider the matter at a future meeting.</p>	DCorp	<p>Owner has been advised survey plans need to be finalised to allow Council to provide a sworn valuation. Further work is pending upon the acceptance of these costs as per the Discontinuance and Sale of Land procedures. The owner has yet to accept the costs so surveying and valuation is yet to occur.</p>
24/05/16	10.2	<p><u>Sandringham Village Streetscape Masterplan</u> 3. in the event that the bus route change to Bay Rd, Beach Road, Melrose Street and Station Street does not proceed and the Village Square feature not be achievable, a revised Master Plan without the Village Square concept will be presented to a future Council meeting for adoption.</p>	DCPCS	<p>In the event that the bus route changes in Bay Road, Beach Road, Melrose Street and Station Street and does not proceed and the Village Square feature not be achievable, a revised Master Plan without the Village Square concept will be presented at a future Council meeting for adoption.</p>
24/05/16	10.7	<p><u>Childrens' Sensory Garden Investigation</u> That Council:</p> <ol style="list-style-type: none"> 1. notes the typical elements of a suburban sensory garden; 2. proposes the CSIRO site is the preferred location for the establishment of a sensory garden in Bayside; 3. seeks community feedback regarding the concept of establishing a sensory garden in Bayside to inform future decisions on this matter; and 4. receives a further report detailing the financial implications associated with the establishment of a sensory garden. 	DERI	<p>A further report will be provided to a future Council meeting.</p>
21/06/16	10.3	<p><u>Bayside Public Transport Advocacy Statement</u> That Council:</p> <ol style="list-style-type: none"> 2. receives further updates of the Bayside Public Transport Advocacy Statement as part of the annual Integrated Transport Strategy (ITS) update report required as part of Council's resolution for adopting the ITS to seek the endorsement of any new advocacy issues and positions that are evolved. 	DERI	<p>Further updates on the Bayside Public Transport Advocacy Statement will be provided to Council for adoption for any new advocacy issues when they arise.</p>

13/09/16	10.2	<p><u>Acquisitive Art Prize</u> That Council resolves to review the Acquisitive Art Prize governance, process and criteria for 2018 and beyond in November 2017.</p>	DCPCS	A report will be presented to Council in December 2017.
28/02/17	10.4	<p><u>Potential Land Purchase</u></p> <p>1. authorises the Chief Executive Officer to seek to negotiate the purchase of approximately 0.35 hectare of land at the CSIRO site in Highett for the potential future development of a library and community facilities; and</p> <p>2. receives a further report on the outcomes of these negotiations</p>	DCorp	A further report will be submitted to Council following the negotiations.
28/02/17	10.7	<p><u>Bay Trail Shared Path Public Safety Risks and Outstanding Audit Actions</u></p> <p>That Council receives a further report following the completion of the community consultation and the phased approach for the implementation of the program.</p>	DERI	A report will be submitted to Council following the community consultation.
27/04/17	10.7	<p><u>Statutory Planning Service Update – April 2017</u></p> <p>That Council receives a further report at the November 2017 Council Meeting providing:</p> <p>a) a review of the Final Bayside 2017 LGPRF result with comparable Inner Metro Melbourne Councils;</p> <p>b) details of the service improvements between April 2017 and September 2017 towards the Year 1 target; and</p> <p>c) a summary of continuous improvement activities that are planned for the remainder of the 2017/18 financial year.</p>	DCPCS	Report to be presented to the November Council Meeting.

25/7/17	10.4	<p><u>Sandringham Golf Course Increased Investment and Upgrade Proposal</u></p> <p>That Council receives a report on the outcomes of the consultation to determine if the proposal should proceed.</p>	DCS	Report to be submitted Council following the consultation.
25/7/17	10.6	<p><u>Response to petition - Reclaim the historic name 'Pennydale' for the neighbourhood bounded by Bay Road, Frankston railway line, Park Road and the residential zone on both sides of Jack Road.</u></p> <p>That Council considers a further report on the matter following the completion of the community consultation process, and to further address the strong link with the locality and sense of place.</p>	DCS	A further report will be submitted Council following completion of the community consultation process.
25/7/17	10.9	<p><u>Bayside Environmental Sustainability Framework 2016-2025 Annual Progress Report</u></p> <p>That Council receives a further report in the first quarter of the 2018/19 financial year detailing progress against targets, the overall success of actions and reviewing issues and risks.</p>	DERI	A report will be submitted to the August 2018 Council meeting.
22/8/17	10.1	<p><u>Future Provision of Netball Facilities - Site Assessment Outcomes</u></p> <p>That Council:</p> <p>4. Receive a report before or at the April 2018 Council meeting on the establishment of a netball centre on the site of the Sandringham Golf Driving Range;</p>	DERI	A report will be submitted before or at the April 2018 Council meeting.
22/8/17	10.3	<p><u>Brighton Secondary College Synthetic Hockey facility - Management Committee Financials Update</u></p> <p>That Council receives a further report no later than July 2018 from the Management Committee summarising activities, including the financial position of the Brighton Secondary College Hockey Facility Management Committee.</p>	DERI	A report will be submitted to the July 2018 Council meeting.

