

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Notice is given that an Ordinary Meeting of Kingston City Council will be held at 7.00pm at the City of Kingston Municipal Offices, 1230 Nepean Highway, Cheltenham, on Monday, 25 February 2008.

- 1. Apologies**
- 2. Confirmation of Minutes of Previous Meetings**

Minutes of Ordinary Council Meeting 4 February 2008.

- 3. Declaration by Councillors or Officers of any Interest or Conflict of Interest**
- 4. Petitions**

5. Presentation of Awards

- a) The Mayor will present Certificates of Appreciation to the following former Village Committee members who retired from the program in 2007:

Les Williams, Tom Berghella, Bob Chappell, Daryl Eales, Mark Weatherley, Margrette Fairbanks and Judy Collins.

The Mayor will also pay tribute to the following retired members who are unable to be present this evening:

Mara Hayler, Tao Ng, Ann Painter, Laurence Crow, Emma Davis, Steve Cioccolanti, Tony Comito, Lucy Vachalukkal, Nadine Imbesi, Ron Young, Doug Reeve.

- b) The Mayor will table the 2007 “Council Water Challenge” prize recently awarded to Kingston by South East Water.

6. Reports from Village Committees

Recommendations from the February cycle of meetings are enclosed.

7. Reports from Delegates Appointed by Council to Various Organisations

8. Environmental Sustainability Reports

<i>K 10</i>	<i>Town Planning Application Decisions January 2008</i>	<i>Page 5</i>
<i>K 11</i>	<i>455 Centre Dandenong Road, Heatherton</i>	<i>Page 6</i>
<i>K 12</i>	<i>2-4 Kingston Street Mordialloc</i>	<i>Page 23</i>
<i>K 13</i>	<i>100 Latrobe Street Mentone</i>	<i>Page 47</i>

9. Community Sustainability Reports

<i>K 14</i>	<i>Arts and Cultural Advisory Group</i>	<i>Page 59</i>
<i>K 15</i>	<i>Adoption of Chelsea Recreation Reserve Master Plan</i>	<i>Page 65</i>
<i>K 16</i>	<i>Adoption of Edithvale Recreation Reserve Master Plan</i>	<i>Page 67</i>
<i>K 17</i>	<i>Pavilion Development Principles Paper</i>	<i>Page 69</i>
<i>K 18</i>	<i>Food Sampling Analysis Quarterly and Annual Report</i>	<i>Page 71</i>
<i>K 19</i>	<i>Budget Allocation to Berendale Hydrotherapy Facility</i>	<i>Page 84</i>

10. Corporate Services Reports

<i>K 20</i>	<i>Proposed Discontinuance of Road in Walter Galt Reserve</i>	<i>Page 87</i>
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11. Notices of Motion

<i>K 21</i>	<i>Cr Athanasopoulos-Acknowledgement and Respect for Federal Parliament “Sorry” Statement”.</i>	<i>Page 89</i>
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- 12. Question Time**
- 13. Urgent Business**
- 14. Items in Camera**

PRESENTATION OF VILLAGE COMMITTEE REPORTS

**6(a) Cheltenham Village Committee
Chairperson-John Natoli**

Report of Meeting held on 12 February 2008

The Committee received a presentation of concept plans for Kingston Heath Reserve and Blackburn Drive Reserve.

**6(b) Mordialloc Village Committee
Chairperson-Andrew Gustke**

Report of Meeting held on 12 February 2008

The Committee discussed the Mordialloc Historical Walking Trail.

**6(c) Mentone/Parkdale Village Committee
Chairperson-Dorothy Booth**

Report of Meeting held on 12 February 2008

The Committee discussed the success of the Australia Day celebrations.

**6(d) Clarinda/Oakleigh South Village Committee
Chairperson-Robert Rowlands**

Report of Meeting held on 13 February 2008

The Committee commended Council on the quality of its Annual Report.

**6(e) Chelsea/Chelsea Heights/Bonbeach Village Committee
Chairperson-Nigel McGillivray**

Report of Meeting held on 13 February 2008

CH 19 Driveway Policy

The Committee raised concerns regarding Harding Avenue, where some properties with units/multi-dwellings have both a double driveway at one end of the property and a single driveway at the other, allowing only space for a small car to park on street. Along with commercial properties providing reduced parking, customers are forced to look for parking in residential streets where there is less and less on-street parking being available.

Committee Recommendation

The Village Committee request Council to reconsider its current double driveway policy. The Village Committee understands that Council's current policy is that each case is considered on its merits. In view of the impact that the current approach is having on on-street parking, the Committee asks that Council change the policy to more actively discourage double or dual driveways.

Officer Comment

Double width crossovers are strongly discouraged by planning, unless there are extenuating circumstances. Each application is considered on its merits, and the maximum width permissible under ResCode is never exceeded. Planning Officers will always try to minimise the crossover widths, rather than encouraging the maximum width technically possible under ResCode.

With double garages, officers will require the driveway to taper down from the garage to the site frontage, rather than the driveway running parallel to the garage openings. If the Village Committee is aware of any specific examples of where this has not occurred, planning would be interested to be advised, as it may be an instance of non-compliance with a planning permit.

Whilst Council does not have a “double driveway” policy, there are some relevant crossover guidelines that are administered by the Infrastructure Department which do warrant review to ensure they are consistent with the practice set out above. Such a review will be arranged. Infrastructure also aims to discourage double width crossovers.

**6f) Clayton South Village Committee
Chairperson-Debra Woff**

Report of Meeting held on 12 February 2008

CS 18 Parking in Vicinity of Westall Railway Station

The Committee discussed parking at Westall Railway Station. The Committee recognise that this is railway land, but would like to know if Council knows of any plans to expand this carpark. Further, the Committee asks if Council has any contingency plans to help with the overflow of cars that are currently parking outside of shops, outside of the school and the side streets.

Committee Recommendation

That Council advise the Committee as to whether it is aware of any plans to expand Westall Railway Station car park, or of any contingency plans Council may have to help address the overflow of cars currently parking outside of shops, the nearby school and side streets.

Officer Comment

Officers can investigate whether parking limits in surrounding areas are appropriate, in view of the Village Committee’s observations.

**6(g) Patterson Lakes/Carrum Village Committee
Chairperson-Glen Baker**

Report of Meeting held on 13 February 2008

The Committee planned a forthcoming visit to the Connect East offices to view plans for East Link.

**6(h) Aspendale/Edithvale/Aspendale Gardens Village Committee
Chairperson-Kevin Griffiths**

Report of Meeting held on 14 February 2008

The Committee discussed plans for Beeson Reserve.

7 Reports from Delegates Appointed by Council to Various Organisations

Cr Petchey-Association of Bayside Municipalities

Cr West-Metropolitan Transport Forum

8. Environmental Sustainability Reports

K 10 Town Planning Application Decisions – January 2008

Author: Ian Nice – Manager, Planning

Approved By: Warren Ashdown-Acting General Manager Environmental Services

Attached for information is the report of Town Planning Decisions for the month of January 2007.

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	84	85
Notice of Decision	3	3
Refusal to Grant a Permit	5	5
Other - Withdrawn (1) - Prohibited (0) - Permit not required (0) - Lapsed (6)	7	7
Total	99	100

(NB: Percentage figures have been rounded)

Recommendation

That the report be noted.

(See Attachment-page 90)

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

K 11 455 Centre Dandenong Road, Heatherton

Author: Peter Connell/Sebastian Lorenzo-Town Planners

Approved By: Warren Ashdown-Acting General Manager Environmental Services

Applicant:	Victorian Paintball Games
Application No.	KP580/07
Location:	No.455 (Lot 1 on PS046195) Centre Dandenong Road, Heatherton
Melways Ref:	88 A3 & 88 A2
Proposal:	To develop and use the subject site for a Paintball Facility
Zoning:	Green Wedge Zone 2
Kingston Planning Scheme Ordinance Controls:	Clause 21.10: Non Urban Areas Clause 22.04: South East Non Urban Area Policy Clause 22.15: Outdoor Advertising Signage Policy Clause 35.04: Green Wedge Zone (Schedule 2) Clause 37.03: Urban Floodway Zone Clause 43.02: Design & Development Overlay Schedule 4 & Schedule 5 Clause 44.04: Land Subject to Inundation Overlay Clause 45.02: Airport Environs Overlay Schedule 1 Clause 52.05: Advertising Signs Clause 52.06: Car Parking Clause 52.29: Land Adjacent to a Road Zone (Category 1) Clause 57: Metropolitan Green Wedge Land Clause 65.01: Decision Guidelines Clause 66.02: Referrals

Main Issue

The main issue in this application is whether the use of the site will impact on the long term use of the area for market gardens and whether it represents a risk to the aircraft at the Moorabbin Airport.

Existing Conditions

The subject site is located on the north side of Centre Dandenong Road, Heatherton. The site is irregular in shape and has a frontage of approximately 108 metres to Centre Dandenong Road, a maximum depth of approximately 261.3 metres and an overall area of approximately 24,271.09m². The subject site is split into two parcels of land by an existing 19.81 metre wide drainage easement which runs through the middle of the subject site. It is noted that there is no fencing separating the drainage easement and the land proposed to be used. There is an existing bridge which connects the south and north parcels of land which form the subject site.

There is an existing dwelling and shed located on the subject site. The dwelling is located in the south-east corner of the site with the existing shed located along the site's west (side) property boundary.

Site History

Council records indicate that the following planning permits have been issued for the subject site.

Planning Permit KP99/331 was issued on 15th June, 1999 for the construction of outbuildings on the site in association with the existing farm use of the site.

Proposal

It is proposed to develop and use the land for paintball facility, with associated advertising signage. It is noted that the existing dwelling will be retained and used for residential purposes and will not form part of the proposed use of the site for a paintball facility.

The proposed paintball facility would comprise five (5) playing fields. The size of each playing field would vary and is summarised under the following table:

Field No.	Approximate Dimensions	Approximate Area (m ²)
1	35m x 90m	3,150
2	35m x 90m	3,150
3	Irregular Shape	1,750
4	Irregular Shape: max width of 40m x max length of 90m	2,800
5	40m x 95m	3,400

The playing fields would be set back a minimum distance of 50 metres from the site's Centre Dandenong Road frontage. The applicant also proposes a 10 metre wide vegetation setback from the site's Centre Dandenong Road frontage. It is noted that each separate playing area to be enclosed by a 4 or 2 metre high fence, in accordance with requirements stipulated under the Victorian Paintball Code of Operation.

The fields will be accompanied by an office/storage building which is to be located within the existing shed on the site.

It is proposed that the facility will operate between the hours of 8:30am and 5:00pm, seven (7) days a week. Further to these times, the applicant has advised that the peak business hours will be conducted on weekends and on public holidays with only the occasional mid-week paintball game/session. The applicant has advised that most people would arrive at the site at approximately 8.45am and exit the site by approximately 4.30pm.

Vehicle access to the subject site is proposed along the site's Centre Dandenong Road frontage with a left-in and left-out arrangement. It is proposed to provide a total number of 80 car parking spaces on the site, with an additional area of 8 metres in width along the east boundary of the car park, to be used for bus parking or overflow parking needs.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Four (4) business identification signs are proposed to be located at the entry and exit areas of the site.

Details of the signs are as follows:

Sign No. 1 & 2 – Main Signs	
Overall Height:	3m, with sign itself being 2m in height
Width:	3m
Depth:	-
Total area of each sign:	6m ²
Text:	Paintball Business Name, Phone Number and Website address
Colours:	White background with black and red text
Lighting:	None
Positioning:	Entry and exit to the site.

Sign No. 3 & 4 – Entry and Exit signs	
Overall Height:	1.5m, with sign itself being 1m in height
Width:	1.5m
Depth:	-
Total area of each sign:	1.5m ²
Text:	Entry/Exit
Colours:	White background with red text
Lighting:	None
Positioning:	Entry and Exit to the site

Planning Scheme Requirements

Pursuant to Clause 35.04 of the Kingston Planning Scheme, a planning permit is required to use and develop land for a Section 2 unspecified use (“paintball facility”).

A planning permit is also required to construct a building and/or carry out works (including a fence), pursuant to Clause 44.04 of the Kingston Planning Scheme.

In accordance with Clause 52.05 of the Scheme, a planning permit is required to display Business Identification signage.

A number of the policies contained within the State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF), including Council’s Municipal Strategic Statement (MSS) are considered relevant in the consideration of this proposal, namely:

- Clause 15.02: Floodplain Management
- Clause 21.03: Land Use Challenges for the New Millennium
- Clause 21.09: Environment, Wetlands & Waterways
- Clause 21.10: Non Urban Areas
- Clause 21.12: Transport, Movement & Access
- Clause 22.04: South East Non Urban Area Policy

Clause 22.15: Outdoor Advertising Signage Policy
Clause 35.04: Green Wedge Zone (Schedule 2)
Clause 44.04: Land Subject to Inundation Overlay
Clause 45.02: Airport Environs Overlay (Schedule 1)
Clause 52.05: Advertising Signs
Clause 52.06: Car Parking
Clause 52.29: Land Adjacent to a Road Zone (Category 1)
Clause 57: Metropolitan Green Wedge Land
Clause 65.01: Decision Guidelines
Clause 66.02: Referrals

Amendment to the Application Before Notification

No amendments were made to the proposal prior to the advertising period.

Advertising

The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. One objection was received from the Defenders of the South East Green Wedge Inc. The grounds of objection are as follows:

The proposed use is contrary to orderly planning for the area as Council has commissioned a new land capability study as a preliminary step to completing a structure plan. Clause 21.10-1 of the Kingston Planning Scheme supports the need for long-term planning in the area.

The proposal would result in the loss of productive agricultural land. The site was successfully farmed for many years until very recently when the owner stopped farming. Removal of productive agricultural land contravenes Clause 17.05-2 and Clause 21.10-2 of the Kingston Planning Scheme.

There is a growing realisation of the importance of buying locally grown and produced food in order to reduce the carbon emissions from transport. We believe it would be irresponsible to turn the site over to a paintball games facility when it could be used for food production so close to the Melbourne markets.

With its high fences and ugly battleground equipment, the proposed use would be an unattractive operation that will be in conflict with many of the issues detailed in Clause 21.10 of the Scheme.

There are a number of locations within the City of Kingston that are more suitable for paintball games. For instance, the sand mining belt in the northern section of the green wedge may be more appropriate.

The proposal conflicts with Clause 18.04 of the Stake Planning Policy Framework, in particular that part of Clause 18.04-2 which says planning for areas around all airfields should preclude any new use or development which could prejudice the safety or efficiency of an airfield.

Response to Grounds of Objection

It is not considered that the proposed use would lead to loss of agricultural land in this instance. The nature of the proposed use does not require expensive capital investment and should farming become more productive/profitable in the future the site could easily be farmed again.

Given the above comment it is therefore unlikely that the proposed use would prejudice the long-term planning for this area.

It is submitted that with appropriate landscaping at the front of the site and all playing field fences screened with shade cloth, it is unlikely that the proposed use will be visible from the Centre Dandenong Road frontage to the site.

It is submitted that this site is not any more or less appropriate than other sites within the green wedge for the use proposed.

If the proposed use does not impact on the long term planning for the area, it is then submitted that the proposed use is consistent with one of the purposes of the Green Wedge Zone which among the things is:

To recognize, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities and mineral and stone resources/

With respect to the objector's concerns about the proposed use prejudicing the safety or efficiency of an airfield, it is noted that the application was referred to the Moorabbin Airport Operations Manager-David Warner, who has provided the following comments:

"I refer to the proposed change of use for 455 Centre Dandenong Rd, Heatherton and wish to advise that this proposal has no impact on the statutory areas affecting Moorabbin Airport and as such we have no objection to the proposal"

Preliminary Conference

A preliminary conference was conducted at the Mentone office on 7 February, 2008. The meeting was attended by the applicant, the objector, Councillor Rosemary West, the Mayor Bill Nixon and council officer. At the meeting discussion revolved around the following issues.

- a) Whether or not the proposed use would impact on the viability of farming land in the area in the long-term.
- b) Whether the proposal would impact on the future planning of the area.
- c) A discussion of the VCAT decision *United Paintball v Hume CC (2007) VCAT*.

In this matter the decision of VCAT to uphold the refusal of the application was based on Clause 18.04-2 of the State Section of the Planning Scheme which states that planning for areas around all airfields should preclude any use or development which could prejudice the safety or efficiency of an airfield.

The meeting was completed without there being any resolution in this instance.

Referrals

Pursuant to Clause 66.02 of the Kingston Planning Scheme, the application was referred to Vic Roads, Melbourne Water and the Moorabbin Airport Corporation for consideration.

VicRoads had no objection to the proposal subject to a number of conditions being placed on any permit issued.

The Moorabbin Airport Corporation had no objection to the proposal as it considered that the proposal would have no impact on the statutory areas affecting the Airport.

Melbourne Water had no objection to the proposal subject to a number of conditions being included on any permit issued

Planning Assessment

The following section will consider the application against the relevant sections of the State Planning Policy Framework, Local Planning Policy Framework (including the MSS), zoning objectives and Particular Provisions of the Kingston Planning Scheme.

State Planning Policy Framework

Clause 15.02: Floodplain Management

In respect to this section of the Planning Scheme it is noted that the applicant will be required to satisfy the requirements of Melbourne Water as permit conditions should a permit be issued.

Clause 17.05 Agriculture

The objective of this clause is to ensure that the States agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use and to enable protection of productive farmland which is of strategic significance in the local or regional context.

In respect to this objective is submitted that there is some uncertainty about the value of the market gardens in this locality. It is considered that the proposed use will not prejudice the long-term future planning of the area and that it would be an appropriate interim use until such time as structure plans are completed for this area.

It is noted that in Melbourne 2030, Planning for Sustainable Growth October, 2002 at Fig. 3.3 on page 76, an investigation was completed where High- value agricultural land was mapped. In this instance the subject site and surrounding area was not

mapped as High-value agriculture land. A copy of this information is included in the attachments.

It is therefore considered that the proposal (as amended) generally satisfies the broader objectives under the relevant sections of the State Planning Policy Framework.

Local Planning Policy Framework (including the MSS)

Clause 21.10: Non Urban Areas:

It is considered that the proposal would satisfy the relevant strategies outlined under this section of the Scheme, namely:

“Objective 1: Support and maintain the green wedge concept. Activities in the non urban area must be consistent with, and contribute to, optimal long-term planning solutions for the whole of the south-east metropolitan non urban area”.

“Objective 7: To manage the edge of urban areas in a manner, which ensures that the non urban area is both stable and enduring”.

“Objective 9: To provide for open space links and opportunities for recreation”.

Clause 22.04: South East Non Urban Area Policy:

The subject site is located within a the South East Non Urban Policy area.

Under this section of the Scheme, it is policy that (amongst other things):

- a) Non urban land be protected for non urban purposes and used for activities which are consistent with the function and character of the non urban area;
- b) The following uses (amongst other things) are supported within the non urban area:

public open space facilities including parks, sports fields, bicycle networks, etc.

Council officers consider that the proposed paintball facility would be consistent with the relevant policies under this section of the Scheme and would constitute an appropriate land use in a non urban area.

Clause 22.15: Outdoor Advertising Signage Policy:

A number of policies under this section of the Scheme are considered relevant in the consideration of the proposed advertising signage, which forms part of the application, namely in relation to “main road areas” and “non urban areas”.

Main Road Areas:

It is acknowledged that signs along declared main roads offer opportunities for long distance visibility. The impact of advertising signs adjacent to main roads are of principal concern with respect to visual amenity, streetscape character and road

safety. The policy does not discourage business identification signs, but recognises that there is limited opportunity for major signage within these areas.

Non Urban Areas:

The policies generally encourage signs that relate to the use of the land and the scale of surrounding development. Business Identification signs are also not discouraged within these areas.

A number of performance standards for the display of signs are outlined under Clause 22.15-4 of the Scheme and include specific guidelines for advertising signs displayed along main road areas and within non urban areas, such as:

- a) Signs do not contribute to a safety hazard or potentially distract motorists or pedestrians through the type and level of illumination, colours or form of advertising.
- b) Signs do not obscure major view lines.
- c) Signs do not dominate the host buildings and are in scale with their surroundings.

In the opinion of the Responsible Authority, the signs do not reduce the visual quality of the setting through their size, scale or placement.

It is considered that the proposed signage associated with the proposed development and use is consistent with the relevant policies as outlined above.

Zoning Provisions

Clause 35.04: Green Wedge Zone (Schedule 2):

One of the key purposes of the zone is “to recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources”.

It is considered that the proposed use of the land for a paintball facility is appropriate given the zoning provisions that apply to the subject site. There are no relevant restrictions under Schedule 2 to the Green Wedge Zone that apply to the proposed development and use.

Pursuant to Clause 35.04-6 of the Kingston Planning Scheme, it is noted that the advertising sign requirements fall under Category 3 under Clause 52.05 of the Scheme.

Clause 43.02 Design and Development Overlay (Schedule 4 and 5)

The proposal has been referred to the Moorabbin Airport Corporation as required and there are no issues with respect to these provisions in the Scheme

Clause 44.04: Land Subject to Inundation Overlay:

It is considered that the proposal would be consistent with the purposes of this Overlay and would accord with the requirements of the relevant floodplain authority (Melbourne Water).

Clause 45.02 Airport Environs (Overlay Schedule 1)

The proposal has been referred to the Moorabbin Airport Corporation as required and there are no issues with respect to these provisions in the Scheme

Particular Provisions

Clause 52.05 – Advertising Signs:

Pursuant to Clause 52.05-8 of the Scheme, a planning permit is required to display a pole sign in high amenity areas.

The type, size, scale and placement of the advertising sign proposed is considered appropriate with respect to this application as it should not detrimentally affect the visual amenity of the surrounding area or create a traffic hazard for vehicles travelling along Springvale Road.

Clause 52.06 – Car Parking:

Clause 52.06-1 of the Scheme states that where a use is not specified in the table at Clause 52.06-5 of the Scheme, an adequate number of car spaces must be provided to the satisfaction of the Responsible Authority.

The proposal provides that a total of 80 car parking spaces, with provision for an additional 8 metre wide bus parking/over flow car parking spaces at the eastern side of the car park area. Council officers consider that the overall number of car parking spaces proposed should be adequate to cater for the likely car parking demand in this instance.

Clause 52.29 – Land Adjacent to a Road Zone (Category 1):

The objectives of this Clause are considered to have been satisfied, with the required design modifications made in response to Vic Roads' requirements.

Clause 65.01 – Decision Guidelines:

In considering the proposal (as amended), Council officers have had regard to the key decision guidelines under this Clause particularly in relation to the effect on the amenity of the area and the relevant provisions of the Kingston Planning Scheme.

General Comment

It is the view of Council officers that the proposal represents an appropriate land use and development opportunity for this site given the current zoning of the subject site. The relevant policies under the State and Local Planning Policy Frameworks encourage the development and use of green wedge land for low impact land uses, such as outdoor recreation facilities, particularly where there is excellent access to the land and other forms of physical infrastructure.

In summary, the main attributes of the proposed development are summarised as follows:

- a) The proposal represents a significant opportunity to utilise land that is highly accessible and subject to a number of land use constraints, such as flooding;

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- b) The overall design and built form of the proposed facility would be sympathetic to the surrounding land uses and the visual impact of the development would be minimised with a generous front building setback, landscape buffers and only one (1) fixed building;
- c) Any amenity impacts should be adequately controlled through appropriate planning permit conditions.

