

COUNCIL MEETING



AGENDA

(Open to the public)

6.30pm, Monday 27 November 2023

Council Chamber, 8 Inglesby Road, Camberwell

Date of Issue: 17 November 2023

Please note: No audio, video, photographic or any other recording of proceedings at Council or Delegated Committee meetings is permitted without written authority from Council.

Order of Business

- 1 Adoption and confirmation of the minutes for the Council meeting held on 9 October 2023 and 23 October 2023**
- 2 Declaration of conflict of interest of any councillor or council officer**
- 3 Deputations, presentations, petitions and public submissions**
- 4 Informal Meetings of Councillors**
- 5 Public question time**
- 6 Notices of motion**
- 7 Presentation of officer reports**
 - 7.1 Contract No 2023/115 - JJ McMahon Kindergarten Building Renewal and Upgrade Works
 - 7.2 Contract No. 2023/159 Willsmere Park Pavilion - Building Construction and Renewal Works
 - 7.3 September 2023 Quarterly Performance Report
 - 7.4 Contract No. 2023/36 - Dorothy Laver West Reserve - Playing Surface Renewal
 - 7.5 Tree Protection Local Law Update
 - 7.6 Contract 2023/58 Roofing Services Panel of Providers

- 8 General business**
- 9 Urgent business**
- 10 Confidential business**
- 11 Close of meeting**

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4 Informal Meetings of Councillors

Chapter 6 of the Council Governance Rules requires that a summary of matters discussed at an Informal Meeting of Councillors be reported to a Council meeting as soon as practicable.

The attached record of Informal Meetings of Councillors (**Attachment 1**) is reported to Council in accordance with the requirements of the Governance Rules.

Officers' recommendation

That Council resolve to receive and note the summary of Informal Meetings of Councillors, as annexed to the minutes.

Record of Informal Meetings of Councillors

Assembly details	Councillor attendees	Officer attendees	Matters discussed	Conflict of Interest disclosures
Councillor Briefing & Discussion 9 October 2023	Cr Parke Cr Sinfield Cr Franco Cr Gault Cr Gillies Cr Hollingsworth Cr Addis Cr Biggar Cr Thompson Cr Stavrou	Phillip Storer (CEO) Daniel Freer (DPS) Kate McCaughey (DCS) Scott Walker (DUL) Mans Bassi (DCT) Amy Montalti (CFO) Andrew McHugh (MHWS) Kirstin Ritchie (CG) Benjamin Breslin (YDL) Suzanne Jervies (EMYL) Elizabeth Manou (SGIO) Shannon Farrell (YPO) Nathan Gee-Landman (Technician)	<ul style="list-style-type: none"> Youth Voice Presentation 	Nil
Councillor Briefing & Discussion 16 October 2023	Cr Parke Cr Sinfield Cr Franco Cr Gillies Cr Hollingsworth Cr Watson Cr Biggar Cr Thompson Cr Stavrou	Daniel Freer (Acting CEO) Scott Walker (DUL) Amy Montalti (CFO) Bryan Wee (MGL) Sapphire Allan (CMA) Liam Merrifield (SGO)	<ul style="list-style-type: none"> 2023-24 Amended Budget Councillor Assignments Upcoming meetings schedule Proposed changes to Bulletin and Ward Newsletters 	Nil
Councillor Briefing & Discussion 23 October 2023	Cr Parke Cr Sinfield Cr Franco Cr Gault Cr Gillies Cr Hollingsworth Cr Addis Cr Watson Cr Biggar Cr Thompson	Daniel Freer (Acting CEO) Mary-Anne Palatsides (Acting DPS) Kate McCaughey (DCS) Scott Walker (DUL) Mans Bassi (DCT) Amy Montalti (CFO) Jeanine Nieuwenhuizen (CCO) Betty Genovezos (MAC) Fiona Brown (MCPD) Michelle Forster (MLC) Michael Hutchison (HSPR) Katherine Stakula (HSC) Kirstin Ritchie (CG) Lucinda Bakhach (LEL) Elizabeth Manou (SGIO) Renee Swanson (BCMS) Megan Levvey (SCS)	<ul style="list-style-type: none"> Proposed changes to Bulletin and Ward Newsletters Canterbury Community Precinct Heritage Centre Naming Hartwell Mural Project 	Nil

Record of Informal Meetings of Councillors

Assembly details	Councillor attendees	Officer attendees	Matters discussed	Conflict of Interest disclosures
Councillor Briefing & Discussion 30 October 2023	Cr Parke Cr Sinfield Cr Franco Cr Gault Cr Gillies Cr Hollingsworth Cr Addis Cr Biggar Cr Thompson Cr Stavrou	Daniel Freer (Acting CEO) Mary-Anne Palatsides (Acting DPS) Kate McCaughey (DCS) Scott Walker (DUL) Jim Hondrakis (MTT) Michelle Forster (AMLC) Kirstin Ritchie (CG) Craig Woods (CP) Bhushan Jani (CTM) Brendon Burke (SLA) Elle Phillips (AAL) Nikhil Maharaj (STE)	<ul style="list-style-type: none"> Willsmere Road and Kilby Road on Road Bike Lanes Meals on Wheels Subsidy St James Park Draft Master Plan Update on Kew Recreation Centre (Verbal Report) Contract Extensions Reading of Ministers Message at citizenship ceremonies 	Nil

7 Presentation of officer reports

7.1 Contract No 2023/115 - JJ McMahon Kindergarten Building Renewal and Upgrade Works

Executive Summary

Purpose

This report seeks Council endorsement for the award of Contract No. 2023/115, JJ McMahon Kindergarten Building Renewal and Upgrade Works to the recommended tenderer Bowden Corp Pty Ltd for the sum of \$2,371,645.00 excluding GST.

Background

Council has allocated funding in Council budget 2023/24 and 2024/25 for the redevelopment works of the JJ McMahon Kindergarten located at 16A Argyle Road, Kew.

The original single storey building facing Argyle Street was constructed circa 1961. A subsequent extension was added to the rear along the eastern boundary between 2012-2013.

Both buildings are single storey and have light weight external walls. The internal layout of the building lacks adequate space and facilities required to support the desired standard of functionality and operational efficiency for the service, such as a private meeting room for staff to discuss sensitive issues with parents or guardians.

Informed by an asset conditional assessment and further on-site inspections, the proposed works will involve reconstruction of the front original building and refurbishing the existing rear extension. The proposed design seeks to renew and upgrade the building surrounds to achieve compliance with current regulations and standards whilst also improving access and functionality of the facility for current and future use.

In accordance with Council's Procurement Policy 2021-25, Council invited public tenders from suitably qualified organisations, and a recommendation to award Contract No. 2023/115 JJ McMahon Building Renewal and Upgrade Work is presented for Council's consideration.

The works are expected to commence January 2024 and be completed by November 2024.

The project has a total budget of \$3,470,507. Council's overall budget allocation is sufficient to fund the award of this contract.

The total cost of this contract is \$2,371,645.00 (excluding GST).

Key Issues

Consideration has been given to the impact of the construction works to the amenity of the neighbouring residents. The contractor's site management plan will minimise noise, parking, and access issues in the residential area as best as possible and includes;

- Designated onsite area for storage of materials, contractor office and amenities set up.
- Appropriate hoarding will be securely installed to minimise disruption to the community and its residents.

Next Steps

Upon award of the contract, Council will oversee the delivery of the construction works for the renewal and upgrade of the kindergarten.

Confidentiality

Confidential information is contained in **Attachment 1**, as circulated in the confidential section of the agenda attachments. The information in this attachment is deemed to be confidential in accordance with Section 66(2)(a) and the definition of 'confidential information' in Section 3(1) of the Local Government Act 2020. The information relates to private commercial information, being information provided by a business, commercial or financial undertaking that—(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

If discussion of the confidential information in the attachments to this report is required for Council to make a decision, Council may resolve to discuss the matter in a confidential session or to defer the matter to the confidential section of the agenda.

Officers' recommendation

That Council resolve:

1. To award Contract No. 2023/115, JJ McMahon Kindergarten Building Renewal and Upgrade Works to **Bowden Corporation Pty Ltd** (ABN 55 097 029 993) for an initial contract period of 24 months (which includes a 12-month defect liability period) for the contract award amount of \$2,608,809.50. The cost to Council after the return of the GST Tax Input Credits (\$237,164.50) is \$2,371,645.00 ex GST.
2. To authorise the Director Places and Spaces to sign and execute the contract on behalf of the Council.
3. Approve the allocation of a separate contract contingency, as detailed within the attached confidential Attachment 1, and delegate authority to the Contract Superintendent to expend this contingency to ensure the successful completion of the contract works.
4. To note that expenditure under this contract is in accordance with Council's 2023/24 adopted budget and expenditure in future years will be in accordance with the approved budget allocations.

Responsible director: Daniel Freer, Director Places and Spaces

1. Purpose

The purpose of this report is for Council to give consideration to the awarding of Contract No. 2023/115, JJ McMahon Kindergarten Building Renewal and Upgrade Works to Bowden Corp Pty Ltd.

2. Policy implications and relevance to community plan and council plan

The Boroondara Community Plan is structured around the following seven priority themes:

- Community, Services and Facilities
- Parks and Green Spaces
- The Environment
- Neighbourhood Character and Heritage
- Moving Around
- Local Economy
- Leadership and Governance

The proposed contract for JJ McMahon Kindergarten Building Renewal and Upgrade Works aligns with the following themes and strategies in the Boroondara Community Plan (2021-31):

Theme 1: Community Services and Facilities

Strategy 1.1 - Neighbourhoods and community spaces facilitate social connections and belonging by providing, maintaining and activating places for people to meet, organise activities and celebrate events.

Strategy 1.2 - Health and wellbeing is improved through delivering, facilitating and advocating for services and programs that are accessible and affordable.

Strategy 1.5 - Life-long learning is supported by delivering and working with our community and partners to meet the broad range of interests within the community.

This procurement process has been carried out in accordance with the requirements of Council's Procurement Policy 2021-25.

3. Background

Council requires a suitably qualified organisation to redevelop and refurbish the JJ McMahon Kindergarten in accordance with the requirements of the specification as documented by the consultancy team lead by Content Studio Architects.

Invitation to tender

In accordance with Council's Procurement Policy 2021-25, Council invited six tenderers via VendorPanel, Council's eTendering portal on Wednesday 09

August 2023. The closing date for submissions was 4:00pm, Wednesday 13 September 2023.

In response, Council received a total of six submissions from:

- Bowden Corp Pty Ltd;
- Constructive Group Pty Ltd;
- Neo Construct Pty Ltd;
- Peach Construction Pty Ltd;
- Prime Build Pty Ltd; and
- Simbuilt Pty Ltd.

4. Outline of key issues/options

Consideration has been given to the impact of the construction works to the amenity of the neighbouring residents. The contractor's site management plan will minimise noise, parking and access issues in the residential area as best as possible and includes;

- Designated onsite area for storage of materials, contractor office and amenities set up.
- Appropriate hoarding will be securely installed to minimise disruption to the community and its residents.

In addition to the above other measures have been put in place to ensure project runs smoothly:

- Advertising will be sent informing immediate and surrounding residents informing them that trees will be removed.
- Adjoining neighbours have been advised of the proposed works
- Rear adjoining owner has conditionally provided rear access to the site, which will greatly assisted for landscaping work to be carried out efficiently
- The successful tenderer will be required to prepare and comply with a
- COVID Safe Plan for the project to ensure that reasonable measures are implemented to minimise the spread of coronavirus and minimise the risk of delay to the project program.

5. Collaborative Procurement Opportunities

Due to the nature of the construction works to be engaged there is no opportunity for collaborative procurement for this contract.

6. Consultation/communication

Throughout the design process various design workshops were held with the key internal and external stakeholders to ensure the design was able to meet their operational needs and priorities were incorporated into the building renewal/refurbishment design.

Community consultation was not required to be undertaken.

7. Financial and resource implications

Council's 2022-23, 2023-24 and 2024-25 combined adopted and foreshadowed budgets and other budgets nominated below contain a total allocation of \$3,250,506.65 for the scoping, design and construction of the JJ McMahon Kindergarten Building Renewal and Upgrade Works.

The project budget is as follows:

Actual FY 2022-23	\$ 199,971.00
Budget FY 2023-24 Amended budget	\$1,206,763.00
Budget FY 2024-25 Foreshadowed Funding	\$1,843,773.00
Fordham Avenue Kindergarten	\$ 120,000.00
Other Strategic Projects	\$ 100,000.00
Total Project Budget	\$3,470,507.00
Less Actual Expenditure	
2022-23 Actuals	\$ 199,971.00
2023-24 Actuals and Commitments	\$ 470,549.55
Total Available Budget	\$2,579,986.45
Proposed Project Expenditure	
Contract Cost	\$2,371,645.00
Contract Contingency	\$ 296,455.62
Total Contract Cost	\$2,668,100.62
Remaining Budget	\$ 20,367.04

8. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

This tender process has been carried out in accordance with the requirements of Council's Procurement Policy 2021-25.

9. Social and environmental issues

The delivery of the new kindergarten will have a positive impact on the community as it responds to the need for a new and upgraded facility in JJ McMahon Kindergarten. The design of the kindergarten has the capability to cater for future demand, which has been triggered by the State Governments increased hours for 4-year-old kinder program. It also complies with accessibility requirements, providing compliant access to both kinder rooms and rear outdoor play area.

The design of the kindergarten also seeks to achieve a sustainable building with the implementation of a large rainwater tank, solar panels, water saving fixtures and sustainable materials into the design.

10. Evaluation and review

The evaluation report is provided as **Confidential Attachment 1.**

As a result of the evaluation, the evaluation panel recommends that Council award Contract No. 2023/115, JJ McMahon Kindergarten Building Renewal and Upgrade Works to:

- **Bowden Corporation Pty Ltd**

for the contract award amount of \$2,608,809.50 (including GST). The cost to Council after the return of the GST Tax Input Credits (\$237,164.50) is \$2,371,645.00 ex GST.

Manager: Jarrod Filosa, Acting Manager Capital Projects

Report officer: Stefanie Sharp, Project Manager

7.2 Contract No. 2023/159 Willsmere Park Pavilion - Building Construction and Renewal Works

Executive Summary

Purpose

The purpose of this report is for Council to consider the awarding of Contract No. 2023/159, Willsmere Park Pavilion - Building Construction to the recommended tenderer Peach Construction Enterprise Pty Ltd for the sum of \$3,870,692 excluding GST.

Background

Willsmere Park in Kew East is an important community sport and recreational space, providing a cricket field, two soccer fields, an off-leash dog park, playground, BBQ and passive open space. It is proximate to the intersection of the popular Main Yarra and Darebin Creek Trails cycling. The existing sports pavilion building is in poor condition and no longer meet the aspirational needs of the community or sports clubs, including Kew Cricket Club and East Kew Football Club. A pavilion assessment audit completed in 2022, identified that this facility was a high use pavilion that had poor functionality. Key components in Boroondara's pavilion policy that the building does not provide for include:

- Accessible change rooms and amenities for players and umpires;
- DDA compliant access in and surrounding the pavilion;
- Multipurpose community space / Social room;
- First aid room; and
- Adequate storage.

It is proposed to upgrade the facilities in the existing pavilion building, including the changerooms and public toilet. It is also proposed to build two new fit-for-purpose pavilion buildings in front of the existing pavilion interconnected by decking for seamless access throughout the pavilion hub. Together the upgraded pavilion and new pavilion buildings will improve accessibility and better meet the needs of the community, aligning with Council's Pavilion Policy.

Key features that have been incorporated into the scope and design to create improvements for the community include:

- Additional changerooms to support female sports;
- Dedicated social space;
- 16 new car parks, accessible parking, and drop-off zone;
- Public realm improvements, including seating, lighting and local landscape enhancement;
- Accessible entry ramps;
- Provision of public toilet;
- Upgraded turning circle at the end of Willow Grove to cater for larger waste truck vehicles;
- Removal of selected trees that are damaged and in decline and replanting of natives to occur within the park; and
- No impact to existing playground during construction.

The project has a total budget of \$4,781,680. Council's overall budget allocation is sufficient to fund the award of this contract.

The total cost of this contract is \$3,870,692 (excluding GST).

Key Issues

Council completed the first round of community consultation in November 2022. Significant community feedback was received regarding the proposed design which resulted in the formation of a Resident Action Group (RAG).

Key feedback received during the initial consultation period in November 2022 focussed on the proposed location for the new pavilion building. Community concerns related to obstructed passive surveillance of the playground, negative impact on view lines from neighbouring properties and the extent that open space would be taken up by the building mass and car park. There was strong opposition from the community to the proposed design. In response to a petition led by the RAG, officers met with the representatives to further understand their concerns.

Officers considered feedback and developed an updated design which addresses key concerns raised by the community while maintaining the functionality for sports clubs. The updated design has been developed in conjunction with the sports clubs which confirmed their endorsement.

Consideration has been given to the impact of construction works to the amenity of the neighbouring residents and existing users of the facilities. A site compound plan has been prepared which outlines the following;

- Off-street contractor designated parking area;
- Designated on-site area for storage of materials, contractor office and amenities set up;
- Staged refurbishment of existing pavilion amenities to enable uninterrupted use for sporting clubs and avoid the need for temporary facilities;
- Appropriate hoarding will be securely installed to ensure community safety during the works; and
- Tree Management Plan to protect designated trees in accordance with expert arborist recommendations.

Next Steps

Upon award of the contract, Council will oversee the delivery of the building works for Contract No. 2023/159, Willsmere Park Pavilion - Building Construction.

Confidentiality

Confidential information is contained in **Attachment 1**, as circulated in the confidential section of the agenda attachments. The information in this attachment is deemed to be confidential in accordance with Section 66(2)(a) and the definition of 'confidential information' in Section 3(1) of the Local Government Act 2020. The information relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

If discussion of the confidential information in the attachments to this report is required for Council to make a decision, Council may resolve to discuss the matter in a confidential session or to defer the matter to the confidential section of the agenda.

Officers' recommendation

That Council resolve to:

1. Award Contract No. 2023/159, Willsmere Park Pavilion - Building Construction to:
 - Peach Construction Enterprise Pty Ltd (ABN 43 641 024 606)at a total cost of \$4,257,761.20 (including GST). The cost to Council after the return of the GST Tax Input Credits (\$387,069.20) is \$3,870,692 ex GST;
2. Authorise the Director Places and Spaces to sign and execute the contract on behalf of the Council;
3. Approve the allocation of a separate contract contingency, as detailed within the attached confidential Attachment 1, and delegate authority to the Contract Superintendent to expend this contingency to ensure the successful completion of the contract works; and
4. Note that expenditure under this contract is in accordance with Council's 2023/2024 amended budget and expenditure in future years will be in accordance with the approved budget allocations.

Responsible director: Daniel Freer, Director Places and Spaces

1. Purpose

The purpose of this report is for Council to consider the awarding of Contract No. 2023/159, Willsmere Park Pavilion - Building Construction.

2. Policy implications and relevance to community plan and council plan

The Boroondara Community Plan is structured around the following seven priority themes:

- Community, Services and Facilities
- Parks and Green Spaces
- The Environment
- Neighbourhood Character and Heritage
- Moving Around
- Local Economy
- Leadership and Governance

The proposed contract for Willsmere Park Pavilion - Building Construction aligns with the following theme and strategies in the Boroondara Community Plan:

Theme 1: Your Community, Services and Facilities

Strategy 1.1 - Neighbourhoods and community spaces facilitate social connections and belonging by providing, maintaining and activating places for people to meet, organise activities and celebrate events.

Strategy 1.2 - Health and wellbeing is improved through delivering, facilitating and advocating for services and programs that are accessible and affordable.

Strategy 1.5 - Life-long learning is supported by delivering and working with our community and partners to meet the broad range of interests within the community.

This procurement process has been carried out in accordance with the requirements of Council's Procurement Policy 2021-25.

3. Background

Council requires a suitably qualified contractor to carry out proposed building construction works at Willsmere Park in accordance with the requirements of the specification as documented by the consultancy team lead by Spowers Architects.

Invitation to tender

In accordance with Council's Procurement Policy 2021-25, Council invited six tenders via VendorPanel, Council's e-tendering portal on Monday 4 September 2023. The closing date for submissions was 4pm, Monday 9 October 2023.

In response, Council received five submissions from:

1. Neo Construct Pty Ltd;
2. Peach Construction Enterprise Pty Ltd;
3. Prime Build Pty Ltd;
4. Stokes Rousseau Pty Ltd; and
5. Simbuilt Pty Ltd.

4. Outline of key issues/options

Consideration has been given to the impact of construction works to the amenity of the neighbouring residents and existing users of the facilities. A site compound plan has been prepared which outlines the following;

- Off-street contractor designated parking area
- Designated onsite area for storage of materials, contractor office and amenities set up.
- Staged refurbishment of existing pavilion amenities to enable uninterrupted use for sporting clubs.
- Appropriate hoarding will be securely installed to minimise impact on community sport and other passive uses at the reserve.
- Tree Management Plan to protect Tree 13 and Tree 14 as per arborist report recommendations.

5. Consultation/communication

A series of design workshops were held with the Service Departments to ensure that their operational needs and priorities are incorporated to the building renewal/refurbishment works.

Council completed the first round of community consultation in November 2022. Significant community feedback was received regarding the design which resulted in the formation of a Resident Action Group (RAG).

Key feedback received during the initial consultation period in November 2022 included the proposed location limiting passive surveillance of the playground, pavilion location impacting neighbouring property views and concerns that open space would be taken up by the building mass and car park. There was strong opposition from the community to the proposed design. In response to a petition led by the RAG, officers met with the representatives to further understand their concerns.

Following community consultation in November 2022, officers considered feedback and developed an updated design which addresses key consultation issues raised by the RAG while maintaining the functionality for sports clubs. The updated design has been developed in conjunction with the sports clubs who provided their endorsement.

6. Financial and resource implications

A total of \$4,781,680 has been approved through Council's amended budget (2023/2024 Amended Budget \$1,757,193 plus \$2,796,677 in deferred expenditure to 2024/25 financial year) for the building works.

Council has been successful in securing grant funding of \$234,811, from the LRCI funding available to sporting pavilions.

The total budget allocation of \$4,781,680 for the project, inclusive of the \$234,811 LRCI funding, is sufficient to deliver the project successfully.

The addition of the external grant funding will be captured as part of the capital works program full year forecast review.

The project budget is as follows:

Actual FY 2020/2021	\$69,238.00
Actual FY 2021/2022	\$37,773.00
Actual FY 2022/2023	\$120,799.00
Budget FY 2023/2024 Amended Budget inclusive of LRCI Funding (\$234,811)	\$1,757,193.00
Budget FY 2024/2025 Foreshadowed Funding	\$2,796,677.00
Total Project Budget	\$4,781,680.00
Less Actual Expenditure	
2020-2021 to 2022-2023 Actuals	\$227,810.00
2023-2024 Actuals and commitments	\$235,180.00
Total Available Budget	\$4,318,690.00
 Proposed Project Expenditure	
Contract Cost	\$3,870,692.00
Contract contingency	\$387,069.00
Total Contract Cost	\$4,257,761.00
 Remaining Budget	 \$60,929.00

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

Willsmere Park in Kew East is an important community sport and recreational space. The facility includes facilities for use of sporting facilities and changerooms for various clubs.

The proposed scope of works is to renew and upgrade the building and surrounds to achieve compliance with current regulations and standards whilst also improving access and functionality of the facilities will support Boroondara to continue to provide these services to the broader community.

9. Evaluation and review

The evaluation report is provided as **Confidential Attachment 1.**

As a result of the evaluation, the evaluation panel recommends that Council award Contract No. 2022/159, Willsmere Park Pavilion - Building Construction to:

- Peach Construction Enterprise Pty Ltd

for the contract award amount of \$4,257,761.20 (including GST). The cost to Council after the return of the GST Tax Input Credits (\$387,069.20) is \$3,870,692.00 ex GST.

Manager: Jarrod Filosa, Acting Manager Capital Projects

Report officer: Saajida Laher, Acting Co-ordinator Building Projects Capital Projects

7.3 September 2023 Quarterly Performance Report

Executive Summary

Purpose

The purpose of this report is to present to Council the September 2023 Quarterly Performance Report for the period ended 30 September 2023 (refer to **Attachment 1**). This report is designed to provide performance reporting on both the 2023-24 Annual Budget and Boroondara Community Plan 2021-31 (incorporating the Community Vision, Council Plan 2021-25 and Municipal Public Health and Wellbeing Plan 2021-25).