22/8/17	10.4	<p><u>Integrated Transport Strategy 2013 - Implementation Progress During 2016/17</u></p> <p>2. receives a further report presenting a mid-term review and update of the Integrated Transport Strategy 2017 in March 2018.</p>	DERI	A report will be presented to the March 2018 Council meeting.
19/9/17	10.5	<p><u>Amendment C126 – Small Activity Centres Strategy 2014</u></p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Considers the submissions to Amendment C126 at a future Council meeting. 2. Receives a briefing on the outcome of the review at its 5 December 2017 Councillor briefing. 3. Writes to submitters and advises of its decision. 4. Engages with the Pennydale Action Group to further discuss the implications of Amendment C126 prior to the December meeting. 	DCPCS	<ul style="list-style-type: none"> • Work is progressing to finalise the material for the Council Briefing report to be presented on 5 December 2017. • Notification of decision was mailed out and emailed to submitters on 2 October 2017. • A meeting with the Pennydale Action Group is to be organised following the Council Briefing on 5 December 2017.

24/10/17	10.1	<p><u>Amendment C151 – Hampton East (Moorabbin) Structure Plan</u></p> <p>That Council:</p> <p>2. Following the Minister for Planning decision in relation to the above receives a report that outlines the scope for an additional study for precincts 3, 5 and 6 including costs, funding options and timing.</p>	DCPCS	A report will be submitted to Council following the Minister for Planning's decision in 2018.
24/10/17	10.3	<p><u>Wellbeing for All Ages and Abilities Strategy 2017-2021</u></p> <p>That Council:</p> <p>2. Includes a specific reference in the Action Plans to be developed in the areas of Early Years, Youth, Healthy Community and Healthy Ageing to define Council's role in improving mental health, and these plans be presented in draft form to Council at its February 2018 meeting;</p>	DERI	A report will be presented to the February 2018 Council meeting.
24/10/17	10.5	<p><u>Early Years Infrastructure Plan</u></p> <p>That Council receives a further report including a draft Early Year's Infrastructure Plan at the March 2018 Council meeting.</p>	DCPCS	A report will be presented in March 2018.
24/10/17	10.16	<p><u>HMVS Cerberus – Heritage Works Permit Update</u></p> <p>That Council</p> <p>3. Receives a further report once Heritage Victoria has assessed the permit application for conservation and stabilisation of the HMVS Cerberus.</p>	DERI	A further report will be presented to a future Council meeting following Heritage Victoria's assessment of the Planning Application.

11. Reports by Delegates

1. **Association of Bayside Municipalities** – The Mayor Cr Evans
2. **MAV Environment Committee** – Director Environment, Recreation & Infrastructure
3. **Metropolitan Transport Forum** – Cr Martin
4. **Municipal Association of Victoria** – Cr del Porto
5. **Inner South Metropolitan Mayors' Forum** – The Mayor Cr Evans
6. **Metropolitan Local Government Waste Forum** – Cr Heffernan

12. Urgent Business

13. Notices of Motion

Nil

14. Confidential Business

That pursuant to Section 89(2) of the Local Government Act 1989, the Council resolves that so much of this meeting be closed to members of the public, as it involves Council consideration of matters coming within some or all of the following categories listed in Section 89(2) of such Act.

- (a) Personnel matters;*
- (b) The personal hardship of any resident or ratepayers;*
- (c) Industrial matters;*
- (d) Contractual matters;*
- (e) Proposed developments;*
- (f) Legal advice;*
- (g) Matters affecting the security of Council property;*
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;*
- (i) A resolution to close the meeting to members of the public.*

14.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT MATTERS COMMITTEE HELD ON 30 OCTOBER 2017
(LGA 1989 Section 89(2)(a) and (d) personnel matters and contractual matters.)

As Chief Executive Officer, I hereby declare that the contents of this agenda relating to the closed meeting of the ordinary meeting of Council are deemed confidential and accordingly members of Council are reminded that the contents of the agenda are not to be disclosed to any other party.



Adrian Robb

Chief Executive Officer