It is considered that the objector concerns have been addressed, and that subject to the inclusion of suitable permit conditions, the proposal is considered reasonable for the site and warrants Council support.

Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit to develop and use the land for a Paintball Facility, to display advertising signage (business identification signs) and to create access to land adjacent to a road in a Road Zone - Category 1, subject to the following conditions:

1. Before the development and/or use starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 23 November, 2007, but modified to show:
 - a) the provision of an amended landscape plan and associated planting schedule for the perimeter site showing the proposed location, type, height and number of species to be planted on the site, with such plans to be prepared by a suitably qualified environmental and/or landscape professional and incorporating a 50% component of advanced planting stock, to the satisfaction of the Responsible Authority;
 - b) the location of any external waste storage/collection areas; and
 - c) full details of all external building materials and colours for the proposed buildings.
2. The development and/or use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The development of the site must be provided with stormwater treatment works which must incorporate water sensitive urban design principles (including re-use) to improve discharge quality and a detention system for any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. Council's Development Approvals Engineer can advise on treatment options.
4. The development must not be occupied and the permitted use/s must not commence until all buildings and works and the conditions of this permit have been complied with, unless with the further consent of the Responsible Authority.
5. Before the development hereby permitted commences, a drainage plan showing the method of stormwater treatment from the development must be submitted to the Responsible Authority for approval. The plan must be prepared by a qualified person and show all drainage works required. The plan must also show all existing and proposed features that may have an impact on drainage (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.)

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

6. Stormwater drainage of the site must be provided so as to prevent any overflows onto adjacent properties and be in accordance with the approved drainage plan.
7. Before the use allowed by this permit commences, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
8. All existing vegetation shown on the endorsed plans for retention must be suitably marked and adequately protected before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the prior written consent of the Responsible Authority.
9. Before commencement of the use/s hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
 - a) Constructed to the satisfaction of the Responsible Authority.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced in a manner to the satisfaction of the Responsible Authority.
 - d) Drained to the satisfaction of the Responsible Authority.
 - e) Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
 - f) In accordance with any Council adopted guidelines for the construction of car parks.

Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

10. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
11. The car parking provided on the land must always be made available for the use by persons employed or residing on the subject land to the satisfaction of the Responsible Authority and no measure restricting access by such persons to the car park may be taken without the prior written consent of the Responsible Authority.
12. The overflow car parking areas shown on the endorsed plans must be graded, compacted, drained and planted with hard-wearing grasses and maintained to a standard acceptable to the Responsible Authority. Clear directions for the use of the overflow parking areas must be provided to the satisfaction of the Responsible Authority.
13. Access to the site must be constructed in accordance with the requirements of Vic Roads and the Responsible Authority.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

14. The surface of the car parking area must be treated to the satisfaction of the Responsible Authority to prevent dust resulting in loss of amenity to adjoining and nearby properties.
15. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials;
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) presence of vermin; and
 - e) in any other way.
16. No goods or packaging materials must be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
17. No bins or other receptacles may be placed or allowed to remain in the view of the public, and no receptacle shall emit any smells.
18. The use hereby permitted must only operate between the hours of 8:30am and 5:30pm, seven (7) days per week, unless otherwise approved with the prior written consent of the Responsible Authority.
19. A maximum number of 85 players/patrons shall be permitted at any one time, without the prior written consent of the Responsible Authority.
20. Without the prior written consent of the Responsible Authority, no form of public address system or sound amplification equipment must be used on the premises so as to be audible outside the subject site.
21. The development and/or use of the site must not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard, any nuisance shall be assessed in accordance with the Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
22. No burglar alarm or warning bell or buzzer or other device may be installed on the subject property unless it is so designed as to shut off automatically after five (5) minutes operation.
23. Outdoor lighting must be provided, designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.
24. Exterior lights must be installed in such positions to effectively light all pathways, car parks and other public areas to the satisfaction of the Responsible Authority.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

25. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to Council satisfaction.
26. The location of external fans, air-conditioning apparatus and the like must be to Council approval and installed to prevent loss of amenity to the area by its appearance, noise, emission or otherwise.
27. Any plant and/or equipment proposed on the roof of the building must be screened in a manner to complement the appearance of the building to the satisfaction of the Responsible Authority.
28. Construction on the site shall be restricted to the following times:

Monday to Friday:	7:00am to 7:00pm
Saturday:	9:00am to 6:00pm

Or otherwise as approved by the Responsible Authority in writing.

29. Street numbers of 100mm minimum height and contrasting in colour to the background must be displayed on the front building. Such numbers must be clearly legible from the footpath, roadway, car park or laneway.

30. Conditions Required by Vic Roads:

- a) The existing vehicular crossover near the western boundary must be modified to at least 4.5 m wide, as measured at the property boundary, to operate as an entry only.
- b) The existing second-vehicular crossover must be modified to at least 4.5 m wide, as measured at the property boundary, to operate as an exit only.
- c) The edges of the vehicular crossovers shall be angled at 60° to the road reserve boundary, to improve entry and exit conditions.
- d) Signs and line markings must be provided to direct and control the flow of traffic internal/external to the site, to the satisfaction of the Responsible Authority.
- e) Any redundant vehicular crossover on Centre Dandenong Road shall be removed and the footpath, nature strip and curbing reinstated to the satisfaction of the Responsible Authority.
- f) Car parking spaces must be designed to allow vehicles to drive in a forward direction when both entering and exiting the property, to the satisfaction of the Responsible Authority.
- g) The developer must pay the full costs of all roadworks, drainage, service relocations, and any other associated costs.

31. Conditions required by Melbourne Water:

- a) All fencing or structures shall be maintained at a minimum of set of 5 m from the top of the bank due to maintenance/operational needs.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- b) Prior to the issuing of a Building Permit in connection shall be made to Council's drainage system. Evidence will need to be provided by Council regarding the point of discharge. In the event that connection cannot be made to Council's system a separate application shall be directly to Melbourne Water, any new or modified stormwater connection or alteration to Melbourne Water's drainage system shall require approval from Melbourne Water.
- c) Prior to the issue of a Building Permit separate application shall be directly to Melbourne Water, for any existing, new or modified creek crossing or alteration to Melbourne Water's drainage system shall require approval from Melbourne Water.
- d) Prior to the issuing of a Building Permit detailed terms and conditions shall be forwarded for work to be undertaken upon receipt of formal application for the stormwater connection and crossing of the waterway for construction purposes. Please note fees and bonds will be applicable.
- e) Prior to the issuing of a Building Permit the proponent is to engage an engineer suitably experienced in crossing designs to prepare and submit detailed design plans for the crossing. Please note, additional remediation works on the waterway may be necessary to ensure the crossing is to Melbourne Water current practices.
- f) Prior to the issuing of a Building Permit a Legal Crossing Agreement shall be entered into with Melbourne Water.
- g) Prior to the commencement of construction, a Site Environmental Management Plan (SEMP) is to be submitted to Melbourne Water. The SEMP must address the following:

- Sediment and silt management controls.
- Vegetation management techniques.

- h) No paintballs or contaminates to enter directly or indirectly into Melbourne Water's drains or watercourses.
- i) Prior to the commencement of construction, a Work Method Statement and a Risk Task Assessment must be submitted outlining the general construction technique to be adopted.

The statement must address the following:

- Process for machinery to access the creek.
- Diversion of flows for low and high flows.
- Evacuation procedure during times of high flows.

- j) No polluted and/or sediment laden run-off is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- k) No fill is to be imported into the overland flow path.
- l) Surplus building materials shall not be dumped onto Melbourne Water's land during or when construction is completed.
- m) No access shall be via Melbourne Water's land. Exclusion fencing may be required.
- n) Any toilet facilities to be positioned at the site of the existing shed outside the floodplain on the western boundary.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

32. A sign(s) to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and deliveries and must be located and maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres.
33. The location and details of the sign(s) shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
34. All sign(s) must be constructed to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority.
35. Sign(s) must not be animated or contain any flashing or intermittent light.
36. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.
37. The sign(s) must be only illuminated during the trading hours for the proposed use hereby approved.
38. This permit (or part of the permit that relates to advertising signage) expires fifteen (15) years from the date of issue of the planning permit.
39. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry of Permit:

In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:

The development and/or use is not started before "[insert date]" (date to be two (2) years from date of permit issue).

The development is not completed before "[insert date]" (date to be four (4) years from date of permit issue).

In accordance with section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Note (1): Prior to the commencement of the development or use you are required to obtain the necessary building permit.

Note (2): Prior to the commencement of the development and/or use hereby approved, you are required to obtain any necessary Council Environmental Health approvals.

Note (3): Before removing/pruning any vegetation from the site, the applicant or any contractor engaged to remove vegetation should consult Council's

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Vegetation Management Officer to verify if a Local Law permit is required for the removal of such vegetation.

Note (4): Unless no permit is required under the Planning Scheme, other signs must not be constructed or displayed without a further permit.

Note (5): If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9235 2193, quoting Melbourne Water's reference 102284.

The applicable flood level for the property is 16.4m to Australian Height Datum (AHD).

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

K 12 2-4 Kingston Street Mordialloc

Author: Jennifer Mustica-Town Planner

Approved By: Warren Ashdown-Acting General Manager Environmental Sustainability

Applicant:	D.C. Group + Newline Design P/L
Address Of Land:	No. 2-4 (Lot 3 on PS026847) Kingston Street, Mordialloc
Melway Ref	87G9
Proposal	Five (5) Dwellings
Contact Officer:	Jennifer Mustica
File No:	KP833/06
Zoning:	Residential 3
Kingston Planning Scheme Ordinance Controls:	<u>State Planning Policy Framework</u> Clause 12: Metropolitan Development Clause 14: Settlement Clause 16.02: Housing – Medium Density Housing <u>Local Planning Policy Framework</u> Clause 21.05 MSS – Residential Land Use Clause 22.11: Residential Development Policy Clause 33.01: Residential 3 Zone & Schedule Clause 55: Two or More Dwellings on a Lot & Residential Buildings Clause 65: Decision Guidelines
Residential Policy Area:	Incremental Change
Neighbourhood Character Area:	Area 25
Decision By:	10 th April, 2008
Nett Days:	6 days @ 13 February, 2008

Main Issues Relating to this Application

- Neighbourhood Character;
- Loss of Existing Residential Amenity by way of overlooking/overshadowing;
- car parking and traffic;
- overdevelopment of site.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Development Assessment Table

Criteria	ResCode Requirement	Proposed Development Provision	Clause 22.11- Residential Policy Requirement
Private Open Space	Incremental Housing Change requirements – Schedule to the Residential 3 Zone: 40m ² , located to the side / rear of the dwelling, achieving a minimum dimension of 5 metres for a 2 bedroom dwelling with convenient access from a living room. An additional 20m ² is required for each additional bedroom, which achieves a minimum dimension of 3 metres.	Dwelling 1 (3 bedroom) – 105.73m ² of which 52.53m ² is secluded private open space Dwelling 2 (3 bedroom) – 101.1m ² of which 50.2m ² is secluded private open space Dwelling 3 (3 bedroom) – 82.6m ² of secluded private open space Dwelling 4 (2 bedroom) – 53.8m ² of secluded private open space Dwelling 5 (2 bedroom) – 77.95m ² of private open space.	As per the Schedule to the Residential 3 Zone for Incremental Housing Change Areas
Car Parking	One (1) space for a 2 bedroom dwelling, or two (2) spaces for every 3 bedroom dwelling.	Each dwelling has been provided with two (2) car parking spaces, in the form of a single garage with a tandem space located in front.	Adequate car parking for future residents and visitors
Dwelling Setback to Street	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	A 5.0 metre minimum front setback is proposed for Dwelling 1 and 2	As per ResCode
Site Coverage	Incremental Housing Change requirements – Schedule to the Residential 3 Zone: Maximum 50%	Site coverage is 39%	As per the Schedule to the Residential 3 Zone for Incremental Housing Change Areas

Existing Conditions

The subject site is located on the south side of Kingston Road, Mordialloc. It is rectangular in shape with a frontage width of 36.32 metres, a maximum depth of 37.68 metres, resulting in an overall area of 1358m². The site has a fall of approximately 0.4 metres slope towards the rear (south) side of the site. Vehicle access to the site is via a single width crossover located on the east side of the Kingston Road property frontage.

The subject site does not appear to contain any significant vegetation.

The site is currently vacant.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Kingston Road consists predominantly of detached, single storey, brick and weatherboard dwellings with pitched roofs. There are some double storey dwellings located within the street and the general area. There is no predominant fencing style in the neighbourhood.

The site is encumbered by a 2.44 metre wide sewerage and drainage easement along the site's south (rear) property boundary.

Proposal In Detail

It is proposed to construct five (5) double storey dwellings on the site.

Key elements of the proposal are as follows:

Dwelling	Floor Area (excluding garage / verandah)	Private Open Space	No. of Bedrooms	Car Parking Spaces
1	84.3m ²	105.73m ² of which 52.53m ² is secluded private open space	3	2
2	84.3m ²	101.1m ² of which 50.2m ² is secluded private open space	3	2
3	87.71m ²	82.6m ² of secluded private open space	3	2
4	88.06m ²	53.8m ² of secluded private open space	2	2
5	86.9m ²	70.95m ² of secluded private open space	3	2

Building Materials and colours have been nominated as:

Roof:	Flat roof (materials not specified)
Walls:	Smooth render (off white and slate grey), timber battens to be stained, brick veneer (light and dark brown), cladding (off white) & James Hardie weatherboard cladding (off white).
Garage doors	Not specified
Driveways:	Paved surface – shall be exposed to aggregate mixture (sand colour)
Front fencing:	1.0 metre high rendered brick (off white)
Boundary fences:	Existing to be retained

The proposal would result in a site coverage of 39%, and a site permeability of approximately 40%.

Title Details

The applicant has completed a restrictive covenant declaration form declaring that there is a restrictive covenant on the title but that the application proposed does not breach this covenant.

Amendment To The Application Before Notification

The applicant submitted amended plans to Council on 23rd April, 2007. The plans were amended largely to address the concerns / requests outlined in Council's further information letter dated 6th December, 2006.

Advertising

The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. Twenty (20) objections to the proposal were received.

The grounds of concern may be summarised as follows:

- Loss of privacy
- Overshadowing
- Vehicular parking/ traffic congestion
- Noise concerns
- Front setback
- Neighbourhood Character concerns (incl. roof style - out of character with area)
- Private open space concerns
- Inaccurate details on drawings
- Overdevelopment
- Devaluation of property values
- Vegetation concerns – lack of space for new vegetation to be planted

Preliminary Conference

A Preliminary Conference Was Held On Thursday 28th June, 2007 Where The Above Issues Were Discussed At Length. Predominately, The Concerns Discussed In This Meeting Were Not Resolved. However, The Applicant Advised All Parties That They Would Take On Board The Concerns Outlined Above And Consider Revising The Drawings To Address These Issues.

Amendment To The Application After Notification And Re-Notification

An application pursuant to Section 57A of the Planning and Environment Act 1987 was received on 11th October, 2007. The amendment, as indicated by the applicant, mainly involves amendments to the layout of Dwellings 5.

Council decided to approve the amendment and directed the application to be re-advertised pursuant to Section 52 of the Planning and Environment Act 1987 by

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

sending out notices (including a copy of the revised drawings) to all objectors to the original application.

Eight (8) further objections to the proposed development were received by Council.

Following this, the applicant emailed revised concept drawings to Council's Town Planning Officer on 7th February, 2008, which included the following amendments:

1. Revised ground floor arrangements of Dwellings 3, 4 and 5 to include increased private open space areas, to comply with the Schedule requirements of the Residential 3 Zone.
2. Revised streetscape elevation plans with the roof form of Dwellings 1 and 2 modified, to include a pitched roof rather than a flat roof. This change was made by the applicant to improve the development's relationship with the existing built form within Kingston Street and to address concerns relating to neighbourhood character.
3. As the private open space area of Dwelling 5 was increased, as outlined in point 1 above, the applicant modified the internal arrangement of this dwelling to include 3 bedrooms, rather than 2.

Planning Scheme Provisions

A planning permit is required to develop land for two dwellings, pursuant to Clause 32.01-4 of the Kingston Planning Scheme (the Scheme). In addition, according to ResCode at Clause 55 and the decision guidelines at Clause 65 of the Scheme, Council must consider the State Planning Policy Framework (Clause 16) and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement of the Scheme.

Other

The land is located in an 'Incremental Change Area' as identified by the Residential Land Use Framework Plan that forms part of the Municipal Strategic Statement.

Referral

No external referrals were required in respect of this application.

The application was referred to the following internal departments within Council:

Council's Vegetation Management Officer
Council's Traffic Engineer
Council's Development Approvals Engineer

All internal referral authorities have no objection to the proposed application, subject to suitable conditions being included on any permit issued.

Discussion

Kingston Planning Scheme Provisions:

Clause 12: Metropolitan Development

This section of the scheme provides specific objectives and strategies for Metropolitan Melbourne, including the following:

Clause 12.01 A more compact city seeks to:

- a) Facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.
- b) Locate a substantial proportion of new housing in or close to activity centres and other strategic redevelopment sites that offer good access to services and transport.

Clause 12.05 A great place to be – seeks to create urban environments that are of better quality, safer and more functional, provide more open space and an easily recognisable sense of place and cultural identity, including:

- a) Promotion of good urban design to make the environment more liveable and attractive.
- b) Recognition and protection of cultural identity, neighbourhood character and sense of place.
- c) Improvement of community safety and encouragement of neighbourhood design that makes people feel safe.
- d) Protection of heritage places and values.
- e) Promotion of excellent neighbourhood design to create attractive, walkable and diverse communities.
- f) Improvement of the quality and distribution of open space and ensuring the long term protection of open space.
- g) Improvement of the environmental health of the bays and their catchments.

Clause 12.06 A fairer city – seeks to increase the supply of well located and affordable housing by:

- a) Encouraging a significant proportion of new development, including development activity centres and strategic redevelopment sites, to be affordable for households on low to moderate incomes.

- b) Facilitate a mix of private, affordable and social housing in Transit Cities Projects.
- c) Ensuring the redevelopment and renewal of public housing stock better meets community needs.

Clause 12.07 A greener city – seeks to minimise impacts on the environment to create a sustainable path for future growth and development by:

- a) Ensuring that water resources are managed in a sustainable way.
- b) Reduce the amount of waste generated and encourage increased reuse and recycling of waste materials.
- c) Contribute to national and international efforts to reduce energy usage and greenhouse gas emission.
- d) Reduce the impact of stormwater on bays and catchments.

Clause 12.08 Better transport links seeks to:

- a) Manage the road system to achieve integration, choice and balance by developing an efficient and safe road network and making the most of existing infrastructure.
- b) Give more priority to walking and cycling in planning urban development and in managing the road systems and neighbourhoods.
- c) It is considered that this application meets these objectives.

Clause 14.01: Planning for Urban Settlement

This section of the Scheme seeks facilitate the orderly development of urban areas. It is considered that this application meets these objectives.

Clause 14.01-2: Planning for Urban Settlement - General Implementation

This section of the Scheme seeks to ensure that the consolidation of residential and employment activities is encouraged within existing urban areas and designated growth areas, and that development in existing residential areas should be respectful of neighbourhood character, and that higher land use densities and mixed use developments should be encouraged near railway stations, major bus terminals, transport interchanges and tram and principal bus routes.

It is considered that this application meets these objectives.

Clause 16.02: Housing - Medium Density Housing

It is the objective of the State Planning Policy Framework to encourage the development of well-designed medium-density housing which:

- a) Respects the character of the neighbourhood.
- b) Improves housing choice.
- c) Makes better use of existing infrastructure.
- d) Improve energy efficiency of housing.
- e) It is considered that this application clearly meets these objectives.

Clause 21.05 MSS - Residential Land use

Incremental Housing Change Area

The type of housing change anticipated in these areas will take the form of extensions to existing houses, new single dwellings or the equivalent of new two dwelling developments on average sized lots. The existing single dwelling character of these areas is to be retained.

The objectives of the Municipal Strategic Statement (as relevant to this application) include:

Objective 1: To provide a wide range of housing types across the municipality to increase housing diversity and cater for the changing needs of current and future populations, taking account of the differential capacity of local areas in Kingston to accommodate different types and rates of housing change.

Objective 2: To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality.

Objective 3: To preserve and enhance well landscaped/vegetated environments and protect identified significant vegetation.

Objective 4: To promote more environmentally sustainable forms of residential development.

Objective 5: To manage the interface between residential development and adjoining or nearby sensitive/strategic land uses.

Objective 6: To ensure residential development does not exceed known physical infrastructure capacities.

Relevant strategies to achieve these objectives (as relevant to this application) include:

- a) Promote lower density housing in established suburban areas that do not have direct access to activity/transport nodes and “encourage” only incremental change in housing density (*incremental housing change areas*). Such areas will retain their predominantly single dwelling character and incremental change will occur in the form of single dwellings or the equivalent of dual occupancy developments on average sized lots.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- b) Promote new residential development which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.
- c) Promote new residential development which provides a high standard of amenity and quality of life for future occupants.
- d) Encourage the retention of existing vegetation wherever possible.
- e) Improve landscape character by accommodating appropriate landscaping within new residential developments.
- f) Ensure that the planning, design, siting and construction of new residential development responds to best practice environmental design guidelines for energy efficiency, waste and recycling, and stormwater management.
- g) Promote medium density housing development in close proximity to public transport facilities, particularly train stations.
- h) Ensure the siting and design of new residential development sensitively responds to interfaces with environmentally sensitive areas, including the foreshore.
- i) Ensure that where medium and higher density residential areas are proposed adjacent to lower density residential areas, the design of such development takes proper account of its potential amenity impacts.
- j) Ensure that the siting and design of new residential development is consistent with Urban Stormwater Best Practice Environmental Management Guidelines and that new development contributes to the maintenance and upgrade of local drainage infrastructure as required, where such new development will impact on the capacity of such infrastructure.
- k) Require the provision of car parking to satisfy the anticipated demand having regard to average car ownership levels in the area, the environmental capacity of the local street network and the proximity of public transport and nearby on and off street car parking.
- l) Ensure that all new medium density housing provides adequate private open space that is appropriately landscaped.

It is considered that the proposed development is consistent with the relevant objectives of Council's Municipal Strategic Statement as outlined above. The proposal is considered a good opportunity to provide a range / variety of dwelling styles to cater for the changing household types. Therefore, the proposed development assists in providing for housing diversity within the area, presenting an increase in housing density whilst, in Council opinion, being respectful to the existing area and surrounding built form.

The layout and design provides for safety and security needs for future residents, takes into account energy efficiency objectives where appropriate, provides adequate on-site car parking and ensures that a suitable amount of open space is allocated to each dwelling. It is noted that all dwellings proposed are double storey with the upper storey component of the rear dwellings (i.e. dwellings 3, 4 & 5) set back between 2.78 metres to 4.7 metres from the site's rear (south) property boundary. Importantly, the minimum rear setback of the upper storey of Dwelling 2, which is measured at 2.78 metres, is sited opposite two (2) galvanised sheds and a brick wall (no windows), which take up the majority of the rear backyard area of the adjoining properties to the rear (south) side of this dwelling. Based on the built form located at the rear of the neighbouring dwellings and given that this presents as a form of screening / shielding to the proposed development, and furthermore is not used for entertaining / recreational purposes, it is considered that an appropriate first floor setback distance has been achieved for Dwelling 3.