Background

At the end of each quarter, a Quarterly Performance Report is prepared and adopted at Council.

The year to date and annual budget figures referred to in this report reflects the 2023-24 Annual Original Budget, approved by Council on 19 June 2023.

Key Issues

Financial performance

Year to date actual vs. Annual Original Budget

Council's favourable operating result against year to date budget of \$169.93 million is \$5.46 million above the Annual Original Budget of \$164.47 million primarily due to a number of factors which are outlined in **Attachment 1**.

Capital works actual expenditure is \$10.92 million, which is \$538,000 above year to date budget phasing of \$10.38 million. Priority projects expenditure of \$4.05 million is \$45,000 below year to date budget of \$4.09 million.

Council's Balance Sheet and cash position are sound and depict a satisfactory result. At the end of September, Council's cash position stood at \$178.44 million or \$38.45 million above the year to date budget.

Please refer to **Attachment 1** (pages 62 to 63 and 67) for further detail.

Non-financial performance

Major Initiatives

The 2023-24 Annual Budget contains 43 major initiatives.

For the quarter ending September 2023, 7% (3 out of 43) of the 2023-24 major initiatives have been completed. A total of 93% (40 out of 43) of the major initiatives have commenced and are on track to be completed by the end of the financial year. Further details can be found in **Attachment 1** (pages 14 to 55).

Strategic Indicators

For the quarter ending September 2023, 75% (15 out of 20) of strategic indicators are on track. A total of 20% (4 out of 20) are being monitored and are anticipated to achieve the target by the end of the financial year. A further 5% (1 out of 20) of the strategic indicators are not on track to achieve target by the end of the financial year, with a comment provided below. Further details can be found in **Attachment 1** (pages 13 to 53).

Details of the strategic indicator not on track to meet target at end of financial year:

Strategic Indicator not on track to meet annual target	Comment
Percentage of graffiti removed from Council-owned assets within one business day of notification.	<p>The monthly and annual target delays were due to:</p> <ul style="list-style-type: none"> • wet weather • increased number of Council requests, and • 3rd party Service Supply asset reactive and proactive jobs resulting in these jobs being carried over to the next day.

Local Government Performance Reporting Framework (LGPRF)

There are 59 mandatory performance indicators included in the LGPRF under 3 thematic areas:

- Service Performance Indicators
- Financial Performance Indicators
- Sustainable Capacity Indicators.

Of these LGPRF measures, 28 will be audited and included in Council's performance statement.

For the quarter ending September 2023, 89% (34 out of 38) of the non-financial LGPRF measures are on track. A total of 11% (4 out of 38) are being monitored and are anticipated to achieve the target by the end of financial year. There are currently no non-financial LGPRF measures which are not on track to achieve target by the end of financial year. Further details can be found in **Attachment 1** (pages 17 to 58).

Amendments to the 2023-24 Fees and Charges schedule can be found in **Attachment 2**.

Officers' recommendation

That Council resolve to

1. Receive and adopt the Quarterly Performance Report for September 2023 (**Attachment 1**).
2. Adopt the amendments to the 2023-24 Fees and Charges Schedule (**Attachment 2**).

Responsible director: **Mans Bassi, Director Customer and Transformation**

1. Purpose

The purpose of this report is to present to Council the September 2023 Quarterly Performance Report for the period ended 30 September 2023 (refer to **Attachment 1**). This report is designed to provide performance reporting on both the 2023-24 Annual Budget and Boroondara Community Plan 2021-31 (incorporating the Community Vision, Council Plan 2021-25 and Municipal Public Health and Wellbeing Plan 2021-25).

2. Policy implications and relevance to community plan and council plan

This report is consistent with the Boroondara Community Plan 2021-2031. In particular, Theme 7 Leadership and Governance:

- Strategy 7.1 Decision-making is transparent and accountable through open governance processes with timely communication and reporting.
- Strategy 7.2 Resources are responsibly allocated and used through sound financial and asset planning, procurement and risk management practices.

3. Background

The September 2023 Quarterly Performance Report provides detailed reporting on financial and non-financial performance against both the 2023-24 Annual Budget and Boroondara Community Plan 2021-31 (incorporating the Council Plan 2021-25 and Municipal Public Health and Wellbeing Plan 2021-25) for the year.

The year to date and annual budget figures referred to in this report reflects the 2023-24 Annual Original Budget, approved by Council on 19 June 2023.

Attachment 1: September 2023 Quarterly Performance Report (incorporating major initiatives, Boroondara Community Plan performance, Financial Performance and Local Government Performance Reporting Framework measures).

Attachment 2: Amendments to the 2023-24 Fees and Charges Schedule.

4. Outline of key issues/options

Financial performance

Year to date actual vs. Annual Original Budget

The year to date surplus result of \$169.93 million as per the budget is due to the striking of full year annual rates in August 2023. The surplus result will reduce over the course of the year as Council delivers services to the community. In addition, the favourable result against year to date budget of \$5.46 million or 3% is due to timing differences for income and expenditure across Council.

Balance Sheet and Cash Flow Statement

Cash and investment holdings are \$178.44 million as at 30 September 2023, which has increased by \$32.18 million from 30 June 2023.

The Balance Sheet as at 30 September 2023 indicates a satisfactory result, with total current assets of \$336.82 million and total current liabilities of \$71.81 million.

Please refer to **Attachment 1** (pages 62 to 63 and 67) for further detail.

Capital works

Council's year to date performance in gross capital works expenditure is \$10.92 million which is \$538,000 above year to date budget phasing of \$10.38 million. Capital works committed expenditure as at 30 September 2023 is \$30.60 million (year to date actual and commitments equates to \$41.52 million).

Priority projects

Council's year to date performance in gross priority project expenditure is \$4.05 million which is \$45,000 below year to date budget phasing of \$4.09 million. The difference relates to timing of expenditure on various projects. Priority projects committed expenditure as at 30 September 2023 is \$17.36 million (year to date actual and commitments equates to \$21.41 million).

Refer to **Attachment 1** (pages 6 and 7) for graphical representation of capital works and priority projects year to date budget, actual and committed expenditure.

Further information on capital works and priority projects is detailed in **Attachment 1** (pages 68 to 71).

Non-financial performance

Major Initiatives

The 2023-24 Budget contains 43 major initiatives.

For the quarter ending September 2023, 7% (3 out of 43) of the 2023-24 major initiatives have been completed. A total of 93% (40 out of 43) of the major initiatives have commenced and are on track to be completed by the end of the financial year. Further details can be found in **Attachment 1** (pages 14 to 55).

Strategic Indicators

For the quarter ending September 2023, 75% (15 out of 20) of strategic indicators are on track. A total of 20% (4 out of 20) are being monitored and are anticipated to achieve the target by the end of the financial year. A further 5% (1 out of 20) of the strategic indicators are not on track to achieve target by the end of the financial year, with a comment provided below. Further details can be found in **Attachment 1** (pages 13 to 53).

Details of the strategic indicator not on track to meet target at end of financial year:

Strategic Indicator not on track to meet annual target	Comment
Percentage of graffiti removed from Council- owned assets within one business day of notification.	<p>The monthly and annual target delays were due to:</p> <ul style="list-style-type: none"> wet weather increased number of Council requests, and 3rd party Service Supply asset reactive and proactive jobs resulting in these jobs being carried over to the next day.

Local Government Performance Reporting Framework (LGPRF)

There are 59 mandatory performance indicators included in the LGPRF under three thematic areas:

- Service Performance Indicators
- Financial Performance Indicators
- Sustainable Capacity Indicators.

Of these LGPRF measures, 28 will be audited and included in Council's performance statement.

For the quarter ending September 2023, 89% (34 out of 38) of the non-financial LGPRF measures are on track. A total of 11% (4 out of 38) are being monitored and are anticipated to achieve the target by the end of financial year. There are currently no non-financial LGPRF measures not on track to achieve target by the end of financial year. Further details can be found in **Attachment 1** (pages 17 to 58).

Amendments to the 2023-24 Fees and Charges schedule for changes to the Tree Protection Local Law can be found in **Attachment 2**.

5. Consultation/communication

The Executive Leadership Team has reviewed and approved the report.

6. Financial and resource implications

Council's current operating and cash flow position is sound. Council continues to monitor and review the financial impacts of COVID-19 on Council's operating budget.

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

There are no direct impacts resulting from this report.

Manager: **Nicole White, Manager Strategy and Performance**
Amy Montalti, Chief Financial Officer

Report officer: Freda Duraku, Corporate Reporting Lead
Sapphire Allan, Coordinator Management Accounting



Quarterly Performance Report

July to September 2023

September 2023 | Quarterly Performance Report

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1. Executive overview and key highlights

1.1 Introduction

The September 2023 Quarterly Performance Report provides detailed reporting on performance against both the 2023-24 Annual Budget and the Boroondara Community Plan (BCP) 2021-31 (incorporating the 10-year Community Vision, Council Plan 2021-25 and Municipal Public Health and Wellbeing Plan 2021-25).

This executive overview will focus on a summary of financial and non-financial issues and key highlights, while **Section 3 - Non-Financial Performance** and **Section 4 - Financial and Performance Statements** will focus in greater detail on variances and key issues and events.

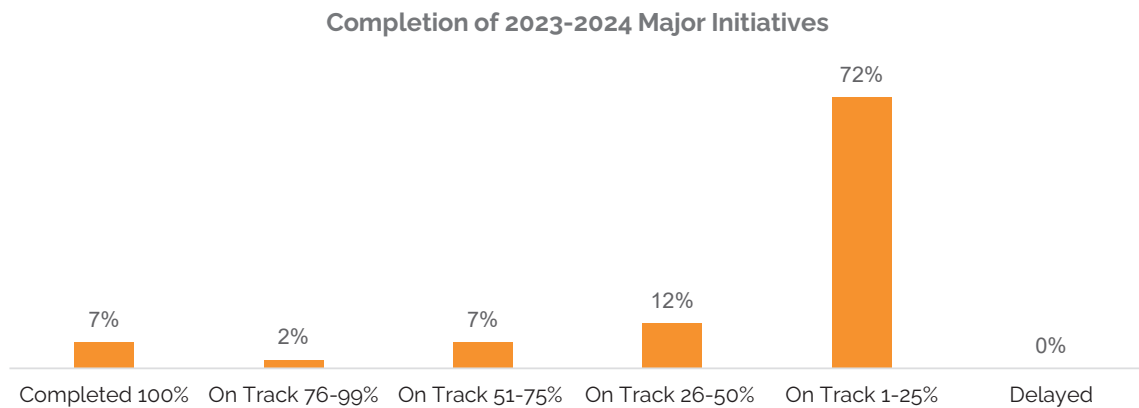
The year to date and annual budget referred to in this report reflects the 2023-24 Annual Budget approved by Council on 19 June 2023.

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1.2 Performance against Major Initiatives

There are 43 major initiatives for the financial year FY2023-24. For the quarter ending September 2023, 7% of initiatives have been completed. A total of 93% of the major initiatives have commenced and are on track to be completed by the end of the financial year.

The progress of achieving the major initiatives has been reported as per the following chart:



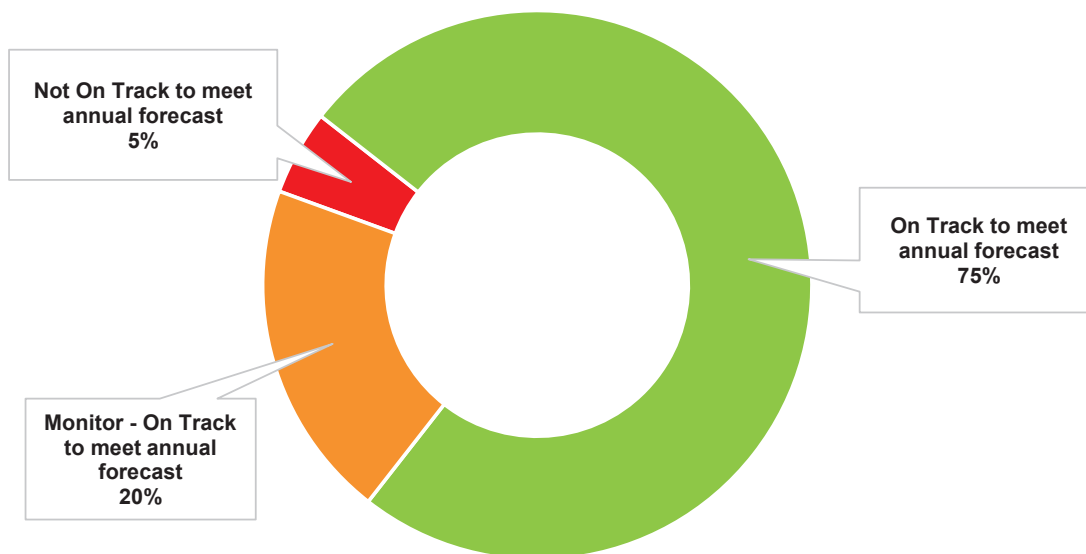
Please refer to **Section 3, pages 14 to 55** for further details.

1.3 Performance of Strategic Indicators

The Boroondara Community Plan 2021-31 contains 52 strategic indicators, of which 32 are annual measures. The remaining 20 are reported on a quarterly basis, with data being available quarterly on the progress towards the annual forecast.

For the quarter ending September 2023, 15 of the strategic indicators are on track to achieve target by the end of the financial year. Four of the strategic indicators are being monitored and anticipated to achieve target by the end of the financial year. One of the strategic indicators is not on track to achieve the annual target by the end of the financial year.

Strategic Indicators reported on a quarterly basis (20 of 52 strategic indicators)



Please refer to **Section 3, pages 13 to 53** for further details and explanations.

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2. Key financial highlights and overview

Key financial summary	YTD ACTUAL (1) \$'000	YTD BUDGET (2) \$'000	YTD VARIANCE (1) - (2) \$'000	YTD VARIANCE (1) / (2) %	STATUS YTD VARIANCE	ANNUAL ORIGINAL BUDGET \$'000
Surplus/(Deficit) for the year	169,927	164,467	5,460	3%	✓	14,366
Recurrent income	225,492	223,144	2,348	1%	✓	271,435
Recurrent expenditure	52,888	54,756	1,868	3%	✓	233,216
Capital works						
Expenditure *	10,919	10,381	(538)	-5%	—	80,595
Priority projects						
Expenditure *	4,050	4,095	45	1%	✓	25,158
Closing cash and investments **	178,436	139,983	38,453	27%	✓	106,651

* Please refer to pages 69 & 71 for further explanation of variances.

** Refer to page 67 for further details and explanation of closing cash and investments holdings and financial assets.

Status legend:

✓	Above budgeted revenue or under budgeted expenditure.
—	Below budgeted revenue or over budgeted expenditure by <10%.
✗	Below budgeted revenue or over budgeted expenditure by >10%.

The overall financial position at 30 September 2023 is satisfactory with a working capital ratio of 4.69 to 1 (includes cash contingency for emergency response works and reserve funds of \$25.57 million).

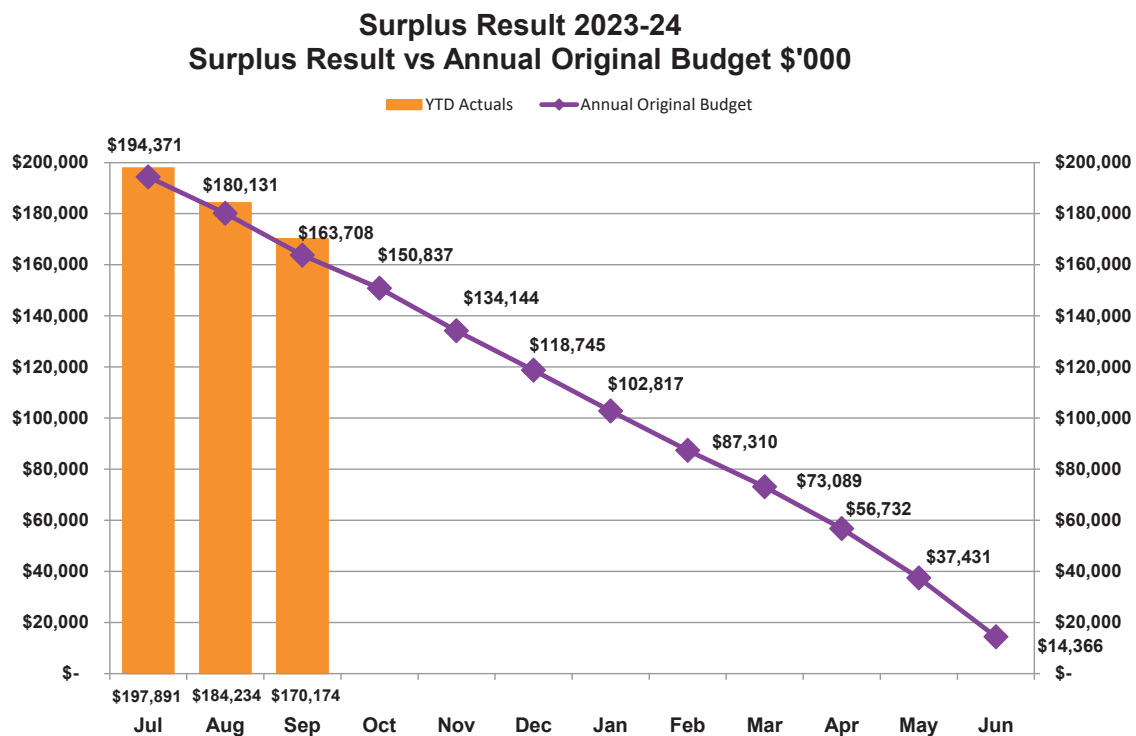
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2.1 Surplus Result

Year to date actual vs. Year to date 2023-24 Annual Original Budget

The year to date surplus result of \$169.93 million as per the budget is due to the striking of full year annual rates in August 2023. The surplus result will reduce over the course of the year as Council delivers services to the community. In addition, the favourable result against year to date budget of \$5.46 million or 3% is due to timing differences for income and expenditure across Council. Refer to **Section 4 Financial Performance** for details on Council's financial performance.

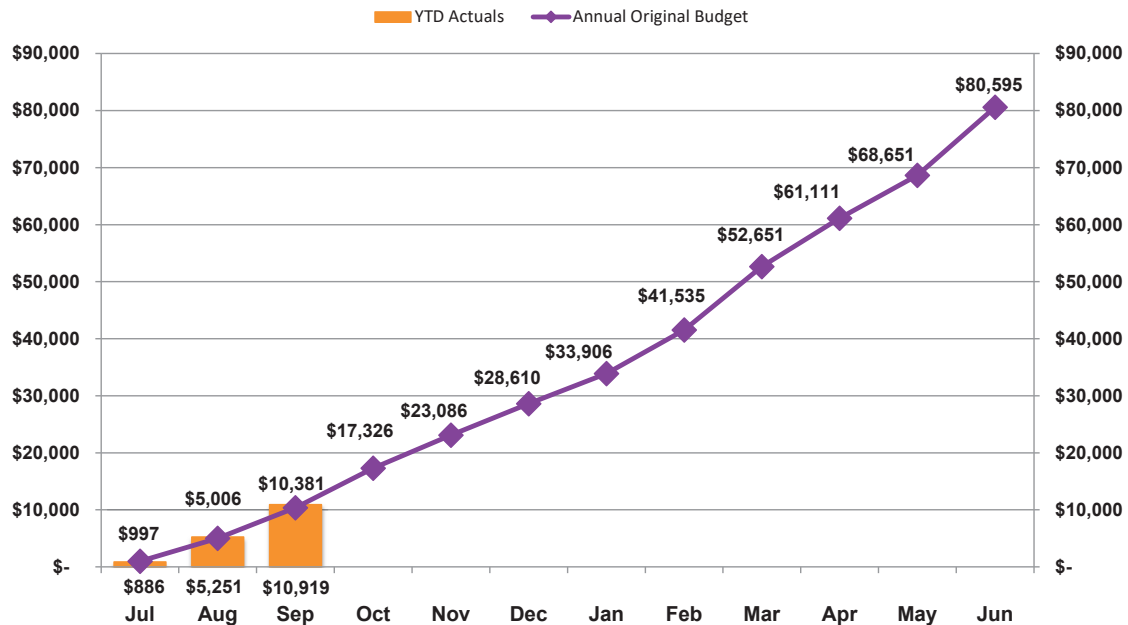
Please refer to the graphical representation below of actual year to date surplus result versus the Annual Original Budget.



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2.2 Capital Works

Capital Works Projects 2023-24 Cumulative Budget vs Actual Expenditure All Projects - \$'000



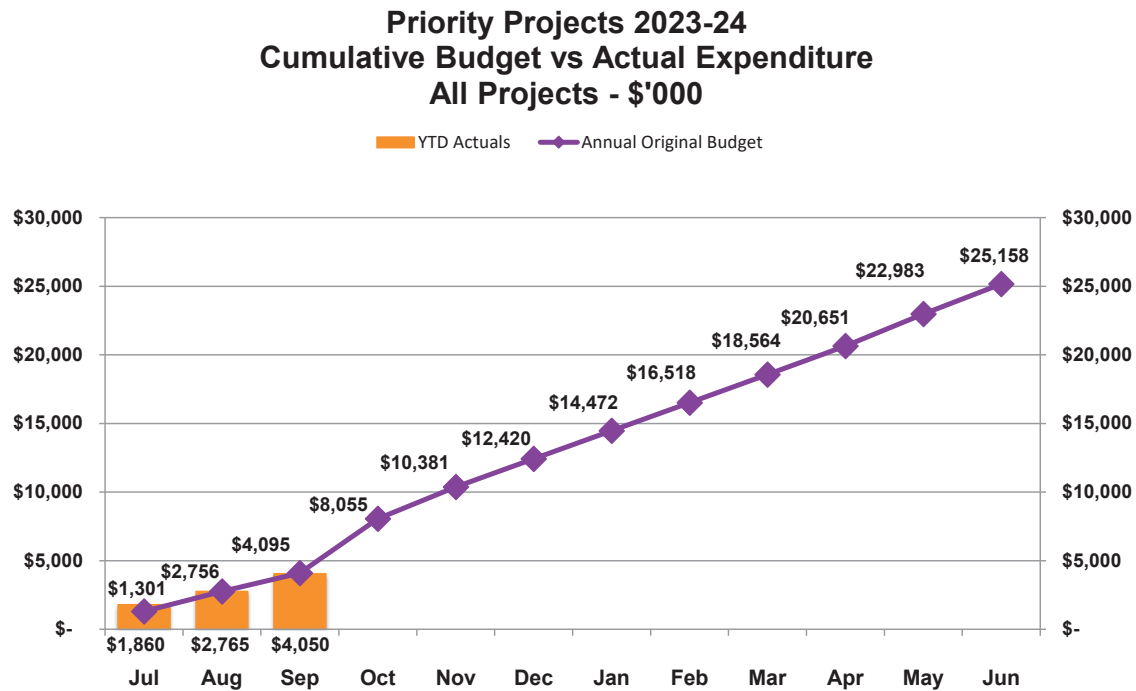
Council's year to date performance in gross capital works expenditure is \$10.92 million which is \$538,000 above year to date budget phasing of \$10.38 million.

Capital works committed expenditure as at 30 September 2023 is \$30.60 million (year to date actual and commitments equates to \$41.52 million) and includes committed expenditure for multi-year projects with the most significant being Kew Recreation Centre, Lynden Park and the Park Playground replacement program.

Please refer to **Section 4.7 Capital Works performance** for further explanation.

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2.3 Priority Projects

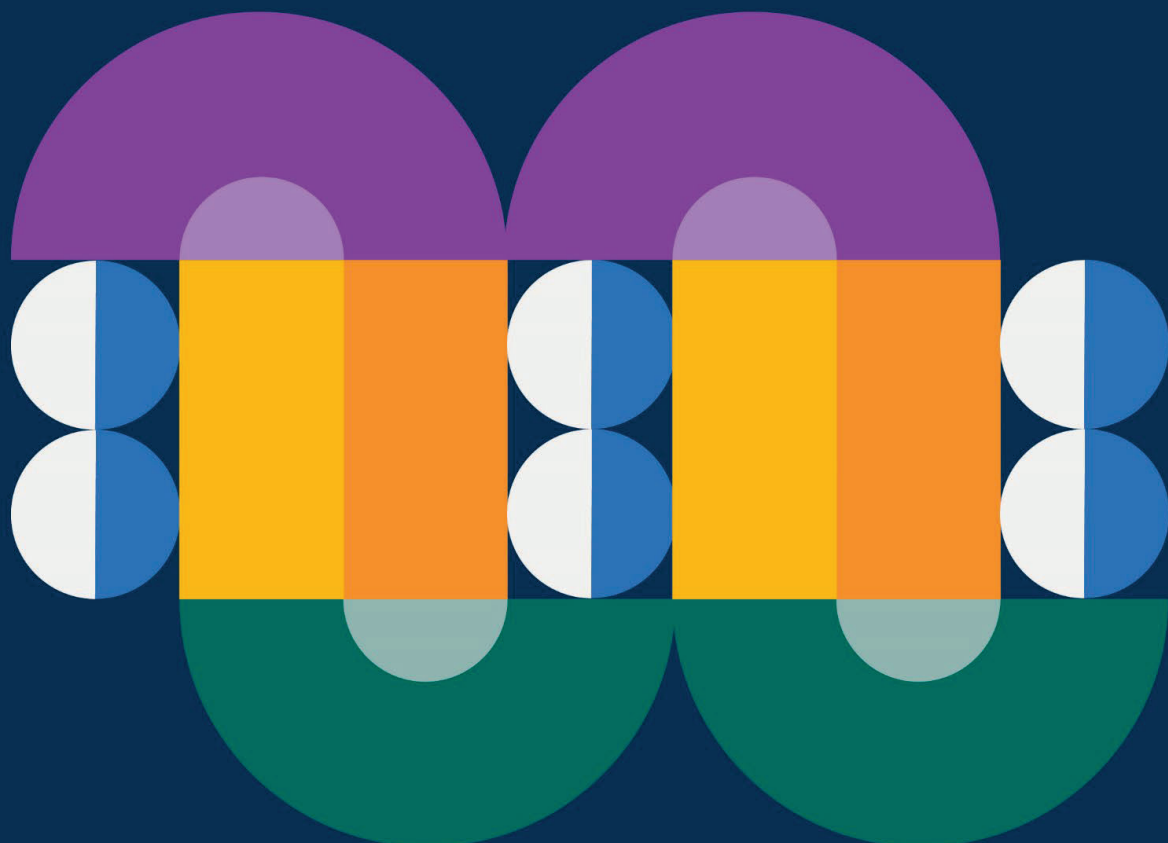


Council's year to date performance in gross priority project expenditure is \$4.05 million which is \$45,000 below year to date budget phasing of \$4.09 million. The difference relates to timing of expenditure on various projects.

Priority projects committed expenditure as at 30 September 2023 is \$17.36 million (year to date actual and commitments equates to \$21.41 million).

Please refer to **Section 4.8 Priority Projects performance** for further explanation.

Our Performance



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The Boroondara Community Plan

The Boroondara Community Plan 2021–31 (the Plan) sets out the 10-year vision for Council based on the aspirations of our community and the seven priority themes the community told us are important.

The Plan incorporates the 10-year Community Vision, the Council Plan 2021-25 and the Municipal Public Health and Wellbeing Plan 2021-25, responding to Council's requirements under the *Local Government Act 2020* and the *Victorian Public Health and Wellbeing Act 2008*.

Council takes an integrated approach to planning and reporting, with the Plan directly informing the short, medium and long-term goals of Council. Through integrating the seven themes of the Plan across our key strategic documents, this ensures consistency and alignment with the community's aspirations and priorities across our planning, budgeting, asset management and reporting.

Each year, Council delivers an Annual Budget, which demonstrates the resources we will allocate to ensure delivery of the Strategic Objectives of the Plan. The Annual Budget 2023-24 adopted by Council in June 2023 outlines Council's major initiatives and strategic indicator targets for the 2023-24 financial year.

Our ongoing monitoring and reporting of performance through monthly, quarterly and annual reports ensures we are accountable, transparent and comply with legislation.

How we are measured

Our performance is reported in this section against each Boroondara Community Plan theme in three ways:

- results of strategic indicators set out in the Annual Budget 2023-24
- progress of major initiatives set out in the Annual Budget 2023-24
- results of legislatively prescribed services performance indicators and measures.

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Themes	Strategic Objective
 Community, Services and Facilities	Community services and facilities are high quality, sustainable, inclusive and strengthen resilience.
 Parks & Green Spaces	Green and open spaces are provided, well-utilised and enhanced.
 The Environment	The environment is considered in all decision making.
 Neighbourhood Character and Heritage	Protect the heritage and respect the character of Boroondara, while facilitating appropriate, well-designed development.
 Moving Around	Travel options are safe, efficient and accessible, with active and public transport encouraged.
 Local Economy	Support local businesses and enhance shopping precincts, fostering a strong economy and welcoming places for the community.
 Leadership and Governance	Ensure decisions are financially and socially responsible through transparent and ethical processes.



Theme 1

Community, Services and Facilities

Community services and facilities are high-quality, sustainable, inclusive and strengthen resilience.



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Community, Services and Facilities highlights

- Open House Melbourne continues to be a successful community initiative with more than 1,600 people exploring some of Boroondara's most iconic buildings across 29 and 30 July 2023.
- The Boroondara Eisteddfod continues to engage significant participants with a record number of 1,277 registrations.
- Boroondara Arts celebrated renown local jazz musician Bob Sedergreen, with a sold-out performance for his 80th birthday.
- A Licence Agreement for five years was entered into with Auburn High School to enable the community sports clubs to use their cricket nets and pitch.
- The 2023 Boroondara Youth Awards were held on 22 September 2023. These awards celebrated young people across a number of award categories.
- The 2023 Boroondara Sports Awards were held on 20 September 2023. These awards celebrated sports participants and volunteers across a number of award categories.
- Boroondara Library Service launched a 'Most Wanted' book collection in August 2023, which brings a range of bestsellers, recent releases, award-winners and popular books, both fiction and non-fiction, for your next great read. The collection has proven to be extremely popular with library members who can gain access to high demand items with no waiting in reservation queues. There has been over 3,600 loans in 2 months for this popular initiative.
- To mark Homelessness Week (7 to 13 August 2023) Council hosted a screening of the documentary Under Cover: The Hidden Faces of Homelessness, followed by a panel discussion with local homelessness service providers at Lido Cinemas. The event, which was attended by over 100 people, raised awareness about homelessness and how community members can support people experiencing or at risk of homelessness.
- The Health Services Team has successfully launched a renewed approach to Food Safety Inspections to improve business standards and protect the health of the community. A significant reduction has been recorded in non-compliance for food businesses, as well as a reduction in the need to perform follow-up inspections.
- The Active Ageing Musical Series saw three sold out events in July, August, and September 2023 (100 seniors attending each of the first two and over 80 seniors attending the September event). The September event was conducted in partnership with the Hawthorn Arts Centre.
- The North Balwyn Seniors Centre construction has been completed and handed over to the tenants. The works improved accessibility and amenity for older adults using the facility for programs that promote social connection, which is beneficial for good health.
- Kew Library Redevelopment community consultation took place between 31 August and 29 September 2023 to get feedback on a draft Vision and Design Brief. Over 1,800 community members viewed the Engage Boroondara page, with 272 participants completing a survey. The draft Vision and Design Brief will be presented to Council in early 2024.
- Community consultation took place on the Michael Tuck Stand and Glenferrie Oval refurbishment between 14 August and 11 September 2023 to get feedback on a draft Vision and Design Brief. Over 3,000 community members viewed the Engage Boroondara page, with 475 participants completing a survey. Structural rectification works have commenced, with internal building strip out works underway to inform on-going building condition assessment.

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Strategic Indicator Results

Strategic Objective: Community services and facilities are high quality, sustainable, inclusive and strengthen resilience.

Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comments
Number of attendances by young people at youth programs or services	On Track	5,215	8,500 - 13,000	Youth programs and services continue to evolve in order to promote high levels of engagement with young people.
Number of vaccinations administered	Monitor	3,925	20,400 - 20,600	Central Immunisation Records Victoria (CIRV) software was rolled out in Quarter 1 and sessions were minimised during this period.
Number of arts and cultural community events delivered or supported by Council	On Track	68	120 - 150	The Boroondara Arts Team is successfully delivering the Season 2023 program and is on track to meet the annual target.
Attendance at Boroondara Arts curated program	On Track	4,184	15,000	The attendance at Council's curated events remains strong and is on track to meet the annual target, indicating a strong interest and appetite from the community and broader audiences to attend the arts and cultural programs held by the Boroondara Arts Team.
Overall participation in library services (includes loans, returns, visits programs attendance, e-books and audio loans, enquiries, reservations, Wi-Fi and virtual visits)	On Track	1,930,175	5,000,000 - 5,700,000	The overall participation in library services continues to grow across all sites with increasing visitation and loans (print and digital), a high demand for study spaces and good attendances at programs. The Quarter 1 total is at the highest level since the pandemic.
Percentage of graffiti removed from Council-owned assets within one business day of notification	Monitor	97%	100%	The monthly and annual target delays were due to: <ul style="list-style-type: none"> wet weather increased number of Council requests, and

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Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comments
				<ul style="list-style-type: none"> 3rd party Service Supply asset reactive and proactive jobs resulting in these jobs being carried over to the next day.
Number of community events and activities (workshops, talks, forums) offered to promote health and wellbeing, diversity and inclusion (culturally and linguistically diverse, First Nations, disability, gender and LGBTQIA+), and community safety.	On Track	36	45 - 47	The Community Support Directorate delivered 36 health and wellbeing events this quarter. These included activities during Women's Health Week, a parenting seminar, walks during NAIDOC Week, a healthy eating program, a Homelessness Week event and an international student welcome event.

Progress of Major Initiatives

	Our Initiatives	Status	Progress	Comments
1.1	Analyse and share demographic changes to the Boroondara community since 2016, by presenting the revised 2021 Census data and reviewing the social statistics pages on Council's website.	On Track	75%	A review of the social statistics pages on Council's website was conducted using heat maps to assess areas of community interest. Based on this, the content has been revised and information updated to reflect the 2021 Census data. The updated web pages will be live on Council's website in the late 2023.
1.2	Plan and deliver events, projects, advocacy and education activities to improve community health and wellbeing by raising awareness of community safety issues, including prevention of violence against women, and building community resilience.	On Track	25%	<p>Planning was undertaken for activities to mark Community Safety Month in October. Activities will include:</p> <ul style="list-style-type: none"> an Emergency Services Family Fun Day a series of Community Safety Pop-Ups and the information of information about Community Safety

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	Our Initiatives	Status	Progress	Comments
				Month and safety issues in the October edition of the Boroondara Bulletin.
1.3	Support older people to understand, access and navigate the range of Council and other aged care services available to them through the provision of information sessions, dissemination of accessible digital and printed resources and connecting individuals with services where required.	On Track	25%	Active Ageing has delivered two aged care information sessions to senior citizen groups in the last quarter, with 10 and 21 attendees, respectively. Two client newsletters and a Seniors Clubs newsletter were disseminated during the reporting period. The Regional Assessment service continues to link older residents into services available via My Aged Care and 1:1 additional assistance is offered where needed by the aged care navigator service.
1.4	Enhance community spaces by demolishing the Ferguson Stand to improve the visual and physical connection from Glenferrie Precinct to Grace Park.	On Track	60%	Demolition of the Ferguson Stand is complete. Supporting landscape enhancement works will be delivered this year. This includes pedestrian pathway connections, installation of turf, erection of interpretative historical I-beams (from the original Ferguson Stand) and other public realm improvements will also be delivered in 2023-24.
1.5	Plan a contemporary and integrated Library experience by developing a concept design for the Kew Library project.	On Track	20%	The community has been consulted on a draft Vision and Design Brief for the project. Officers have commenced a procurement process to engage an architectural design consultant to prepare the building design. The consultant will be engaged post the draft Vision and Design Brief being presented to Council in early 2024.
1.6	Enhance diversity and inclusion of sports facilities by commencing the construction of the Canterbury Sportsground, and Ferndale Park, Frog Hollow and Willsmere Pavilions.	On Track	25%	Construction contracts are on track to be awarded for both Willsmere Park and Canterbury Sportsground pavilion by the end of 2023. Construction of these facilities is planned to commence in early 2024.

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	Our Initiatives	Status	Progress	Comments
				Invitation of tenders for Frog Hollow and Ferndale Park sports pavilions is scheduled for early 2024, with works to commence by the end of June 2024.
1.7	Consider the needs and aspirations of our multicultural community identified through community consultation, by presenting to Council for endorsement a draft of the Multicultural Action Plan 2024-28.	On Track	25%	The findings from the community consultation undertaken between March and June 2023, which included a community survey, an organisational survey and meeting with multicultural groups, are currently being analysed to help inform the development of the draft Multicultural Action Plan.
1.8	Build strong partnerships with neighbourhood houses to deliver community activities and programs which respond to community need by implementing year 1 actions in the Neighbourhood House Framework.	On Track	10%	In May 2023, Neighbourhood Houses participated in a workshop to develop the 2023-24 annual action plan. The development of actions focused on the opportunities for collaboration. During the first quarter of 2023-24, Neighbourhood Houses have selected their action and formed partnerships and will report quarterly on progress towards achieving the action.
1.9	Support the equitable allocation of Council's sportsgrounds by presenting a draft Allocations and Fees and Charges Policy to Council for endorsement.	On Track	30%	Benchmarking has been undertaken. A workshop was undertaken with councillors in September 2023 and a draft policy is in the process of being developed.
1.10	Celebrate and promote the achievements of young people and those who work with young people by delivering the Boroondara Youth Awards.	Complete	100%	The 2023 Boroondara Youth Awards celebration ceremony was held on Friday 22 September 2023. Winners were recognised across five categories: leadership, environment and sustainability, creative arts, inclusive program, and community work. A total of 31 nominations were received and 80 people attended the awards ceremony.

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	Our Initiatives	Status	Progress	Comments
1.11	Commence renewal of the Tuck Stand with structural rectification works and continue the design and consultation for the full renewal.	On Track	20%	<p>Stage One of the structural rectification program has commenced, with internal building strip out works underway.</p> <p>Stage Two works to address the most urgent structural issues will be tendered, awarded, and delivered in 2023-24.</p> <p>An Expression of Interest for suitably qualified and experienced architectural consultancies has been publicly advertised. Formal appointment of the Design Team is scheduled to occur by April 2024.</p> <p>As part of the process to develop the scope, an analysis of current and potential uses of the Glenferrie Oval and Tuck Stand has been undertaken. This work, along with feedback from key stakeholders, has informed the draft Vision and Design Brief which the community has now had the opportunity to comment on.</p>

Local Government Performance Indicators - Service Performance Indicators

Animal Management

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
AM1 - Time taken to action animal management requests (The average number of days it has taken for Council to action animal management related requests)	On Track	1.01	1.06	0.00 - 2.50	Measure is on track to meet target.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
AM2 - Animals reclaimed (The percentage of collected registrable animals under the <i>Domestic Animals Act 1994</i> reclaimed)	On Track	56%	60%	36 - 56%	First quarter recorded a high re-claim rate that exceeded target. This was largely due to successful reclaim of domestic dogs by their owners, which have a higher percentage of registration and microchipping than cats.
AM5 - Animals rehomed (The percentage of unclaimed collected registrable animals under the <i>Domestic Animals Act 1994</i> that are rehomed)	Monitor	42%	21%	25 - 45%	First quarter recorded a high number of stray cats of which circa 20% were deemed not suitable for rehoming. The reasons were due to poor health, serious behavioural reasons or they presented as deceased on arrival.
AM6 - Cost of animal management service per population (The direct cost of the animal management service per municipal population)	On Track	\$1.65	\$1.71	\$7.57 - \$9.57	Measure is on track to meet target.
AM7 - Animal management prosecutions (AUDITED) (The percentage of successful animal management prosecutions)	On Track	100%	100%	80 - 100%	Measure is on track to meet target.

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Aquatic Facilities

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
AF2 - Health inspections of aquatic facilities (The number of inspections by an authorised officer within the meaning of the <i>Public Health and Wellbeing Act 2008</i> carried out per Council aquatic facility)	On Track	1.00	0.67	0.00 - 2.00	Boroondara inspected two out of three aquatic facilities. Kew Recreation Centre is undergoing renovation and is not included in this measure as it is not operational.
AF6 - Utilisation of aquatic facilities (AUDITED) (Number of visits to aquatic facilities per head of Municipal population)	On Track	3.17	3.68	10.90 - 16.90	Measure is on track to meet target.
AF7 - Cost of aquatic facilities (The direct cost less any income received of providing aquatic facilities per visit)	On Track	\$0.00	(\$0.41)	(\$1.03) - \$0.97	Measure is on track to meet target.

Food Safety

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
FS3 - Cost of food safety service (The direct cost of the food safety service per food premises registered)	On Track	\$62.41	\$62.53	\$224.32 - \$374.32	Measure is on track to meet target.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
by Council, or for which Council has received notification, during the year)					

Food Safety - Calendar Year measures (1 January 2023 to 31 December 2023)

Measure	Status	Last Year Result (Q3 YTD)	This Year Result (Q3 YTD)	Annual Target	Comments
FS1 - Time taken to action food complaints (The average number of days it has taken for Council to action food complaints received from members of the public about the safety or handling of food for sale)	On Track	2	2	1 - 4	Measure is on track to meet target.
FS2 - Food safety assessments (The percentage of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment)	On Track	100%	100%	90 - 100%	Measure is on track to meet target.
FS4 - Critical and major non-compliance outcome notifications (AUDITED) (The percentage of critical and major non-compliance outcome notifications that are followed up by Council)	On Track	99%	98%	88 - 100%	Measure is on track to meet target.

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Measure	Status	Last Year Result (Q3 YTD)	This Year Result (Q3 YTD)	Annual Target	Comments
FS5 - Food safety samples (The percentage of food samples obtained per required number of food samples)	On Track	N/A	92%	100%	New Measure for FY2023-24. Measure is on track to meet target.

Maternal and Child Health

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
MC2 - Infant enrolments in MCH service (The percentage of infants enrolled in the MCH service)	On Track	101.12%	101.44%	91 - 100%	Infant enrolment is greater than birth notifications received due to enrolments of infants born outside of Boroondara.
MC3 - Cost of the MCH service (The cost of the MCH service per hour of service delivered)	On Track	\$64.07	\$70.48	\$64.12 - \$94.12	Measure is on track to meet target.
MC4 - Participation in the MCH service (AUDITED) (The percentage of children enrolled who participate in the MCH service (YTD))	Monitor	54.24%	53.28%	73 - 93%	Not all children are due for a key age and stage visit for this quarter. Participation is on track for annual target.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
MC5 - Participation in the MCH service by Aboriginal children (AUDITED) (The percentage of Aboriginal children enrolled who participate in the MCH service (YTD))	Monitor	75.61%	72.55%	80 - 100%	Quarterly participation by Aboriginal children of the MCH Service is on track to reach the annual participation target.
MC6 - Participation in 4-week Key Age and Stage visit (The percentage of infants enrolled in the MCH service who participated in 4-week Key Age and Stage visit)	On Track	104.46%	99.28%	90 - 100%	Measure is on track to meet target.

Libraries

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
LB1 - Physical library collection usage	-	-	-	-	This measure has been retired in FY2023-24.
LB2 - Recently purchased library collection (The percentage of the library collection that has been purchased in the last 5 years)	On Track	59.38%	61.15%	56.74 - 71.74%	Measure is on track to meet target.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
LB4 - Active library borrowers in municipality (AUDITED)	-	-	-	-	This measure has been retired in FY2023-24.
LB5 - Cost of library service per population (The direct cost of the library service per population)	On Track	\$13.15	\$14.50	\$46.18 - \$66.18	Measure is on track to meet target.
LB6 - Library loans per population (The number of collection item loans per population)	On Track	N/A	3.09	New Measure - no target set for 2023-24	New Measure for FY2023-24.
LB7 - Library membership (AUDITED) (The percentage of resident municipal population who are registered library members)	On Track	N/A	41.13%	New Measure - no target set for 2023-24	New Measure for FY2023-24.
LB8 - Library visits per population (The number of library visits per head of population)	On Track	N/A	1.37	New Measure - no target set for 2023-24	New Measure for FY2023-24.



Theme 2

Parks and Green Spaces

Green and open spaces are provided, well-utilised and enhanced.



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Parks and Green Spaces highlights

- Delivery of all sportsground renovations after winter season to prepare the grounds ready for community sport in summer.
- Ashburton Park and Lynden Park East sportsground reconstruction contracts were awarded for works over the coming summer.
- Two new playgrounds have been opened for the benefit of the local community, with Mary MacKillop Reserve opening on 22 August 2023, and Grovedale Park on 16 October 2023.
- Delivery of main elements of the Surrey Hills shopping improvements to the streetscape and the forecourt outside the Surrey hills Neighbourhood Centre.

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Progress of Major Initiatives

	Our Initiatives	Status	Progress	Comments
2.1	Enhance recreational opportunities for children and families by completing construction of the local play space at Kate Campbell Reserve.	On Track	10%	Design of Kate Campbell Reserve playground is complete and tenders are planned to be invited in October 2023. Works are scheduled to commence in February 2024 and be complete by June 2024.
2.2	Enhance recreational opportunities for children and families by completing construction of the regional play space at Hays Paddock.	On Track	10%	Hays Paddock Playground commenced construction in July 2023, demolition progressing. Works are planned for completion by June 2024.
2.3	Improve the sporting experience in Boroondara by completing full sportsground reconstructions at Ashburton Park and Lynden Park East.	On Track	25%	Works have been tendered and contracts awarded by Council. Works will commence on both projects in Quarter 2.
2.4	Consult with the community to develop the Macleay Park Master Plan to be endorsed by Council with a focus on improving community access and park experience.	On Track	35%	Initial consultation with the community has been completed and informed a draft Master Plan. This Master Plan will be approved by Council prior to further consultation early in 2024.
2.5	Enhance social connection and the appreciation of Boroondara's parks and gardens through engagement with artists and the delivery of community events using the 2024 Summer in the Park series.	On Track	60%	The planning for the Summer Series in the Park 2024 season is underway. The 2024 season will be held in February to March across Boroondara's most iconic parks and gardens, showing a number of free events and stellar jazz, music and theatre performances, to engage all ages of the community. The feature film for the Cinema in the Park is E.T, which will be held on Saturday 3 February 2024 at 6pm at Riversdale Park. The popularity of this iconic film that captures the essence of childhood and the power of connection, will engage community and family audiences.

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	Our Initiatives	Status	Progress	Comments
2.6	Provide sportsgrounds that are suitable for the use of community sporting clubs through an increased focus on maintenance and renewal of ground surfaces.	On Track	25%	Grounds were kept playable through the end of winter through rolling, Verti draining and hollow coring activities to ensure all community sport was successfully undertaken.



Theme 3

The Environment

The environment is considered in all decision-making.



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The Environment highlights

- Significant number of street trees being planted to increase canopy cover across the municipality.
- A new soft plastics recycling service was introduced by Council as a temporary measure after the collapse of the REDcycle program. Collection points are at Riversdale and Kew Depots.
- A large biodiversity planting program was completed to work towards Council's goal of increasing area managed for biodiversity by 1ha a year.
- Replacing existing concrete frame and inserts for pits with a lighter fibreglass reinforced product, reducing weight and maintenance requirements with a longer lifespan. These are being replaced within the municipality as required.

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Strategic Indicator Results

Strategic Objective: The environment is considered in all decision making.

Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comments
Kerbside collection waste diverted from landfill (percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill)	On Track	72%	72 - 73%	Measure is on track to meet target.