For the other two (2) dwellings that are sited to the rear of the land (i.e. Dwellings 4 and 5) a greater first floor setback distance has been achieved from the site's rear (south) property boundary. Dwelling 5 achieves a minimum rear setback distance of 4.6 metres, which, in Council's opinion, is generous and in accordance with ResCode requirements. Dwelling 3 achieves a 3.156 metre setback from the rear property boundary. Importantly, the dwelling that is located on the neighbouring property to the rear of Dwelling 3 is sited approximately 1 to 2 metres from the site's rear common property boundary. This area is not deemed to be secluded private open space for the neighbouring dwelling as it is so minimal in size and includes no direct access from doors / living area to the rear. Additionally, for a distance of approximately half of the rear property boundary, the neighbouring dwelling to the rear of Dwelling 4 includes no windows that directly face the subject site.

For the reasons outlined above, it is submitted that the upper storey components of all dwellings located to the rear of the site (i.e. Dwellings 3, 4 and 5) have been adequately set back from all common property boundaries and the applicant has provided suitable and responsive setbacks to where the subject site abuts sensitive interfaces such as secluded private open space areas of neighbouring dwellings. In addition, a reasonable level of articulation, which alleviates visual bulk concerns associated with the proposed two (2) storey elements of the rear dwellings, has been incorporated into the design. Please note, that these issues will be further discussed at a later stage within this report (see response to objector's concerns).

Council acknowledges that although Kingston Street predominately contains single storey detached dwellings, there are other examples of two (2) storey dwellings in the area. As further elaborated later within this report, it is considered that the development will not hinder the existing neighbourhood character and will be consistent with the broader local neighbourhood character and evolving character of the area.

The subject site is approximately 379m² short of meeting the average lot size within this area. The subject site has an overall site area of 1358m² and the average lot size within this area has been calculated to be 347.45m². It is acknowledged that when applying the calculated lot sizes the proposed development falls significantly short of this average. If this study is strictly applied to the subject site, a four dwelling development would generally meet the mean lot size calculations. However, bearing in mind that these lot size calculations date back to March 2003 and, therefore, it is envisaged that these calculations would have varied over the past 5 years, and given that the proposed development clearly meets the Schedule requirements of the Residential 3 Zone, results in a total site coverage 39%, predominately complies with the requirements of Clause 55 of the Kingston Planning Scheme, creates a high standard of amenity for the future occupants of each dwelling, it is submitted that the proposed development is appropriate in this instance.

Clause 22.11 - Residential Development Policy

The proposal has been assessed against the objectives and policy of the Residential Development Policy. It is considered that the proposal satisfactorily meets these requirements.

It is submitted that the proposal is considered unlikely to hinder the existing neighbourhood character in terms of architectural design. Although it is acknowledged that the area predominately consists of single storey, detached dwellings, there are other double storey dwellings found within the immediate area. It is considered that the massing and upper floor components of all Dwellings are reasonable as they are located within and are small than their respective ground floor components. Further, the proposal contains good articulation, modulation and variation in building materials for all dwellings, which reduces visual bulk and ensures that the development responds to the site and the existing built form on neighbouring properties. Overall, it is submitted that the proposed dwellings are sensitively and consciously designed, taking into account the site's surrounding environs and incorporating appropriate materials, finishes and colours that are consistent with that found in the broader neighbourhood character.

The location and configuration of the private open space areas being provided to all dwellings are of an adequate size to be usable and allow for the provision of suitable landscaping. It should be noted that the applicant, in some cases, has provided an increase in private open space area requirements to improve on-site conditions for future residents, to assist in softening the design and to ensure that suitable setbacks on ground and first floor are achieved. Accordingly, it is considered that the development will provide a high standard of amenity and quality of life for future

occupants. Furthermore, the driveway layout is considered practical, efficient and does not pose any safety issues when vehicles are entering and exiting the site.

With regard to Clause 22.11 of the Kingston Planning Scheme, Council Planning Officer submits that the proposed development adequately meets the strategic intent of this policy as the two (2) storey dwellings have been sited in a way that ensures that the garden outlooks and amenity of adjoining residential properties have been protected. The applicant has ensured that no significant adverse amenity impacts, such as unreasonable overlooking or overshadowing, will occur as a result of the proposed development by sensitively locating all upper storey habitable room windows and/or providing appropriate screening techniques in accordance with ResCode requirements and ensuring that all dwellings are modest in height and built form.

A further assessment against neighbourhood character, the siting of double storey to the rear and the principles discussed within Clause 22.11 of the Kingston Planning Scheme will be discussed later within this report (refer to response to objectors section).

Clause 32.06: Residential 3 Zone

The purpose of the Residential 3 Zone includes the provision of residential development at a range of densities with a variety of dwellings to meet the housing needs of all households. A planning permit is required for the development of 2 or more dwellings.

Schedule

The proposal meets the additional requirements listed in the Schedule to the Residential 3 Zone.

Clause 55: Rescode

The proposal has been assessed against the objectives and standards of Clause 55 (ResCode) of the Kingston Planning Scheme. It is considered that the proposal satisfactorily meets the requirements of Rescode. There are however some areas of non-compliance which are as follows:

Clause 55.03-8: Standard B13 – Landscaping objectives

Landscape plans were referred to Council's Vegetation Management Officer who recommended that amended plans be requested via Condition 1 of approval.

Clause 65: Decision Guidelines

This clause of the Planning Scheme sets out other matters which must be given regard to before deciding on an application.

It is considered that the proposed development meets the requirements as set out in this Clause of the Planning Scheme.

Neighbourhood Character Area Guidelines (Incorporated Document):

The land is located within Area 25 of the Neighbourhood Character Guidelines. The proposal is not considered to raise any issues of non-compliance with these guidelines.

Designing Contextual Housing Guidelines – April 2003 (Reference Document):

The Designing Contextual Housing Guidelines supplement the Kingston Neighbourhood Character Guidelines, Residential Development Policy and ResCode provisions and offer a range of design techniques and suggestions to assist with residential design which is responsive to local character. It is considered that the proposed development does not raise any issues of non-compliance with these guidelines.

Response to Grounds of Objection

The following is a response to the grounds of objection. As there is overlapping in the grounds, particularly with the concept of neighbourhood character and residential amenity, it has been decided to address these matters all, predominately, in one section.

Neighbourhood Character & Impact on Residential Amenity (including overlooking, overshadowing, noise concerns)

Neighbourhood character is the starting point of ResCode (Clause 55 of the Kingston Planning Scheme). It is acknowledged that the concept of ‘neighbourhood character’ is a somewhat subjective issue; however, with regard to the proposal and for the reasons discussed below, it is considered that the development is responsive to and would not hinder the surrounding character of the area. It is evident that there are other examples of two-storey dwellings located within proximity to the subject site and within Kingston Street. Although the area predominately comprises of detached dwellings, it is evident that there are varying styles of residential development within the general area.

Relevant to this application, the case of Stefano Casaceli Vs City of Kingston (P2361/2004) that went before the Tribunal and was chaired by Senior Member Biard looked closely at the issue of neighbourhood character.

Specifically, at paragraph 19 of VCAT’s order, Member Biard states that *‘one of the difficulties in this respect is that respect for neighbourhood character is not a value that can be readily measured against objective of criteria, but is a matter that calls for a balanced judgement in relation to which reasonable and honest views may differ. In this case the submissions of the responsible authority contain a number of*

assertions that this proposal is not respectful of neighbourhood character and does not make a positive contribution to such character. However, I cannot accept these propositions are established merely by their assertion. That does raise a question as to what neighbourhood character is to be respected, and if this proposal does not respect it, in what ways is this disrespect manifest’.

**City of Kingston
Ordinary Council Meeting**

25 February 2008

Agenda

Similar to the consideration of this application, paragraph 20 and 21 of the VCAT decision goes on to state that *'it is not asserted that there is a preferred neighbourhood character for this area. Rather it is the existing neighbourhood character that must be considered. This is a locality suitable for medium density redevelopment and the site, having regard to its substantial size, is obviously a candidate for that. The responsible authority points to cl.21.05 of the planning scheme as identifying the subject site as located in an area identified for "incremental change". This does not mean no change on the one hand, and it does not mean dramatic change, such as the introduction of high density and high rise residential developments, on the other'*.

Paragraph 20, *'this proposal would present a single dwelling, dwelling 1, to the street frontage with a driveway, which would actually be the driveway for all four dwellings, to one side of it.... Each of the proposed dwellings would be two storey, and each is well designed and articulated. Amongst other aspects of the articulation is the situation where the first floor footprint is smaller, in each case, than the relevant ground floor footprint. The articulation reduces the perception (and reality) of bulk. Adjoining single storey houses have substantial roof forms. It is proposed here that the new dwellings would have much smaller and simpler roofs. Part of the roofing would be flatter pitched roofs with simple gable ends, and with some flat roof segments. It is said, on behalf of the applicant, that these roof proposals make some acknowledgement to roof forms without copying them and whilst being more modest. Perhaps that is true. It also means that roof ridges are less elevated so that type of roof of the single storey house on the up-hill side is higher than the top of roofs now proposed'*.

It is considered that the subject development at 2-4 Kingston Street responds in a similar way to the site as stated above. The subject development is located on two (2) allotments and is proposed to have a double storey dwelling (i.e. Dwelling 1 and 2) on each allotment facing the street with a central driveway to access the three (3) dwellings located behind Dwellings 1 and 2. This design ensures that from a streetscape perspective the development reads as a single detached form of housing, which is consistent and mindful of the context of other residential dwellings found in the area. Further, the proposed development incorporates pitched and flat roofs for the front two (2) dwellings. The applicant has revised the plans to include pitched roofs for the two (2) front dwellings. The revision was made as the applicant acknowledged that the typical roof style within the street is that of a pitched style and, as such, they have incorporated this element within their design drawing from the existing roof forms, without directly replicating or copying the existing character. It is submitted that the proposed pitched roofs for Dwellings 1 and 2 compliment the established neighbourhood character. Although Dwellings 3, 4 and 5 present flat roofs, which is an atypical characteristic to the area, these dwellings are largely hidden from the streetscape as they are sited behind Dwellings 1 and 2. For this reason

it is considered that the rear dwellings will not play a critical role or disrupt the existing character of the area.

Comparable to the subject application, Member Biard acknowledges that there are no heritage overlays or neighbourhood character overlays that apply to the site. As such, *'this is not an area where it has been recognised that the architectural or historic*

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

interest of the existing area needs to be preserved for the benefit of the future'. In the event that such controls did apply to the site, this would still not imply that future or proposed development would need to copy or mimic existing buildings or development found within the area. 'On the contrary, modern infills should be respectful without being artificial copies...two storey amongst single storey is not, of itself; a sufficient reason for refusal...In other words, I do not think it is a reason at all, rather than it is not a reason, standing by itself'.

Having outlined the above, it is evident that refusing an application on the basis that double storey dwellings are proposed, is not an acceptable or permissible decision under the applicable planning legislation. The proposed development at Kingston Street involves a form and style of building that is distinctly modern. So the question we must now turn our minds to is whether this particular contemporary style is acceptable in terms of neighbourhood character? In the opinion of the objectors, it is apparent that they believe there is insufficient reflection or acknowledgment of existing features in the neighbourhood that relate to the form proposed. As such, the style of development (i.e. the 5 dwellings), height (less than 9 metres), materials / colours, bulk etc. all play a critical role to the consideration of this application. From a streetscape perspective it is the two (2) front dwellings that will primarily be visible from the public realm. As outlined throughout this report, the proposed development in terms of its assessment against ResCode requirements is largely compliant and well designed. Council's Local Planning Policy Framework, amongst other policies, urges that a high standard of amenity and quality of life for future occupants be provided.

The site, as specified in Council's Local Planning Policy Framework, is located within an Incremental Housing Change Area where future objectives strive to provide a wide range of housing types across the municipality to increase housing diversity and cater for the changing needs of current and future populations. Additionally, in these areas it is important to ensure new residential development respects neighbourhood character and is site responsive, and to promote lower density housing in established suburban areas that do not have direct access to activity/transport nodes and "encourage" only incremental change in housing density (*incremental housing change areas*). Such areas will retain their predominantly single dwelling character and incremental change will occur in the form of single dwellings or the equivalent of dual occupancy developments on average sized lots.

As already discussed, it is argued that the proposed development meets the above objectives and that when viewed from Kingston Street the proposal will appear and maintain the detached, single dwelling character. As stated, Council acknowledges that Kingston Street predominately contains single storey, detached dwellings. However, there is no strict residential style, design or character that dominates the street. There are other double storey dwellings located within Kingston Street, including the slow emergence of more modern styles / forms. Therefore for the reasons outlined throughout this section and as reinforced by the discussion presented within the VCAT decision by Member Biard, it is submitted that the proposed two storey dwellings respect the amenity of adjoining properties by including suitable and generous setbacks of the upper storey component from common boundaries and substantially complies with the set standards and objectives of Clause 55. Given the

development's predominate compliance with the provisions of the Scheme; it is strongly believed that the development (including the upper storey components) should not be considered out of character or detrimental to the area.

With regard to concerns relating to overlooking and loss of privacy, the first floor components of Dwellings 3, 4 and 5 include raised windows (i.e. 1.7 metres above the first floor finished floor level) and/or are suitably screened to ensure that no unreasonable overlooking of views into surrounding property's private open space areas or habitable room window can be achieved. Council is satisfied that the upper storey components of all dwellings comply with ResCode requirements. However, it is advised that in the event that a permit issues, a condition requiring all first floor windows to be designed in accordance with the overlooking provisions of Standard B22 of Clause 55 should be included.

With regard to noise concerns, it is envisaged that any noise that will be generated on the site would be that of a residential nature. The proposed use, residential, is an as of right use in a Residential 1 Zone and therefore it is considered that the any noise that would occur on the site would be appropriate to the site and its immediate surroundings.

For all of the reasons outlined above, it is considered that the proposal is respectful of adjoining properties as it contains adequate setbacks from all common boundaries, is not excessively large in built form, bulk or total building height, and as such, complies with the objectives and standards of Clause 55 that relate to neighbourhood character. It is respectfully submitted that the proposed development should therefore, not hinder the character of the area.

Vehicular parking/ traffic congestion

The proposal is in accordance with Standard B9 of Clause 55 of the Kingston Planning Scheme (Car Parking Requirements). Each dwelling is provided with a minimum of two (2) car parking spaces, with at least one (1) space being undercover. Furthermore, the internal dimensions comply with Standard B9 requirements.

It is acknowledged that the proposed development will result with additional dwellings being sited on the subject site. However, Council recognises the potential of the site being redeveloped to provide an improved quality of housing and residential living for the area and considers it unlikely, that Kingston Street will experience a significant increase in traffic that will have a detrimental impact on the immediate area. As pointed out by Council's Traffic Engineer *'this development is likely to add between 35 – 45 trips to the local network, which can easily be accommodated without any substantial impact'*.

Furthermore, the application includes a proposed double width crossover to access the site and all five (5) dwellings. Given that the subject land comprises of two (2) allotments, the double width central crossover is deemed appropriate and does not result in any additional loss of on-street car parking than if a single dwelling was built on either allotment.

Front setback

Standard B6 of Clause 55.03-1 of the Kingston Planning Scheme specifies that the front setback of a proposed development should be *'the average distance of the setbacks of the front walls of the existing building on the abutting allotments facing the street or 9 metres, whichever is the lesser'*. The proposed minimum front setback of the development is 5.0 metres from the site's Kingston Street frontage. The adjoining property to the site's west side has a front setback ranging between 0 metres (shelter) and 7.0 metres. The property that abuts the subject site to its east side has a front setback distance of 7.6 metres. As such, Council is satisfied that an appropriate front setback has been achieved, which provides a smooth transition between adjoining allotments. Furthermore, the proposed 5 metre minimum front setback is considered to comply with the above-mentioned standard of ResCode.

Private open space concerns

As Council has clearly outlined earlier within this report, the revised concept development plans clearly meet and in some instances exceed the private open space area requirements, which are specified within the Schedule to the Residential 3 Zone. It is noted that the initial and advertised development plans for Dwelling 3, 4 and 5 failed to meet the dimension requirements specified in the Schedule to the Residential 3 Zone. However, the applicant has modified the plans to address this concern and has ensured that the development meets this requirement.

As such, Council is satisfied that a suitable amount of private open space has been allocated to each dwelling to provide for the recreational needs of future occupants.

Inaccurate details on drawings

Council is not aware of any vital inaccuracies displayed on the development plans. However, any designing errors, mistakes or computer blunders could be easily addressed via suitable conditions being included on any permit issued.

Overdevelopment

The proposal has a site coverage total of 39%, which clearly meets both the objective and standard (maximum 50%) of Clause 55.03-3 of the Kingston Planning Scheme. The objective of this Clause requires site coverage to respect the existing or preferred neighbourhood character and respond to the features of the site. With regard to this, the proposed development is consistent with the existing and preferred neighbourhood character of the area and is responsive to the conditions of the site.

It is considered that the question of overdevelopment cannot be answered simply by looking at site coverage and building size alone. Overdevelopment is usually characterised by not meeting a majority of the assessment criteria of Clause 55 of the Kingston Planning Scheme (ResCode), which in this instance, is clearly not apparent. As demonstrated on the previous page under the heading 'Clause 55 – Rescode', the proposed development does not raise any major concerns or areas of non-compliance with the provisions (standards and objective) for medium density development.

It is therefore considered that the proposal evidently does not exhibit any of the usual indicators of overdevelopment, these including: unreasonable overshadowing, unreasonable overlooking, insufficient private open space or insufficient car parking.

Devaluation of property values

Council has no way of determining whether surrounding properties are likely to decrease or increase in property values as a result of the proposed development. Accordingly, it is submitted that this is not a valid ground of objection or one which Council can consider against the relevant planning provisions.

Vegetation concerns – lack of space for new vegetation to be planted

Council's Vegetation Management Officer has assessed the proposed development plans and advised that there are adequate open space areas available for vegetation and suitable species to be planted on the site to soften the development and provide some level of screening. Further and as previously outlined within this report an adequate amount of secluded private open space has been provided to each dwelling, which meets and in some instances exceeds the private open space area requirements of the Residential 3 Zone.

General Comment

The proposed development is considered appropriate for the site as evidenced by:

- a) The design and siting of the proposed development to be compatible with the surrounding area;
- b) The proposal should not have a detrimental impact on surrounding properties (subject to appropriate conditions); and,
- c) The proposal satisfies the requirements of the Kingston Planning Scheme, including the MSS, Residential Development Policy, Residential 3 zoning and the Schedule to the zone, Clause 55 – Two or more dwellings on a lot and Residential Buildings and the Neighbourhood Character Area Guidelines and the Designing Contextual Housing Guidelines.

On balance and subject to the inclusion of suitable conditions, the proposal is considered reasonable and warrants support.

Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit for the development of this site for five (5) dwellings subject following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 11th October, 2007 and the concept drawings submitted to Council on 7th February, 2008, but modified to show:
 - a) provision of an improved landscape plan and associated planting schedule for the site showing the proposed location, species type, mature height and width, pot sizes and number of species be planted on the site, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i) delineation of all the garden beds, paved and grassed areas throughout the development;
 - ii) all existing trees on the site and close to the boundary on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is to be retained or removed;
 - iii) the provision of two (2) spreading canopy trees within the front setback of Dwelling 1;
 - iv) the provision of two (2) spreading canopy trees within the front setback of Dwelling 2;
 - v) the provision of one (1) suitable spreading canopy tree within the private open space of each dwelling;
 - vi) suitable species should be selected for use within the landscape strip along the driveway i.e. take into consideration the mature width of the plant selected;
 - vii) all hard surfacing and fencing to be located at least 1 metre from any existing or proposed canopy tree;
 - viii) all trees provided at a minimum of 2 metres high at time of planting;
 - ix) a range of plant types from ground covers to large shrubs and trees;
 - x) medium to large shrubs and trees to be provided in pot sizes of 200mm or greater;
 - xi) notes regarding site preparation i.e. removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- xii) a notation that: A Local Law permit is required to remove any tree with a trunk circumference of 110cm or greater measured at ground level.
- xiii) a notation that: A Local law permit must be obtained to undertake earthworks within the Critical Root Zone of any tree (located on the site or adjoining properties) with a with a trunk circumference of 110cm or greater. No excavation is to occur within the Critical Root Zone. The area must be hand dug to determine the location of tree roots. Council's Vegetation Officer must be contacted to inspect the tree roots. A qualified and experienced arborist must carry out any root pruning permitted.
- b) a full set of plans reflecting the modifications to the ground floor footprint and private open space areas of Dwelling 3, 4 and 5 as specified on the concept plans submitted to Council on 7th February, 2008;
- c) the elevation plans for Dwellings 1 and 2 to reflect the revised roof option labelled 'Option 1 preferred option' on the concept streetscape elevation plans submitted to Council on 7th February, 2008;
- d) the private open space area of each dwelling in accordance with the Schedule requirements of Clause 32.06 of the Residential 3 Zone;
- e) the existing 150mm diameter stormwater drain located along the site's southern boundary (rear) upgraded to a 300mm diameter between the existing pit at the south-east corner of No. 6 Kingston Road and the existing pit at the south-west corner of No 2. Kingston Road, in accordance with the approved engineering plans as required under Condition 7 of this permit;
- f) no trees planted within the rear easement with intrusive roots that may effect the drainage;
- g) all first floor habitable room windows and / or balcony areas that face and are located within 9 metres of adjoining residential property's private open space areas or habitable room windows suitably screened in accordance with Standard B22 of Clause 55.04-6 of the Kingston Planning Scheme, to ensure that no unreasonable overlooking occurs;
- h) all plans to specify 'Kingston Street' rather than 'Kingston Road';
- i) an elevation plan of the front fencing, which provides details of height, materials and colours;
- j) the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
- k) the door of each garage nominated as a panel lift door, or similar;
- l) provision of a full colour, finishes and building materials schedule (including samples) for all external elevations of the proposed dwellings;
- m) the provision of appropriate notes regarding the protection of the two (2) street trees in accordance with Conditions 4 and 5 of this permit.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

2. The development and/or use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
4. Prior to the commencement of the development hereby permitted, a fenced Tree Protection Zone (TPZ) defined by a 1.2 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting, must be erected around the two (2) street trees, within the constraints of the nature strip.
5. Within the Tree Protection Zone the following must be observed:
 - a) the existing soil level must not be altered either by fill excavation unless under the supervision of a qualified and experienced arborist;
 - b) the soil must not be compacted or the soil's drainage changed;
 - c) no fuels, oils, chemicals, poisons, rubbish and other materials harmful to trees are to be stored or dispersed;
 - d) no storage of equipment, machinery or material is to occur;
 - e) open trenching to lay underground services e.g: drainage, water, gas, etc. must not be used;
 - f) tree roots must not be severed or injured;
 - g) machinery must not be used to remove any existing concrete, bricks or other materials;

without the further consent in writing of Council's Vegetation Management Officer.