Progress of our Major Initiatives

	Our Initiatives	Status	Progress	Comments
3.1	Reduce the volume of virgin construction materials on Council road projects, by using a minimum of 20% recycled materials including glass, plastics, and toners in our asphalt products to resurface roads.	On Track	25%	All crushed rock used in Council's road projects is produced from recycled concrete. Asphalt used has a minimum of 20% recycled material. Quantities are monitored and reported by contractors half-yearly.
3.2	Progress towards meeting the targets of the Climate Action Plan to reduce Council and community emissions by implementing the 2023-24 actions of the Climate Action Plan Implementation Plan.	On Track	25%	Council is net carbon neutral and multiple actions are underway to reduce our corporate energy use, such as installation of solar photovoltaics at Council buildings and electric vehicle chargers for some Council Fleet. Community facing actions such as Solar Savers, Energy Savers and our Living for Our Future workshop program

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	Our Initiatives	Status	Progress	Comments
				<p>are being delivered to support the community to reduce emissions.</p> <p>The Climate Action Plan reported total municipal emissions as 1,804,000 tonnes CO₂-e for the 2019 year using the SnapShot community emissions tool. Since the Plan was published, the methodology has been refined and the emissions for 2019 were revised to 1,643,000 tonnes CO₂-e. The most recent data for FY2020-21 has seen Boroondara municipal emissions decrease to 1,466,000 tonnes CO₂-e.</p>
3.3	Improve the green canopy coverage in our urban environment for the enjoyment of future generations by presenting the Urban Greening Strategy to Council for endorsement.	On Track	25%	Draft has been created and is scheduled to be presented to Council in November 2023.
3.4	Improve the community's ability to access biodiversity and indigenous vegetation now and into the future by finalising the Biodiversity Asset Management Plan.	On Track	90%	The Biodiversity Asset Management Plan is in draft form and almost complete. It will undergo community consultation as part of the Urban Biodiversity Strategy in early 2024.
3.5	Identify options to support the uptake of electric vehicles and low emission vehicles by the Boroondara community through the implementation of electric vehicle charging stations in shopping centre carparks.	On Track	15%	<p>Electric vehicle charging stations are proposed to be installed in two off-street car parks located at Hawthorn Aquatic and Leisure Centre and the Burwood Village Shopping Centre.</p> <p>The exact locations for the charging stations are currently being determined with a view to install by end June 2024.</p>

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Local Government Performance Indicators - Service Performance Indicators

Waste Collection

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
WC1 - Kerbside bin collection requests					This measure has been retired in FY2023-24.
WC2 - Kerbside collection bins missed (The number of kerbside collection bins missed per 10,000 scheduled kerbside collection bin lifts)	On Track	7	4.09	4.28 - 14.28	Continual performance improvement in this quarter by our General Waste and Recycling Collection Teams had led to a favourable result. The annual target is expected to be met.
WC3 - Cost of kerbside garbage bin collection service (The direct cost of the kerbside garbage bin collection service per kerbside garbage collection bin)	On Track	\$30.00	\$24.21	\$107 - \$147	The cost associated with this measure is slightly lower this quarter than previous results. This is due to the removal of FOGO from this measure following an assessment of what constitutes kerbside garbage. Therefore, the figure for this quarter more accurately represents the cost of kerbside garbage bin collection service per kerbside garbage collection bin.
WC4 - Cost of kerbside recyclables bin collection service (The direct cost of the kerbside recyclables collection service (including the contract cost of	On Track	\$20.33	\$24.05	\$84 - \$104	Measure is on track to meet target.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
collection) per kerbside recyclables collection bin)					
WC5 - Kerbside collection waste diverted from landfill (<i>AUDITED</i>) (The percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill)	On Track	70%	72%	65 - 79%	Measure is on track to meet target.

Clayton Landfill performance

30 September 2023	YTD Actuals	YTD Budget	Variance	% Variance
Income	\$3,630	\$0	\$3,630	100%
Expenditure	\$292,665	\$236,410	\$56,255	24%
Net Profit	(\$289,035)	(\$236,410)	(\$52,625)	(22%)

Expenditure is higher than planned budget phasing primarily due to the timing of environmental monitoring costs.



Theme 4

Neighbourhood Character and Heritage

Protect the heritage and respect the character of Boroondara, while facilitating appropriate, well-designed development.



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Neighbourhood Character and Heritage highlights

- The Draft Camberwell Junction Structure & Place Plan is complete and due to go to the Urban Planning Delegated Committee meeting (UPDC) on 16 October 2023.
- The Asset Protection Team has achieved a significant reduction in escalated complaints as at September 2023, after successive years of team flux and instability post COVID-19. The team has seen a reduction in escalated complaints from 904 to 278 (69%) over the last 12 months. This is largely contributed to recruitment, training and development, and enhanced reporting and monitoring of active cases.
- Following the successful implementation of Section 30 Building Permit lodgement e-form, feedback was sought by the users where they recommended to increase the document upload capacity, including refinement of the wording on the e-form. The changes have now been made and as a result, over 87% of private building surveyors now lodge their building permit documents via the Council website.
- Following the successful implementation of Section 29A Demolition consent e-form, 95% of demolition consent applications are now received by Council's website.
- Building Services processed 1,101 Compliance and Non-Compliance Certificates with regards to Pool and Spa Safety Barriers this quarter, which is almost double the normal number of lodgements received. Building Services also processed over 900 requests for extension of time.

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Strategic Indicator Results

Strategic Objective: Protect the heritage and respect the character of Boroondara, while facilitating appropriate, well-designed development.

Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comments
Average number of days to process a planning application	On Track	32	30 - 40	Measure is on track to meet target.
Percentage of 'demolition consents' under section 29A of the Building Act by Building Services checked within 15 business days	On Track	100%	100%	Measure is on track to meet target.
Percentage of Council planning decisions upheld, and decisions successfully mediated at the Victorian Civil and Administrative Tribunal (VCAT)	On Track	55%	45 - 55%	Measure is on track to meet target.
Number of "out of time" planning reviews at VCAT where the appeal was lodged more than two weeks after the final consultation with the applicant or objectors)	On Track	1	5 - 10	Measure is on track to meet target.

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Progress of our Major Initiatives

	Our Initiatives	Status	Progress	Comments
4.1	Continue to protect the heritage and history of Boroondara through presenting the revised Heritage Action Plan to Council for endorsement and commencing implementation of the plan.	On Track	25%	Council has completed its review of the Heritage Action Plan 2016 to Urban Planning Delegated Committee (UPDC) and decided to proceed with preparing a Heritage Strategy.
4.2	Support appropriate housing in Boroondara through presenting the Boroondara Housing Strategy to Council for endorsement and consider associated planning scheme amendments.	Complete	100%	The Boroondara Housing Strategy has been formally adopted by Council and implementation has commenced.
4.3	Assist with protecting and celebrating Boroondara's heritage by commencing implementation of a Community Heritage Nomination Process.	On Track	25%	The Community Heritage Nomination Process has been adopted by Council, staff have been recruited to key positions and application forms are now live on Council's website. The first round of community nominations is now being assessed.
4.4	Improve the experience for all participants in the statutory planning process by enhancing technologies and additional online capabilities.	On Track	25%	A range of improvements are being made to the Council website and systems to improve the customer experience associated with the statutory planning process.
4.5	Improve public and occupant safety by completing fire safety inspections of buildings that contain combustible cladding in response to referrals from the Victoria Building Authority.	On Track	20%	Building Services carry out Essential Safety Audits on public and residential apartment buildings as part of enforcing and resolving buildings containing combustible cladding.

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	Our Initiatives	Status	Progress	Comments
4.6	Contribute to shaping Boroondara to be more liveable, safe, enjoyable and sustainable through enhanced enforcement of public amenity, construction activities and health standards. This includes increasing capability through technology, systems and complementing enforcement practices.	On Track	25%	<p>Key highlights for Quarter 1 include:</p> <ul style="list-style-type: none"> Enforcement Practices are being reviewed across the following compliance teams: <ul style="list-style-type: none"> investigations training held in partnership with Maddocks on 31 August 2023 new Health Team compliance approach developed and in use new Local Laws & Animal Management compliance approach in draft for review. Technology is being researched and reviewed to aid capability: <ul style="list-style-type: none"> parking technology is under review for new sensor rollout strategy PinForce software for Council officers is being reviewed for version upgrade with vendor to enhance capability and reliability.

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Local Government Performance Indicators - Service Performance Indicators

Statutory Planning

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
SP1 - Time taken to decide planning applications (The median number of days between receipt of a planning application and a decision on the application)	On Track	113	98	82 - 122	Measure is on track to meet target.
SP2 - Planning applications decided within required timeframes (Number of planning application decisions made within 60 days for regular permits and 10 days for VicSmart permits / Number of planning application decisions made X 100)	On Track	56%	65%	65%	Measure is on track to meet target.
SP3 - Cost of statutory planning service (Direct cost of the statutory planning service / Number of planning applications received)	Monitor	\$3,413.75	\$4,250.91	\$3,751.67 - \$4,451.67	The cost of statutory planning service per application is greater than expected in Quarter 1 due to a reduction in the number of new applications likely resulting from a cyclical downturn in the development industry associated with higher interest rates. The overall costs of

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
					Statutory Planning services are relatively fixed (e.g., staff salaries), so when the number of new applications drops below average the results for this measure consequently rises above average.
SP4 - Council planning decisions upheld at VCAT(AUDITED) (Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications) X 100	On Track	22%	75%	34 - 54%	Council was able to settle a higher proportion of applications than anticipated prior to a hearing during this reporting period. The applications which proceeded to a merits hearing were often the consequence of other parties unwilling to resolve application flaws, meaning Council had a high prospect of success in those matters.



Theme 5

Moving Around

Travel options are safe, efficient and accessible, with active and public transport encouraged.



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Moving Around highlights

- The Maling Road Place Plan was considered and approved by Council on 11 September 2023. The Traffic and Transport Team contributed to the Streetscape Options by providing input into the development of traffic management measures to address the community's traffic concerns.
- Preparing for the Koonung Creek Reserve draft concept design community consultation on Engage Boroondara (27 September 2023 to 22 October 2023) and release of the North East Link Eastern Freeway Upgrades Urban Design and Landscape Plan for public exhibition on 9 October 2023.
- Ongoing monitoring of Level Crossing Removal works - in particular, construction of new open space and coordinating inspection of assets to be handed back to Council.

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Strategic Indicator Results

Strategic Objective: Travel options are safe, efficient and accessible, with active and public transport encouraged.

Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comment
Number of traffic counts and surveys used to investigate, assess and respond to traffic and parking issues	Monitor	44	200 - 220	Quarter 1 was Impacted by school holidays. Greater number of counts are programmed for Quarter 2.
Average daily bicycle users for Gardiners Creek Trail, the Anniversary Trail, Koonung Trail and Main Yarra Trail	Monitor	2,790	3,900 - 4,500	For the Gardiners Creek Trail, the average daily use was 1,493. The Anniversary Trail recorded an average daily use of 284, the Koonung Trail 464, and the Main Yarra Trail near Chandler Highway, 549. Greater use expected over Quarters 2 and 3 with warmer weather and daylight savings.

Progress of our Major Initiatives

	Our Initiatives	Status	Progress	Comments
5.1	Improve safety, driver awareness and wayfinding of routes by installing shared lane markings along select informal bicycle routes identified in Boroondara's TravelSmart map and adopted Bicycle Strategy.	On Track	25%	<p>Proposals for shared lane markings (bike sharrows) for the below mentioned locations have been prepared:</p> <ul style="list-style-type: none"> Prospect Hill Road at Highfield Road Bowler Street Roundabouts of Durham Rd / Kent Rd, Dent St / Albion Rd / Dunlop St and Dent St / Munro Ave. <p>These are being finalised with a view to install by end 2023. Other routes will also be examined.</p>

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	Our Initiatives	Status	Progress	Comments
5.2	Encourage use, improve safety and security of shared paths by progressively installing energy efficient lighting along the Anniversary Trail between Whitehorse Road and Canterbury Road.	On Track	15%	<p>The lighting design along the Anniversary Trail between Whitehorse Road and Canterbury Road has been completed.</p> <p>The contract has been awarded for the section between Whitehorse Road and Mont Albert Road and works are due to commence in October 2023.</p> <p>The tender process for the next section from Mont Albert Road to Canterbury Road is underway with a view to appointing a successful tenderer by end November 2023.</p>
5.3	Provide an improved integrated bicycle network, by progressively implementing a range of on-road infrastructure initiatives.	On Track	25%	<p>Preliminary designs to improve safety along three Council managed road sections, namely Auburn Road between Riversdale Road and Toorak Road, Kilby Road including Willsmere Road and Robinson Road have been prepared.</p> <p>Tee-intersection treatments involving signage, line marking and green pavement markings have been prepared to improve the level of safety and access for cyclists and these are intended to be used on the existing on-road bike lanes in Union Road, Greythorn Road, Highfield Road and Willsmere Road.</p> <p>Concept plans have been prepared for Kilby Road and Willsmere Road. This involves the physical separation for one section and a unique line marking treatment for the divided section of Kilby Road. Subject to Council approval, these works will potentially be issued for construction in February 2024.</p>
5.4	Represent the Boroondara community in decision making by advocating to the Victorian government	On Track	25%	Council has advocated to the North East Link Program (NELP) to ensure community and Council interests are

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	Our Initiatives	Status	Progress	Comments
	in relation to public and active transport, open space, urban design and environmental opportunities associated with the North East Link and the Union Road Level Crossing Removal projects.			<p>taken into account. Key issues and concerns include design and siting of the proposed North East Link construction compounds in Boroondara, traffic management, tree canopy retention and planting, and site investigations in local parks and on local roads. Council launched a consultation on the draft Koonung Creek Reserve concept plan on Wednesday 25 September 2023. The plan was developed by NELP to guide reinstatement of the reserve once construction has finished in 2028-29.</p> <p>We have continued advocating to the Level Crossing Removal Project (LXRP) to ensure impacts on businesses and local residents are minimised as much as possible, and to advocate for community amenity and benefits including design and construction of the new open space on Union Road.</p>

Local Government Performance Indicators - Service Performance Indicators

Roads

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
R1 - Sealed local road requests (The number of sealed local road requests per 100 kilometres of sealed local road.)	On Track	22	16.46	77.22 - 117.22	We attribute the decrease in requests to the dryer conditions over the quarter, leading to fewer road maintenance requests.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
R2 - Sealed local roads maintained to condition standards (AUDITED) (The percentage of sealed local roads that are below the renewal intervention level set by Council and not requiring renewal.)	On Track	91%	91%	82 - 100%	Measure is on track to meet target.
R3 - Cost of sealed local road reconstruction (Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed)	On Track	\$108.13	\$127.61	\$89.85 - \$139.85	Measure is on track to meet target.
R4 - Cost of sealed local road resealing (Direct cost of sealed local road resealing / Square metres of sealed local roads resealed)	On Track	\$27.41	\$36.03	\$19.74 - \$39.74	Measure is on track to meet target.



Theme 6

Local Economy

Support local businesses and enhance shopping precincts, fostering a strong economy and welcoming places for the community.



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Local Economy highlights

- The second round of the Go Full Circle Program commenced in August 2023, following a highly successful first round in 2022. The Go Full Circle program is aimed at helping small businesses to learn circular economy principles and balance economic, environmental and social objectives. Designed for small and medium-sized businesses in the hospitality, retail, and professional services industries, this free program is being delivered in partnership with City of Melbourne and City of Stonnington. Ten Boroondara businesses are participating in the current program.
- The Local Economies Team has facilitated the establishment of an internal Cross-Council Shopping Precinct Coordination Group to better ensure strategic management and coordination of Council interactions and activities occurring within Boroondara's 53 shopping centres. The purpose of the group is to foster stronger relationships between Council staff responsible for projects and activities which maintain, enhance, and activate shopping precincts and enable consistent communications between Council and stakeholders including trader associations and local businesses.

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Strategic Indicator Results

Strategic Objective: Support local businesses and enhance shopping precincts, fostering a strong economy and welcoming places for the community.

Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comments
Number of proactive strip shopping centre maintenance inspections completed	On Track	318	1,250 - 1,350	Measure is on track to meet target.

Progress of our Major Initiatives

	Our Initiatives	Status	Progress	Comments
6.1	Enhance the economic sustainability of the local economy through the adoption of the Economic Development and Tourism Strategy and the implementation of the year one actions.	On Track	10%	The draft Economic Development and Visitor Attraction Strategy is due to be presented to Council for adoption before the end of 2023.
6.2	Stimulate economic recovery and enhance the Glenferrie Road Precinct visitor experience by implementing the approved 2023-24 projects in the Glenferrie Place Plan.	On Track	25%	Updated Glenferrie Place Plan ready to be taken to Council for adoption before the end of 2023. Columbia Street upgrade design currently being progressed by consultants with progress subject to VicTrack approvals.
6.3	Increase the vibrancy of the Camberwell Junction precinct by presenting to Council for endorsement the Camberwell Junction Structure and Place Plan, commencement of work on associated	On Track	25%	Draft Camberwell Junction Structure and Place Plan and supporting documentation near completion with community engagement scheduled to take place between 30 October and 11 December 2023.

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	Our Initiatives	Status	Progress	Comments
	planning scheme amendments and implementation of short-term initiatives.			
6.4	Provide enhanced support to traders associations to ensure their long term viability through good governance practices and the provision of customised training and support materials.	On Track	30%	<p>As part of the Governance and Reporting Improvement Project, the Local Economies Team is supporting the municipality's eleven Traders'/Business Associations, (particularly those eight centres with a special rate and charge scheme in place), to improve governance practices. The project aims to provide information, tools and resources to enhance governance capabilities in these groups.</p> <p>In July 2023, an internal audit of Boroondara's Special Rate and Charge Scheme Program was undertaken. Recommendations from the audit will inform future process improvement.</p> <p>In addition, the Local Economies Team are undergoing check in consultations with Boroondara's eight traders' associations with a special rate and charge scheme in place, to identify any gaps, challenges / barriers and opportunities to further guide and support them with the necessary information, tools and resources.</p>
6.5	Deliver the annual parklet program for hospitality businesses to enhance outdoor dining opportunities to support strong and activated shopping precincts.	On Track	25%	<p>The transition to the Council Parklet Program has been successful since the transition from the State Government funded program on 1 February 2023. As part of the new Council program, 10 parklets are now in place, with a total of 17 traders. One new application has been approved and will be installed in November 2023, and one other has been conditionally approved, subject to final parklet design approval.</p>



Theme 7

Leadership and Governance

Ensure decisions are financially and socially responsible through transparent and ethical processes.



Leadership and Governance highlights

- Transformation and Technology completed the implementation of the Identity and Access Management system (IDAM). This platform increases Council's cyber security and provides the foundations for a secure customer portal, which will be delivered as part of the Transforming Boroondara program. The team also completed key security uplifts across business systems and successfully completed disaster recovery testing.
- Customer Connect services have been improved through uplifts to Council's technology, data, and processes. The Webex cloud-based contact centre was implemented with an improved reporting ability to guide improvements for first contact resolution.
- Updates have been made to all bookable space and venue pages on the Council website. This will make it easier to find information, provide more visibility of features, amenities, and accessibility support, and better support the decision-making process of customers.
- Council reached a significant milestone in achieving full WCAG 2.0 AA accessibility compliance for all customer e-forms (80+) on the Council website, with e-forms being evaluated by Vision Australia. This has resulted in more inclusive service for customers with accessibility needs, as well as delivering a more usable experience for all customers.
- This quarter, Council had over a million views on the corporate Facebook and Instagram channels, up by 43.3% compared to the same period last year. During this period, a total of 734 net new followers across Facebook, Instagram, LinkedIn and Twitter (up 13.1% compared to same period last year) has been achieved; a total of 8,156 clicks generated on Facebook (up 34.8% compared to same period last year); and 31,421 Facebook engagements (up 16.0% compared to same period last year). Our social media channels provide readily available, easy to consume information for our community.
- In line with the actions identified in the 2023 Asset Management Strategy, Asset and Capital Planning has established the Transport Asset Steering Group and completed Asset Management Plans for Drainage, Building, Transport and Open Space asset portfolios.
- The Strategic Asset Systems Team has worked closely with the Transforming Boroondara program to deliver the Assetic Predictor Strategic Asset Management system - a new full asset lifecycle modelling software. The team is utilising the new system to inform the 2024-25 capital renewal budget.
- Council's strategic partnership with Swinburne University is delivering mutually beneficial outcomes for both organisations and the community. A highlight from the quarter has been Swinburne University's "Science in Society" undergraduate subject project, which focused on exploring some of Council's most complex challenges. In the course, 100 second-year students were tasked with generating science-based recommendations aimed at addressing a wide array of intricate topics. These challenges span from the preservation of our tree canopy to the prevention of microplastics from entering our waterways. These findings were then presented to Council staff who are subject matter experts in the areas of interest.
- Conferring 500 new citizens over four ceremonies.
- The Governance and Legal Team prepared a new legal and ethical risk framework including a new assurance process to ensure legal and ethical compliance within Council.
- The Boroondara Volunteer Resource Centre's (BVRC) volunteer management system, Viktor/Vira, has been enhanced to include a member portal. The new portal provides a streamlined volunteer recruitment experience for volunteer involving organisations to contact candidates who apply for roles listed with the BVRC, as well as access to the Boroondara Skills Bank to approach volunteers directly with relevant skills and experience.

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Strategic Indicator Results

Strategic Objective: Ensure decisions are financially and socially responsible through transparent and ethical processes.

Strategic Indicator	Status	YTD Actual Result	Annual Forecast	Comments
Percentage of freedom of information requests responded to within prescribed timeframes	On Track	100%	100%	Measure is on track to meet target.
Number of calls abandoned when customers are trying to reach Council's customer service	Monitor	3.58%	Less than or equal to 3.50%	This measure will continue to be monitored.
Average time callers wait before their call is answered	On Track	32 seconds	45 - 60 seconds	Measure is on track to meet target.
Number of cyber security incidents that compromise user data	On Track	0	0	Measure is on track to meet target.
Number of visits to Council's website	On Track	277,867	1,000,000 - 1,100,000	Measure is on track to meet target.

Progress of our Major Initiatives

	Our Initiatives	Status	Progress	Comments
7.1	Ensure Council operates within a financially sustainable framework through preparation of the Annual Budget 2024-25 (plus three subsequent financial years) in-line with statutory requirements and present to Council for endorsement.	On Track	10%	The 2023-24 Amended Budget is currently being prepared and will form the basis for development of next year's budget 2024-25.

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	Our Initiatives	Status	Progress	Comments
7.2	Progress reconciliation locally through activities and events in collaboration with community groups, service providers, networks and local schools by implementing year 2 actions of the Boroondara Reconciliation Strategy 2022-26.	On Track	25%	<p>Council continues to strengthen relationships with local Aboriginal and Torres Strait Islander stakeholders and seek advice and/or identify opportunities for collaboration in implementing year two actions of the Boroondara Reconciliation Strategy 2022-26 (the Strategy). Work in Quarter 1 includes:</p> <ul style="list-style-type: none"> Engagement/collaboration with various stakeholders in the local Aboriginal and Torres Strait Islander sector about actions in the Strategy, including the newly formed Murnong First Peoples Gathering Place Steering Committee; Department of Families, Fairness and Housing; Mullum Mullum Indigenous Gathering Place; Inner East Local Aboriginal Network; Reconciliation Officers at councils in the Eastern Metropolitan Region, and individual stakeholders in the local Aboriginal and Torres Strait Islander sector. Convening the ninth meeting of the internal Boroondara Reconciliation Advisory Committee on 14 August 2023 with special guests, Koorie Engagement Support Officers in the North Eastern and Inner Eastern regions at the Department of Education and Training, which covers Boroondara. Holding cultural consultation sessions with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation on 10 and 28 August 2023 to discuss relevant Council projects.
7.3	Drive continued delivery of the Boroondara Community Plan 2021-31 by implementing a new Strategy Framework that provides an updated	On Track	40%	A future state Strategy Framework has been developed and was presented to the Executive Leadership Team (ELT) for feedback and approval. Following the discussion, Strategy and Performance will socialise

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	Our Initiatives	Status	Progress	Comments
	approach to strategy development, delivery, monitoring and evaluation.			further before presenting the updates to councillors for discussion and approval.
7.4	Enable effective strategic management of Council Assets by completing the detailed design and commencing the build of our new Strategic Asset management system.	Complete	100%	The delivery of this project is now complete.
7.5	Protect customer and Council data by increasing our Cyber Security maturity against ISO27001 framework to minimise service disruptions and the risk of data security breaches.	On Track	20%	There have been zero breaches to customer or Council data. Council continues to protect customer and Council data through ongoing improvements to cyber security.
7.6	Upgrade Council's telephony system to a cloud-based system to improve reliability, support hybrid working and enable future enhancement of customer service delivery.	On Track	50%	Council has completed the upgrade of the Customer Connect telephony platform to a cloud-based system. In addition, a unified communications strategy, and a market scan to identify options for future telephony improvements have been undertaken.

Local Government Performance Indicators - Service Performance Indicators

Governance

Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
G1 - Council decisions made at meetings closed to the public (The percentage of Council resolutions made at a meeting of Council, or at a meeting of a	On Track	2.47%	3.16%	2 - 8%	Measure is on track to meet target.

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Measure	Status	Last Year Result (Q1 YTD)	This Year Result (Q1 YTD)	Annual Target	Comments
delegated committee consisting only of Councillors, closed to the public under section 66(1) of the Act.)					
G3 - Councillor attendance at Council meetings (The percentage of attendance at Council meetings by Councillors.)	On Track	100%	96%	88 - 100%	Measure is on track to meet target.
G4 - Cost of elected representation (The direct cost of delivering council's governance service per councillor.)	On Track	\$12,798.45	\$13,824.38	\$49,403 - \$59,403	Measure is on track to meet target.

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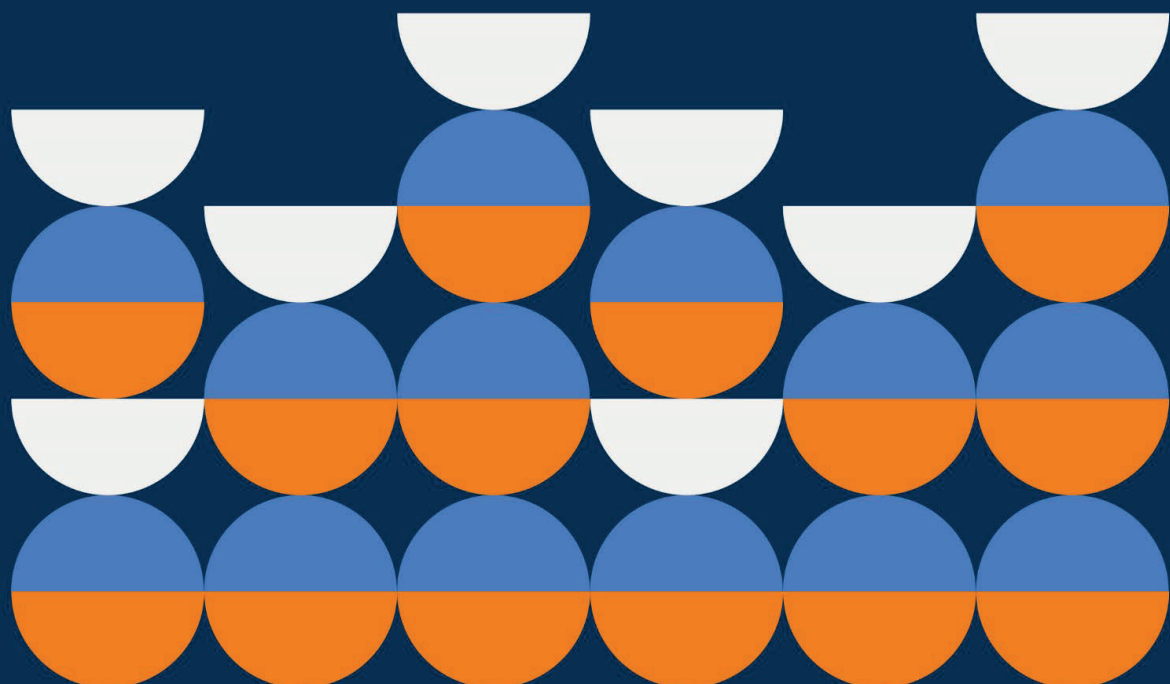
LGPRF Performance Indicators - Sustainable Capacity and Financial Performance Indicators				
For the period ending 30 September 2023				
Indicator/measure	Annual 2022-23	Q1 YTD 2022-23	Q1 YTD 2023-24	Q1 YTD Difference
Sustainable Capacity Indicators				
Population				
Expenses per head of municipal population [Total expenses / Municipal population]	\$1,518	\$337	\$336	-\$1
Infrastructure per head of municipal population [Value of infrastructure / Municipal population]	\$6,227	\$5,587	\$6,209	\$622
Population density per length of road [Municipal population / Kilometres of local roads]	258.29	310.43	258.29	-52.14
The length of road used in the Q1 2022-23 result excluded the additional 95 kms of laneways Council agreed to include as part of the Road Management Plan review in 2021. The adjusted YTD result for 2022-23 was 269.69 with YTD difference of 12.				
Own-source revenue				
Own-source revenue per head of municipal population [Own-source revenue / Municipal population]	\$1,479	\$1,196	\$1,311	\$115
Recurrent grants				
Recurrent grants per head of municipal population [Recurrent grants / Municipal population]	\$78	\$11	\$4	-\$8
Disadvantage				
Relative Socio-Economic Disadvantage [Index of Relative Socio-Economic Disadvantage by decile]	10.00	10.00	10.00	0.00
Workforce turnover				
Percentage of staff turnover [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	18.8%	11.0%	4.1%	-6.9%
The 2022-23 years workforce turnover was impacted by the transfer of in home aged care services to MECWA as part of the Commonwealth Home Support Programme from 31 July 2022. The 2023-24 result is comparable with the 2021-22 years Q1 result of 5%. Turnover continues to be closely monitored. A level of turnover is good for innovation, growth and improved organisation performance.				

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LGPRF Performance Indicators - Sustainable Capacity and Financial Performance Indicators				
For the period ending 30 September 2023				
Financial Performance Indicators				
Indicator/measure	Annual 2022-23	Q1 YTD 2022-23	Q1 YTD 2023-24	Q1 YTD Difference
Efficiency				
Expenditure level *				
Expenses per property assessment [Total expenses / Number of property assessments]	\$3,214	\$746	\$711	-\$34
Revenue level *				
Average rate per property assessment [General rates and Municipal charges / Number of property assessments]	\$2,119	\$2,124	\$2,208	\$84
Liquidity				
Working capital				
Current assets compared to current liabilities [Current assets / Current liabilities] x100	224.1%	415.6%	469.0%	53%
Unrestricted cash				
Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	20.6%	177.2%	193.4%	16%
Obligations				
Loans and borrowings				
Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	42.2%	45.4%	40.5%	-5%
Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	14.8%	0.1%	0.1%	0%
Indebtedness				
Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	36.4%	46.0%	41.0%	-5%
Asset renewal and upgrade *				
Asset renewal and upgrade compared to depreciation [Asset renewal and asset upgrade expense / Asset depreciation]	125.5%	95.3%	95.2%	0%
Operating position				
Adjusted underlying result *				
Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	3.4%	72.2%	74.6%	2%
Stability				
Rates concentration *				
Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	76.1%	94.2%	93.9%	0%
Rates effort				
Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.15%	0.15%	0.15%	0%

*This is an annual indicator. Timing of revenue and expenditure can vary throughout the year, distorting quarterly results.

Financial Performance



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4. Financial and performance statements

4.1 Income Statement

	YTD ACTUAL (1) \$'000s	YTD BUDGET (2) \$'000s	YTD VARIANCE (1) - (2) \$'000s	YTD VARIANCE %	ANNUAL ORIGINAL BUDGET \$'000s
Recurrent income					
Rates and charges	211,835	211,546	289	0%	212,058
Statutory fees and fines	4,067	4,257	(190)	-4%	16,821
User fees	2,504	2,563	(59)	-2%	15,423
Grants - operating	838	929	(91)	-10%	10,726
Contributions - cash	2,668	1,250	1,418	113%	5,239
Rental income	467	604	(137)	-23%	2,998
Other income	1,325	870	455	52%	3,670
Interest	1,788	1,125	663	59%	4,500
Total recurrent income	225,492	223,144	2,348	1%	271,435
Recurrent expenditure					
Employee costs	20,660	20,778	118	1%	98,791
Materials and services	18,535	20,018	1,483	7%	77,283
Bad and doubtful debts	-	-	-	0%	2,357
Depreciation and amortisation ¹	9,708	9,708	-	0%	38,846
Amortisation - right of use assets	1,106	1,106	-	0%	4,399
Borrowing costs	877	877	-	0%	3,408
Finance costs - leases	78	78	-	0%	314
Other expenses	1,924	2,191	267	12%	7,818
Total recurrent expenditure	52,888	54,756	1,868	3%	233,216
Net recurrent operating surplus	172,604	168,388	4,216	3%	38,219
Non-recurrent income					
Priority projects income	976	174	802	461%	830
Capital works income	397	-	397	100%	3,238
Total non-recurrent income	1,373	174	1,199	689%	4,068
Non-recurrent expenditure					
Priority projects expenditure	4,050	4,095	45	1%	25,158
Total non-recurrent expenditure	4,050	4,095	45	1%	25,158
Net non recurrent operating surplus (deficit)	(2,677)	(3,921)	1,244	-32%	(21,090)
Net gain (loss) on disposal of property, infrastructure, plant and equipment	-	-	-	0%	(2,763)
Surplus/(Deficit) for the year ²	169,927	164,467	5,460	3%	14,366

Note: All numbers are rounded to the nearest thousand.

1. Depreciation and amortisation primarily relates to property, plant, equipment and infrastructure assets.
2. The year to date surplus result of \$169.93 million as per the budget is due to the striking of full year annual rates in August 2022. The surplus result will reduce over the course of the year as Council delivers services to the community. In addition, the favourable result against year to date budget of \$5.46 million or 3% is due to timing differences for income and expenditure. Refer to **Section 4.5 Financial Performance** for details on Council's financial performance.

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4.2 Income Statement by Directorate

	YTD ACTUAL (1) \$'000s	YTD BUDGET (2) \$'000s	YTD VARIANCE (1) - (2) \$'000s	YTD VARIANCE %	ANNUAL ORIGINAL BUDGET \$'000s
Income					
Rates and waste charges *	210,322	210,097	225	0%	210,609
Places & Spaces	794	728	66	9%	3,008
Community Support	2,740	2,706	34	1%	11,193
Urban Living	6,041	6,366	(325)	-5%	28,490
CEO's Office	9	13	(4)	-31%	52
Chief Financial Office	1,039	785	254	32%	3,251
Total income	220,945	220,695	250	0%	256,603
Expenditure					
Places & Spaces	16,684	17,268	584	3%	76,350
Community Support	7,726	8,189	463	6%	34,976
Urban Living	5,006	5,534	528	10%	27,853
Customer & Transformation	7,517	7,470	(47)	-1%	28,295
CEO's Office	3,048	3,207	159	5%	6,570
Chief Financial Office	1,312	1,349	37	3%	6,280
People, Culture & Development	905	858	(47)	-5%	3,887
Depreciation and amortisation **	9,708	9,708	-	0%	38,846
Total expenditure	51,906	53,583	1,677	3%	223,057
Net non departmental ***	3,565	1,276	(2,289)	-179%	4,673
Net loss on disposal of property, infrastructure, plant and equipment	-	-	-	0%	(2,763)
Capital income	397	-	397	100%	3,238
Net priority projects	(3,074)	(3,921)	(757)	19%	(24,328)
Surplus/(Deficit) for the year	169,927	164,467	5,460	3%	14,366

* Rate income includes interest on rates but excludes special rates which are included under the Community Support Directorate.

** Depreciation and amortisation primarily relates to property, plant, equipment and infrastructure assets.

*** Non departmental includes - Victorian Local Government Grants Commission funding, finance costs, interest on investments, open space developers contributions.

Note: All numbers are rounded to the nearest thousand.

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4.3 Balance Sheet

	30 Sep 2023 \$'000	30 Jun 2023 \$'000	30 Sep 2022 \$'000
Current assets			
Cash and cash equivalents ¹	178,436	66,751	175,170
Other financial assets ¹	-	79,500	-
Trade and other receivables	157,068	24,135	149,077
Prepayments	1,315	3,177	979
Total current assets	336,819	173,563	325,226
Non-current assets			
Financial assets	4	4	4
Property, plant and equipment, infrastructure	4,444,193	4,442,982	4,414,772
Right of use assets	6,713	7,176	7,865
Intangible assets	15	15	269
Investment property	18,105	18,105	8,756
Total non-current assets	4,469,030	4,468,282	4,431,666
Total assets	4,805,849	4,641,845	4,756,892
Current liabilities			
Trade and other payables	9,525	22,505	23,241
Interest-bearing liabilities	7,897	8,117	7,372
Provisions	19,602	19,844	18,832
Trust funds and deposits	23,928	16,032	13,585
Unearned income	7,880	7,981	11,947
Lease liabilities	2,980	2,980	8,154
Total current liabilities	71,812	77,459	83,131
Non-current liabilities			
Provisions	2,244	2,244	2,120
Interest-bearing liabilities	77,216	77,216	83,960
Provision for investments in joint ventures	7,557	7,557	6,040
Lease liabilities	3,990	4,266	-
Total non-current liabilities	91,007	91,283	92,120
Total liabilities	162,819	168,742	175,251
Net assets	4,643,030	4,473,103	4,581,641
Equity			
Accumulated surplus	1,128,770	958,843	1,091,678
Asset revaluation reserve	3,488,693	3,488,693	3,466,496
Reserves ²	25,567	25,567	23,467
Total equity	4,643,030	4,473,103	4,581,641
Working capital ratio	4.69		

Note: All numbers are rounded to the nearest thousand.

- Cash reflects balances in the general ledger not actual bank account balances.
- Reserve funds comprise of Strategic Acquisition Fund (\$434,000), Open Space Development Fund (\$15.63 million) and Defined Benefits Superannuation future call up reserve (\$9.50 million).

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4.4 Statement of Cash Flows

	YEAR TO DATE			ANNUAL ORIGINAL BUDGET
	ACTUAL	YTD ANNUAL BUDGET	VARIANCE (unfav)	
	(1) \$'000	(2) \$'000	(1) - (2) \$'000	
Cash flows from operating activities				
Rates and waste charges ¹	77,260	69,979	7,281	214,458
Statutory fees and fines	3,292	4,257	(965)	13,794
User charges and other fines	2,431	2,818	(387)	16,965
Grants - operating	1,873	1,088	785	12,208
Grants - capital	192	-	192	3,238
Contributions - monetary ²	2,852	1,251	1,601	5,239
Interest received	1,352	1,125	227	4,500
Other receipts	1,914	1,622	292	7,335
Net GST refund	4,441	4,111	330	15,292
Trust funds and deposits taken ³	7,896	-	7,896	100
Employee costs ⁴	(22,573)	(23,850)	1,277	(105,444)
Materials and services ⁵	(32,517)	(31,291)	(1,226)	(106,654)
Short-term, low value and variable lease payments	(203)	(147)	(56)	(589)
Other payments	(1,922)	(2,275)	353	(8,118)
Net cash provided by/(used in) operating activities	46,289	28,688	17,601	72,324
Cash flows from investing activities				
Payments for property, infrastructure, plant and equipment ⁶	(12,837)	(14,999)	2,162	(80,595)
Proceeds from sale of property, plant and equipment	-	-	-	4,720
Net cash used in investing activities	(12,837)	(14,999)	2,162	(75,875)
Cash flows from financing activities				
Finance costs	(44)	(44)	-	(3,408)
Repayment of borrowings	(220)	(220)	-	(8,117)
Interest paid - lease liability	(79)	(79)	-	(313)
Repayment of lease liabilities	(924)	(1,533)	609	(6,130)
Net cash provided by (used in) financing activities	(1,267)	(1,876)	609	(17,968)
Net increase (decrease) in cash and cash equivalents	32,185	11,813	20,372	(21,519)
Cash and cash equivalents at beginning of year ⁷	146,251	128,170	18,081	128,170
Cash and cash equivalents at end of year	178,436	139,983	38,453	106,651

Note: All numbers are rounded to the nearest thousand.

1. Rates and waste charges are higher than budget due to timing and a higher collection rate (35.83%) than anticipated (33%).
2. Higher than planned developer open space contributions of \$1.60 million due to timing.
3. Trust funds and deposits includes the fire services property levy received which relates to the timing of fire services property levy and levy interest amounts received and subsequently remitted to the State Revenue Office (SRO) which are to be made in four payments in accordance with Section 41(1) of the FSPL Act. An instalment is due and payable to the Commissioner of State Revenue 28 days after the due date of rates instalments. Levy monies are to be remitted to the SRO by the following dates each financial year - 28 October; 28 December; 28 March; and 28 June.
4. Employee costs are \$1.28 million lower than budgeted primarily due to staff vacancies across the organisation.
5. Materials and Services are higher than budget due to timing of cash outflows \$1.23 million.
6. Payments for property, infrastructure, plant and equipment differs from that presented in the capital works statement due to settlement of the 30 June 2023 creditors and forward commitment expenditure. Works delivered in the 2022-23 financial year have previously been brought to account and accrued against the 2021-22 capital works statement.
7. For management reporting purposes, cash and cash equivalents at the beginning of the year include investments of \$79.50 million. These investments (term deposits) were classified as financial assets at 30 June 2023 as their maturity dates were greater than three months. The investments have been redeemed during July and August and classified as cash equivalents.

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4.5 Overview

This section details Council's financial performance for the period ended 30 September 2023.

The annual budget referred to in this report reflects the 2023-24 Annual Original Budget approved by Council on 19 June 2023.

Operating budget

The year to date surplus result of \$169.93 million is \$5.46 million above the Annual Original Budget surplus of \$164.47 million. The favourable result against year to date budget is due to a number of factors which are outlined below.

Year to date total recurrent and non-recurrent income is above budget by \$3.55 million comprising recurrent income of \$2.35 million and non-recurrent income of \$1.20 million, while year to date total recurrent and non-recurrent expenditure is \$1.92 million (\$1.87 million + \$45,000) below budget.

The following table includes explanations on major income and expenditure line variances over **\$75,000** against the year to date budget.

Definitions

Timing (T) = Year to date expenditure or income level is less/more than anticipated in the budget phasing. Anticipated this variance will correct by end of financial year without management action.

Permanent (P) = The dollars outlined as a permanent variance are anticipated to add/reduce the end of year result.

Forecast = Where a permanent variance has been determined, an expected full year forecast variance has been noted.

Phasing = When anticipated spread of expenditure/income across the financial year is expected to be spent/received.

Year to date actual vs. year to date budget variations.

Income		
Income line	Expected variance (P)ermanent (T)iming	Explanation Year to date actual vs year to date budget variations
Rates and charges \$289,000	T	Higher than budgeted income: <ul style="list-style-type: none"> \$289,000 - rates and charges income ahead of planned budget phasing.

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Income		
Income line	Expected variance (P)ermanent (T)iming	Explanation Year to date actual vs year to date budget variations
Statutory fees and fines (\$190,000)	T	Lower than budgeted income: <ul style="list-style-type: none"> • (\$137,000) - parking management income.
Grants - operating (\$91,000)	T	Lower than budgeted income: <ul style="list-style-type: none"> • (\$101,000) - Community Transport funding received lower than planned budget phasing.
Contributions - Cash \$1.42 million	T	Higher than budgeted income: <ul style="list-style-type: none"> • \$1.38 million - developers open space contributions received higher than planned budget phasing.
Rental income (\$137,000)	T	Lower than budgeted income: <ul style="list-style-type: none"> • (\$128,000) - lease income received lower than planned budget phasing.
Other income \$455,000	T/P	Higher than budgeted income: <ul style="list-style-type: none"> • \$478,000 - other income primarily due to the sale of right of ways.
Interest \$663,000	T	Higher than budgeted income: <ul style="list-style-type: none"> • \$663,000 - managed interest - due to interest on investments.

Expenditure		
Expense line	Expected variance (P)ermanent (T)iming	Explanation Year to date actual vs year to date budget variations
Employee costs \$118,000	T	Lower than budgeted expenditure: <ul style="list-style-type: none"> • \$1.03 million - salaries and associated costs primarily due to staff vacancies across the organisation.
	T	Offset by higher than budgeted expenditure: <ul style="list-style-type: none"> • (\$722,000) - temporary staff filling vacancies across the organisation.
	T	<ul style="list-style-type: none"> • (\$254,000) - overtime and casuals and relievers filling vacancies across the organisation.

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Expenditure		
Expense line	Expected variance (P)ermanent (T)iming	Explanation Year to date actual vs year to date budget variations
Materials and services \$1.48 million	T T T T T T T T T T	Lower than budgeted expenditure: <ul style="list-style-type: none"> \$324,000 - professional services and advice across the organisation. \$272,000 - trade services across the organisation. \$141,000 - legal fees expense. \$127,000 - waste/recycling disposal expense. \$99,000 - cleaning buildings internal expense. \$93,000 - insurance premium other expense. \$91,000 - consultants expense. \$91,000 - water supply expense. \$77,000 - infringements court filing fees expense. \$75,000 - mowing contractors expense.
	T T	Offset by higher than budgeted expenditure: <ul style="list-style-type: none"> (\$278,000) - licensing and maintenance contracts expense. (\$136,000) - plumbing services expense.
Other expenses \$267,000	T	Lower than budgeted expenditure: <ul style="list-style-type: none"> \$251,000 - special rates expenditure behind planned budget phasing.

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4.6 Balance Sheet and Cash Flow Statement

Cash and investment holdings are \$178.44 million as at 30 September 2023 which has increased by \$32.18 million from 30 June 2023.

Total cash and investment holdings are \$38.45 million higher than year to date budget primarily due to the opening balance of the cash and cash equivalents at the beginning of the year being \$18.08 million higher than budget. This was a result of having a higher cash balance at the end of 30 June 2023 largely due to the forward commitments from 2022-23 for Priority Projects of \$4.50 million and Capital Works of \$11.02 million, which were previously identified in the June 2023 Quarterly Financial Report, and also due to additional unearned grants received at 30 June of \$3.97 million for Capital Works.

Other favourable variances contributing to the higher cash and investment holdings are rates and charges of \$7.28 million due to a higher collection rate of 35.83% than anticipated of 33%. Trust funds and deposits is \$7.90 million higher, due to receiving Fire Services Property Levies (FSPL) of \$8.36 million. Council collects the fire service property levy on behalf of the State Government and remits the levies to the State Revenue Office in four payments in accordance with Section 41(1) of Fire Services Property Levy Act (FSPL). This item is not provided for in the Annual Budget as all monies received during the financial year are forwarded on to the State Revenue Office. The accounting treatment is in accordance with that approved by the Victorian Auditor-General's Office. Payments for property, infrastructure, plant and equipment are \$2.16 million lower than budget due to timing of cash outflows relating to the capital works program. Higher than planned developer open space contributions of \$1.60 million due to timing. Employee costs are lower than budget due to staff vacancies across the organisation.

This is partially offset by higher payments for materials and services of \$1.23 million due to timing.

The Balance Sheet as at 30 September 2023 indicates a satisfactory result with total current assets of \$336.82 million and total current liabilities of \$71.81 million.

The working capital ratio of 4.69 to 1 (includes a 0.5% or \$884,000 cash contingency for emergency response works and reserve funds of \$25.57 million) reflects the increase in current debtors resulting from the striking of the rates which will reduce by 30 June 2023 as Council funds its operating programs and capital works. The rate debt will be repaid over the remainder of the financial year in accordance with the payment options chosen by ratepayers.