Any tree pruning works must be undertaken by a qualified and experienced arborist and be in accordance with the Australian Standards AS4373-1996

6. Before occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with, unless with the further prior written consent of the Responsible Authority.
7. The existing stormwater drain along the southern (rear) boundary must be upgraded in accordance with condition 1b) of this permit, at the developer's cost. All works associated with drainage upgrade must be in accordance with engineering plans submitted to and approved by the Responsible Authority. A priced schedule of works within the easement and the payment of Council's engineering fees of 3.25% of the cost of works are required to be submitted prior to commencement.
8. The development of the site must be provided with stormwater treatment works which must incorporate water sensitive urban design principles (including re-use) to improve discharge quality and a detention system for any increase in runoff as a result of the approved development. The system must be maintained to the

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- satisfaction of the Responsible Authority. Council's Development Engineer can advise on treatment options.
9. Before the development commences, a drainage plan showing the method of treatment and discharge to the nominated point must be prepared to the satisfaction of the Responsible Authority. The plan must be prepared by a qualified person and show all details of the proposed drainage works, including all existing and proposed features that may have impact on the drainage (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.).
 10. Stormwater drainage of the site must be provided so as to prevent overflows onto adjacent properties.
 11. Construction on the site must be restricted to the following times:

Monday to Friday	7:00am to 7:00pm; and
Saturday	9:00am to 6:00pm.

Or otherwise as approved by the Responsible Authority in writing.
 12. Before the occupation of the dwellings hereby permitted starts, or by such later date as is approved by the Responsible Authority in writing, the nature strip, kerb and channel, vehicle crossover and footpath must be reinstated to the satisfaction of the Responsible Authority.
 13. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's standard specification.
 14. Convenient taps or fixed sprinkler system must be provided to the satisfaction the Responsible Authority capable of watering all communal and private land and landscaped areas, including turf block visitor car parking where provided.
 15. A street number of 100mm minimum height and contrasting in colour to its background, must be fixed at the front boundary of the property and as near as practicable to, or on the letterboxes with such numbering to be in accordance with Council's Street Numbering Policy. Separate unit numbers of 75mm minimum height must be placed adjacent to the front entrance of each dwelling. Such numbers must be clearly legible from the access driveway.
 16. Prior to the occupation of the dwellings hereby approved, all boundary fences must be repaired and/or replaced as necessary to the satisfaction of the Responsible Authority, at the cost of the applicant/owner.
 17. Exterior lights must be installed in such positions as to effectively illuminate all pathway and porch areas. Such lighting must be controlled by a time clock or sensor unit, and must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land.

18. Prior to the occupation of the dwellings hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
- a) Constructed to the satisfaction of the Responsible Authority.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced with *an all-weather sealcoat* to the satisfaction of the Responsible Authority.
 - d) Drained and maintained to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

19. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
20. All piping and ducting above the ground floor storey of the development (other than rainwater guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
21. Finished Floor Levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
22. External clothes drying facilities must be provided for each dwelling.
23. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry of permit:

In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:

The development and use are not started before two years of the date of this permit.*

The development is not completed before four years of the date of this permit.*

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

*Should a planning permit issue a specified starting and completion date will be inserted.

Note: It is noted that the development includes garage, eaves and a barbeque facility to be built over an easement. Separate consent from Council and the relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a building permit.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- Note:** Prior to the commencement of the development you are required to obtain the necessary Building Permit.
- Note:** The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.
- Note:** Before removing/pruning any vegetation from the site, the applicant or any contractor engaged to remove vegetation, should consult Council's Vegetation Management Officer to verify if a Local Law Permit is required for the removal of such vegetation.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

K 13 100 Latrobe Street Mentone

Author: Jennifer Mustica-Town Planner

Approved By: Warren Ashdown-Acting General Manager Environmental
Sustainability

Applicant:	Kaye Musgrove
Address Of Land:	No.100 (Lot 96 PS 011253) Latrobe Street, Mentone
Melway Ref:	86 K4
Proposal	To use the site for a food and drink premises/ cafe
Contact Officer:	Jennifer Mustica
File No:	KP509/07
Zoning:	Residential 1
Kingston Planning Scheme Ordinance Controls:	Clause 12: Metropolitan Development Clause 32.01: Residential 1 Zone & Schedule Clause 65: Decision Guidelines
Decision By:	30 th January 2008
Nett Days:	67 days @ 6 th February 2008

Main Issues Relating to this Application

- Loss of Amenity
- Car Parking
- Visual impact of proposal

Existing Conditions

The subject site is located on the southern side of Latrobe Street in Mentone, approximately 25 metres west of the intersection of Latrobe Street and Nepean Highway. It is essentially rectangular in shape, with a frontage width of about 15 metres, a maximum depth of 48.12 metres, resulting in an overall area of about 723m². Vehicle access to existing car parking spaces located at the rear of the building is via the right-of-way that runs along the eastern site boundary. The subject site does not contain any significant vegetation.

The site is partly occupied by a single storey weatherboard dwelling, and what is known as the "Latrobe Street Fine Foods" premises, which sits at the north-eastern site corner. The take away food and drink premises is a single storey brick commercial style building that is accessible to pedestrians via Latrobe Street. The weatherboard dwelling abuts the north-western corner of the commercial building, and is externally painted in similar colours to the building. The front setback area of the dwelling is sealed. Patrons presently utilise the amenities within the dwelling.

The site is located within a Residential 1 Zone, and is on the periphery of an existing residential precinct. Land on the western side of the right-of-way is a business area / uses. Land abutting the rear (south), east, and on the opposite side of Latrobe Street is developed and used for residential purposes.

Proposal In Detail

It is proposed to use the site as a food and drink premises/cafe on the land, which involves the arranging of tables and chairs within the front setback area of the dwelling, for the use of customers. As specified by the applicant, there is presently seating capacity for twenty (20) patrons, which includes seating inside the take away

food and drink premises and on the footpath at the front of the site. An additional twelve (12) seats are proposed.

The hours of operation for the seating within the front setback of the dwelling would be Monday to Friday (inclusive) 7:30am to 4:30pm and Saturday to Sunday 8:30am to 4:00pm. There are presently two (2) members of staff, and one (1) additional member of staff would be required over the lunch period.

The applicant proposes on-site car parking to the rear of the dwelling, for approximately ten (10) vehicles. It is envisaged by the applicant that approximately 30 people would use the new seating area on a daily basis and approximately 40 people would use the new seating on a weekend basis. The amenities within the dwelling would continue to be used by staff and patrons.

There are no buildings and works or advertising signage proposed.

Title Details

The applicant has completed a restrictive covenant declaration form declaring that there is a restrictive covenant on the title but that the application proposed does not breach this covenant. This has been assessed and it is agreed that the covenant is not breached for the following reasons:

The covenant restricts quarrying operations on the site, and the excavation and carrying away of stone, gravel or sand. There are no buildings and works proposed, and it is considered that the proposal will have no impact on the covenant.

Amendment to the Application Before Notification

No amendments made.

Advertising

The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site. However, following the initial advertising period, Council was unsatisfied that the enlarged public notice was maintained in a clear position on the site for a continuous period of fourteen (14) days. As a result, the applicant was directed to re-erect the Notice for an additional fourteen (14) day period. Council is now convinced this has been satisfactorily completed.

During the advertising period one (1) objection was received from the owners/occupiers of the adjoining property to the west side of the subject site. A petition with 138 signatories was also submitted in support of the proposal.

The grounds of concern highlighted by the objector may be summarised as follows:

- a) Amenity
- b) Parking
- c) Visual impact

Inaccurate land use definition for proposal. Should be considered a 'convenient restaurant' and therefore is prohibited given the site's location.

Preliminary Conference

A preliminary conference was held on the 23rd January 2008 where the above issues were discussed. Council's Town Planning Officer, the Ward Councillor, the objector(s) and their town planning consultant along with the applicant and their planning representative, were all in attendance at this meeting. The abovementioned concerns were discussed in depth at this meeting, however were largely not resolved.

As a result of the Preliminary Conference, the objectors submitted a letter to Council stipulating that whilst their strong opposition to the proposal remained, the following items would go some way to appease their concerns:

- a) the western property boundary;
- b) the seating not closer than 10 metres from the boundary fence;
- c) compensation for the loss of property value;
- d) the building cannot be used for seating;
- e) the building painted in a colour appropriate to the area; and
- f) a guarantee from Council that it will enforce the law.

Items c) and f) are considered irrelevant to the planning merits and consideration of this application and cannot be addressed further in this report. The other items, specifically points a, b, d and e will be addressed later in this report.

Amendment to the Application after Notification and Re-notification

No Amendments made.

Planning Scheme Provisions

A planning permit is required to use the site for a Food and drink premises/ cafe, pursuant to Clause 32.01-1 of the Kingston Planning Scheme (the Scheme). In addition, Council must consider the relevant State Planning Policy Framework and the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement of the Scheme.

Referral

No external referrals were required in respect of this application.

Discussion

Kingston Planning Scheme Provisions:

Clause 12: Metropolitan Development

This section of the scheme provides specific objectives and strategies for Metropolitan Melbourne, including the following:

Clause 12.05 A great place to be – seeks to create urban environments that are of better quality, safer and more functional, provide more open space and an easily recognisable sense of place and cultural identity, including:

- a) Promotion of good urban design to make the environment more liveable and attractive.
- b) Recognition and protection of cultural identity, neighbourhood character and sense of place.
- c) Improvement of community safety and encouragement of neighbourhood design that makes people feel safe.
- d) Protection of heritage places and values.
- e) Promotion of excellent neighbourhood design to create attractive, walkable and diverse communities.
- f) Improvement of the environmental health of the bays and their catchments.

Clause 12.08 Better transport links seeks to:

- a) Manage the road system to achieve integration, choice and balance by developing an efficient and safe road network and making the most of existing infrastructure.
- b) Give more priority to walking and cycling in planning urban development and in managing the road systems and neighbourhoods.

It is considered that this application meets these objectives.

Clause 14.01: Planning for Urban Settlement

This section of the Scheme seeks to facilitate the orderly development of urban areas. It is considered that this application is consistent with the abovementioned objectives.

Clause 17.02: Business

This section of the Scheme seeks to encourage developments which meet community's needs for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use

and the aggregation and sustainability of commercial facilities. It is considered that this proposed application is consistent with the broad objectives of the State Planning Policy Framework.

Clause 32.01: Residential 1 Zone

The purpose of the Residential 1 zone includes in appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs. A planning permit is required for the use of the land as a food and drink premises/ cafe.

Clause 52.06 Car Parking

The land use definition 'food and drink premises' is not a specified use within the car parking table found at Clause 52.06-5. Accordingly, as this type of use is not specified within the table there is no strict car parking rate to apply. As such, the provisions of Clause 52.06 outline that where a use is not specified within the table, the amount of car parking provided is to the satisfaction of the Responsible Authority. An assessment regarding car parking will be made and discussed later within this report.

Clause 65: Decision Guidelines

This clause of the Planning Scheme sets out other matters which must be given regard to before deciding on an application.

It is considered that the proposed development meets the requirements as set out in this Clause of the Planning Scheme.

Response to Grounds of Objection

Amenity

As outlined earlier in this report, the objector's property abuts the western site boundary. It is acknowledged that the objectors have concerns regarding the noise that may emanate from the site, from patrons using the tables and chairs in the front setback area of the dwelling. However, it is also acknowledged that whilst the land is within a Residential Zone, it is presently occupied by a Take Away Food and Drink Premises, and is clearly located on the periphery of a residential/commercial area. Furthermore, the land has been used for a Food and drink premises/cafe for a number of years (Council's earliest records indicate that the site / commercial building was used as a food premises dating back to 1964).

Whilst the dwelling is presently not actively utilised in conjunction with the existing Take Away Food and Drink Premises (with the exception of patrons using the amenities) it is considered that using the front part of the dwelling for tables and chairs would not represent a substantial increase to the use of the land for this purpose. As such, in the Officer's opinion, the proposal should not cause any greater loss of amenity to the neighbourhood, particularly the amenity of the abutting property to the west. Regardless of this, it is considered that additional landscaping should be provided, by way of a condition on any permit issued, along the site's western property boundary, to screen the site when viewed from the abutting property. Furthermore, a boxed lattice fence extension should be provided and be securely attached to the top of the existing paling fence, along the site's west (side) property boundary, to an overall height of 2.4 metres, with no more than 25% transparency, to further screen and ensure that no direct views can be achieved between the two (2) properties.

The hours of operation that are proposed are considered reasonable, and do not include any night-time operation. It is envisaged that the cafe would be most busy during the lunch time period.

Overall, the site is considered to be in an appropriate location with regard to amenity considerations.

Parking

The applicant has specified that the rear of the dwelling can accommodate ten (10) car parking spaces for staff and customer use. The objector has outlined in the preliminary conference that they do not believe customer parking at the rear of the site is suitable. Council's Planning Officer upholds this view as parking at the rear of the site would only encourage greater non-residential activities on the site. Therefore, it is recommended that the non-residential aspect of the site be mainly concentrated to the front section of the property.

Given that there is on-street parking provided in the immediate area, the car parking is considered adequate. It is not considered that the proposal would have a detrimental impact on the local traffic network.

Visual impact

Visually, the only added element to the streetscape will be the visibility of tables and chairs within the front setback of the dwelling, which is not considered to be visually obtrusive or displeasing in any manner. As outlined above, conditions of any permit would require additional landscaping along the western site boundary and a lattice screen extension to the top of the paling fence to further screen the site from the abutting property.

The dwelling on the land is essentially domestic in its architecture, and its scale is considered to be consistent with housing nearby. The dwelling has been painted a bright colour to provide consistency and some visual association to the commercial building. It is recommended that a permit condition requiring the dwelling to be painted in a more sympathetic colour to the surrounding residential streetscape. No

advertising signage is proposed, and overall, there would be minimal visual impact created by the proposal.

Objectors Requirements

As outlined earlier in this report, the objector has submitted a number of requirements, should the proposal be supported. The following comments are made with respect to these requirements:

- 1) A 3-metre high sound proof fence (to the objectors satisfaction) for the full length of the western property boundary

Response- a 3 metre high sound proof fence is considered to be excessive and unwarranted in this instance. As outlined above, a lattice screen extension to the top of the existing boundary paling fence and additional landscaping between the dwelling and the front (northern) boundary will be required to further screen the view of the tables and chairs from the objector's property.

- 2) The seating not closer than 10 metres from the boundary fence.

Response- a 10 metre setback for seating from the western common boundary fence would severely restrict the ability for additional seating to be provided within the front setback area. It is considered that a 10 metre setback would not significantly reduce any noise heard from the objectors property, and would be difficult to enforce. Such a setback is considered to be unnecessary, and will not be required.

- 3) The building cannot be used for seating

Response-The applicant does not propose to use the dwelling for seating. A condition of permit should restrict the number of seats, and can further specify that no seating be provided within the building.

- 4) The building painted in a colour appropriate to the area

Response-The dwelling and the commercial building have both been painted in a bright colour to correspond with one another. Council's Planning Officer concurs with the objector that this colour, particularly for the dwelling, is considered inconsistent with the existing character of the residential properties in the area. Accordingly and as previously outlined, a condition should be included on any permit issued requiring the dwelling to be repainted in more appropriate, neutral tone(s), to remain consistent with the residential properties in the area.

General Comment

The proposed use is considered appropriate for the site as evidenced by:

- The use of the land is considered to be compatible with the surrounding area, and appropriate to a site on the periphery of residential/ commercial development;
- The proposal should not have a detrimental impact on surrounding properties (subject to appropriate conditions); and,
- The proposal satisfies the requirements of the Kingston Planning Scheme, including the MSS and Residential 1 zoning.

On balance and subject to the inclusion of suitable conditions, the proposal is considered reasonable and warrants support.

Recommendation

That Council resolve to issue a Notice of Decision to Grant a Permit to use this site for a Food and drink premises/ cafe subject following conditions:

1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 13 July, 2008, but modified to show:
 - a) the provision of an improved landscape plan in accordance with the submitted development plan and the City of Kingston Landscape Plan checklist, with such plans to be prepared by a suitably qualified landscape professional and incorporating:
 - i) extensive landscaping along the site's western (side) common boundary, between the dwelling and the northern (front) property boundary;
 - ii) an associated planting schedule showing the proposed location, species type, mature height and width, pot sizes and number of species to be planted on the site; and
 - iii) the delineation of all the garden beds, paved and grassed areas, retaining walls, fences and other landscape works including areas of cut and fill throughout the development.
 - b) an improved site plan, drawn to scale and fully dimensioned, showing:
 - i) entire site including rear access details;
 - ii) the car parking spaces to the rear of the site clearly dimensioned and nominated for staff and residential occupant use only;
 - iii) all table and chairs located in front of the existing dwelling clearly nominated;
 - iv) a notation that 'patrons must not be seated within the dwelling and are permitted to use the bathroom facilities within the dwelling only', in accordance with Conditions 11 and 12 of this permit; and
 - v) the location of waste / bin storage.
 - c) full details of the type and style of tables and chairs to be located within the front setback of the site;
 - d) the dwelling component of the buildings on site to be repainted in colours consistent with and in a neutral tones more sympathetic to the existing residential streetscape;

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

- e) the provision of a full colour and finishes schedule (including samples) for all external elevations of the dwellings, in accordance with Condition 1.d) of this permit; and
 - f) the provision of a boxed lattice fence extension securely attached to the top of the site's west (side) boundary paling fence, with no more than 25% transparency, to an overall height of 2.4 metres, to assist in screening and ensuring that no direct views can occur.
2. before the use hereby permitted commences the new boxed, lattice fence extension required under condition 1(f) of this permit must be erected to Council's satisfaction, at the owner/applicant's cost.
 3. The development and/or use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 4. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
 - i) Transport of materials, goods or commodities to or from the land.
 - ii) Appearance of any building, works or materials.
 - iii) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - iv) Presence of vermin.
 - v) Any other way.
 5. The development and/or use of the site must not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard the emission of noise must comply with the provisions of the Environment Protection Authority.
 6. Before the use allowed by this permit starts, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
 7. Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
 8. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
 9. Before the use allowed by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be:
 - a) Constructed to the satisfaction of the Responsible Authority.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced with/an all-weather sealcoat to the satisfaction of the Responsible Authority.
 - d) Drained and maintained to the satisfaction of the Responsible Authority.

**City of Kingston
Ordinary Council Meeting**

25 February 2008

Agenda

- e) Line-marked to indicate each car space, loading bay and all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
 - f) In accordance with any Council adopted guidelines for the construction of car parks.
10. Without the further written consent of the Responsible Authority, the use must operate only between the hours of:
Monday to Friday (inclusive) 7:30am to 4:30pm
Saturday to Sunday 8:30am to 4:00pm
11. Without the further consent of the Responsible Authority no more than twenty-eight (28) seats shall be made available to patrons.
12. Without the further consent of the Responsible Authority, no seating shall be made available to patrons within the existing dwelling.
13. Without the further consent of the Responsible Authority, patrons can only use the bathroom facilities within the dwelling.
14. All tables and chairs located in front of the existing dwelling, visible from the public realm, must be maintained and kept in a well presented, orderly manner, to the satisfaction of the Responsible Authority.
15. Exterior lights must be installed in such positions to effectively illuminate all pathways, car parks and other public areas to the satisfaction of the Responsible Authority.
16. The loading and unloading of goods to and from vehicles must only be carried out on the land.
17. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
18. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to Council satisfaction.
19. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
20. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Expiry of permit:

In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:

The development and use are not started before two years of the date of this permit.*

The development is not completed before four years of the date of this permit.*

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

*Should a planning permit issue a specified starting and completion date will be inserted.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note: Before removing/pruning any vegetation from the site, the applicant or any contractor engaged to remove vegetation, should consult Council's Vegetation Management Officer to verify if a Local Law Permit is required for the removal of such vegetation.

9. Community Sustainability Reports

K 14 Arts and Culture Advisory Group

Author: Catherine Rinaudo, Arts and Cultural Development Coordinator

Approved By: Trevor McCullough, General Manager Community Sustainability

1. Purpose

The purpose of this report is to propose the formation of an Arts and Culture Advisory Group. The aim of the group will be to provide an effective consultation mechanism for Council by providing information on current gaps, community need and policy direction.

2. Background

An Arts and Cultural Reference Group (ACRG) was established in 2003 to assist Council identify community need and priorities in the area of arts and culture. The objectives were to:

- Provide ongoing informed input in relation to developing, implementing and reviewing key Council policies and strategies affecting arts and culture;
- Keep Council informed about the arts and cultural needs of the community;
- To comment on priorities for arts and cultural development within the community;
- To advocate on behalf of the community, including arts and culture providers, to Council; and
- To contribute to the development and enhancement of a strong and recognisable and valued profile for arts and culture in Kingston.

The ACRG consisted of nine community representatives, two Councillors and two Council officers. The meetings were initially held every two months and were reduced to one per quarter in order to improve the content of meetings, increase the declining number of community representatives attending meetings and minimise administration. The reduction in meeting frequency did not improve attendance, inhibiting the ability to meet aims and objectives of the ACRG.

Due to the drop in attendance, and the completion of the Arts & Culture Strategy, the ACRG disbanded in March 2006. A working group model was proposed to replace the ACRG but was not established. This model proposed four working groups based on themes in the A&C Strategy. Each working group was to meet quarterly and the four working groups were to collectively meet twice a year. This would result in 18 meetings plus extra meetings with smaller project committees as required. Council would inform the working groups of current activities, projects and initiatives and record concerns for Council consideration.

3. Issues

The working group model proposed in 2006 was a variant of the original ACRG. Each working group would essentially be a focus group of community advocates who would raise issues of concern for consideration by Council.

There are a number of concerns with this model, these are:

- Anticipated difficulty of attracting up to five representatives for each working group;
- Sustaining agendas that would continue to engage the members in meaningful discussion;
- The overall number of meetings would be cumbersome to administer;
- The strategy is not delivered sequentially and on occasion new issues arise which require immediate attention, a working group which meets quarterly would not be able to provide a quick response.

A further drawback with the working group model is that each group would only focus on one theme, this would isolate issues and would not sufficiently link each theme to an overarching framework. The working groups would raise issues relating to each theme but would not be expected to develop strategic solutions.

The challenge for Council is to establish a group that would draw all the threads of arts and culture together and inform policy that would provide a solid foundation for a vital and viable sector. Rather than form separate working groups it would be desirable to establish one advisory group that would consider all of the issues and expand their focus to encompass the sector as a whole. They would allow the group to explore how variables affect outcomes across the whole community.

An innovative arts and culture sector can have a positive affect on the community and can value add to the sectors of tourism, economic development and community well-being. The issue before Council is how to establish an Arts and Culture Advisory Group that will best position the City as an innovator with the right mix of creativity, paving the way for a vital and vibrant City.

4. Options

Three methods of community engagement are described here for consideration.

Option One - Arts and Cultural Reference Group -ACRG

An Arts and Cultural Reference Group would be comprised of local artists and representatives of community interests groups. The ACRG would meet bi-monthly with Council Officers reporting to the Group, facilitating discussion and seeking feedback on current issues and projects. Meetings would raise issues and identify gaps in service delivery and programs and these would be reflected in policy development.

Advantages

An Arts and Culture Reference Group would provide Council with feedback on current policy and projects and ensure that Council is aware of the gaps in arts and cultural services and programs. Local artists and art groups could through the ACRG advocate on the behalf of their special areas of interest to ensure that concerns and aspirations are understood and considered by Council. Council would inform the ACRG of decisions and policy and seek feedback through the ACRG. The ACRG would not be involved in operational aspect of delivery and Council would inform the ACRG of outcomes.

Bi-monthly meetings would facilitate information sharing between Council and the community. Council would be responsible for bringing issues to the table and promoting discussion. Council would assume full responsibility for the development and implementation of policy.

Disadvantages

Whilst the strengths of this model reflect a direct relationship between Council and the community, it is the same model as the disbanded ACRG. It does not resolve the issues experienced by the original group. A reference group would bring issues of concern to the attention of Council but they would not be expected to consider the broad spectrum of factors that inform effective solutions. Membership does not assume professional experience or skills in arts practice or administration; as such they would not be expected to be familiar with the formulation of policy or to bring solutions to the table.

The ACRG model maintains the status quo between Council and the community where the community presents the issues, and Council develops the solutions. It does not take advantage of the opportunities offered by community engagement to shift community expectations of this interaction.

Option Two - Arts Council

An Arts Council is an independent body, established by Council with a special delegation to make and enforce decisions. It is an arms length model, which devolves arts and culture planning, development and project delivery to the community. The Arts Council would be responsible for innovation and growth in the sector and would manage the areas of public art, community arts projects, professional development and would propose new arts related events.

The establishment of an Arts Council would represent a significant shift in the role that Council currently plays in arts and cultural development. Council would no longer be involved in the decision making process but would become a funding body, supporting the Arts Council to be self-governing.

Advantages

An independent Arts Council would place decision making responsibility with the community. They would be empowered to make and implement decisions and be responsible for the design and implementation of projects. This would free Council from direct responsibility for arts and culture at the project delivery level. It would prove an excellent indicator of an engaged and sophisticated sector.

Disadvantages

Council would have very little influence over the decisions reached by an Arts Council. An independent Arts Council would require funding from Council to function and deliver projects. A funding arrangement would allow Council to establish some parameters for the decisions made but ultimately Council is removed from the process. A move to devolve responsibility to the community could be viewed negatively by some sectors of the community and be seen as Council abdicating its responsibility. This model would require a significant shift in community expectations of the role and responsibilities of Council.

This model is problematic, as Council would continue to manage its arts facilities and programming. The division of roles and responsibilities would be blurred with a likelihood of a double up in project development and delivery, resulting in competition for state and federal funding.

This model requires a high level of community engagement. Whilst there are many artists and arts groups in the City of Kingston that are active and engaged, there is a need for development in the areas of professional practice and governance before this model could be successfully implemented. The sector would have to undergo substantial development to be able to sustain such a model. The success of the Arts Council model would depend on a membership which is informed, skilled and committed to the best possible outcomes for the whole community and have the skills to plan and deliver on arts and culture projects. This model pre-supposes an organised and active arts sector with the desire and ability to plan and deliver.

Option Three – Arts and Culture Advisory Group - ACAG

An Arts and Culture Advisory Group would comprise of members with professional experience and/or knowledge in both arts practice and arts administration. They would drive the thinking, undertake the assessment of the 2005/2008 Arts & Culture Strategy and inform the development of the 2009/2012 strategy. This group would be expected to provide high-level advice on policy development.

The Arts and Culture Advisory Group would have ten members, comprised of two Councillors, two Council staff and six community representatives. To ensure the ACAG remain fresh and engaged and to ensure accessible representation, there would be a fixed term of two years with an option for a third year. Recruitment would entail a selection process. Expressions of interest would be invited and short listed for interview. Members would be expected to have a level of understanding across the spectrum of arts and cultural issues, including:

- Federal and state policy on arts and culture and community cultural development;
- Arts practice and industry knowledge;
- Funding and sponsorship opportunities;
- Local community strengths, opportunities, gaps and aspirations;
- Resource implications;
- A strategic approach to planning and implementation; and
- Sector trends and growth areas.

The Arts and Culture Advisory Group would engage in on-going dialogue with members of the arts community in Kingston. This would facilitate continuous dialogue and ensure that Council is aware of issues and gaps within the sector. The nature of the contact would be responsive to the issues and would be incorporated into the regular meeting schedule.

Should Council support the ACAG model the previous reference group would be formally disbanded.

Advantages

An Advisory Group comprised of members with knowledge, a skills base and extensive networks would provide Council with considered and balanced advice to ensure the continued growth and benefits to the sector. It is expected that they would bring issues to the table for consideration and debate. The strength of the advisory group model is that it facilitates a collaborative process with continuous consultation. It will establish a platform for discussion between Council, the advisory group and the community. As a middle path it reinforces Council's role as the decision maker whilst engaging the community in the design of the solutions.

Disadvantages

The ACAG would meet monthly and the frequency of meetings would require administrative support to ensure timely delivery of agendas, minutes and information. It will demand a high level of commitment from its members to remain informed of variables influencing the sector on a federal, state level and a local level. The success of this model is dependent on finding members with the requisite level of understanding to ensure continuous dynamic discussion.

5. Triple Bottom Line Checklist

Financial

Option One – Arts and Cultural Reference Group

The establishment of an Arts and Cultural Reference Group would have no financial impact and can be established and maintained within current budgets.

Option Two – Arts Council

Council would need to consider both operational and project funding support to an Arts Council to ensure sustainability.

Option Three – Arts and Cultural Advisory Group

The establishment of an Arts and Cultural Advisory Group would have no financial impact and can be established and maintained within current budgets.

Social

Option One – Arts and Cultural Reference Group

A reference group would ensure that Council is informed of community concerns in relation to arts and culture. An ACRG would not be expected to consider the wider social implications and potential of the arts to contribute to well-being and economic development in the community.

Option Two – Arts Council

An Arts Council would indicate an empowered and highly motivated arts community, driving the identification and resolution of issues. This would be a positive indicator of an engaged and vital sector.

Option Three – Arts and Cultural Advisory Group

The Advisory Group would be aware of the current issues and policies affecting the arts and community health and well-being and of the intersection between the two. It would be sympathetic to a community cultural development approach that considers the contributions the arts can bring to the economic and social wellbeing of a community.

Environmental

Option one; two and three present no environmental considerations.

6. Summary and Conclusion

The City of Kingston is committed to the continued delivery and review of art and cultural outcomes for the City. Ongoing community engagement ensures that policies and resources are directed towards outcomes that benefit the community and are aligned with community expectations. Arts and cultural development does not only influence arts practice, but intersects across the sectors of events, tourism, infrastructure, heritage and marketing. This report considers a spectrum of models of community engagement and further develops three of those models. The establishment of an Arts and Culture Advisory Group would invite the community to engage in the identification of issues and the development of the solutions offered.

The key objectives of an Arts and Culture Advisory Group would be to ensure a viable arts and culture sector that positively contributes to the economic activity in the City, a vital arts and culture sector that contributes to community well-being, a sector that guarantees recognition for the City of Kingston as an innovative and exciting place to live, an engaged community and a high standard of creativity in arts practice.

Recommendation

1. That Council support the establishment of an Arts and Cultural Advisory Group as outlined in option three;
2. That Council invite applications for membership of the ACAG;
3. That Councillors Alabaster and Petchey be nominated to the Arts and Culture Advisory Group.

K 15 Adoption of Chelsea Recreation Reserve Master Plan

Author: Hannah Croughan - Leisure Planner

Approved By: Trevor McCullough - General Manager Community Sustainability

1. Purpose of Report

The purpose of this report is to seek formal Council adoption of the Chelsea Recreation Reserve Master Plan.

2. Background

Council resolved at its October 2007 meeting to place the draft Chelsea Recreation Reserve Master Plan on public display and invite public comment via submissions (TRIM Ref: 07/73503).

At the close of the public comments period on 20 November 2007, Council had received five public submissions containing 15 comments. A list of submissions, comments and responses is attached for Councillor information.

3. Issues

Comments contained in the submissions related to issues of tennis club sustainability and viability (7), main sporting pavilion design (3), reserve infrastructure (2), alternative water supply and storage options (2) and traffic concerns (1).

All comments received were successfully addressed in the draft Master Plan. It was noted that the implementation of individual projects or recommendations should be undertaken in full consultation with the affected user groups.

4. Options

1. Formally adopt the Chelsea Recreation Reserve Master Plan
2. Do not formally adopt the Chelsea Recreation Reserve Master Plan

5. Triple Bottom Line Checklist

5.1 Budget/Financial impact

Following formal adoption of the Master Plan by Council, funding for implementation of the master plan recommendations will need to be made available through Council's budget process. The proposed implementation plan details the funds required to undertake all of the master plan recommendations. The estimated cost of the recommended infrastructure improvements to the reserve are \$1,329,600. This includes a base cost estimate for upgrades to the main sporting pavilion (\$985,000) and 3% annual indexing of costs. More detailed costings for the pavilion works will be determined through future development of concept designs in 2007/2008.

It is proposed that the recommendations be progressively funded and implemented over a 4-7 year period.

5.2 Social impact

Involvement of the local community in planning for future Council investment in community sporting, recreational and open space assets in the Reserve has a positive social impact.

5.3 Environmental impact

Implementation of the master plan recommendations will have a positive environmental effect through amenity and landscaping improvements.

6. Summary and Conclusion

The Chelsea Recreation Reserve Master Plan has been developed in consultation with the general community and the various user groups that are based at the reserve.

During the public comment period five submissions containing 15 comments were received and considered.

The master plan recommendations will need to be progressively funded and implemented over the next 4-7 years

Recommendation

That:

1. Council note the public submissions received and the response from officers.
2. Council formally adopt the Chelsea Recreation Reserve Master Plan.
3. Council note the proposed implementation plan costings and request officers make submissions through the annual capital works budget process.

Attachments

Chelsea Recreation Reserve Master Plan Final February 2008 TRIM Ref: 08/10740

Chelsea Recreation Reserve Master Plan - Final Site Concept Plan TRIM Ref: 08/10711

Chelsea Recreation Reserve Master Plan – Proposed Implementation Plan TRIM Ref: 08/7604

Chelsea Recreation Reserve Master Plan Public Submissions and Response TRIM Ref: 08/7315

(A copy of these attachments has been placed in the public gallery foyer for perusal by interested members of the public gallery)

K 16 Adoption of Edithvale Recreation Reserve Master Plan

Author: Hannah Croughan - Leisure Planner

Approved By: Trevor McCullough - General Manager Community Sustainability

1. Purpose of Report

The purpose of this report is to seek formal Council adoption of the Edithvale Recreation Reserve Master Plan.

2. Background

Council resolved at its October 2007 meeting to place the draft Edithvale Recreation Reserve Master Plan on public display and invite public comment via submissions (TRIM Ref: 07/74114).

At the close of the public comments period on 20 November 2007, Council had received one public submissions. A list of submissions, comments and responses is attached for Councillor information.

3. Issues

The submission received related to issues of alternative water supply and storage options. This submission was successfully addressed in the draft Master Plan. There were therefore no recommended changes to the Master Plan.

4. Options

- a) Formally adopt the Edithvale Recreation Reserve Master Plan
- b) Do not formally adopt the Edithvale Recreation Reserve Master Plan

5. Triple Bottom Line Checklist

5.1 Budget/Financial impact

Following formal adoption of the Master Plan by Council, funding for implementation of the master plan recommendations will need to be made available through Council's budget process. The proposed implementation plan details the funds required to undertake all of the master plan recommendations. The estimated cost of the recommended infrastructure improvements to the reserve is \$3,500,950. This includes a base cost estimate for redevelopment and consolidation of the main sporting pavilion (\$2,500,000) and 3% annual indexing of costs. More detailed costings for the pavilion works will be determined through future development of concept designs in 2007/2008.

It is proposed that the recommendations be progressively funded and implemented over a 4-7 year period.

5.2 Social impact

Involvement of the local community in planning for future Council investment in community sporting, recreational and open space assets in the Reserve has a positive social impact.

5.3 Environmental impact

Implementation of the master plan recommendations will have a positive environmental effect through amenity and landscaping improvements.

6. Summary and Conclusion

The Edithvale Recreation Reserve Master Plan has been developed in consultation with the general community and the various user groups that are based at the reserve.

During the public comment period only one submission was received and considered.

The master plan recommendations will need to be progressively funded and implemented over the next 4-7 years

Recommendation

That:

1. Council note the public submissions received and the response from officers.
2. Council formally adopt the Edithvale Recreation Reserve Master Plan.
3. Council note the proposed implementation plan costings and request officers make submissions through the annual capital works budget process.

Attachments

Edithvale Recreation Reserve Master Plan Final February 2008 TRIM Ref: 08/7648

Edithvale Recreation Reserve Master Plan – Proposed Implementation Plan TRIM Ref: 08/7657

Edithvale Recreation Reserve Master Plan Public Submissions and Response TRIM Ref: 08/7320

(A copy of these attachments has been placed in the public gallery foyer for perusal by interested members of the public gallery)

K 17 Pavilion Development Principles Paper

Author: Nigel Brown – Team Leader Leisure Planning

Approved By: Trevor McCullough – General Manager Community Sustainability

1. Purpose

The purpose of this report is to seek Council's formal adoption of the Pavilion Development Principles Paper and its distribution to sporting pavilion tenants in Kingston.

2. Background

This draft Strategy has previously been provided to relevant stakeholders including peak sporting associations for comment. No comments were received from these stakeholders.

3. Issues

Raising Sporting Club Expectations

Raising individual sporting clubs expectations beyond Council's ability to fund pavilion projects in the short term has been raised as a concern. This concern is valid, but communicating Council's vision and objectives back to the users of our facilities is also paramount. The principles paper has been produced for distribution to all stakeholders informing them of Council's position and principles around pavilion provision. This does not commit Council to a specific long-term program which would lack the flexibility to deal with funding variances and newly identified or emerging priorities.

4. Triple Bottom Line Checklist

4.1 Budget/Financial impact

The principles paper provides direction to Council on its pavilion provision, which allows for the best value for money for expenditure on pavilion upgrades /redevelopment. Each pavilion project will still be required to undergo the usual budget processes in order to achieve funding.

4.2 Social impact

Community sporting clubs provide enormous social benefit for the community. They often act as a hub for local community interactions, and the pavilion is the infrastructure that supports this function. A consistent and objective approach to improving this infrastructure allows Council to meet identified social needs, for both sporting and non-sporting uses.

4.3 Environmental impact

Positive environmental impact through the application of environmentally sensitive design in both pavilion upgrades and siting on recreation reserves.

5. Summary and Conclusion

The Pavilion Development Principles Paper is a key document that informs the community about Council's decision making on capital investment in sporting infrastructure, specifically sporting pavilions.

As a communication tool with sporting clubs it aims to promote a clearer understanding of Council's role in providing sporting pavilions and the tenant clubs expectations of Council's ability to redevelop and/or upgrade their pavilions. The principles paper as attached to this report allows the principles and vision of pavilion provision to be conveyed to sporting clubs without raising community expectations beyond Council's capacity to deliver.

Recommendation

That Council formally adopt the Draft Pavilion Development Principles Paper for the purposes of public consultation.

Attachments: Pavilion Development Principles Paper 2.1 Feb 2008 –See Page 96

K 18 Food Sample Analysis

Author: Robert Beattie, Coordinator Policy & Projects
Approved By: Trevor McCullough,
General Manager Community Sustainability

1. Purpose

To advise Council of the results of food sampled and analysed pursuant to section 32(1) of the Food Act 1984.

This report relates to:

- a) the quarter July 2007 to September 2007.
- b) the quarter October 2007 to December 2007
- c) an annual summary of the Calendar Year.

2. Background

Council is obligated under section 32 (1) of the Food Act 1984 to obtain, at a minimum, three food samples for every thousand persons of the population, and submit them for analysis. In Kingston, this equates to approximately 410 samples per annum. The target for this reporting period is 102 per quarter and the actual achievement was (July to September = 128, October to Dec = 107). Under the Act there is also a requirement to formally report the results of analysis to Council.

The food-sampling program is conducted by Council's Environmental Health Officers (EHO's), who visit food premises, purchase samples and submit them to an accredited independent laboratory for analysis. Samples for analysis are also sometimes received from the public or another Council as a result of a consumer complaint.

Any failed samples are followed up by the EHO's with the relevant business. Samples are considered to have failed if they do not meet any number of criteria including incorrect labelling or issues arising from poor handling. The sample may not necessarily pose a risk to health. The type and level of failure will direct the type of follow up action taken such as a letter being sent to the premises, or an inspection by an officer, or education leading to changes in procedures within the premises or in some cases, prosecution. There have been no prosecutions in relation to this reporting period so far.

Annual Performance

Council's statutory obligation for the calendar year 2007 was to submit 410 samples for analysis.

During the period Council's officers obtained a total of 410 samples from Registered premises within Kingston, and a further 70 samples that were obtained by Council as a part of complaint investigation.

The total number of Food samples submitted for the statutory reporting (calendar) year was 480. Council has exceeded its statutory obligation in relation to food sampling.

3. Summary and Conclusion

Council continues to meet its statutory obligations pertaining to the purchase and analysis of food samples. Attachments 1 and 2 list the 235 food samples taken and attachments 3 and 4 overview the actions taken with non-complying samples for the period 1st July 2007 to 30th September 2007, and 1st October 2007 to 31st December 2007.

It should be noted that the failure rate is not indicative of the whole food supply, as sampling is targeted at specific food types and also includes specific complaint samples.

<p><u>Recommendation</u></p>

<p>That Council note the report.</p>

(See Attachments)

Attachment 1: Samples submitted for analysis Jul – Sep 2007.

Attachment 2: Samples submitted for analysis Oct – Dec 2007.

Attachment 3: Actions relating to non-complying samples Jul – Sep 2007.

Attachment 4: Actions relating to non-complying samples Oct – Dec 2007.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Appendix 1

Food Samples submitted for Analysis

July – September 2007

Date Submitted	Sample Number	Product Description	Result
02/07/2007	INV/07/037	CRUMBED – UNCOOKED WHOLE CUTS	Comply
06/07/2007	INV/07/038	CHOC COATED CONFECTIONERY	Comply
09/07/2007	INV/07/039	MUFFIN	Comply
09/07/2007	INV/07/040	MUFFIN	Comply
18/07/2007	INV/07/041	CRUMBED MEAT WITH OTHER FOODS	Comply
18/07/2007	INV/07/042	CHICKEN SALAD SANDWICH	Comply
01/08/2007	INV/07/043	MATERIAL FOR IDENTIFICATION	Comply
01/08/2007	MDU/07045	PIZZA	Comply
03/08/2007	INV/07/043	FRUIT PIE	Comply
10/08/2007	INV/07/044	FISH	Comply
14/08/2007	INV/07/045	FRUIT JUICE	Comply
15/08/2007	AGQ/07/222	VANILLA SLICE	Comply
15/08/2007	AGQ/07/223	CAKE	Comply
15/08/2007	AGQ/07/224	PASTRY	Comply
15/08/2007	AGQ/07/225	CUSTARD FILLED CAKE	Comply
15/08/2007	AGQ/07/226	CREAM CAKE	Comply
15/08/2007	AGQ/07/227	CREAM CAKE	Comply
15/08/2007	AGQ/07/228	CUSTARD FILLED CAKE	Comply
15/08/2007	AGQ/07/229	CUSTARD FILLED CAKE	Comply
15/08/2007	AGQ/07/230	CAKE	Comply
15/08/2007	AGQ/07/231	CREAM CAKE	Comply
15/08/2007	AGQ/07/232	CAKE	Comply
15/08/2007	AGQ/07/233	CAKE	Comply
15/08/2007	AGQ/07/234	FRUIT PIE	Comply
15/08/2007	AGQ/07/235	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/236	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/237	CREAM CAKE	Comply
20/08/2007	AGQ/07/238	CRAM CAKE	Comply
20/08/2007	AGQ/07/239	CREAM CAKE	Comply
20/08/2007	AGQ/07/240	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/241	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/242	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/243	CREAM CAKE	Comply
20/08/2007	AGQ/07/244	CREAM CAKE	Comply
20/08/2007	AGQ/07/245	CREAM CAKE	Comply
20/08/2007	AGQ/07/246	CREAM CAKE	Comply
20/08/2007	AGQ/07/247	CAKE	Comply
20/08/2007	AGQ/07/248	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/249	CUSTARD FILLED CAKE	Comply
20/08/2007	AGQ/07/250	FRUIT PASTRY	Comply
20/08/2007	AGQ/07/251	CAKE	Comply
22/08/2007	INV/07/046	COOKED MEAT	Comply
22/08/2007	INV/07/047	CUSTARD FILLED CAKE	Comply

**City of Kingston
Ordinary Council Meeting**

25 February 2008

Agenda

23/08/2007	AGQ/07/252	CUSTARD FILLED CAKE	Comply
23/08/2007	AGQ/07/253	DESSERT	Comply
23/08/2007	AGQ/07/254	CUSTARD FILLED CAKE	Comply
23/08/2007	AGQ/07/255	CUSTARD FILLED CAKE	Comply
23/08/2007	AGQ/07/256	CREAM CAKE	Comply
23/08/2007	AGQ/07/257	CAKE	Comply
23/08/2007	AGQ/07/258	CUSTARD FILLED CAKE	Comply
23/08/2007	AGQ/07/259	CREAM CAKE	Comply
23/08/2007	AGQ/07/260	CREAM CAKE	Comply
23/08/2007	AGQ/07/261	CUSTARD FILLED CAKE	Comply
23/08/2007	AGQ/07/262	CAKE	Comply
23/08/2007	AGQ/07/263	CUSTARD FILLED CAKE	Comply
23/08/2007	AGQ/07/264	CAKE	Comply
23/08/2007	AGQ/07/265	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/266	CREAM CAKE	Comply
22/08/2007	AGQ/07/267	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/268	CREAM CAKE	Comply
22/08/2007	AGQ/07/269	CREAM CAKE	Comply
22/08/2007	AGQ/07/270	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/271	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/272	CREAM CAKE	Comply
22/08/2007	AGQ/07/273	CAKE	Comply
22/08/2007	AGQ/07/274	CREAM CAKE	Comply
22/08/2007	AGQ/07/275	CREAM CAKE	Comply
22/08/2007	AGQ/07/276	CUSTARD	Comply
22/08/2007	AGQ/07/277	CREAM CAKE	Comply
22/08/2007	AGQ/07/278	SPREADS	FAIL
22/08/2007	AGQ/07/279	SAUCES	FAIL
22/08/2007	AGQ/07/280	SMOKED FISH	FAIL
22/08/2007	AGQ/07/281	PICKLED VEGETABLE	FAIL
22/08/2007	AGQ/07/282	BREAD	FAIL
22/08/2007	AGQ/07/283	GRAINS	FAIL
22/08/2007	AGQ/07/284	PICKLED VEGETABLE	FAIL
22/08/2007	AGQ/07/285	GRAINS	FAIL
22/08/2007	AGQ/07/286	COOKED FISH	FAIL
22/08/2007	AGQ/07/287	COOKED FISH	FAIL
22/08/2007	AGQ/07/288	MUSHROOMS	FAIL
22/08/2007	AGQ/07/289	PICKLED VEGETABLE	FAIL
22/08/2007	AGQ/07/290	BREAD	FAIL
22/08/2007	AGQ/07/291	FRUIT PRODUCTS	FAIL
22/08/2007	AGQ/07/292	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/293	CREAM CAKE	Comply
22/08/2007	AGQ/07/294	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/295	CROISSANT	Comply
22/08/2007	AGQ/07/296	CAKE	Comply
22/08/2007	AGQ/07/297	CREAM CAKE	Comply
22/08/2007	AGQ/07/298	CUSTARD FILLED CAKE	Comply