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4.7 Capital Works

4.7.1 Capital Works Program summary

	YTD ACTUAL (1) \$'000s	YTD BUDGET (2) \$'000s	YTD VARIANCE (1) - (2) \$'000s	YTD VARIANCE %	COMMIT \$'000s	ANNUAL ORIGINAL BUDGET \$'000s
Infrastructure						
Bridges	514	-	(514)	100%	548	67
Drainage	1,402	1,343	(59)	-4%	843	5,244
Footpaths and cycleways	333	470	137	29%	161	2,388
Off street carparks	41	262	221	84%	157	852
Parks, open space and streetscapes	1,792	1,454	(338)	-23%	3,802	6,537
Recreational, leisure & com facilities	86	13	(73)	-562%	1,545	7,322
Roads	2,597	2,468	(129)	-5%	214	13,830
Total Infrastructure	6,765	6,010	(755)	-13%	7,270	36,240
Plant and Equipment						
Computers and telecommunications	246	265	19	7%	266	1,267
Fixtures, fittings and furniture	75	162	87	54%	782	1,682
Library books	167	250	83	33%	147	1,000
Plant machinery and equipment	101	209	108	52%	251	1,269
Total Plant and Equipment	589	886	297	34%	1,446	5,218
Property						
Building	3,196	3,223	27	1%	7,576	21,193
Building improvements	-	27	27	100%	-	352
Major Projects	369	235	(134)	-57%	14,313	17,592
Total Property	3,565	3,485	(80)	-2%	21,889	39,137
Total capital works expenditure	10,919	10,381	(538)	-5%	30,605	80,595
Represented by:						
Asset renewal expenditure	8,642	8,729	87	1%	20,892	54,456
Asset upgrade expenditure	601	40	(561)	-1403%	660	1,587
New asset expenditure	1,486	1,443	(43)	-3%	6,575	17,187
Asset expansion expenditure	190	169	(21)	-12%	2,478	7,365
Total capital works expenditure	10,919	10,381	(538)	-5%	30,605	80,595

Note: All numbers are rounded to the nearest thousand.

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4.7.2 Capital Works performance versus budget**Commentary (by exception)****Year to date actual vs. year to date Annual Original Budget**

Council's year to date performance in gross capital works expenditure is \$10.92 million which is \$538,000 above year to date budget phasing of \$10.38 million. The most significant variances being:

- **72585. Walmer Street Bridge - (\$514,000)**
The delivery of this project was originally delayed due to latent conditions and protracted authority approvals. Works are ahead of budget phasing primarily due to the timing of recognising final forward commitment from 2022-23 financial year as noted below. Works are progressing and are scheduled for completion by the end of December 2023.
- **72798. Lewin Reserve - (\$279,000)**
Construction of the new pavilion was originally delayed due to adverse weather conditions. Construction is scheduled for completion by the end of October 2023. Works are ahead of budget phasing primarily due to the timing of recognising final forward commitments from 2022-23 financial year as noted below. Demolition of the old pavilion is due to be completed by December 2023.
- **72939. Concrete drain relining - (\$118,000)**
Carry forward works from the 2022-23 financial year have been completed. Works are ahead of planned budget phasing primarily due to the timing of recognising final forward commitments from 2022-23 financial year as noted below. The 2023-24 programmed works have been tendered and are anticipated to be awarded by November 2023.

Partially offset by:

- **72934. Building Condition Audit works - \$302,000**
Building maintenance and improvement works have commenced across several Council facilities based on the building condition audit undertaken in 2022. Works are proceeding as planned with the delayed expenditure versus planned budget phasing due to the timing of finalisation of invoices received for processing.
- **73040. Parking Sensors - various shopping centre car parks - \$192,000**
Project has been delayed pending further information on parking technology landscape and architecture requirements before proceeding to tender. Works are anticipated to be completed by 30 June 2024.
- **72935. Lynden Park - \$169,000**
Commencement of works was delayed while temporary accommodation options for tenants were resolved. Construction is now underway and is scheduled for completion by June 2024.

Capital works committed expenditure as at 30 September 2023 is \$30.60 million (year to date actual and commitments equates to \$41.52 million).

The Amended Budget will include final forward commitments as noted in the June 2023 Quarterly Performance Report and will be used for management reporting purposes from October onwards.

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4.7.3 Major Projects Capital Works performance

Major Projects - Progress Update
Expenditure
For the period ending 30 September 2023

		YEAR TO DATE			ANNUAL
		ACTUALS	ORIGINAL ADOPTED BUDGET	VARIANCE	ORIGINAL ADOPTED BUDGET
Kew Recreation Centre	1	36,282	99,162	62,880	13,839,108
Tuck Stand	2	133,089	122,449	(10,640)	2,206,123
Library Redevelopment Kew	3	16,263	14,039	(2,224)	1,066,765
Total		185,634	235,650	50,016	17,111,996

All projects overseen by Project Control Groups.

1. Kew Recreation Centre

This is a multi-year project. Works have been delayed following a partial collapse of the steel roof structure on the 20 October 2022. Demolition of the partially collapsed steel roof structure has been completed. Further minor works will be undertaken on site while expert investigations continue and planning is undertaken for re-build. Industry experts will support planning to ensure all elements of this project are examined before construction resumes. Once a revised construction timeframe is confirmed, we will update the community.

2. Tuck Stand

This is a multi-year project. The project has been delayed due to ongoing condition and compliance investigations and scope confirmation. The estimated construction commencement date for this project is early 2026, with several minor works packages planned in the interim to address structural issues with the existing building.

3. Library Redevelopment Kew

This is a multi-year project. The project design brief is currently being finalised. It is anticipated that a consultant team will be engaged early in the 2024 calendar year.

4.8 Priority Projects

Commentary (by exception)

Year to date actual vs. year to date Annual Original Budget

Council's year to date performance in gross priority project expenditure is \$4.05 million which is \$45,000 below year to date budget phasing of \$4.09 million.

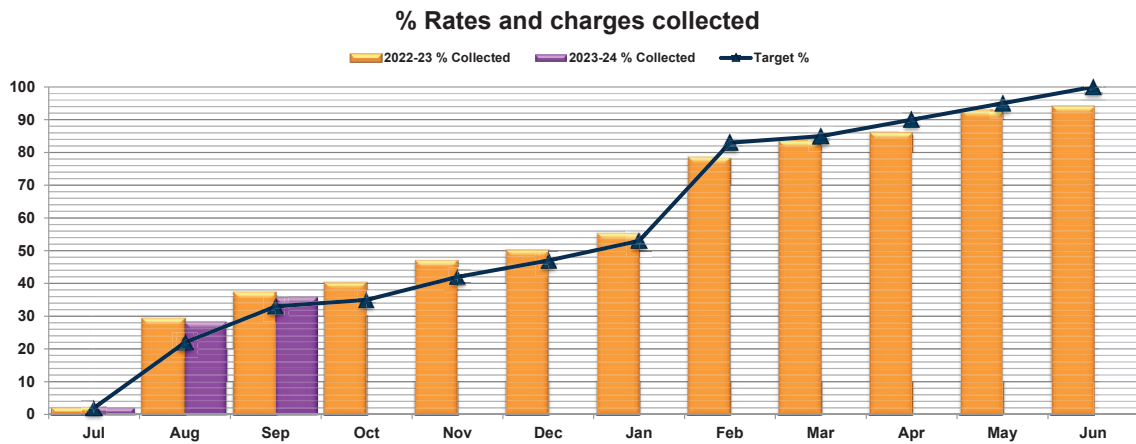
There are no significant variances to date.

Priority projects committed expenditure as at 30 September 2023 is \$17.36 million (year to date actual and commitments equates to \$21.41 million).

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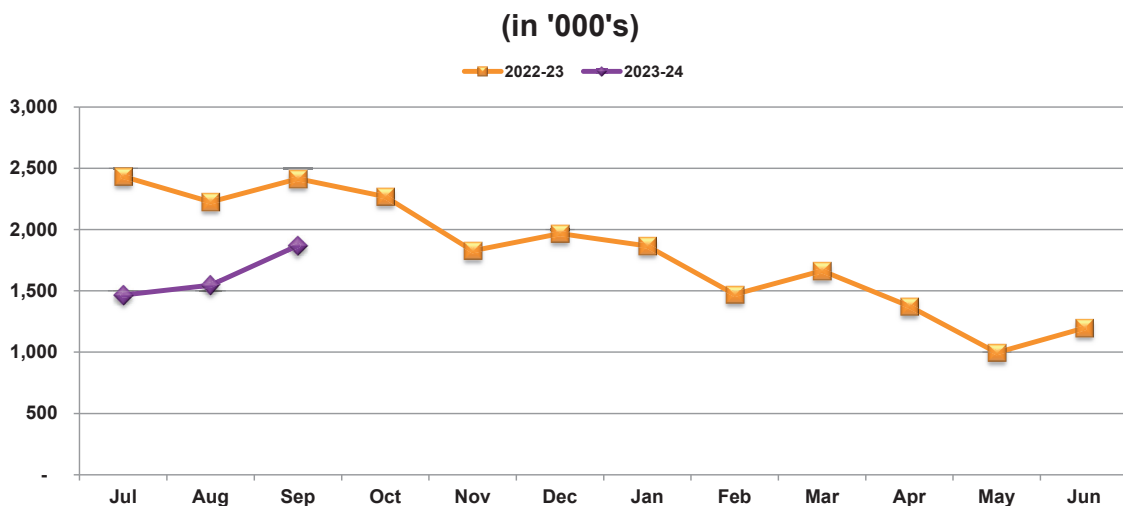
4.9 Debtors

4.9.1 Rate debtors



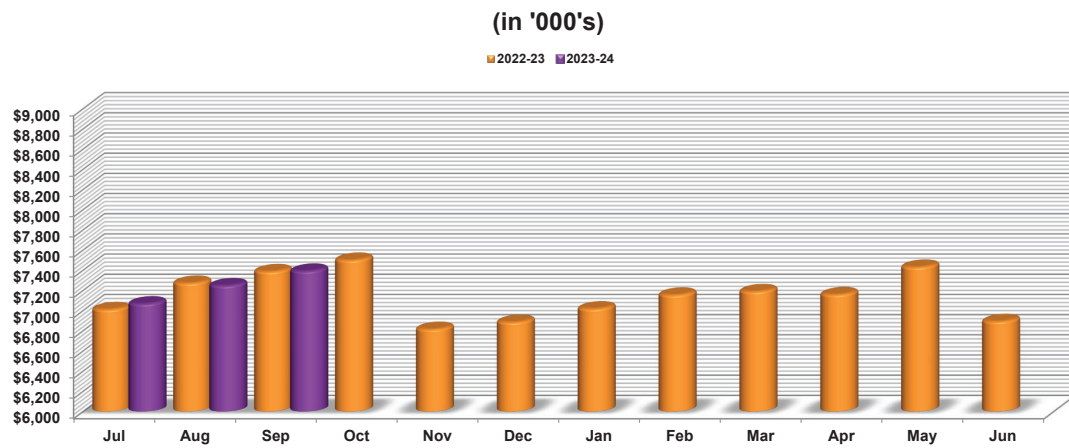
Rates and charges collection percentage at the end of September 2023 is 35.83% and is higher than the anticipated target of 33%. This is down from the 2022-23 year to date result of 37.40%.

4.9.2 Sundry debtors



The sundry debtors balance at the end of 30 September 2023 is \$1.87 million and is \$544,000 lower than the prior year. Balances will vary from year to year depending on individual transactions processed.

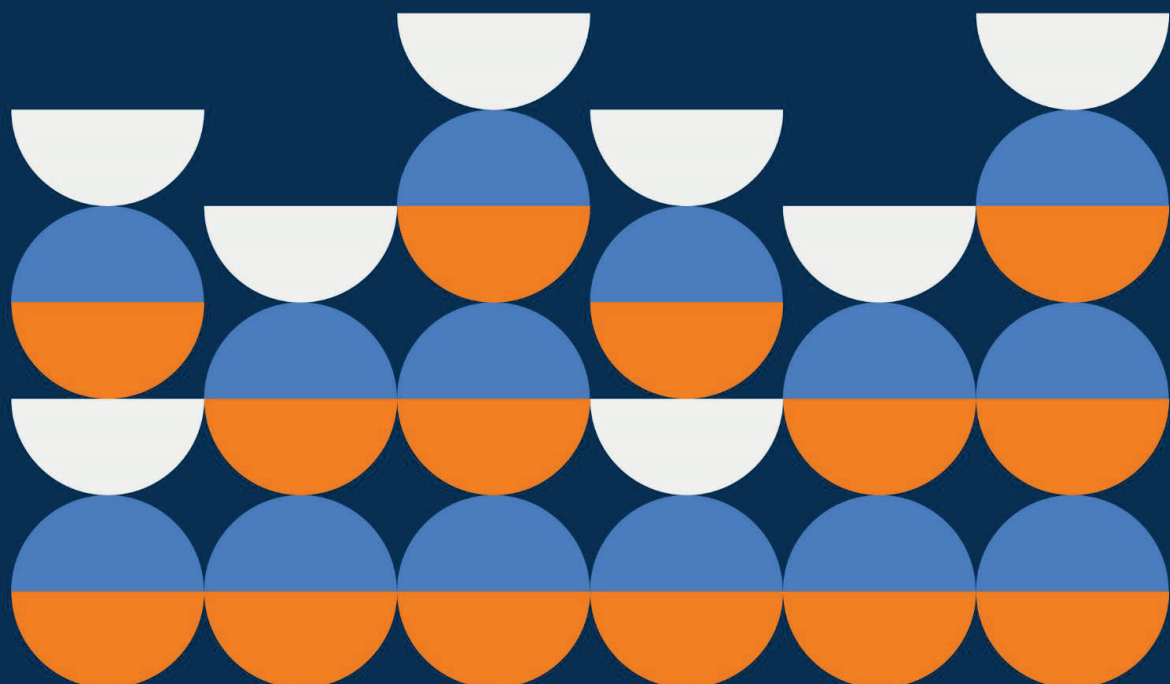
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4.9.3 Infringement debtors

The outstanding 'infringement debtors' balance of \$7.39 million is \$5,000 higher than the corresponding prior year period. This is primarily due to Parking Infringements debtors.

In accordance with Victorian Government legislation, the majority of these fines are now in the hands of Fines Victoria for the management and collectability of the fines. Council has no control over Fines Victoria debt collection performance.

Corporate Governance



5. Corporate governance

5.1 Publicly tendered contracts greater than \$500,000 (excluding GST) for goods, services and works.

Contracts Valued at \$500,000 or more (excluding GST) for Goods, Services and Works

The below table summarises key information relating to the awarded contracts in the first quarter of 2023-24 (1 July 2023 - 30 September 2023) valued at \$500,000 or more (excluding GST) in accordance with Council's adopted Procurement Policy 2021-25.

Contract	Contract Name	Description	Contract Type	Award Date	Awarded By	Contractor	Contractor History	Contract Term	Contract Value (ex GST)
2023/13	Victoria Road Reserve Reconstruction	Contractor to provide works for the reconstruction of the sports oval and surrounding sporting infrastructure at Victoria Road Reserve, Hawthorn East as part of the Turf Management Capital Works program.	Schedule of rates	24 July 2023	Council	Hendriksen Contractors Pty Ltd	Existing supplier to Council	Project expected to be completed by end of March 2024	\$1,649,077
2023/2	Provision of Mattress Collection & Recycling Services	This Contract will provide improvement to the quality of the recycling collections service and responsible processing of recyclable material managed as a resource.	Schedule of rates	21 August 2023	Council	WM Waste Management Services Pty Ltd	Existing supplier to Council	3 years + 1+1	\$795,000

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Contract	Contract Name	Description	Contract Type	Award Date	Awarded By	Contractor	Contractor History	Contract Term	Contract Value (ex GST)
2022/173	Lynden Park East - Oval Reconstruction	Reconstruction works of the Eastern sports oval at Lynden Park, Camberwell, as part of the Turf Management Capital Works program.	Lump Sum	11 September 2023	Council	SJM Turf & Civil Pty Ltd	Existing supplier to Council	1 Year & 6 Months (Including Defects Liability Period)	\$1,006,866
2022/172	Ashburton Park - Oval Reconstruction	Reconstruction works of the sports oval at Ashburton Park, Ashburton as part of the Turf Management Capital Works program.	Lump Sum	11 September 2023	Council	SJM Turf & Civil Pty Ltd	Existing supplier to Council	1 Year & 6 Months (Including Defects Liability Period)	\$1,066,387
2022/127	Provision of Pavement Line Marking Services	Provision of Pavement and Line Marking Services throughout the Municipality.	Schedule of rates	11 September 2023	Council	Trustee for Cannizaro Family Trust T/A 1st Class Linemarking RoadLinez Pty Ltd	New suppliers	3 Years+1+1	\$974,900

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5.2 Councillor expenses

As required by the Councillor Support and Resources Policy, the following costs or expenses were paid for, or reimbursed to Councillors year-to-date 30 September 2023 are reported below:

	Ward	TOTAL FOR	Information and	Fares/Cabcharge/	Travel/Vehicle/	Other	Professional	Councillor
		WARD	Communication	Parking	Accomm	Expenses	Development	Allowances
YTD SEP 2023	Cr Jim Parke - Bellevue Ward	\$ 9,732	\$ 305	\$ 36	\$ -	\$ -	\$ -	\$ 9,391
	Cr Felicity Sinfield - Cotham Ward (Mayor)	\$ 34,235	\$ 158	\$ 149	\$ 2,505	\$ 306	\$ -	\$ 31,117
	Cr Victor Franco - Gardiner Ward	\$ 9,470	\$ 79	\$ -	\$ -	\$ -	\$ -	\$ 9,391
	Cr Wes Gault - Glenferrie Ward	\$ 9,999	\$ 237	\$ 266	\$ -	\$ 105	\$ -	\$ 9,391
	Cr Di Gillies - Junction Ward	\$ 9,617	\$ 113	\$ 32	\$ -	\$ 81	\$ -	\$ 9,391
	Cr Lisa Hollingsworth - Lynden Ward	\$ 15,740	\$ 158	\$ -	\$ -	\$ 23	\$ -	\$ 15,559
	Cr Jane Addis - Maling Ward	\$ 9,745	\$ 270	\$ -	\$ 84	\$ -	\$ -	\$ 9,391
	Cr Cynthia Watson - Maranoa Ward	\$ 10,169	\$ 127	\$ 200	\$ 356	\$ 95	\$ -	\$ 9,391
	Cr Garry Thompson - Solway Ward	\$ 9,518	\$ 127	\$ -	\$ -	\$ -	\$ -	\$ 9,391
	Cr Nick Stavrou - Studley Ward	\$ 9,549	\$ 158	\$ -	\$ -	\$ -	\$ -	\$ 9,391
	Cr Susan Biggar - Riversdale Ward	\$ 9,579	\$ 188	\$ -	\$ -	\$ -	\$ -	\$ 9,391
Year to date total		\$ 137,353	\$ 1,920	\$ 683	\$ 2,945	\$ 610	\$ -	\$ 131,195

All information is produced directly from the financial ledger. The amounts claimed by Councillors vary for each Councillor. Not all Councillors claim motor vehicle or other expenses, and not all claims are made in time to be included in the relevant accounting period.

Other expenses

Other expenses include levies and charges, membership fees, minor equipment purchases, general administration, and childcare expenses.

Fleet charges and fuel

The Councillor Support and Resources Policy provides that a fully maintained vehicle shall be available to the Mayor and relevant fleet and fuel expenses are attributed to the Mayor of the day. Total fleet charges and fuel costs for Mayor Felicity Sinfield is \$2,505.

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5.3 Chief Executive Officer Expenses

The following reimbursements were paid to the Chief Executive Officer year-to-date 30 September 2023:

YTD SEP 23		TOTAL	Information and Communication	Fares/Cabcharge/Parking	Travel/Vehicle/Accomm	Professional Development	Equipment Purchases	Catering
	Executive Management	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Year to date total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

All information is produced directly from the financial ledger.

5.4 Citizen decision and process review

There were two requests received from the community during this quarter for a review of decisions via the Council decision and review process.

5.5 Excess annual leave analysis

Key Performance Indicator	2022-23 YTD Results	2023-24 YTD Results
Employees with more than 40 days annual leave		
Total number	23	36
Percentage	1.99%	3.70%

5.6 Confidentiality Agreements

No confidentiality agreements entered in Quarter 3.

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6. Grants progress report

Grant applications completed/pending for the September Quarter

Funding Body and Grant Program	Council Department	Council Project or Purpose	Closing Date Or Date submitted	Amount Requested	Status and amount granted
Creative Victoria - Eisteddfod Grants - Royal South Street Society	Arts and Culture	Support for the 2023 Boroondara Eisteddfod.	30/01/2023	\$4,900	Pending
Public Office of Victoria - Local History Grant Program	Arts and Culture	To support an oral history project to be undertaken for the redevelopment of the Glenferrie Oval Precinct.	30/01/2023	\$15,000	Unsuccessful
Sport and Recreation Victoria - 2022/23 Local Sports Infrastructure Fund (Round 2)	Health and Wellbeing Services	Boroondara Leisure and Aquatic Facilities (BLAF) Planning Study.	27/02/2023	\$40,000	Successful
Sustainability Victoria - SV Circular Economy Council's Fund	Environmental Sustainability and Open Spaces	Go Full Circle - implementation. Will see the iteration and further implementation of a recently completed pilot which addressed a gap in training and support available for businesses in hospitality and retail sectors to realise circular economy opportunities.	10/03/2023	\$260,000	Pending

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Funding Body and Grant Program	Council Department	Council Project or Purpose	Closing Date Or Date submitted	Amount Requested	Status and amount granted
Department of Social Services (DSS) - Strong and Resilient Communities (SARC) Volunteering grant	Community Planning and Development	Volunteering Boroondara: strengthening diversity and inclusion.	12/05/2023	\$100,000	Pending
National Library of Australia - Community Heritage Grants 2023	Arts and Culture	Enhanced storage Town Hall Gallery Collection storerooms and conservation treatment for Collection items. This application seeks funding to purchase new shelving units for the Town Hall Gallery Collection storerooms and to undertake conservation treatment for a number of Collection items as recommended by Grimwade Conservation Services in the Town Hall Gallery Collection Preservation Needs Assessment 2021.	31/05/2023	\$13,531.25	Pending
National Library of Australia - Community Heritage Grant Program	Arts and Culture	Support for enhanced storage Town Hall Gallery Collection storerooms and conservation treat for Collection items.	01/06/2023	\$13,531.25	Successful \$3,140
Department of Education - Building Blocks Capacity Expansion	Health and Wellbeing Services	The JJ McMahon Memorial Kindergarten renewal includes the reconstruction of the original 1961 building which is at the end of its life, securing kindergarten places for the future.	23/06/2023	\$1,700,000	Pending

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Funding Body and Grant Program	Council Department	Council Project or Purpose	Closing Date Or Date submitted	Amount Requested	Status and amount granted
		The works will deliver safe, functional, and renewed infrastructure, providing the kindergarten a facility which will meet the growing needs of children and families in Kew. The project will secure and maintain existing capacity and provide additional capacity for licenced places in Kew.			
Department of Education - Building Blocks Inclusion	Health and Wellbeing Services	Funding for installation of children's toilet partitions at Boroondara Preschool was submitted through the Building Blocks Inclusion grant to the Victorian School Building Authority.	23/06/2023	\$8,654	Pending
Department of Education - Building Blocks Inclusion	Health and Wellbeing Services	Funding for installation of children's toilet partitions at The Merrell Kindergarten was submitted through the Building Blocks Inclusion grant to the Victorian School Building Authority.	23/06/2023	\$15,000	Pending
Department of Education - Building Blocks Improvement - 2023 Minor Infrastructure	Health and Wellbeing Services	West Hawthorn Early Childhood Centre Security upgrade. The planned works will include installation of duress alarm with electronic system controls to allow override switch in case of an emergency situation.	05/09/2023	\$9,332	Pending

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Funding Body and Grant Program	Council Department	Council Project or Purpose	Closing Date Or Date submitted	Amount Requested	Status and amount granted
Department of Education - Building Blocks Improvement Grant	Health and Wellbeing Services	Deepline Preschool Renewal.	06/09/2023	\$750,000	Pending
Department of Transport and Planning - Blackspot Program	Traffic and Transport	To improve safety at the intersection of Carson Street and Stevenson Street.	06/09/2023	\$31,008	Successful
Department of Education - Children's Week Grant - 2023	Health and Wellbeing Service	Boroondara Play Day - A special Boroondara Play Day at Kew Traffic School. With a range of fun activities on offer like art and craft, storytime and bike or scooter riding. The play sessions will showcase the 2023 theme by offering a range of play and relaxation opportunities.	12/09/2023	\$700	Pending
Safe and Equal - 16 Days of Activism Local Government Grassroots Initiative	Health and Wellbeing Service	During 16 Days of Activism 2023, the City of Boroondara plans to deliver a suite of programs and activities to drive community awareness and build capacity in responding to gender-based violence.	16/09/2023	\$1,500	Pending

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Grant Status	Number of Grants*
Grant applications submitted for the September quarter	5
Successful grants	3
Unsuccessful grants	1
Grants pending	11

**Note: Totals provided in the table include grants submitted in the last quarter and grants still pending outcome.*

Contact us

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After hours emergencies: 9278 4444

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Customer Service centre:

Camberwell office
8 Inglesby Road, Camberwell

For speech or hearing impaired:

National Relay Service TTY 13 36 77
Speak and Listen 1300 555 727

Free interpreting service: 9278 4002



Attachment 2

2023-24 FEES AND CHARGES SCHEDULE

Fees and charges to be changed	Statutory Fee	UNIT	ADOPTED GST inclusive 2023-24 fee \$	PROPOSED GST inclusive 2023-24 fee \$	Fee increase \$	Fee increase %	GST applied at 10%	Policy / Strategy Act / Regulation	Pricing Policy Category
AMENDED FEES									
Urban Living - Planning and Placemaking									
Other Fees and Charges									
Fee for applications made under the Tree Protection Local Law, including works within 2 metres of a Canopy Tree or works within the Tree Protection Zone of a Significant Tree	N	Per Tree	\$88 (per tree sought to be removed or works within 2 metres of a Canopy Tree or within the Tree Protection zone of a Significant Tree), \$44.00 (per Significant Tree sought to be pruned)	\$140 (per tree sought to be removed or works within 2 metres of a Canopy Tree or within the Tree Protection zone of a Significant Tree), \$70.00 (per Significant Tree sought to be pruned)	\$52 (per tree sought to be removed or works within 2 metres of a Canopy Tree or within the Tree Protection zone of a Significant Tree), \$26.00 (per Significant Tree sought to be pruned)	59%	N	Pricing Policy	Full Cost Recovery Pricing
Commentary for amended fees: The current fee is \$88 to remove or work near a tree protected by the Tree Protection Local Law and \$44 to prune a significant tree. Current staff costs to process, inspect and provide an outcome for an application ranges from approximately \$80-\$192 depending on the complexity. This estimate does not include administrative and management costs or on-costs such as vehicle use, mobile SIM data and equipment. The average cost to Council for an application is estimated to be \$140. Approximately 900 applications are received each year. This equates to an annual estimated direct subsidy for the service of more than \$25,000. An increased fee for an application will assist in covering costs to process and determine applications and fund additional resources for the Urban Planning Forestry team to undertake proactive services related to replacement tree inspections, and property advice to customers when undertaking demolition and building proposals. The increased fee will remain less than the cost of a tree removal application under the planning scheme which is \$214.									