**City of Kingston
Ordinary Council Meeting**

25 February 2008

Agenda

22/08/2007	AGQ/07/299	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/300	CUSTARD FILLED CAKE	Comply
22/08/2007	AGQ/07/301	CAKE	<u>FAIL</u>
22/08/2007	AGQ/07/302	CUSTARD	Comply
22/08/2007	AGQ/07/303	FRUIT PASTRY	Comply
22/08/2007	AGQ/07/304	CREAM CAKE	Comply
22/08/2007	AGQ/07/305	CUSTARD	Comply
31/08/2007	INV/07/048	HONEY	Comply
04/09/2007	INV/07/050	MILK	Comply
04/09/2007	INV/07/051	CASHEWS	FAIL
12/09/2007	INV/07/052	CHIPS	Comply
18/09/2007	AGQ/07/306	CUSTARD FILLED CAKE	<u>FAIL</u>
18/09/2007	AGQ/07/307	CUSTARD FILLED CAKE	Comply
18/09/2007	AGQ/07/308	CAKE	Comply
18/09/2007	AGQ/07/309	CUSTARD FILLED CAKE	Comply
18/09/2007	AGQ/07/310	CUSTARD FILLED CAKE	Comply
18/09/2007	AGQ/07/311	CAKE	Comply
18/09/2007	AGQ/07/312	CAKE	Comply
18/09/2007	AGQ/07/313	CAKE	Comply
18/09/2007	AGQ/07/314	CUSTARD FILLED CAKE	FAIL
18/09/2007	AGQ/07/315	CAKE	FAIL
18/09/2007	AGQ/07/316	CAKE	Comply
18/09/2007	AGQ/07/317	CAKE	Comply
19/09/2007	AGQ/07/318	CUSTARD FILLED CAKE	Comply
19/09/2007	AGQ/07/319	CREAM CAKE	Comply
19/09/2007	AGQ/07/320	FRUIT PIE	Comply
19/09/2007	AGQ/07/321	FRUIT PIE	Comply
19/09/2007	AGQ/07/322	DESSERT	Comply
19/09/2007	AGQ/07/323	CAKE	FAIL
19/09/2007	AGQ/07/324	MAYONNAISE	Comply
19/09/2007	AGQ/07/325	SAUCES	Comply
19/09/2007	AGQ/07/326	FRUIT YOGHURT	Comply
19/09/2007	AGQ/07/327	SAUCES	Comply
19/09/2007	AGQ/07/328	SAUCES	Comply
19/09/2007	AGQ/07/329	SAUCES	Comply
19/09/2007	AGQ/07/330	SAUCES	Comply
19/09/2007	AGQ/07/331	SAUCES	Comply
19/09/2007	AGQ/07/332	PASSIONFRUIT YOGHURT	FAIL
TOTAL	128		
Comply	107		
Fail	21		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Appendix 2

Food Samples submitted for Analysis

October – December 2007

Date Submitted	Sample Number	Product Description	Result
03/10/2007	AGQ/07/333	CUSTARD TART	Comply
03/10/2007	AGQ/07/334	VANILLA SLICE	Comply
03/10/2007	AGQ/07/335	CREAM DONUT	Comply
03/10/2007	AGQ/07/336	CUSTARD TART	Comply
03/10/2007	AGQ/07/337	CHOCOLATE VANILLA SLICE	Comply
03/10/2007	AGQ/07/338	CHOCOLATE ECLAIRE	Comply
03/10/2007	AGQ/07/339	NEENISH TART	Comply
03/10/2007	AGQ/07/340	CREAM BUN	Comply
03/10/2007	AGQ/07/341	VANILLA SLICE	Comply
03/10/2007	AGQ/07/342	LEMON TART	Comply
03/10/2007	AGQ/07/343	CHOCOLATE ÉCLAIR	FAIL
03/10/2007	AGQ/07/344	VANILLA SLICE	Comply
03/10/2007	AGQ/07/345	CUSTARD TART	Comply
03/10/2007	AGQ/07/346	LEMON TART	Comply
03/10/2007	AGQ/07/347	NEENISH TART	Comply
08/10/2007	AGQ/07/348	SAUCE	Comply
08/10/2007	AGQ/07/349	HAM	Comply
08/10/2007	AGQ/07/350	CHICKEN	Comply
08/10/2007	INV/07/058	DIPS	Comply
05/10/2007	INV/07/053	CEREALS	Comply
09/10/2007	INV/07/054	MARSHMALLOW	FAIL
17/10/2007	INV/07/056	SUSHI	Comply
26/10/2007	AGQ/07/351	CAKE	Comply
26/10/2007	AGQ/07/352	CAKE	Comply
26/10/2007	AGQ/07/353	CUSTARD FILLED CAKE	FAIL
26/10/2007	AGQ/07/354	CAKE	Comply
26/10/2007	AGQ/07/355	CUSTARD FILLED CAKE	Comply
26/10/2007	AGQ/07/356	CUSTARD FILLED CAKE	Comply
02/11/2007	INV/07/059	DICED LAMB	Comply
08/11/2007	INV/07/060	LAMB SOUVLAKI	Comply
13/11/2007	INV/07/062	STEAK SANDWICH	FAIL
19/11/2007	INV/07/065	FRUIT AND NUT BAR	Comply
21/11/2007	INV/07/066	RAW STEAK	Comply
21/11/2007	INV/07/067	LAMB LEG – SLIGHT DISCOLOURATION	Unable to be determine cause
26/11/2007	AGQ/07/357	SHORTBREAD WEDDING CAKE 5 MONTHS OLD	FAIL
26/11/2007	AGQ/07/358	SHORTBREAD STARS 1 WEEK OLD	FAIL
26/11/2007	AGQ/07/359	SHORTBREAD TURTLE 1 MONTH OLD	FAIL
26/11/2007	AGQ/07/360	CUSTARD TART	Comply
26/11/2007	AGQ/07/361	CHOCOLATE ECLAIR	Comply
26/11/2007	AGQ/07/362	CREAM BUN	Comply
26/11/2007	AGQ/07/363	FRENCH VANILLA	FAIL
26/11/2007	AGQ/07/364	SNOWBALL	Comply

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Date Submitted	Sample Number	Product Description	Result
26/11/2007	AGQ/07/365	CREAM KISS	Comply
26/11/2007	AGQ/07/366	MATCH STICK	FAIL
26/11/2007	AGQ/07/367	CUSTARD TART	Comply
26/11/2007	AGQ/07/368	TENDERLIGHT	FAIL
26/11/2007	AGQ/07/369	CUSTARD TART	Comply
26/11/2007	AGQ/07/370	APPLE TURNOVER	FAIL
26/11/2007	AGQ/07/371	VANILLA SLICE	Comply
26/11/2007	AGQ/07/372	CHEESECAKE	FAIL
26/11/2007	AGQ/07/373	STRAWBERRY CREAM VANILLA ECLAIR	FAIL
26/11/2007	AGQ/07/374	COFFEE ECLAIR	FAIL
26/11/2007	AGQ/07/375	FRENCH VANILLA	FAIL
30/11/2007	INV/07/069	SOUVLAKI	Comply
30/11/2007	INV/07/070	SPAGHETTI BOLOGNAISE SAUCE	Comply
01/12/2007	AGQ/07/376	MOROCCAN COUS COUS	FAIL
01/12/2007	AGQ/07/377	PEAR & ALMOND TART	Comply
01/12/2007	AGQ/07/378	AMARETTI	Comply
01/12/2007	AGQ/07/379	GLUTEN FREE PUDDING	Comply
01/12/2007	AGQ/07/380	SORBET FRUIT	Comply
01/12/2007	AGQ/07/381	FRESH LICORICE	Comply
01/12/2007	AGQ/07/382	BEEF SPICES	Comply
01/12/2007	AGQ/07/383	CHRISTMAS PUDDING	Comply
01/12/2007	AGQ/07/384	CHILLI RELISH	FAIL
01/12/2007	AGQ/07/385	GINGERBREAD	FAIL
01/12/2007	AGQ/07/386	CURRIED APRICOT-RAISIN CHUTNEY	Comply
01/12/2007	AGQ/07/387	HONEY	Comply
01/12/2007	AGQ/07/388	PASSIONFRUIT YOYOS	FAIL
04/12/2007	INV/07/071	COOKED KRANSKY	FAIL
04/12/2007	INV/07/072	RAW KRANSKY	FAIL
05/12/2007	AGQ/07/389	NOZZLE	Comply
05/12/2007	AGQ/07/390	DRIP TRAY	Comply
05/12/2007	AGQ/07/391	SCOOP	Comply
10/12/2007	AGQ/07/392	ROTOR-ICE-CREAM	Comply
10/12/2007	AGQ/07/393	CHOCOLATE BOWL	Comply
10/12/2007	AGQ/07/394	ROTOR	Comply
10/12/2007	AGQ/07/395	HOPPER	Comply
19/12/2007	AGQ/07/396	CONTROL	Comply
19/12/2007	AGQ/07/397	SCOOP SWAB	Comply
19/12/2007	AGQ/07/398	PUMP SWAB	Comply
19/12/2007	AGQ/07/399	NOZZLE SWAB	Comply
19/12/2007	INV/07/073	COOKED MEAT	Comply
20/12/2007	AGQ/07/400	CONTROL	Comply
20/12/2007	AGQ/07/401	DRIP TRAY SWAB	Comply
20/12/2007	AGQ/07/402	PUMP SWAB	Comply
20/12/2007	AGQ/07/403	NOZZEL SWAB	Comply
01/12/2007	AGQ/07/404	PEPPERONATA PESTO	Comply
01/12/2007	AGQ/07/405	SPINACH PESTO	Comply

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Date Submitted	Sample Number	Product Description	Result
01/12/2007	AGQ/07/406	RISOTTO BALLS	Comply
01/12/2007	AGQ/07/407	CHICKEN PATE	FAIL
01/12/2007	AGQ/07/408	FRUIT MINCE PIE	FAIL
01/12/2007	AGQ/07/409	HEALTHY XMAS PUDDING	Comply
01/12/2007	AGQ/07/410	ZUCCHINI RELISH	Comply
01/12/2007	AGQ/07/411	PANFORTE	FAIL
20/12/2007	AGQ/07/412	DRIED MUSHROOM	Comply
20/12/2007	AGQ/07/413	JAPANESE TOFU	FAIL
20/12/2007	AGQ/07/414	MAYONNAISE	Comply
20/12/2007	AGQ/07/415	SPICES	FAIL
20/12/2007	AGQ/07/416	SOUP STOCK	FAIL
20/12/2007	AGQ/07/417	TAMARIND	FAIL
20/12/2007	AGQ/07/418	RED BULL CAN	FAIL
20/12/2007	AGQ/07/419	EGG ROLL CHIP	FAIL
28/12/2007	AGQ/07/420	CORNFLAKE MIX	FAIL
28/12/2007	AGQ/07/421	CHOCOLATE COOKIE	FAIL
28/12/2007	AGQ/07/422	CURRIED MUSTARD LEAVES	FAIL
28/12/2007	AGQ/07/423	COCONUT WATER	FAIL
28/12/2007	AGQ/07/424	MANGO PICKLE	FAIL
TOTAL	107		
Comply	72		
Fail	35		

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Appendix 3

**Action on Failed Samples
July – September 2007**

Sample No	Description	Result	Action Status
AGQ/07/278	NUSICA HAZELNUT SPREAD	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/279	CRANBERRY SAUCE	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/280	SMOKED COD LIVER IN OWN OIL	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/281	SAUERKRAUT	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/282	PUMPERNICKLE ROUNDS	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/283	WHITE FINE BULGAR	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/284	EGGPLANTS	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/285	TOHNKE	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/286	SHPROTS IN OIL	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/287	SHPROTS IN TOMATO	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/288	MUSHROOMS	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/289	VEGETABLES	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Sample No	Description	Result	Action Status
AGQ/07/290	PIECES OF TOAST	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/291	CHERRIES	FAILED LABELLING	Letter to importer who has worked with overseas agents to rectify. New batches will come in mid 2008.
AGQ/07/301	CHEESECAKE SLICE	MICRO – HIGH YEAST COUNT 14,000	Letter to proprietor and inspection conducted. Referred to manufacturer. Investigation ongoing.
INV/07/051	CASHEWS	WEBBING	Inspection conducted. Complaint investigation concluded.
AGQ/07/306	LONG JOHN	SPC GREATER THAN 30,000,000	Letter to proprietor and inspection conducted. Referred to manufacturer. Investigation concluded.
AGQ/07/314	VANILLA SLICE	SPC GREATER THAN 30,000,000	Letter to proprietor and inspection conducted. Investigation ongoing.
AGQ/07/315	MIXED BERRY CHEESECAKE	HIGH YEAST COUNT (150,000)	Letter to proprietor and inspection conducted. Investigation ongoing.
AGQ/07/323	BLACK FOREST CHEESECAKE	HIGH YEAST COUNT (150,000)	Letter to proprietor and inspection conducted. Referred to manufacturer. Investigation concluded.
AGQ/07/332	PASSIONFRUIT YOGHURT	YEAST COUNT 490,000	Letter to proprietor and inspection conducted. Investigation ongoing.
There were 21 failed samples this quarter			

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Appendix 4

**Action on Failed Samples
October – December 2007**

Sample No	Description	Result	Action Status
AGQ/07/343	CHOCOLATE ÉCLAIR	HIGH STANDARD PLATE COUNT 3,000,000 ENTEROBACTERIACEAE HIGH	Letter to proprietor and inspection conducted. Investigation ongoing.
INV/07/054	MARSHMALLOW	RANCIDITY	Referred onto council where product is manufactured.
AGQ/07/353	VANILLA SLICE	HIGH E COLI AND ENTEROBACTERIACEAE AND SPC	Letter to proprietor and inspection conducted. Investigation ongoing.
INV/07/062	STEAK SANDWICH	HIGH YEAST CONTENT.	Inspection of premises. Investigation concluded.
AGQ/07/357	SHORTBREAD	LABELLING	Letter and education visit conducted. Proprietor implemented changes immediately. Investigation concluded.
AGQ/07/358	SHORTBREAD	LABELLING	Letter and education visit conducted. Proprietor implemented changes immediately. Investigation concluded.
AGQ/07/359	SHORTBREAD TURTLE	LABELLING	Letter and education visit conducted. Proprietor implemented changes immediately. Investigation concluded.
AGQ/07/363	FRENCH VANILLA	HIGH STANDARD PLATE COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/366	MATCH STICK	HIGH STANDARD PLATE COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/368	TENDERLIGHT	HIGH STANDARD PLATE COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/370	APPLE TURNOVER	HIGH STANDARD PLATE COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/372	CHEESECAKE SLICE	HIGH ENTEROBACTERIACEAE AND YEASTS.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/373	STRAWBERRY CREAM VANILLA ÉCLAIR	HIGH COLIFORMS, HIGH ENEROBACTERIACEAE, HIGH YEAST COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/374	COFFEE ÉCLAIR	HIGH COLIFORMS, HIGH ENEROBACTERIACEAE, HIGH YEAST COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Sample No	Description	Result	Action Status
AGQ/07/375	FRENCH VANILLA	HIGH COLIFORMS, HIGH ENEROBACTERIACEAE, HIGH YEAST COUNT.	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/376	COUS COUS	LABELLING	Letter to proprietor and referred to registering council.
AGQ/07/384	CHILLI RELISH	LABELLING	Letter to proprietor and referred to registering council.
AGQ/07/385	GINGERBREAD	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/388	PASSIONFRUIT YOYOS	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
INV/07/071	COOKED KRANSKY	LARVAE PRESENT	Complaint referred onto Primesafe. Investigation concluded.
INV/07/072	RAW KRANSKY	LARVAE PRESENT	Complaint referred onto Primesafe. Investigation concluded.
AGQ/07/407	CHICKEN PATE	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/408	FRUIT MINCE PIE	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/411	PANFORTE	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/413	JAPANESE TOFU	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/415	SPICES	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/416	SOUP STOCK	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/417	TAMARIND	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/418	RED BULL	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/419	EGG ROLL	LABELLING	Letter to proprietor. Inspection conducted. Investigation ongoing.
AGQ/07/420	CORNFLAKE MIX	LABELLING	Letter. Advised Importer to rectify. Investigation ongoing.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

AGQ/07/421	CHOCOLATE COOKIE	LABELLING	Letter. Advised Importer to rectify. Investigation ongoing.
AGQ/07/422	CURRIED MUSTARD LEAVES	LABELLING	Letter. Advised Importer to rectify. Investigation ongoing.
AGQ/07/423	COCONUT WATER	LABELLING	Letter. Advised Importer to rectify. Investigation ongoing.
AGQ/07/424	MANGO PICKLE	LABELLING	Letter. Advised Importer to rectify. Investigation ongoing.
There were 35 failed samples this quarter			

K 19 Budget Allocation to Berendale Hydrotherapy Facility

Author: Trevor McCullough, General Manager Community Sustainability

Approved By: John Nevins, Chief Executive Officer

1. Purpose

To recommend that Council allocate \$50,000 in the 2007/08 Financial Year to the development of a hydrotherapy facility at Berendale Secondary School.

2. Background

During recent years a public advocacy campaign has been directed to Bayside Council concerning the need for hydrotherapy facilities in Bayside due to the closure of the hydrotherapy facility at the Hampton Rehabilitation Centre in 2002. Consequently, a proposal to establish a hydrotherapy service at Berendale School in Hampton East has been developed by BBCHS and Bayside Council. Many Kingston residents were party to the campaign because they had used hydrotherapy at the Rehabilitation Centre or are using a pool in East Bentleigh as there is no like facility in Kingston. The advocacy campaign was centred on the provision of a facility that would be accessible to people who are managing chronic health issues or age related degenerative diseases.

Bayside Council's response to the campaign has been to facilitate a project to convert the current pool at the Berendale Secondary Special School into a hydrotherapy pool and aquatic disability leisure precinct at a cost of \$600,000. This level of funding is required to:

- a) replace plant and equipment that allows the pool to operate at temperatures required for hydrotherapy
- b) renovate the change rooms
- c) provide access for people with disabilities
- d) provide improvements to the pool hall
- e) build a walk-in ramp into the pool.

A model of operation has been established that will provide hydrotherapy access during some of the weekdays and all weekend for older people and disability groups as well as the regular access by many of the 130 Berendale Special Secondary School children. BBCHS will manage the facility and provide a physiotherapist and volunteers to conduct the group hydrotherapy sessions, charging a fee similar to its current hydrotherapy operations at East Bentleigh. When the pool is operating at maximum capacity, an additional 300 people will be able to use the facility for hydrotherapy and disability services each week.

Berendale, as a Registered Training Organisation, is planning to provide hospitality services through an on site cafe as part of the pool operations which would enable young people with disabilities to obtain vocational training in hospitality.

Bayside Council has conducted a needs analysis for hydrotherapy across the Kingston Bayside Primary Care Partnership (of which Kingston is a member) and has identified

the extent of the needs for hydrotherapy, particularly at the prevention and maintenance level of disease and disability management. Hydrotherapy assists people with chronic diseases and/or disabilities manage their conditions.

3. Proposal

As project facilitator, Bayside Council is seeking a one off Kingston Council financial contribution of \$50,000 to help fund the establishment of the facility. This request was made by the Mayor of Bayside at a recent meeting with our Mayor and senior officers. Officers have been advised that no maintenance or operational funding is required thereafter.

A written request for funds has also been received from BBCHS as the legal authority to receive the funds, implement the project and then manage the hydrotherapy service. The salient point on usage set out in this letter indicates approximately 130 Kingston residents use the East Bentleigh pool each week and there has consistently been around 100 Kingston residents on the waiting list for the past three years. With Kingston's ageing population, greater convenience of access at Berendale, an opportunity for the East Bentleigh users to have additional sessions at Berendale, and demand from the waiting list, it is likely that around 15% to 20% of users of the new facility will be Kingston residents. Demand from Kingston residents for the service will increase as the municipal population is ageing.

Of the total cost of \$600,000 for the project, the Commonwealth Government has approved a \$300,000 contribution and Bayside Council has committed \$50,000 to the project as has the Bentleigh Bayside Community Health Service. Bayside have also committed a further \$46,000 in design costs and in-kind support. The Bendigo Bank has provided a grant of \$70,000 and will underwrite the cost of any funding shortfall through the provision of an interest free loan to BBCHS, which could then be paid off through the provision of other funding opportunities. These opportunities include funding from our Council, foundations and fund raising. The Bendigo Bank is also interested in assisting a fund raising effort on an ongoing basis, possibly through the use of its branches to advertise and collect donations.

The current shortfall in funding is \$130,000. Given the number of potential Kingston users of the service, a contribution of up to \$50,000 from Council is considered appropriate.

4. Discussion

The facility will provide health benefit to older people, people recovering from an illness/injury, people requiring hydrotherapy to reduce pain from disability and people with a disability who seek safe aquatic leisure facilities within reasonable distance from their homes.

Should Council approve funding for the venture it is recommended that open access to Kingston residents be assured.

This proposal presents a relatively low investment for very high returns for the Kingston users of the facility.

Social

This proposal will provide a valuable health and leisure service that will meet multiple needs within the community and if supported by Council it will contribute to the achievements of Kingston's Positive Ageing Plan.

Financial

It is recommended that an amount of \$50,000 to be allocated from Council's current 2007/08 budget to enable the project to proceed.

Should Council approve any amount of funding, it is proposed that this would be the total extent of Council's contribution towards this project.

5 Conclusion

The proposal for a one off grant to Bayside Community Health Service to establish a hydrotherapy facility appears to be a reasonable investment to benefit many Kingston residents.

Recommendation

That Council:

1. Approve an amount of \$50,000 for the Berendale Hydrotherapy Pool Project as part of the 2007/08 budget.
2. Approve this funding on the understanding that assurances will be given that Kingston residents are guaranteed the same opportunity to access the facility as residents from other municipalities.
3. Advise Bentleigh Bayside Community Health Service and other project partners that Council makes this contribution on the basis of a one-off capital grant and does not accept responsibility for any maintenance or operational costs of the facility.
4. Provide this funding contribution on the condition that Kingston Council be included in any promotional material or record (including any plaque) for the facility.

10 Corporate Services Reports

K 20 Proposed Discontinuance of Road Adjoining 2 Brisbane Terrace, Part 33 & 34 Ellen Street and 39 Victoria Street, Parkdale

Author: Julian Harvey, Manager Property Services
Approved By: Paul Franklin, General Manager Corporate Services

1. Purpose

To consider the report of the section 223 Committee convened to hear a submission received from Mr Brian and Mrs Jennifer Anderton in response to a public notice placed in local newspapers on 22 August 2007 (*see attachment 1*).

2. Background

Council at its Ordinary Council Meeting held on 26 March 2007, resolved to commence statutory procedures to partially discontinue and retain several roads which physically appear to form parts of Council owned or managed reserves. (*see attachment 2*).