7.4 Contract No. 2023/36 - Dorothy Laver West Reserve - Playing Surface Renewal

Executive Summary

Purpose

The purpose of this report is for Council to consider the award of Contract No. 2023/36, Dorothy Laver West Reserve - Playing Surface Renewal.

Background

Council requires a suitably qualified organisation to provide works for the playing surface renewal of Dorothy Laver West Reserve, Glen Iris, as incorporated in the 2023/24 Capital Works Program and in accordance with the requirements of the technical specifications.

The works include:

- Demolition of existing playing field surface;
- Bulk earthworks including installation of additional sand slit drainage lines and new sand carpet soil layer;
- Adjustments to existing irrigation system; and
- Turf resurfacing works.

The works are expected to be completed by May 2024. Further works will be completed prior to the 2025 winter season, via a separate contract, to reinforce sections of the playing surface with an advanced reinforced turf system.

Key Issues

For these works to be completed, Dorothy Laver West Reserve will be closed to the public including use by the allocated clubs, Alamein Football Club (AFC) and Ashburton United Soccer Club (AUSC).

Due to the impact of the closure, Council Officers will offer support to both clubs in the form of an alternative training venue within the City of Boroondara.

Next Steps

Upon award of the contract, Council will oversee the management of the principal contractor engaged to deliver the works.

Confidentiality

Confidential information is contained in **Confidential Attachment 1**, as circulated in the confidential section of the agenda attachments. The information in this attachment is deemed to be confidential in accordance with Section 66(2)(a) and the definition of 'confidential information' in Section 3(1) of the Local Government Act 2020. The information relates to private commercial information, being information provided by a business, commercial or financial undertaking that—(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

If discussion of the confidential information in the attachments to this report is required for Council to make a decision, Council may resolve to discuss the matter in a confidential session or to defer the matter to the confidential section of the agenda.

Officers' recommendation

That Council resolve to:

1. Award Contract No. 2023/36, Dorothy Laver West Reserve - Playing Surface Renewal, to Hendriksen Contractors Pty Ltd (ABN 98 093 866 758) for a total cost of \$858,023.10 (including GST). The cost to Council after the return of GST Input Credits is \$780,021.00
2. Authorise the Director Places and Spaces to sign and execute the contract on behalf of the Council and to authorise invoices to an amount not exceeding \$780,021.00 excluding GST.
3. Approve the allocation of a separate contract contingency as detailed within the attached confidential Attachment 1 and delegate authority to the Contract Superintendent to expend this contingency to ensure the successful completion of the contract works.
4. Note that expenditure under this contract is in accordance with Council's 2023/24 adopted budget and expenditure in future years will be in accordance with the approved budget allocations.

Responsible director: Daniel Freer, Director Places and Spaces

1. Purpose

The purpose of this report is to seek Council support to award Contract No. 2023/36, Dorothy Laver West Reserve - Playing Surface Renewal.

2. Policy implications and relevance to community plan and council plan

This contract aligns with the following themes and strategies in the Boroondara Community Plan (2021-31) and Council Plan (2021- 25):

Theme 1 - Community, Services and Facilities

Strategy 1.1: Neighbourhoods and community spaces facilitate social connections and belonging by providing, maintaining and activating places for people to meet, organise activities and celebrate events.

Strategy 1.4: Facilities and sports precincts encourage equal access through social planning, delivery, asset maintenance and renewal activities.

Theme 2 - Parks and Green Spaces

Strategy 2.1: Parks and green spaces enable sport and recreation opportunities by maintaining and improving recreation spaces and equipment.

Strategy 2.3: Parks and green spaces are accessible and appealing through maintaining, improving and increasing amenities.

This procurement process has been carried out in accordance with the requirements of Council's Procurement Policy 2021-25.

3. Background

Each calendar year the Council sportsgrounds including associated assets are audited and scored against an asset condition scale. Additional data collected on community and sports club usage assists to develop a priority list for the Capital Works Program which determined Dorothy Laver West Reserve, Glen Iris is a high priority for a playing surface renewal.

Council allocated a budget for works at Dorothy Laver West Reserve and now requires a suitably qualified organisation to undertake the playing surface renewal to be completed by May 2024.

Invitation to tender

In accordance with Council's Procurement Policy 2021-25, Council invited public tenders from suitably qualified organisations to provide works for the playing surface renewal of the sports oval at Dorothy Laver West Reserve, Glen Iris.

An Invitation to tender was advertised in the Local Government tender section of "The Age" newspaper on Saturday 9 September 2023 and on Council's e-tendering portal, VendorPanel. The closing date for submissions was 2pm, Monday 2 October 2023.

In response to the advertisement, Council received two (2) submissions:

- Green Turf Pty Ltd; and
- Hendriksen Contractors Pty Ltd.

4. Outline of key issues/options

The specification has been developed to ensure that all work under this contract is to be performed by an experienced Contractor, with safe work practices a clear priority.

It is anticipated that some disruption to material supply may occur. To avoid delay of works, the successful tenderer will be requested to secure supply of key materials as a priority action upon award of the Contract.

For the duration of the contract works, Dorothy Laver West Reserve will be closed for use. Council Officers will work with the Alamein Football Club and Ashburton United Soccer Club to provide alternative training options during this time.

Further works will be undertaken prior to the 2025 winter season. These works will reinforce sections of the playing surface using a new grass stitching technology (SISGrass). SISGrass is an advanced reinforced turf system, which is a 95% natural grass surface with high performance polyethylene fibres inserted into the surface, offering more playing hours and faster pitch recovery than 100% natural surfaces. By incorporating this technology into high wearing areas of the playing surface, recovery and performance of the turf in those areas will be significantly improved. This process is not to be included under Contract No. 2023/36 as it needs to be undertaken after the turf surface is fully established. A separate procurement process will be undertaken for these works.

5. Collaborative Procurement Opportunities

Due to the specialist nature of the works, there is no opportunity for collaborative procurement for this Contract.

6. Consultation/communication

An Information letter about the proposed project will be distributed to all surrounding residents of Dorothy Laver West Reserve during November 2023. Signage displaying information of the project will also be installed around Dorothy Laver West Reserve throughout the project construction.

Both Dorothy Laver West Reserve allocated clubs (Alamein Football Club and Ashburton United Soccer Club) were consulted on the project and were supportive. The clubs will also be provided with the information letter.

Due to the required closure of Dorothy Laver West Reserve during the scheduled works, Council Officers will continue to engage with Alamein Football Club and Ashburton United Soccer Club to provide an alternative training venue within the municipality during the sportsground closure.

7. Financial and resource implications

Council's 2023-24 adopted budget contains a total allocation of \$1,000,000.00 for the playing surface renewal at Dorothy Laver Reserve West.

The Project Budget allocation is available from the following 2023-24 Adopted Budget as follows:

73079. Dorothy Laver Reserve	<u>\$1,000,000.00</u>
Total Project Available Budget	\$1,000,000.00

Proposed Project Expenditure:

Construction Cost (Contract No. 2023/36)	\$ 692,541.00
Plus additional recommended sand slit drainage works (Optional Item)	<u>\$ 87,480.00</u>

Total Construction Cost	\$ 780,021.00
Other Project Costs	<u>\$ 78,002.10</u>

Total Project Expenditure	\$ 858,023.10
----------------------------------	----------------------

Total Remaining Budget Allocation after Construction Costs:

Remaining budget allocation	\$ 141,976.90
Minus construction design costs	<u>- \$ 990.00</u>
Total Remaining Budget allocation	\$ 140,986.90

The balance of this budget allocation (\$140,986.90) will be carried forward into financial year 2024/25 and utilised to reinforce sections of the playing surface with SISGrass.

8. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

This tender process has been carried out in accordance with the requirements of Council's Procurement Policy 2021-25.

9. Social and environmental issues

The Dorothy Laver West Reserve playing surface renewal will have a significant positive impact for both of the allocated sporting clubs by improving the condition of the playing field. The playing surface renewal will also play a vital role in improving and maintaining the health and wellbeing of the wider community in the Dorothy Laver West Reserve area who are able to use the oval for informal activities outside of allocated sporting times.

10. Evaluation and review

The evaluation report is provided as **Confidential Attachment 1.**

As a result of the evaluation, the evaluation panel recommends that Council award Contract No. 2023/36, Dorothy Laver West - Playing Surface Renewal to:

- Hendriksen Contractors Pty Ltd (ABN 98 093 866 758)

Manager: David Shepard, Manager Environmental Sustainability & Open Spaces

Report officer: Steven Vernon, Project Planning and Delivery Officer

7.5 Tree Protection Local Law Update

Executive Summary

The purpose of this report is to outline proposed amendments to the current Tree Protection Local Law ('Local Law'). An update to the Local Law will enable consistency and alignment with the *Local Government Act 2020* ('Act').

The original Tree Protection Local Law for trees on private land commenced operation in November 2006 and was replaced with the current Local Law in November 2016. The local law was made pursuant to the *Local Government Act 1989* ('previous Act'). Under the previous Act, the Local Law ends 10 years after it was made, in November 2026.

The new Act was introduced in 2020. The relevant differences in the legislation include how local laws can be enacted, limits on how local laws can operate and the value of penalty units that apply when an offence under a local law is committed.

This report details the timeline and next steps for updating the Tree Protection Local Law.

Officers' recommendation

That Council resolve to commence the formal process to amend the Tree Protection Local Law pursuant to the *Local Government Act 2020*.

Responsible director: **Scott Walker, Director Urban Living**

1. Purpose

The purpose of this report is to inform Councillors of the proposed changes and implications to the operation of the current Tree Protection Local Law and to seek a Council resolution to commence the process to update the Local Law.

A full copy of the draft local law is included at **Attachment 1** of this report.

2. Policy implications and relevance to community plan and council plan

The current local law is consistent with actions contained within the Council Plan 2021-2025, Boroondara Community Plan 2021-2031 and the Climate Action Plan 2021.

The update to the Tree Protection Local Law will ensure that consistency is maintained with these current Council plans and will support future strategies such as the Tree Canopy Strategy and Urban Biodiversity Strategy.

3. Background

The current tree local law is administered within the Planning and Placemaking Department in the Urban Living directorate. Each year approximately 1000 applications are received to remove or work near trees protected under the local law. Each application is assessed by a qualified officer in the Urban Planning Forestry team. Approximately 60% of applications result in a permit being issued, and tree removal permits typically contain conditions that require a replacement tree to be planted.

The Urban Planning Forestry team investigates and enforces approximately 300 potential breaches of the local law each year, undertaking site inspections, directing replacement tree planting, issuing infringements and referring matters to the Magistrates Court.

The current local law has been an effective mechanism for protecting existing trees from unnecessary removal and from potential damage and removal caused during property development.

The key benefits of the Local Law since its inception in November 2006 include that:

- It has established a regulatory framework and a process for assessing and determining tree related applications. This has resulted in consistent and equitable decisions, made in a timely manner. Without this regulatory framework, there would be limited ability to control vegetation removal from private property in the municipality, and a significantly greater number of trees would have been removed from the municipality over the last 17 years.
- In 2017 *Greenspace Consultants* were engaged to undertake an assessment of canopy cover across the municipality and analysis of the efficacy of the Tree Protection Local Law between 2006 and 2016. The

analysis identified that canopy cover on private land decreased overall from 23.3% to 22.9%, but some suburbs had increased their canopy cover in this time. In 2022, *ArborCarbon* were engaged to undertake an assessment of canopy cover across the municipality and identified that canopy cover on private land was 23.3%. Considering these assessments, it suggests that between 2006 and 2022 the Local Law has met its aim of protecting tree canopy on private land.

- Permits issued under the Local Law allow for a regime of replacement tree planting to be applied and enforced. This would not be possible without the regulatory framework established by the current Local Law.

4. Outline of key issues/options

Notwithstanding the benefits of the Local Law outlined under Section 3 of this report, the amendments seek to overcome the existing shortcomings of the local law, which have been identified following a review.

The current shortcomings include:

- The maximum penalty for an offence under the *Local Government Act 1989* is \$2,000. This is not considered an adequate deterrent to prevent illegal removal and damage of protected trees.
- The definition of “damage” limits opportunities to enforce poor arboricultural pruning techniques and negligent building and excavation practices.
- The definition of “works” is too narrow and does not adequately address the impact of demolition works on tree health and condition.
- Clause 11(2) presently raises potential issues with respect to property owner’s rights.
- There is presently an inconsistency between the way trees are measured under the Local Law and the relevant Australian Standards.
- Clause 8(5)(e) does not allow for the ongoing protection of trees required to be planted as a condition of a Notice to Comply.

The proposed changes set out in the updated Local Law are important steps to overcome the current shortcomings identified above.

The following table on the following page summarises the proposed amendments and provisions which would differ from the existing Local Law.

Table 1 - Summary of changes to be made to the Tree Protection Local Law:

Clause	Description
7	Change definition of a <i>canopy tree</i> to be consistent with the tree measurements under Australian Standard 4970-2009.
	Change the definition of the term <i>damage</i> to broaden what constitutes damage to a protected tree.
	Update Clause to reference the <i>Local Government Act 2020</i> .
	Addition of “ <i>Demolition</i> ” to the definition of “ <i>Works</i> ”.

11(2)	Changes to clarify a neighboring property owners' rights to submit an application to undertake works within 2 meters or pruning of a canopy tree located on an adjoining property.
8(5)(e)	Inclusion of the requirement to obtain a permit to remove a tree planted as a condition of a Notice to Comply.
16(2)(b)	Change to the value of a penalty unit in accordance with the <i>Local Government Act 2020</i> .
19	Inclusion of a new clause to be consistent with <i>Local Government Act 2020</i> .

Table 2 – Proposed steps to update Local Law:

The formal process to amend the Tree Protection Local Law is outlined in the following table:

Drafting of Local Law (Complete)	A draft Tree Protection Local Law 2024 is prepared by Maddocks pursuant to the Local Government Act 2020
Council decision to commence (December 2024)	Council resolves to commence formal process to update the Tree Protection Local Law
Commence consultation (Feb 2024)	Commence notification and community consultation on the proposed update of the Tree Protection Local Law
Review consultation feedback	Review, consideration and response to submissions received from the community consultation.
Redraft to address issues arising from submissions	Final draft of updated Tree Protection Local Law prepared by Maddocks
Commencement of new Tree Protection Local Law (By mid 2024)	Commencement of the new local law and advertisement in the Victoria Government Gazette

5. Consultation/communication

Community consultation will commence as per the proposed timeline above.

6. Financial and resource implications

There do not appear to be any immediate significant financial and resource implications of the updating of the local law. However, the operational implications will need further consideration following consultation feedback. There may also be some positive additional income associated with the increased infringement penalty.

7. Governance issues

No officers involved in the preparation of this report have a general or material conflict of interest requiring disclosure under chapter 5 of the Governance Rules of Boroondara City Council.

The recommendation contained in this report is compatible with the Charter of Human Rights and Responsibilities 2006 as it does not raise any human rights issues.

8. Social and environmental issues

The review of the Local Law has a range of social and environmental benefits, as discussed in this report and relevant attachments. These include contributing to aesthetic values, neighbourhood character and ecology.

Manager: David Cowan, Manager Planning and Placemaking

Report officer: Chris Spencer, Team Leader – Urban Planning Forestry;
Daniel Murphy, Planning Appeals Coordinator.



CITY OF BOROONDARA TREE PROTECTION LOCAL LAW 2024

Date Made By Council:	TBC
Commencement Date:	TBC
Expiry Date:	TBC
Responsible Directorate:	Urban Living

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CITY OF BOROONDARA

TREE PROTECTION LOCAL LAW 2024

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CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024****TREE PROTECTION LOCAL LAW 2024****PART A – INTRODUCTION****1. Title**

This Local Law may be cited as the Tree Protection Local Law TBC.

2. Purpose of this Local Law

The objectives of this Local Law are to:

- (1) ensure that the established treed character of the ***Municipal District*** is maintained; and
- (2) prohibit, regulate and control any activities which may endanger ***Significant Trees*** and ***Canopy Trees*** within the ***Municipal District***.

3. Authorising Provision

This Local Law is authorised by section 71(1) of the *Local Government Act 2020*.

4. Commencement Date

This Local Law begins on TBC.

5. Sunset (Revocation) of this Local Law

This Local Law ends on TBC unless sooner revoked.

6. Application of this Local Law

This Local Law applies at all times throughout the ***Municipal District***.

7. Definitions in this Local Law

Some of the terms used in this Local Law are defined.

They are identified by ***bold italics*** and have the following meanings:

“***Act***” means the *Local Government Act 2020*, or any later equivalent enactment.

“***Authorised Officer***” means a person appointed by ***Council*** under section 224 of the *Local Government Act 1989*.

“***Canopy Tree***” means any tree:

- (a) with a total trunk circumference of 110 centimetres or more measured at a point 1.4 metres along the trunk’s length from the closest point above ground level; or
- (b) if multi-stemmed, with a total trunk circumference of all its trunks of 110 centimetres or more measured at a point 1.4 metres along the trunks’ lengths from the closest point above ground level; or
- (c) with a trunk circumference of 150 centimetres or more measured at ground level.

Note: See Schedule 1, Diagrams 1 and 2

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024**

“**Council**” means Boroondara City Council.

“**Damage**” means to interfere so as to impair the tree’s health, structure or stability, and **Damaged** has a corresponding meaning.

“**Land**” includes:

- (a) buildings and other structures permanently or temporarily fixed to land; and
- (b) land covered with water; and
- (c) the airspace above and the earth below the land.

“**Municipal District**” means the municipal district **Council**.

“**Notice to Comply**” means a Notice in writing given by an **Authorised Officer** or **Council** under this Local Law directing the person to whom it is addressed to take some action to comply with the Local Law.

“**Offence**” means an offence against or breach of a provision of this Local Law or a breach of a notice or direction issued under it.

“**Penalty**” means the fine prescribed under this Local Law for an **Offence**.

“**Permit**” means a permit issued under this Local Law.

“**Private land**” means all **Land** other than **Public Land**.

“**Prune**” means to remove any branches of a tree which are greater than 50 millimetres in diameter at the point of contact with the larger branches or the trunk, and **Pruning** has a corresponding meaning.

“**Public Land**” means all **Land** owned, leased, managed or occupied by a public body, including **Council**.

“**Significant Tree**” means a tree listed in the **Significant Tree Study**.

“**Significant Tree Study**” means the study prepared by John Patrick and Associates in May 2001 of trees and vegetation within the **Municipal District** that are considered to be of environmental, historic, horticultural, bio-diversity or other value, and includes any amendment to the study (such as any Schedules added to the study).

“**Structural Root Zone**” means the area surrounding a **Canopy Tree’s** trunk, being a circular area below the tree extending at equal distances from the tree base in all directions, the radius of which is 2 metres.

Note: See Schedule 1, Diagram 4

“**Tree Protection Zone**” means the area surrounding a **Significant Tree’s** trunk, being a circular area below the tree extending at equal distances from the tree base in all directions, the radius of which is 12 times the trunk diameter measured at 1.4 metres above ground level, to a maximum of 15 metres.

Note: See Schedule 1, Diagram 3

“**Works**” includes demolition, building, trenching, digging, compaction, excavation, fill or storage of materials and equipment, whether by mechanical or manual methods.

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024**

PART B – THE CONTEXT OF THIS LOCAL LAW

This Part is intended to help you understand the context in which the Local Law is made. It is not intended to affect the interpretation of any provisions in other Parts of the Local Law.

Council recognises the contribution that the **Municipal District's** tree canopy makes to the quality of its suburban environment. **Damage** to or the removal of **Significant Trees** or **Canopy Trees** results in a degradation of this established character. **Council** also acknowledges that trees in the urban environment have a series of environmental benefits, such as reducing the impact of the urban heat island effect, reducing the effects of climate change, reducing temperatures in and around buildings, reducing stormwater runoff, absorbing pollution, providing habitat and promoting biodiversity. This Local Law is based on the following principles:

1. **Significant Trees** must be retained and cared for and will be the major determining factor in any redevelopment of **Land** in the vicinity of the tree.
2. Trees that contribute to the **Municipal District's** overall tree canopy character should be retained where practicable. **Works** near **Significant Trees** or **Canopy Trees** should be minimised to prevent **Damage** and disruption to tree roots or growing conditions.
3. Owners of **Land** and or contractors will be responsible for the loss or **Damage** of **Significant Trees** or **Canopy Trees** that are required to be retained.

This Local Law gives **Council** the necessary controls to effectively caretake trees listed in the **Significant Tree Study**, ensuring they are maintained in accordance with the urban character, local amenity and biodiversity of the **Municipal District**.

CITY OF BOROONDARA

TREE PROTECTION LOCAL LAW 2024

PART C – TREE PROTECTION

8. Protection of Trees

(1) This clause 8 applies to:

- (a) any **Significant Tree**; and
- (b) any **Canopy Tree**

where the tree, as described above, is situated on any **Private Land**, whether or not the tree extends beyond the boundary of that **Private Land**. For the avoidance of doubt, this clause does not apply to such part of a tree that is above or below **Land** which is not **Private Land**.

(2) The **Significant Tree Study**, as amended by the addition of Schedules from time to time, is incorporated into this Local Law, with any amendment made to a Schedule coming into effect when it is published in the *Victoria Government Gazette*.

(3) A person must not, without a **Permit**:

- (a) remove, **Prune**, **Damage** or kill or direct, authorise or allow to be removed, **Pruned**, **Damaged** or killed a **Significant Tree**;
- (b) carry out or direct, authorise or allow to be carried out any **Works** within the **Tree Protection Zone** of a **Significant Tree**;
- (c) remove, **Damage** or kill or direct, authorise or allow to be removed, **Damaged** or killed a **Canopy Tree**;
- (d) carry out or direct, authorise or allow to be carried out any **Works** within the **Structural Root Zone** of a **Canopy Tree**;¹ or
- (e) remove, **Damage** or kill or direct, authorise or allow to be removed, **Damaged** or killed a tree required to be planted as a condition of a **Permit** or **Notice to Comply** issued in accordance with this Local Law.

Maximum Penalty: twenty (20) Penalty Units

(4) Clause 8(3) does not apply to:

- (a) a person whose actions are required by any other legislation or by any other statutory authority; or
- (b) a person acting in accordance with an instruction or direction from an **Authorised Officer**

(5) If a tree, or part of a tree, is removed, **Damaged** or killed contrary to clause 8(3), the owner of any **Private Land** on which the relevant part of the tree is on, over or under is guilty of an offence, whether or not the person who actually removed, **Damaged** or killed the tree is identified or prosecuted, unless the owner can prove that the removal, **Damage** or killing was undertaken by another party without the owner's knowledge. For the avoidance of doubt, where a **Significant Tree** or **Canopy Tree** extends over

¹ Note: Notwithstanding this sub-clause 8(3)(d), it is an offence under sub-clause 8(3)(c) to 'remove, **Damage** or kill or direct, authorise or allow to be removed, **Damaged** or killed a **Canopy Tree**'. Accordingly, **Works** occurring outside the **Structural Root Zone** of a **Canopy Tree** will constitute an offence under sub-clause 8(3)(c) if such **Works** remove, **Damage** or kill that tree.

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024**

multiple parcels of **Private Land**, the owner of the **Land** on, over or under which the part of the tree which has not been interfered with is located is not guilty of an offence.

9. Power of Authorised Officer to Direct – Notice to Comply

- (1) An **Authorised Officer** may, by **Notice to Comply** given to the owner of **Private Land** or any contractor or other person engaged in **Works** on **Private Land** who appears to be in breach of this Local Law, direct the owner, contractor or other person to remedy any situation which constitutes a breach under this Local Law.
- (2) An **Authorised Officer** may by **Notice to Comply** direct a person who appears to be in breach of this Local Law to plant by way of replacement one or more trees of a type and in a location specified by **Council** or the **Authorised Officer**.

10. Time to Comply

- (1) A **Notice to Comply** must state the time and date by which the situation must be remedied.
- (2) The time required by a **Notice to Comply** must be reasonable in the circumstances having regard to:
 - (a) the amount of work involved;
 - (b) the degree of difficulty of the work involved;
 - (c) the availability of necessary materials or other necessary items; and
 - (d) any other relevant factor.
- (3) A **Notice to Comply** must also include:
 - (a) the name of the alleged offender (if known);
 - (b) the provision of this Local Law which appears to have been breached;
 - (c) the date on which it was given to the owner, contractor or other person; and
 - (d) the name of the **Authorised Officer** who has given it.

PART D – ADMINISTRATION**11. Applications for Permits**

- (1) An application for a **Permit** must be made in writing using a form provided by **Council** and must be accompanied by the appropriate fee as determined by **Council** from time to time.
- (2) Where an application for a **Permit** is made by a person who is not the owner of the **Private Land** on which the tree removal, **Pruning** or **Works** are to occur, the application must be accompanied by a document evidencing the owner's consent to the application for the **Permit** being made.
- (3) If required to do so by **Council** or an **Authorised Officer**, an applicant must provide additional information before the application for a **Permit** is considered.

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024****12. Permits**

- (1) **Council** or an **Authorised Officer** may, after considering the application for a **Permit**:
 - (a) issue a **Permit**, with or without conditions;
 - (b) refuse to grant a **Permit**; or
 - (c) determine that a **Permit** is not required.
- (2) In determining whether to grant a **Permit** under this Local Law, **Council** or **Authorised Officer** must take the following into consideration, to the extent it considers or they consider appropriate:
 - (a) the effect of the proposed action on the aesthetics of the neighbourhood;
 - (b) whether the tree is a **Significant Tree**;
 - (c) the condition of the tree (i.e. its health and structural integrity);
 - (d) the appropriateness of the tree for its location on the property having regard to the existing buildings and conditions on the property;
 - (e) whether the proposed action is to be undertaken for reasons of health or safety;
 - (f) whether the tree is causing any unreasonable property damage;
 - (g) whether the tree is causing any unreasonable public nuisance or creating any unreasonable nuisance to **Private Property** owners or occupiers;
 - (h) whether the tree is a recognised weed;
 - (i) the nature of the zoning of the land under the Boroondara Planning Scheme;
 - (j) any legislative requirements; and
 - (k) any other matter relevant to the circumstances associated with the application.

13. Payment of a Security Bond

- (1) Where:
 - (a) the owner of **Private Land** proposes carrying out **Works**; or
 - (b) the owner of **Private Land** engages a contractor for the purposes of carrying out **Works**

within the **Tree Protection Zone** of a **Significant Tree** or the **Structural Root Zone** of a **Canopy Tree**, whether those works are proposed to be undertaken pursuant to a planning permit or otherwise, **Council** or an **Authorised Officer** may, by notice given to the owner, require payment of a security bond to **Council**.
- (2) The security bond will be for an amount and in a form determined by **Council** or the **Authorised Officer**.
- (3) Twelve months after the completion of the **Works Council** may:

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024**

- (a) retain all or any part of the security bond to cover the costs of replacement of any **Significant Tree** or **Canopy Tree Damaged** or killed as a result of the **Works**; or
- (b) refund the security bond.

14. Cancellation of a Permit

- (1) **Council** or an **Authorised Officer** may cancel a **Permit** if it considers or they consider that:
 - (a) there has been a serious or ongoing breach of any of the conditions of the **Permit**;
 - (b) a **Notice to Comply** has been issued, but not complied with within seven (7) days after the time specified for compliance; or
 - (c) there was a significant error or misrepresentation in the application for the **Permit**; or
 - (d) in the circumstances, the **Permit** should be cancelled.
- (2) Before a **Permit** is cancelled, **Council** or an **Authorised Officer** must provide to the holder of the **Permit** a reasonable opportunity to make comment on the proposed cancellation.
- (3) If a holder of a **Permit** is not the owner of the **Private Land** and the owner's consent was required to be given to the application for the **Permit**, the owner must be notified of any **Notice to Comply** and of the reason why it has been served.

15. Inspections

- (1) An **Authorised Officer** may enter any **Private Land** for the purpose of inspecting any **Significant Tree** or **Canopy Tree** where the **Authorised Officer** has reasonable grounds for believing that a breach of this Local Law has been committed, is being committed or is likely to be committed.
- (2) An **Authorised Officer** may enter any **Private Land** for the purpose of inspecting any **Significant Tree** or **Canopy Tree** where an application for a **Permit** has been made in accordance with this Local Law.

16. Infringement Notices

- (1) Where an **Authorised Officer** reasonably believes that a person has committed an offence against this Local Law, the **Authorised Officer** may issue and serve on that person an infringement notice as an alternative to prosecution for the offence.
- (2) The penalty fixed for an infringement notice under this Local Law is:
 - (a) where an offence relates to a tree which is dead – 5 penalty units for each offence;
 - (b) for all other offences – 20 penalty units for each offence.

17. Offences

- (1) A person who:
 - (a) fails to comply with any provision of this Local Law;

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024**

- (b) fails to comply with a condition of a **Permit**;
- (c) fails to comply with a **Notice to Comply** issued under this Local Law; or
- (d) submits wrong, inaccurate or misleading information in an application for a **Permit** made under this Local Law

is guilty of an **Offence**.

- (2) If no penalty is specifically provided for in a provision of this Local Law, a person found guilty of an **Offence** under this Local Law is liable to a penalty not exceeding 20 penalty units.
- (3) In addition to any penalty imposed pursuant to this Local Law, a penalty not exceeding 2 penalty units will apply for each day after conviction for an **Offence** during which a contravention of this Local Law continues.

18. Applications for Review

- (1) Within 60 calendar days of receiving notice of a refusal to grant a **Permit** under clause 12(1)(b) of this Local Law, the applicant for the **Permit** may apply to **Council** for a review of that decision.
- (2) An application for review under clause 18(1) must be made in writing and must:
 - (a) state the grounds upon which the application for review is made; and
 - (b) include further information which was not provided to or made available at the time the application for the permit under this Local Law was made.
- (3) If required to do so by **Council**, an applicant must provide additional information before **Council** determines an application for review.
- (4) If an application to review a decision is made in accordance with this clause, the review will be undertaken by **Council's** Chief Executive Officer or such person as the Chief Executive Officer appoints for such purpose.

19. Saving

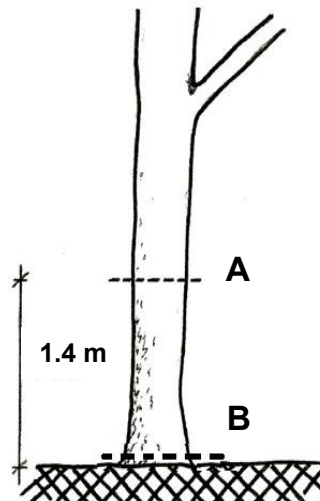
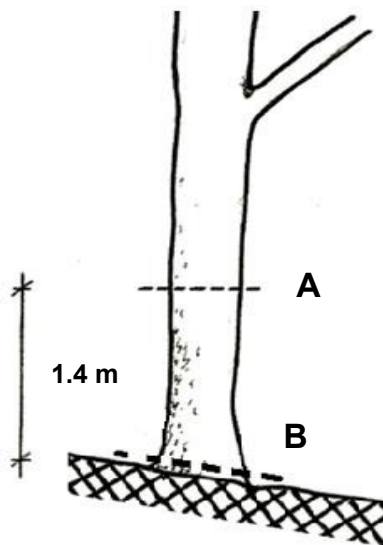
Nothing in this Local Law applies or is intended to apply in respect of any of the matters set out in clause 1(3) of Part 1 of Schedule 1 to the *Building Act 1993*.

Schedule – Diagrams

Diagram 1 – Diagram illustrating how to determine whether a single stemmed tree is a **Canopy Tree**:

For single stemmed trees, a tree is a **Canopy Tree** if:

- The circumference at point 'A' (which is 1.4 metres above ground level, measured along the trunk's length from the closest point above ground level) is 110 centimetres or more; or
- The circumference at point 'B' (which is at ground level) is 150 centimetres or more.

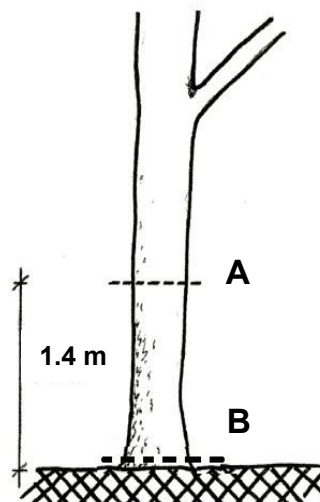
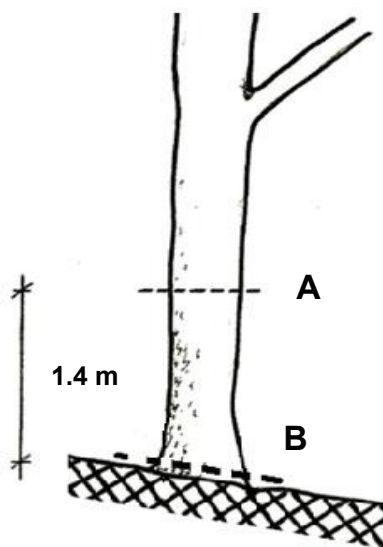


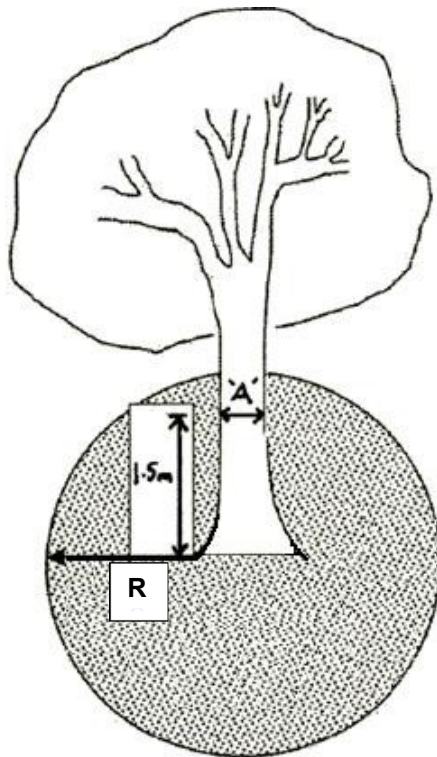
Schedule – Diagrams

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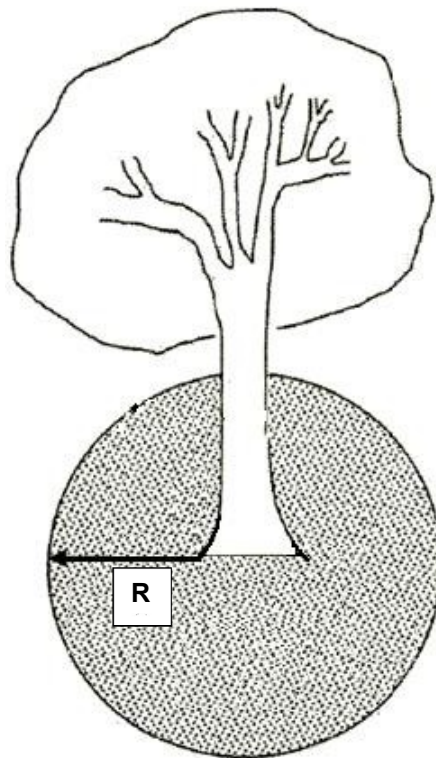
- The circumference at point 'A' (which is 1.4 metres above ground level, measured along the trunk's length from the closest point above ground level) is 110 centimetres or more; or
- The circumference at point 'B' (which is at ground level) is 150 centimetres or more.



CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024****Diagram 3** - Diagram illustrating how to determine the **Tree Protection Zone**:

The **Tree Protection Zone** (TPZ) is based on 'R'.

R = 12 times the trunk diameter at point 'A', to a maximum of 15 metres. The TPZ is a circular area below the tree extending at equal distances from the tree's base in all directions.

CITY OF BOROONDARA**TREE PROTECTION LOCAL LAW 2024****Diagram 4** - Diagram illustrating how to determine the **Structural Root Zone**:

The **Structural Root Zone** (SRZ) is based on 'R'.

R = 2 metres. The SRZ is a circular area below the tree extending at equal distances from the tree's base in all directions.

CITY OF BOROONDARA

TREE PROTECTION LOCAL LAW 2024

The Common Seal of the City of)
Boroondara was hereunto affixed in)
the presence of:)

Mayor

Chief Executive Officer

Date _____

7.6 Contract 2023/58 Roofing Services Panel of Providers

Executive Summary

Purpose

The purpose of this report is to seek Council support to award Contract No.2023/58 Roofing Services Panel of Providers to a panel of contractors. This panel of contractors will provide roofing services, including the installation, maintenance, and repairs of flashings, metallic, tiled, or slate roofs, claddings and associated plumbing inclusive of skylights, vents, flues, fixings, gutters, flashings, downpipes and penetrations.

Background

This contract replaces Contract No. 2019/51 - Roofing Services Panel of Providers. The services are to provide but not limited to, roof repairs and replacements to Council buildings.

This contract is to be awarded in two parts.

Part A will be awarded to one (1) primary contractor to supply much of the routine and low value ad hoc roofing repairs and maintenance at an hourly rate and may also be required to perform the minor alterations and improvement works after the provision of a quotation.

Part B will be awarded to a panel consisting of three (3) contractors. The contractors on this panel will be utilised for planned and reactive project works after the provision of a quotation.

The contractors on this panel may also perform ad hoc roofing repairs and reactive maintenance works at an hourly rate, or minor alterations and improvement works where there is work in excess of the capacity of the appointed Contractor for Part A.

Contractors from Panel B can be promoted to Panel A when a Panel A contractor is either:

- Unable to continue to provide the services; or
- Is terminated under the contract for a failure to adequately provide the services; or
- Council deems that an additional contractor is required on Panel A.

This contract will provide roofing services for an initial period of three (3), with up to two (2) year increments of one (1) year each up to a maximum contract period of five (5) years.

Next Steps

Upon award of the contract, Council will oversee the management and execution of these services.

Confidentiality

Confidential information is contained in **Attachment XX**, as circulated in the confidential section of the agenda attachments. The information in this attachment is deemed to be confidential in accordance with Section 66(2)(a) and the definition of 'confidential information' in Section 3(1) of the Local Government Act 2020. The information relates to private commercial information, being information provided by a business, commercial or financial undertaking that—(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

If discussion of the confidential information in the attachments to this report is required for Council to make a decision, Council may resolve to discuss the matter in a confidential session or to defer the matter to the confidential section of the agenda.

Officers' recommendation

That Council resolve:

1. To award Contract No. 2023/58, Roofing Services Panel of Providers to the following four (4) Contractors across the two parts:

Part A

- CD Roofing Online (ABN 137 484 55457); and

Part B

- New Plumbing Solutions Pty Ltd (ACN 138 660 616).
- Reed Plumbing and Drainage Solutions Pty Ltd (ACN 617 148 295); and
- Shield Plumbing and Drainage Pty Ltd (ACN 169 750 289).

at their tendered schedule of rates for an initial contract period of three (3) years plus optional extension period/s of two (2) years to a maximum contract of five (5) years. The estimated cumulative value over the maximum contract term is \$3,920,435.30 (incl GST) including an annual CPI increase commencing from year two (2) of this new contract. The estimated cost to Council after return of GST Input Credits is \$3,564,032.15 (excl. GST).

2. Authorise the Director Places and Spaces to sign and execute the contracts on behalf of the Council with the above Contractors.
3. Authorise the Director Places and Spaces to negotiate and execute optional extension periods.
4. To note that expenditure under this contract is in accordance with Council's adopted budget for the year 23/24. Future years expenditure is foreshadowed and in accordance with the approved budget allocations.

Responsible director: Daniel Freer, Director Places and Spaces

1. Purpose

The purpose of this report is for Council to consider the awarding of Contract No. 2023/58, Roofing Services Panel of Providers to a panel of contractors. The contract is to be awarded in two (2) parts.

Part A will be awarded to one (1) contractor who will undertake the majority of routine and low value ad hoc roofing repairs and maintenance.

Part B will be a panel consisting of three (3) contractors who may provide planned and reactive project works and maintenance and repair services for roofing services components in Council owned buildings and facilities.

2. Policy implications and relevance to community plan and council plan

This contract aligns with the following themes and strategies in the Boroondara Community Plan (2021-31) and Council Plan (2021-25):

Theme One - Your Community, Services and Facilities

Strategy 1.6 - Create and maintain public areas, facilities, and amenities and spaces that are inviting, operation, clean, safe, and secure to increase social connection and improve the perceptions of safety.

This procurement process has been carried out in accordance with the requirements of Council's Procurement Policy 2021-25.

3. Background

Council requires suitably qualified and experienced contractors who can deliver a range of roofing services throughout the City of Boroondara, which:

- Are of high quality;
- Are cost-effective, reliable, and efficient; and
- Comply with Government Acts, regulations, and Council local laws and policies.

Successful contractors will be appointed to one of two parts to provide roofing services on various municipal facilities in accordance with the required specification.

Panel A will be awarded to one (1) primary contractor to supply much of the routine and low value ad hoc roofing repairs and maintenance at an hourly rate and may also be required to perform the minor alterations and improvement works after the provision of a quotation.

Panel B will be awarded to a panel of three (3) contractors. The contractors on this panel will be utilized for planned and reactive project works after the provision of a quotation.

The contractors on this panel may perform ad hoc roofing repairs and reactive maintenance works at an hourly rate, or minor alterations and improvement works where there is work in excess of the capacity of the appointed Contractor for Part A.

Contractors from Panel B can be promoted to Panel A when a Panel A contractor is either:

- Unable to continue to provide the services; or
- Is terminated under the contract for a failure to adequately provide the services; or
- Council deems that an additional contractor is required on Panel A.

The works performed by the contractors shall generally include but not limited to:

- Maintenance and repair of roofs on Council buildings;
- Minor refurbishment and improvement to roofs on Council buildings, and
- Roof replacements.

This contract structure is a schedule of rates contract, with materials charged on a cost-plus basis.

Invitation to tender

In accordance with Council's Procurement Policy 2021-25, Council invited public tenders from suitably experienced and qualified organisations to provide reactive roofing maintenance and repair services on an ad hoc basis at various council buildings.

An invitation to tender was advertised in the local government tenders' section of "The Age" newspaper on Saturday 8 July 2023 and on Council's website. The closing date for submissions was 4pm, Friday 28 July 2023.

In response to the advertisement, Council received five (5) submissions:

- CD Roofing Online;
- Diversaplumb Pty Ltd;
- New Plumbing Solutions Pty Ltd;
- Reed Plumbing and Drainage Solutions; and
- Shield Plumbing and Drainage Pty Ltd.

4. Outline of key issues/options

Roofing repairs and maintenance assists with preventing and detection roofing problems to avoid injury and costly interruption to building operations. It assists in providing safe and operations community facilities for staff and visitors.

The key considerations used to determine the outcome of the tender process were:

- The contract allowed for the award of two parts. Part A consisting of one (1) primary contractor that could demonstrate a wide range of roofing maintenance capabilities and that could deliver the majority of low value

ad-hoc reactive maintenance works, and the ability to deliver project work, and Part B, a panel consisting of three (3) contractors that would be based on demand and on the quality and performance of Panel A, with also the ability to deliver project works.

- Contractors are required to be adequately resourced and industry qualified,
- Emphasis should be placed on the qualitative analysis given the broad range of roofing service industry rates,
- A proven track record undertaking similar works in the past and
- Ability to plan, schedule, and perform the work in accordance with the specified outcomes.

5. Collaborative Procurement Opportunities

Officers discussed with neighboring local government organizations to determine the suitability of a collaborative procurement process. No other local government required the same services at this time. Therefore, collaborative procurement wasn't possible in achieving a better value outcome.

6. Consultation/communication

Internal consultation across the appropriate services with the Facilities, Waste and Infrastructure team informed the review and development of the specification and associated tender documents.

7. Financial and resource implications

Council's 2023-24 Adopted Budget contains the following allocation:

Item	Ex GST
Roof Replacement	\$450,000
Plumbing Services	\$680,000
Less Expenditure and commitments to date	\$529,931
Remaining Budget 2023-24	\$600,069

This is a Schedule of Rates contract, expenditure under this contract will be in accordance with the budget allocations.

As this is a schedule of rates contract and subject to budgetary approval, the tendered rates shall be reviewed annually and adjusted based on the movements in the Consumer Price Index (CPI) ABS Catalogue 6401.0, All Groups Index Table 1, Melbourne.

Council does not guarantee the appointed contractors a minimum quantity of work in relation to any of the contract components.

The amount of works performed will be in accordance with the need and budgetary allocations each year. Payment will be made in line with the respective Tenderer's Schedule of Rates.

8. Governance issues

The recommendation contained in this report is compatible with the Charter of issues. No Officers preparing this report have a general or material conflict of interest requiring disclosure under Chapter 5 of the Governance Rules of Boroondara City Council.

This tender process has been carried out in accordance with the requirements of the Council's Procurement Policy 2021-25.

9. Social and environmental issues

Well maintained infrastructure enhances the safety, security, and operation of council facilities, creates greater opportunities for usage and provides a sense of pride and safer communities.

10. Evaluation and review

The evaluation report is provided as **Confidential Attachment 1**.

As a result of the evaluation, the evaluation panel recommends that Council award Contract No. 2023/58, Roofing Services Panel of Providers to the following four (4) companies:

Part A

- CD Roofing Online (ABN 137 484 55457); and

Part B

- New Plumbing Solutions Pty Ltd (ACN 138 660 616).
- Reed Plumbing and Drainage Solutions Pty Ltd (ACN 617 148 295); and
- Shield Plumbing and Drainage Pty Ltd (ACN 169 750 289).

Manager: **Rodney Lewis, Acting Manager Facilities, Waste and Infrastructure**

Report officer: Michael Robins, Coordinator Facilities Maintenance