One of these roads is that adjoining part 33 and 34 Ellen Street and 39 Victoria Street, Parkdale. A submission was received from Mr Brian and Mrs Jennifer Anderton of 34 Ellen Street, Parkdale. Mr and Mrs Anderton requested to be heard in support of their submission.

Mr and Mrs Anderton have historically had access to the rear of their property over part of the Walter Galt reserve. A licence agreement recognising and protecting this access over Council land between Council and the Andertons was executed by both parties on 30 November 2007. The licence will continue to provide rear access to and egress from 34 Ellen Street, Parkdale. (*see attachment 3*). Area B will be included in the licensed area should the proposed discontinuance go ahead. The agreement is conditional upon Mr and Mrs Anderton, their heirs or assigns continuing to own 34 Ellen Street, Parkdale.

3. Section 223 Committee Hearing

On 21 January 2008, a Committee of Council comprising Mayor Bill Nixon (Como Ward Councillor), Paul Franklin, General Manager Corporate Services and Julian Harvey, Manager Property Services convened to hear the submission.

Mr and Mrs Anderton spoke to their submission (*see attachment 4*).

In summary the Committee heard that the Andertons are satisfied that the licence agreement adequately addresses the issue of physical access to the rear of their property. They are concerned however that the discontinuance of the road will lower the value of their property by removing the option of rear access if they or their children wish to subdivide and or sell their property.

Of particular concern was the eventuality that they or their children may wish to construct a second dwelling to the rear of the property for the use of a dependent relative. It is recommended that an allowance for this potentiality be made by amending the licence.

4. Section 223 Committee Report

The Committee has heard and considered the Andertons' submission and reports:

- The existing road has been physically closed to all vehicular traffic for a significant period of time. The land is used by local residents as a pedestrian thoroughfare and as part of the Walter Galt reserve.
- The Andertons and their heirs or assigns have and will continue to have reasonable access to their property. The ongoing use of the majority of the land as public park and recreation will be secured by the proposed discontinuance. If the property is subdivided for future development the removal of the existing garage will allow access to the rear from the Ellen Street frontage.
- An amendment to the licence will address the issue of a rear dwelling for a dependent relative and will include Area B.

Recommendation

1. That Council note the report of the section 223 Committee.
2. That Council, being of the opinion that the section of road adjoining part 33 & 34 Ellen Street and 39 Victoria Street, Parkdale, as shown hatched on the attached Plan (*attachment 4*) is not reasonably required as a road for public use, and having complied with the requirements of section 206 and schedule 10 clause 3 of the Local Government Act, 1989, hereby resolves:
 - a) to discontinue the road as shown hatched on the attached Plan;
 - b) that easements for South East Water and for Council be saved in accordance with the provisions of section 207c of the Local Government Act 1989
 - c) that a notice to discontinue the road pursuant to the provisions of clause 3(a) of schedule 10 to the Local Government Act 1989 be published in the Victoria Government Gazette;
 - d) that following discontinuance, Council retains the land from the discontinued road;
 - (e) that Mr and Mrs Anderton be notified of Council's decision and the reasons for that decision;
 - (f) that the existing access licence be amended to provide for access in the event that a dwelling for a dependent relative is constructed on the property and to include Area B.

(See attachments x 4)

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

11 Notices of Motion

K 21 Cr Athanasopoulos-Acknowledgement and Respect for Federal Parliament “Sorry” Statement.

Cr Athanasopoulos has given notice of his intent to move the following motion:

“That Council acknowledge and respect the Federal Government's sorry statement”.

12 Question Time

13 Urgent Business

14 Items in Camera.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

**City of Kingston
Ordinary Council Meeting
25 February 2008**

Agenda

Planning Decisions					
APPL. No.	PROPERTY ADDRESS	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION
KP1004/07	18 COORONG CIRCLE WATERWAYS, VIC 3195	19-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSU
KP1015/07	28 COORONG CIRCLE WATERWAYS, VIC 3195	21-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSU
KP237/07	27 LUNTAR RD OAKLEIGH SOUTH, VIC 3167	13-Apr-07	2-Jan-08	2 DWELLINGS	PERMIT ISSU
KP348/07	REAR/38-44 SOUTHERN RD MENTONE, VIC 3194	17-May-07	2-Jan-08	WAREHOUSE	PERMIT REF
KP396/07	54 BROADWAY BONBEACH, VIC 3196	5-Jun-07	2-Jan-08	3 DWELLINGS	PERMIT ISSU
KP567/07	19 ALBERT ST MORDIALLOC, VIC 3195	2-Aug-07	2-Jan-08	2 DWELLINGS	PERMIT ISSU
KP583/07	47 HILDA ST CHELTENHAM, VIC 3192	7-Aug-07	2-Jan-08	2 DWELLINGS	PERMIT REF
KP615/07	20/263-271 WELLS RD CHELSEA HEIGHTS, VIC 3196	13-Aug-07	2-Jan-08	CHANGE OF USE	PERMIT ISSU
KP626/07	25 FRASER AVE EDITHVALE, VIC 3196	16-Aug-07	2-Jan-08	2 DWELLINGS	PERMIT ISSU
KP646/07	86 CATHERINE AVE CHELSEA, VIC 3196	20-Aug-07	2-Jan-08	2 DWELLINGS	PERMIT ISSU
KP698/07	26 & 28 MASCOT AVE., BONBEACH, VIC 3196	5-Sep-07	2-Jan-08	4 DWELLINGS	PERMIT ISSU
KP714/07	CNR NEPEAN HWY & CHELSEA ROAD CHELSEA, VIC 3196	10-Sep-07	2-Jan-08	PEDESTRIAN SHELTER	PERMIT ISSU
KP717/07	42 EMMA ST CARRUM, VIC 3197	12-Sep-07	2-Jan-08	2 DWELLINGS	PERMIT ISSU
KP742/07	47 GLENOLA RD CHELSEA, VIC 3196	21-Sep-07	2-Jan-08	2 DWELLINGS	NOTICE OF I
KP775/07	7-9 HARTWOOD CT CHELSEA HEIGHTS, VIC 3196	2-Oct-07	2-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSU
KP793/07	60-66 OLD DANDENONG RD HEATHERTON, VIC 3202	8-Oct-07	2-Jan-08	BUILDINGS & WORKS	PERMIT ISSU
KP800/07	4 JORDAN ST CLAYTON SOUTH, VIC 3169	4-Oct-07	2-Jan-08	2 DWELLINGS	PERMIT ISSU
KP831/07	96-104 FAIRBANK RD CLAYTON SOUTH, VIC 3169	17-Oct-07	2-Jan-08	BUILDINGS AND WORKS	PERMIT ISSU
KP839/07	12 CAPITAL CT BRAESIDE, VIC 3195	19-Oct-07	2-Jan-08	BUILDINGS & WORKS	PERMIT ISSU

**City of Kingston
Ordinary Council Meeting
25 February 2008**

Agenda

KP883/07	505 HIGHETT RD HIGHETT, VIC 3190	5-Nov-07	2-Jan-08	BUILDINGS AND WORKS	PERMIT ISSI
KP903/07	400 NEPEAN HWY PARKDALE, VIC 3195	1-Nov-07	2-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP906/07	37 WHITE ST PARKDALE, VIC 3195	2-Nov-07	2-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP945/07	270 NEPEAN HWY PARKDALE, VIC 3195	29-Nov-07	2-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP961/07	38 COORONG CIRCLE WATERWAYS, VIC 3195	4-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSI
KP962/07	35 COORONG CIRCLE WATERWAYS, VIC 3195	4-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSI
KP970/07	26 WATERSIDE DR WATERWAYS, VIC 3195	6-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSI
KP971/07	19 COORONG CIRCLE WATERWAYS, VIC 3195	6-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSI
KP972/07	1 FOUNTAIN CT WATERWAYS, VIC 3195	7-Dec-07	2-Jan-08	1 DWELLING	PERMIT ISSI
KP398/07	22 GARFIELD ST CHELTENHAM, VIC 3192	5-Jun-07	3-Jan-08	9 DWELLINGS	PERMIT ISSI
KP400/07	699 - 701 HEATHERTON ROAD CLAYTON SOUTH, VIC 3169	6-Jun-07	3-Jan-08	10 DWELLING	PERMIT ISSI
KP480/07	1B/147 CENTRE DANDENONG RD CHELTENHAM, VIC 3192	4-Jul-07	3-Jan-08	CHANGE OF USE	PERMIT ISSI
KP652/07	13 IVAN AVE EDITHVALE, VIC 3196	21-Aug-07	3-Jan-08	2 DWELLINGS	PERMIT ISSI
KP772/07	2/74 KEYS RD CHELTENHAM, VIC 3192	1-Oct-07	3-Jan-08	CHANGE OF USE	PERMIT ISSI
KP782/07	4 BEACH PARK RESERVE MORDIALLOC, VIC 3195	3-Oct-07	3-Jan-08	BUILDINGS & WORKS	PERMIT ISSI
KP790/07	MEDIUM/841 FORESHORE CITY OF KINGSTON, VIC 0000	5-Oct-07	3-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSI
KP796/07	140 BALCOMBE RD MENTONE, VIC 3194	8-Oct-07	3-Jan-08	ON PREMISES LIQUOR LICENCE	PERMIT ISSI
KP827/06	96-98 WHITE ST MORDIALLOC, VIC 3195	6-Nov-06	3-Jan-08	MIXED USE DEVELOPMENT	PERMIT ISSI
KP856/07	78 COCHRANES RD MOORABBIN, VIC 3189	25-Oct-07	3-Jan-08	CHANGE OF USE	PERMIT ISSI
KP932/07	5/166 ROSEBANK AVE CLAYTON SOUTH, VIC 3169	20-Nov-07	3-Jan-08	CAFE	PERMIT ISSI
KP967/07	2/11 TAUNTON DR CHELTENHAM, VIC 3192	5-Dec-07	3-Jan-08	LIQUOR LICENCE	PERMIT ISSI
KP354/07	1426 CENTRE RD CLAYTON SOUTH, VIC 3169	18-May-07	7-Jan-08	8 DWELLINGS	PERMIT ISSI
KP674/07	7 HILLSTON RD MOORABBIN, VIC 3189	27-Aug-07	7-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSI
KP774/07	358-360 BOUNDARY RD DINGLEY VILLAGE, VIC 3172	2-Oct-07	7-Jan-08	CONSTRUCTION OF WAREHOUSE	PERMIT ISSI

**City of Kingston
Ordinary Council Meeting
25 February 2008**

Agenda

KP679/06	28 CHURCH RD CARRUM, VIC 3197	19-Sep-06	8-Jan-08	6 DWELLINGS	PERMIT ISSI
KP728/07	21 WHITE ST PARKDALE, VIC 3195	17-Sep-07	8-Jan-08	CHANGE OF USE	NOTICE OF I
KP759/07	SUITE 1/450 NEPEAN HWY CHELSEA, VIC 3196	25-Sep-07	8-Jan-08	PLACE OF WORSHIP	PERMIT ISSI
KP928/07	229 NEPEAN HWY EDITHVALE, VIC 3196	22-Nov-07	8-Jan-08	CHANGE OF USE - RESTAURANT	PERMIT ISSI
KP952/07	BLD 14/1486-1550 CENTRE RD CLAYTON SOUTH, VIC 3169	30-Nov-07	8-Jan-08	STAIRCASE	PERMIT ISSI
KP1001/07	5 THE BOULEVARD PATTERSON LAKES, VIC 3197	19-Dec-07	9-Jan-08	ALTERATIONS & ADDITIONS	PERMIT REF
KP1024/07	58 BERNARD ST CHELTENHAM, VIC 3192	21-Dec-07	10-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP681/05	1106 NEPEAN HWY HIGHETT, VIC 3190	26-Sep-05	10-Jan-08	EXTENSION TO MEDICAL CENTRE	PERMIT REF
KP905/07	999 NEPEAN HWY MOORABBIN, VIC 3189	1-Nov-07	10-Jan-08	REMOVAL OF EASEMENT	PERMIT ISSI
KP916/07	316 GOVERNOR RD BRAESIDE, VIC 3195	15-Nov-07	10-Jan-08	WAREHOUSE	PERMIT ISSI
KP944/07	640 NEPEAN HWY CARRUM, VIC 3197	29-Nov-07	10-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP963/07	67 RANDALL AVE CHELSEA, VIC 3196	4-Dec-07	10-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP842/07	40 STATION ST MOORABBIN, VIC 3189	22-Oct-07	11-Jan-08	SHOP - 2 DWELLING	PERMIT LAP
KP102/07	76 - 78 BALCOMBE ROAD MENTONE, VIC 3194	16-Feb-07	14-Jan-08	MIXED USE DEVELOPMENT	PERMIT LAP
KP119/07	84 CLARINDA RD CLARINDA, VIC 3169	22-Feb-07	14-Jan-08	2 LOT SUBDIVISION	PERMIT LAP
KP17/02	497-8 STATION ST CARRUM, VIC 3197	14-Jan-02	14-Jan-08	4 MULTI DWELLINGS	PERMIT WIT
KP516/07	24 DAVEY ST PARKDALE, VIC 3195	13-Jul-07	14-Jan-08	2 DWELLINGS	PERMIT ISSI
KP691/07	3 FLORENCE ST MENTONE, VIC 3194	4-Sep-07	14-Jan-08	2 DWELLINGS	PERMIT ISSI
KP864/07	146 COCHRANES RD MOORABBIN, VIC 3189	29-Oct-07	14-Jan-08	CHANGE OF USE	PERMIT ISSI
KP989/07	3 LORD WEAVER GR BONBEACH, VIC 3196	14-Dec-07	14-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSI
KP990/07	23 FIFTH ST PARKDALE, VIC 3195	14-Dec-07	14-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSI
KP1018/07	10 FOURTH AVE ASPENDALE, VIC 3195	21-Dec-07	15-Jan-08	2 LOT SUB	PERMIT ISSI
KP1023/07	1 STEPHENS ST CARRUM, VIC 3197	21-Dec-07	15-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP802/07	3 PARSONS ST CLAYTON SOUTH, VIC 3169	10-Oct-07	15-Jan-08	2 DWELLINGS	PERMIT ISSI

**City of Kingston
Ordinary Council Meeting
25 February 2008**

Agenda

KP910/07	22 BETHELL AVE PARKDALE, VIC 3195	14-Nov-07	15-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSI
KP920/07	2 ALFRED ST HIGHETT, VIC 3190	15-Nov-07	15-Jan-08	5 LOT SUBDIVISION	PERMIT ISSI
KP65/07	55 BETHELL AVE PARKDALE, VIC 3195	5-Feb-07	16-Jan-08	2 DWELLINGS	PERMIT ISSI
KP876/07	2-6 INDEPENDENCE ST MOORABBIN, VIC 3189	1-Nov-07	16-Jan-08	2 WAREHOUSES	PERMIT ISSI
KP239/07	13 BAKER ST MOORABBIN, VIC 3189	13-Apr-07	17-Jan-08	ALTERATIONS & ADDITIONS	PERMIT ISSI
KP413/06	GRND FL/1001 NEPEAN HWY MOORABBIN, VIC 3189	22-Jun-06	17-Jan-08	PLACE OF ASSEMBLY	PERMIT REF
KP532/07	9 GIPPS AVE MORDIALLOC, VIC 3195	23-Jul-07	17-Jan-08	LSIO - 1 DWELLING	PERMIT LAP
KP542/07-A	1090-1124 CENTRE RD OAKLEIGH SOUTH, VIC 3167	4-Dec-07	17-Jan-08	AMENDMENT TO KP542/07	PERMIT ISSI
KP766/07	127 CLARINDA RD OAKLEIGH SOUTH, VIC 3167	28-Sep-07	17-Jan-08	3 LOT SUBDIVISION	PERMIT ISSI
KP833/07	269-275 CENTRE DANDENONG RD DINGLEY VILLAGE, VIC 3172	19-Oct-07	17-Jan-08	SIGNAGE	PERMIT LAP
KP538/07	1A GARFIELD ST CHELTENHAM, VIC 3192	25-Jul-07	18-Jan-08	5 DWELLINGS	PERMIT ISSI
KP712/06	75 RAE AVE EDITHVALE, VIC 3196	2-Oct-06	18-Jan-08	2 DWELLINGS	PERMIT ISSI
KP1020/07	18 WALKERS RD CARRUM, VIC 3197	21-Dec-07	21-Jan-08	3 LOT SUB	PERMIT ISSI
KP676/07	26 BYRON ST CLAYTON SOUTH, VIC 3169	28-Aug-07	21-Jan-08	2 DWELLINGS	PERMIT ISSI
KP844/07	27-33 THIRD AVE CHELSEA HEIGHTS, VIC 3196	22-Oct-07	21-Jan-08	ERECT SHADE SAIL	PERMIT ISSI
KP893/07	F2/90-92 VOLTRI ST MENTONE, VIC 3194	12-Nov-07	21-Jan-08	CHANGE OF USE	PERMIT ISSI
KP941/07	1190-1214 NEPEAN HWY CHELTENHAM, VIC 3192	27-Nov-07	21-Jan-08	SIGNAGE	PERMIT ISSI
KP996/07	36 SHERWOOD AVE CHELSEA, VIC 3196	18-Dec-07	21-Jan-08	BUILDINGS AND WORKS	PERMIT ISSI
KP867/07	27 FOLLETT RD CHELTENHAM, VIC 3192	26-Oct-07	22-Jan-08	1 DWELLING - SBO	PERMIT ISSI
KP351/07	223 WESTALL RD CLAYTON SOUTH, VIC 3169	18-May-07	23-Jan-08	4 DWELLINGS	PERMIT ISSI
KP675/06	22 WESTLEY ST CARRUM, VIC 3197	15-Sep-06	23-Jan-08	2 DWELLINGS	PERMIT ISSI
KP732/07	6 WELLWOOD RD BONBEACH, VIC 3196	18-Sep-07	23-Jan-08	2 DWELLINGS	PERMIT ISSI
KP13/08	31 WATERSIDE DR WATERWAYS, VIC 3195	11-Jan-08	24-Jan-08	1 DWELLING	PERMIT ISSI
KP285/07	93 WELLS RD CHELSEA HEIGHTS, VIC 3196	1-May-07	24-Jan-08	CHANGE OF USE	NOTICE OF I

**City of Kingston
Ordinary Council Meeting
25 February 2008**

Agenda

KP4/08	16 JOAN ST MOORABBIN, VIC 3189	7-Jan-08	24-Jan-08	1 DWELLING - SBO	PERMIT ISSI
KP706/06	2 ROSEBERRY AVE CHELSEA, VIC 3196	29-Sep-06	24-Jan-08	2 DWELLINGS	PERMIT ISSI
KP913/07	119A ALBERT ST MORDIALLOC, VIC 3195	15-Nov-07	24-Jan-08	CARPARK	PERMIT LAP
KP974/07	1/632-633 NEPEAN HWY CARRUM, VIC 3197	6-Dec-07	25-Jan-08	5 LOT SUBDIVISION	PERMIT ISSI
KP11/08	40 EMBANKMENT GR CHELSEA, VIC 3196	10-Jan-08	29-Jan-08	2 LOT SUBDIVISION	PERMIT ISSI
KP797/07	16 SNAPPER POINT DR PATTERSON LAKES, VIC 3197	8-Oct-07	29-Jan-08	REPLACE JETTY	PERMIT ISSI
KP988/07	11 FOURTH AVE ASPENDALE, VIC 3195	14-Dec-07	29-Jan-08	SBO - DWELLING	PERMIT ISSI
KP11/04-A	93 WELLS RD CHELSEA HEIGHTS, VIC 3196	23-Jul-07	30-Jan-08	EXTENSION TO HOURS	PERMIT ISSI



PAVILION DEVELOPMENT Principles Paper



FEBRUARY 2008

Table of Contents

Executive Summary	98
Background.....	98
Methodology	99
Issues Identification.....	100
Analysis and Discussion.....	101
Hierarchy of Provision	104
Design Guidelines	105
Summary	106
Appendix 1 (Pavilions Listing).....	107
Appendix 2 (Area Guidelines & Cost Estimates)	108
Appendix 3 (Design Guidelines Checklist).....	110

Agenda

Executive Summary

Kingston City Council is committed to providing quality playing fields and associated infrastructure for organised sport. Council manages \$55 million worth of sporting building assets that accommodate the needs of over 110 sporting clubs and organisations.

This infrastructure must be continually upgraded and improved to meet the diverse and changing requirements of organised sport. There is a recognition of the need to provide appropriate female and junior changerooms, increasing expectations of the standard of sporting pavilion provision and acknowledgement of the increasing role that social and meeting space play in the delivery of sporting and community outcomes.

The rationale behind Council's provision of pavilion infrastructure has been incorporated into a series of pavilion provision principles. These will guide Council in its decision making about the design and location of future pavilion investment.

With limited funding available to facilitate upgrades and improvements, Council must have a way of prioritising where those funds should be spent in order to provide the best return to the sporting and wider Kingston community.

The project has involved extensive review and consultation to prepare a prioritised development program based on a range of criteria including condition of physical assets, utilisation and financial viability, site context, and needs of users and the broader community.

Background

The City of Kingston located in Melbourne's southern suburbs and with a population of approximately 135,000, is well known for its quality open space that includes beaches, golf courses, metropolitan parks and wetlands. Currently Council manages 40 recreation reserves containing approximately \$55 million worth of building assets that accommodate the needs of over 110 clubs and organisations.

Kingston City Council is committed to providing quality playing fields and associated infrastructure for organised sport. (Planned Outcome 1 – Establish open space amenities appropriate for all potential user groups.)¹ The sporting pavilions are an essential component of that provision providing change rooms, spectator amenities, social space and meeting opportunities for participants.

Despite that acknowledged position, there are extensive gaps in the information held within Council on its sporting pavilions. This has made planning for pavilion upgrades difficult and subject to non-strategic decision making. Council needs to look at the sporting pavilions it has at its sportsgrounds in terms of their current capabilities and structural condition, future demands, management and possibilities for multi-use.

A pavilion development strategy was commissioned by Council in February 2006 to prepare a framework and criteria for assessing sporting pavilion upgrade and redevelopment projects. The expected outcomes of this project were:

¹ City of Kingston Council Plan 2007-2012

**City of Kingston
Ordinary Council Meeting**

25 February 2008

Agenda

an understanding of the current condition and usage of each of the City of Kingston's sporting pavilions,
discussion about the potential for further multi-use of pavilions,
a framework that will facilitate strategic decisions to be made about future priorities for provision,
a set of design principles to guide future pavilion development projects, and
a prioritised list of pavilion development projects that should be incorporated into Council's forward budget process.

Methodology

This project aimed to provide an objective method for prioritising Council's capital works expenditure on sporting pavilion development. Councils understanding of the term pavilions refers to sporting pavilions, owned by Council, that provide a base for seasonally allocated sporting clubs. i.e. Winter season or Summer season. Based on this understanding, the present capital works program focuses on improvements to these buildings and does not include improvements for lease based pavilions.

The project scope has included pavilions, which are seasonally allocated or leased pavilions where the associated playing surface is seasonally allocated. Leased facilities which include clubrooms and playing surfaces (i.e. lawn bowls and tennis clubs), Scout halls and Lifesaving club facilities have been excluded from the scope.

Sykes Humphreys Consulting were engaged to assist with the development of the Pavilion Development Strategy in February 2006. They co-ordinated the data collection, research and consultation required for the project including:

- On-site assessments of all sporting pavilions*
- Telephone interviews with peak sporting associations*
- Club survey sent to all tenants of Kingston sporting pavilions*

An internal reference group comprised of Sykes Humphreys and council officer representatives from Building Facilities, Community Safety, Access & Equity, Building Maintenance, Leisure Planning, Environment, Property Services, Strategic Planning and Parks & Urban Design met on three occasions. The group identified issues with provision of sporting pavilions on recreation reserves and flagged areas for attention in any future provision or upgrade. During this process the group looked to create a best practice model for Kingston where it was identified what Council is able to provide and attempted to achieve this for our residents and clubs.

Selected local government authorities were benchmarked to determine industry approaches to sporting pavilion provision, including minimum standards and hierarchy of provision.

The results of this research and the club consultation formed the basis of a discussion paper, which was presented to Council in October 2006. The discussion paper outlined the results of the initial club discussions; survey results and discussed the key themes and issues arising out of them. It proposed the establishment of a series of principles around those identified issues to further guide the development of the strategy and inform future decision making about the network of sporting pavilions on recreation reserves.

Drawing on these identified principles, assessment criteria were developed to assist Council to prioritise the need for pavilion upgrade or redevelopment. The criteria were designed to be equally applicable in assessing existing pavilion conditions and any future proposals.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Issues Identification

On-site assessments

The consultants undertook on-site assessments of Kingston sporting pavilions producing a profile for each that looked at the physical and aesthetic characteristics of each building, including the siting of the pavilion on the recreational reserve and unique or outstanding features as identified through reserve master plans. The assessment also included the inspection of internal building condition audits and maintenance records.

The key high priority issues for Kingston's sporting pavilions emerging out of the assessments were:

Issue	Comments
1. General Condition Rubbish Cleaning Minor Maintenance	The overriding observation by the consultant was that many pavilions were not being kept clean and tidy by the tenant groups. Utilisation would be greatly improved by simply removing excess rubbish, thorough cleaning and timely minor maintenance.
2. Change rooms Quality and quantity of change rooms Umpires facilities Female participation	While several pavilions had satisfactory change rooms, many pavilions were coping with run down or inadequate change rooms. Changeroom development should consider umpire facilities. Special attention should be given to accommodating the increasing number of females participating in sport as players or officials.
3. Use of Space Storage Social Access	The inappropriate use of change rooms being used for social areas and storage. Disabled toilets, access ways and other amenity areas being used for storage.
4. Public Toilets External Public Toilets	Where possible public toilets should be situated within the main building with access from the exterior.
5. Storage Separate storage areas Internally sited with external access	To support multi-use activities and current groups, secure and independent storage should be provided for tenants.

Club Surveys

Kingston sporting clubs were consulted through distribution and completion of a club survey. The survey aimed to identify how the sporting and other recreational groups currently utilise the sporting pavilions. It gathered information on what is required for them to function as a sporting club and provide quality recreational opportunities to the community. (Appendix 6 – Club Survey)

The feedback from groups who use Kingston's sporting pavilions suggested that the following issues are of highest priority.

Issue	Comments
1. Change rooms Quality Umpires facilities Female participation	<i>Most clubs felt that the pavilions do not cater well enough for growing numbers of female players and umpires. In some cases this was also a concern for juniors.</i>

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Issue	Comments
Juniors 2. Storage Inadequate Trophies Memorabilia Seasonal/ multi use Shipping Containers	<i>The storage issue is quite a 'hot' one, with clubs having more equipment than in the past and finding storage facilities inadequate. This includes equipment storage, cupboard space and storage of trophies and photos. Some use old shipping containers.</i>
3. Shelter Spectator Seating Shade	<i>A number of clubs indicated that they have no shade and no shelter; there is very little landscaping, and no seating.</i>
4. Security/ Lighting Repair/ maintenance Vandalism	<i>Some security lighting has required repair for a long time. Lack of lighting has led to inappropriate use of space around pavilions</i>
5. Social Kitchen Social/ bar	<i>While a few clubs rarely use the pavilion for social facilities, many clubs would like to see a larger, upgraded area including kitchen improvements to cater for their needs. There are some clubs who find their facilities adequate.</i>

The issues of shelter, security and social areas were identified by users and not necessarily by the consultants during the site assessments, because they relate more to use of the facilities rather than condition/appearance.

These identified issues have been documented in the design guidelines (Appendix 3) and related recommendations which seek to improve the provision of shelter, security and kitchen/catering facilities at Council sporting pavilions. There is often debate about the provision of social/bar facilities because while they are acknowledged as an integral part of the operation of a sporting facility, it should not necessarily be the responsibility of the broader community to provide these. A recommendation to develop a policy to clarify Council's position in relation to provision of and funding of these areas is suggested in this strategy.

Analysis and Discussion

Principles

The Pavilion Development Strategy is founded on principles of responsible asset management and the view that all assets/buildings are provided to support Council's delivery of services and programs to the community. As a result, all pavilions must demonstrate that they fit within the following key asset criteria:

- Consistency with Council's corporate planning and budget frameworks,
- Full consideration of life-cycle costing, including capital, maintenance and renewal,
- Consistency with Council's policies and strategic plans,
- Accountability through internal controls and reporting, and
- Justification based on demonstrated community need.

Agenda

Within an asset management framework, the following principles provide the basis for Council's decision making about pavilion management and development.

PRINCIPLES OF PAVILION PROVISION

Access to pavilions will be provided and increased participation encouraged for a diverse range of community groups and individuals of all abilities.

Sports clubs generally use pavilions on weeknights and weekends.

Pavilions are generally under utilised.

Spaces in pavilions are often suitable for a wide range of other uses.

Seasonal tenancy agreements approve use for specific days and times.

Additional users can be given access to pavilions at various times of day and days of the week.

Effective management of pavilions will ensure that users and council will be fully informed about their roles and responsibilities in relation to all building improvements and maintenance, cleaning, handover to other users, rubbish removal, security and other issues.

Agreements for use of pavilions outline roles and responsibilities regarding cleaning and maintenance.

Enforcement and regular checking of the condition of a pavilion will ensure that requirements are met.

Seasonal tenancies are preferred to long-term lease agreements, to ensure that regular review of users can occur.

Council will ensure that all sport and recreation interests are considered in the allocation and use of pavilions.

Priority allocations have traditionally been on the basis of historical usage and home ground tenancy to grass based team clubs i.e. soccer, football, and cricket.

Emerging sports, recreation interests and community groups should also be considered.

Financial contribution to the capital development and ongoing maintenance of pavilions will consider utilisation and the value that these facilities bring to the whole community.

Pavilions are a part of a broad range of community assets that provide benefit to the whole community.

Contributions from key users of pavilions to their development and maintenance are reflected in the degree of access.

Standard design objectives will provide guidance for Council and organisations about appropriate development for the standard of reserves and the level of sport and activities.

While it is very important that pavilions continue to be unique and creative designs, it is important that there are design principles and standards that guide appropriate development.

The development of pavilions in reserves will consider the specific setting within the recreation reserve and the context within the surrounding environment.

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Pavilion design needs to consider an appropriate level of visual impact so that these buildings are consistent with the overall park environment.

Recommendations on Pavilion Provision Principles

Kingston Council will continue to provide pavilion infrastructure to support the sporting, community and recreational opportunities of its residents.

Development of pavilion infrastructure will be based on the six identified principles of pavilion provision

Seasonal allocation agreements will be Council's preferred management model for tenancy of Kingston's sporting pavilions.

As part of an overarching provision review, Council will review the criteria for sporting ground and pavilion allocations.

Wherever practicable, Council will examine the use of sporting pavilions as community meeting spaces outside of the peak usage times for sports.

Assessment

Using the principles of pavilion provision, the following key criteria have been developed to determine;

the existing condition of all pavilions in their current state, and
the merit of pavilion development proposals that may be submitted by user
groups or initiated by Council.

The key criteria are:

Physical Asset: 40% of assessment

- Results of Building Inspection Reports relating to structure
- Results of Building Inspection Reports relating to condition
- Results of Building Inspection Reports relating to life expectancy
- Compliance with standards and regulations
- Level of maintenance and repair costs
- Efficiency of design in terms of sustainable principles
- Compliance with pavilion design guidelines
- Consolidation of infrastructure

Value for Money: 15% of assessment

- Number of users and user groups in a pavilion
- Multi-use compatibility for non-sport users
- Needs expressed by non-sporting groups
- External financial contributions that might be available
- Issues with graffiti and vandalism
- Impact on recurrent maintenance costs

Relevant Context: 10% of assessment

- Upgrade of pavilion identified in Council policy/plan/strategy
- Likely support from State or Federal sources
- Impact on cultural/historic significance
- Support from other users and facilities for any upgrade
- Number of sportsgrounds
- Capacity of reserve and standard of sport played

Needs Analysis: 35% of assessment

- Expressed need by users/groups/council
- Impact on diversity and degree of participation
- Barriers to sporting participation
- Sporting/peak association support
- Sporting/activity trend data
- Ability of pavilion to meet identified needs
- Other facility provision within the local area
- Projected population growth in the area

Hierarchy of Provision

All sporting pavilions should adequately cater for the needs and level of the sports being played on the attached sporting grounds. It is proposed that all Kingston pavilions be classified within a three tier hierarchy; regional, municipal and local.

Similarly pavilion development on sporting reserves should reflect consistently with the capacity of the playing fields to support a particular level of sporting participation. It is undesirable to build a high level pavilion on a reserve that has limited ability to provide a quality playing surface.

Regional Level Pavilion

A regional level pavilion would be a purpose built pavilion that would cater for a specific sports needs over a regional catchment area. It would have 4-6 change rooms, large social space, extensive storage, high level spectator amenity and viewing facilities, multiple officials rooms, press facilities, commercial kitchen and kiosk, meeting rooms / office, public toilets and first aid room.

Total Area = 697 – 777m² internal plus 120m² undercover area

Regional level pavilion cost estimate \$2,000,000 - \$2,350,000 (Appendix 2)

Municipal Level Pavilion

Municipal level pavilions represent the majority of Kingston's existing sporting pavilions. There is great variety in the make-up and sizes of the existing pavilions, however most include these elements in some form. A municipal level pavilion will have 2-4 change rooms, independent social space, canteen / kiosk, officials rooms, meeting room/office, public toilets and first aid room. Pavilions supporting a single playing field would normally have 2 change rooms although if the need is identified, that may be extended to four (i.e. large junior team numbers). Four change rooms would be required for pavilions supporting multiple playing fields.

Total Area = 367 – 447m² internal plus 120m² undercover area

Municipal level pavilion cost estimate \$1,100,000 - \$1,400,000 (Appendix 2)

Local Level Pavilion

Local level pavilions are designed to accommodate basic provision for sporting participation at reserves with a single sporting ground. They would be suitable for junior sport and or non-traditional sports that attract small spectator numbers (i.e archery) or where the emphasis is on the participation and not the social activities. (i.e touch football) Local level pavilions will have 2 change rooms that can be easily converted to social space when required, canteen/ kiosk, officials' room, public toilets and spectator viewing (undercover).

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Total Area = 205m² internal plus 50m² under cover area

Local level pavilion cost estimate - \$600,000 (Appendix 2)

Recommendations on Hierarchy of Provision

All Kingston sporting pavilions are classified as either local, municipal or regional level pavilions as per the recommended criteria.

Design Guidelines

The design of pavilions is an important consideration in any development strategy. Pavilions must serve a functional purpose, providing for the requirements of community sport. They must also be sensitive to the environment in which they are built. Pavilions are set within public open space in recreational reserves which often serve multiple functions within the community. The setting of the pavilion within the reserve and its impact on the accessibility, useability and amenity of the remainder of the reserve must be a key consideration for Council. The strategy incorporates a design checklist (Appendix 5) that prompts council officers and architects to consider the overall design of the pavilion and its surrounds at the design phase of a redevelopment or upgrade project.

The following guidelines have also been prepared to guide Council with the essential functional components appropriate to each level of pavilion provision.

Table 1 – Essential components of sporting pavilions

Component	Regional	Municipal	Local	Comments
Change Rooms	4-6	2-4	2	Based on identified need and access to playing fields
Toilets / Shower Areas	ü	ü	ü	Refer to number of changerooms
Umpires Change	ü	ü	ü	
First Aid	ü	ü		
Entry / Foyer	ü			
Dedicated Social Room	ü	ü		Separate from changerooms
Multi-purpose Social Space			ü	Converted changerooms
Public Toilets/Cleaner	ü	ü	ü	
Internal Toilets	ü	ü		Supporting social spaces
Kitchen and Store	ü			Commercial kitchen
Canteen / Kiosk	ü	ü	ü	
Bar and Store	ü			Subject to liquor licence
Equipment Storage	ü	ü	ü	Internal and external storage
Meeting Room / Office	ü	ü		
Covered Spectator Areas	ü	ü	ü	Protection from weather
Waste Storage Areas	ü	ü	ü	
Designed to accommodate specific sport needs	ü			

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Female change facilities	ü	ü	ü	Including shower facilities
Disabled Access	ü	ü	ü	To toilets, spectator and social facilities
Provision for juniors	ü	ü	ü	
Security	ü	ü	ü	Lighting, good design, window shutters and alarm.

For specific dimensions of each of these components, please refer to the relevant building codes and sporting association guidelines. Requirements may differ according to the sports being played and the level of competition.

Recommendations on Design Guidelines

Design guidelines as listed in (Table 1) are considered essential components that should be provided in Council sporting pavilions. Components outside of these guidelines i.e. larger spaces or additional features should be considered at the expense of the tenant club and should not compromise the provision of any essential components.

Develop a policy to guide financial contributions to pavilion improvements / upgrades by tenant sporting clubs.

Summary

The Pavilion Development Principles Paper provides guidance to Council and the community on Kingston's provision of sporting pavilion infrastructure to support community sport. The principles and assessment criteria allow Council to make objective assessments of the priority to upgrade and improve sporting pavilions

It provides recommendations on future actions around the identified issues of:

- Principles of Pavilion provision
- Hierarchy of provision
- Assessing the development priorities
- Design guidelines

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Appendix 1 (Pavilions Listing)

The following pavilions have been included in the development of this strategy:

Reserve

Beazley Reserve
Ben Kavanagh Reserve
Bicentennial Park

Bonbeach Reserve

Carrum Roy Dore Reserve

GR Bricker Reserve
Browns Reserve
Chadwick Reserve
Chelsea Recreation Reserve

Dales Park
Dane Road Reserve
Dingley Recreation Reserve

Dolomore Reserve
Doug Denyer Reserve
Edithvale Common
Edithvale Recreation Reserve

Gerry Green Reserve

Glen St Reserve
The Grange Reserve
Heatherton Reserve
Highett Reserve

Jack Grut Reserve
Keeley Park

Keys Road Reserve
Kingston Heath Recreation Reserve

Le Page Park
Mentone Recreation Reserve

Namatjira Park
Patterson Lakes Recreation Reserve
Regents Park
Rowan Road Reserve

Southern Rd Reserve
Walter Galt Reserve

Pavilion

Beazley Reserve Pavilion
H.A.Droop Pavilion
Curwood Pavilion
Chelsea Women's Sports Complex
Bonbeach West (Main)
Curwood Hall (being rebuilt)
Bonbeach East Youth Club (Chelsea YCW)
Changeroom Pavilion
Social Pavilion
GR Bricker Reserve Pavilion
Browns Reserve Pavilion
Chadwick Reserve Pavilion
Tom Johnson Pavilion
Chelsea Junior Football Clubrooms
Dales Park Pavilion
Dane Road Reserve Pavilion
Social Pavilion (Souter Oval)
Changeroom Pavilion
Dolomore Reserve Athletics Pavilion
Doug Denyer Reserve Pavilion
Edithvale Common Pavilion
Bert Thomas Pavilion
Soccer Pavilion
Cycling Pavilion
Cliff Sambel Pavilion
Homing Club
Val Connors Pavilion
The Grange Reserve Pavilion
Social and Changeroom Pavilion
Main Pavilion
Small Pavilion
Combined Clubrooms Pavilion
Jack Grut Reserve Pavilion
Keeley Park East Pavilion
Keeley Park West Pavilion
Jack McDavitt Pavilion
Ron Brownlees Pavilion
Kingston Heath Soccer Pavilion
Le Page Park Pavilion
Soppett Pavilion
Corboy Pavilion
Namatjira Park Pavilion
Clubrooms (horse paddocks)
Regents Park Pavilion
Doug McLean Pavilion
Netball Pavilion
Southern Rd Reserve Pavilion
Walter Galt Reserve Pavilion

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Appendix 2 (Area Guidelines & Cost Estimates)

These cost estimates relate to the provision of building elements only. It is important to note that for any pavilion upgrade there are likely additional ancillary costs such as car parking, access paths, landscaping etc. When budgeting for a pavilion upgrade the "Total Project" cost, including these ancillary items, must be considered.

Regional Level Pavilion – Building Costs

Building Element	Area	Cost Per M²	Cost per Area
Change Rooms (4)	160 m ²	\$1,800	\$288,000
Toilets/Shower Areas	70 m ²	\$2,400	\$168,000
Kiosk	15 m ²	\$2,700	\$40,500
Total Storage	75 m ²	\$1,500	\$112,500
Umpires Change	20 m ²	\$2,400	\$48,000
First Aid	15 m ²	\$1,800	\$27,000
Kitchen and Store	35 m ²	\$2,700	\$94,500
Meeting Room / Office / Press (3)	45 m ²	\$1,800	\$81,000
Bar and Store	25 m ²	\$2,700	\$67,500
Social Room	150 m ²	\$1,800	\$270,000
Entry / Foyer	20 m ²	\$1,800	\$36,000
Public Toilets/Cleaner	32 m ²	\$2,400	\$76,800
Internal Toilets	35 m ²	\$2,400	\$84,000
Covered Areas	120 m ²	\$750	\$90,000
SUB TOTAL			\$1,483,800
Design contingency, allow 15%			\$222,570
Consultants fees, allow 10%			\$148,380
Construction contingency, allow 10%			\$148,380
TOTAL			\$2,003,130

**City of Kingston
Ordinary Council Meeting**

Agenda

25 February 2008

Municipal Level Pavilion – Building Costs

Building Element	Area	Cost Per M²	Cost per Area
Change Rooms (2)	80 m ²	\$1,800	\$144,000
Toilets/Shower Areas (2)	35 m ²	\$2,400	\$84,000
Canteen / Kiosk (1)	20 m ²	\$2,700	\$54,000
Social Space	100 m ²	\$1,800	\$180,000
Total Storage Space	50 m ²	\$1,500	\$75,000
Umpires Change Room	20 m ²	\$2,400	\$48,000
First Aid	15 m ²	\$1,800	\$27,000
Meeting Room / Office	15 m ²	\$1,800	\$27,000
Public Toilets/Cleaner	22 m ²	\$2,400	\$52,800
Internal Toilets	25 m ²	\$2,400	\$60,000
Covered Areas	120 m ²	\$750	\$90,000
SUB TOTAL			\$841,800
Design contingency, allow 15%			\$126,270
Consultants fees, allow 10%			\$84,180
Construction contingency, allow 10%			\$84,180
TOTAL			\$1,136,430

Local Level Pavilion – Building Costs

Building Element	Area	Cost Per M²	Cost per Area
Change Rooms (2)	80 m ²	\$1,800	\$144,000
Toilets/Shower Areas (2)	35 m ²	\$2,400	\$84,000
Canteen / Kiosk (1)	20 m ²	\$2,700	\$54,000
Total Storage Space	50 m ²	\$1,500	\$75,000
Umpires Change Room	10 m ²	\$2,400	\$24,000
Public Toilets/Cleaner	10 m ²	\$2,400	\$24,000
Covered Areas	50 m ²	\$750	\$37,500
SUB TOTAL			\$442,500
Design contingency, allow 15%			\$66,375
Consultants fees, allow 10%			\$44,250
Construction contingency, allow 10%			\$44,250
TOTAL			\$597,375 #

Cost estimate is a guide only and reflects a new pavilion on Greenfield site. Upgrades to existing structures may result in reduced costs where elements do not need to be duplicated. Costings are based on construction cost estimates in March 2007.

Appendix 3 (Design Guidelines Checklist)

Design of sporting pavilions should address the following key points whether they are upgrade projects, redevelopments or proposals for new pavilions:

Accessibility

- Ⓟ Compliance with legislation for disabled access, and a rating of degree of access
- Ⓟ Good access from car parks and reserve entry
- Ⓟ Good design that encourages use for all ages, genders, abilities and interests

Design for Use

- Ⓟ Appropriate level of development for size and condition of reserve
- Ⓟ Appropriate extent of development with consideration to the level of sport played and Council's responsible and strategic use of resources.
- Ⓟ Design for multi-use spaces with use of partition walls, flexible spaces, etc

Placement in Reserve

- Ⓟ Set back from sportsfield should be at least 20 metres
- Ⓟ Elevated position on reserve where possible
- Ⓟ Good visibility from reserve entry point
- Ⓟ Where possible, minimum of 30-50 metres clearance from adjacent properties
- Ⓟ Aspect of building – consideration of north, south, east, west in context of reserve

Built Form

- Ⓟ Design integrated with landform: elevated sites, split-level where appropriate, etc
- Ⓟ Wherever possible, all buildings to be consolidated in a single building footprint
- Ⓟ Incorporate scoring facilities, public toilets, shelter, etc within pavilion design

Security

- Ⓟ Ensure high degree of visibility
- Ⓟ Security cameras / systems
- Ⓟ Security locks
- Ⓟ Steel doors / roller doors as appropriate
- Ⓟ Lighting on all sides of building for night security

Toilets / Change rooms

- Ⓟ Internal facilities for pavilion users
- Ⓟ Public toilets incorporated into pavilion with internal and external entry
- Ⓟ Male and female participants and umpires catered for in change / toilet facilities
- Ⓟ Incorporation of unisex disabled toilets in accordance with regulations
- Ⓟ Provision for visiting teams/clubs within pavilion

Signage

- Ⓟ Signage at reserve entry to be visible, up-to-date and standard design
- Ⓟ Minimise visibility of advertising signage wherever possible – reserve and pavilion
- Ⓟ Name of pavilion to be clearly shown on building

Waste Management

- Ⓟ Permanent and suitable storage facility for litter and recycling bins
- Ⓟ Carefully planned pick-up point for all rubbish and recycling collections
- Ⓟ Any temporary locations for bins to be away from pathways, building areas and access points

Storage

- Ⓟ Purpose built storage areas with internal and external access to be incorporated
- Ⓟ Adequate storage facilities to be provided to avoid other spaces being converted

Regulations

- Areas of preparation/serving of food to comply with all relevant acts/regulations
- Risk management issues to be considered
- Planning permit requirements

Environmentally Sustainable Design

- Safe design principles to be applied
- Alternative applications for water use, energy consumption, natural light, etc

Car Parking and Access

- Consideration of safe vehicle access to buildings for deliveries, service, etc
- Pathways leading to and from pavilions from entrance areas, car parks and various destinations within reserves
- Provision of car parking within reserves for good access to pavilions and other key facilities without compromising the amenity of the surrounding parkland.