

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

Notice is given that an Ordinary Meeting of Kingston City Council will be held at 7.00pm at the Cheltenham Office, 1230 Nepean Highway, Cheltenham, on Wednesday 27 April 2011.

- 1. Apologies**
- 2. Confirmation of Minutes of Previous Meetings**
Minutes of Ordinary Council Meeting 28 March 2011
- 3. Foreshadowed Declaration by Councillors or Officers of any Conflict of Interest**
[Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.]
- 4. Petitions**
- 5. Presentation of Awards**
Sports Technology International

Past Junior Mayor – Ebony Let
New Junior Mayor – Olivia Guhl
- 6. Reports from Village Committees** **Pg 4**
- 7. Reports from Delegates Appointed by Council to Various Organisations**
- 8. Question Time**
- 9. Environmental Sustainability Reports**
N49 Adoption of the Moorabbin Activity Centre Structure Plan. Pg 7
N50 Adoption of the Mentone Activity Centre Structure Plan Pg 21
N51 Southland Structure Plan – Background Work. Pg 36
N52 Mentone Planning Controls Pg 39
N53 Bring Forward Projects from 2011/12 Capital Program Pg 45
- 10. Community Sustainability Reports**
N54 Sport & Recreation Reference Group Pg 47
N55 Draft Arts & Culture Strategy 2011-2015 Pg 50
N56 Recommended Members for 2011 – 2013 Access and Equity Committee Pg 53
- 11. Organisational Development & Governance Reports**
N57 Assembly of Council Report Pg 59
N58 Expenditure of Ward Funds Schedule Pg 61
N59 Council Plan Quarterly Report for January – March 201 Pg 64
- 12. Corporate Services Reports**
N60 Investment Policy Report – March 2011 Quarter Pg 69
N61 Procurement Policy Update Pg 73
N62 Section 223 Committee Report on Proposed Discontinuance of Road abutting 301 – 307 & 309 – 317 Centre Dandenong Road, Cheltenham and 149 Farm Road, Heatherton Pg 75
- 13. Notices of Motion**
N63 Cr Paul Peulich – Dept Regional Development & LG’s RDA Funding – Chain of Parks. Pg 78
N64 Cr Lewis Dundas – Laneways Pg 79
N65 Cr Lewis Dundas – Beach Road Reservation Pg 80

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

14. Urgent Business

15. Items in Camera
N66 Confidential Staffing Matter

Pg 81

6. Reports from Village Committees

PRESENTATION OF VILLAGE COMMITTEE REPORTS

6.1 Cheltenham Village Committee

Chairperson – Vic Russo OAM JP

Report of Meeting held on 5 April 2011

Highlight: Mordialloc Food & Wine Festival

6.2 Mentone/Parkdale Village Committee

Chairperson – Claire Houston

Report of Meeting held on 5 April 2011

Village Committee Motion:

That the shade shelter on Mentone Beach be replaced in exactly the same position and built in a similar structure to the current structure.

Officer Comment:

This matter requires consultation with a broad range of stakeholders to ensure the appropriateness of design and location.

Village Committee Motion:

- i. That a Council officer inspect the site/area of bushland opposite 117 Beach Road for damage to the vegetation.
- ii. That a low fence be erected around the area to prevent people walking through the area to allow appropriate revegetation.

Officer Comment:

This matter requires a report to be prepared for a Councillor Information Session.

Highlight: None

6.3 Mordialloc Village Committee

Chairperson – David Van Pelt

Report of Meeting held on 5 April 2011

Highlight: Mordialloc Creek – Chris French Presentation

- 6.4 Clayton South Village Committee**
Chairperson – Chris Frangopoulos
Report of Meeting held on 5 April 2011

Highlight: The Committee agreed that the highlight has been Council's response to the tip/odour issues that has recently been occurring. Members felt that there had been some improvement already, though they also understood that this is an ongoing issue that requires continued vigilance.

- 6.5 Clarinda/Oakleigh South Village Committee**
Chairperson – Veeda Oakley
Report of Meeting held on 6 April 2011

Highlight: Bald Hill Park and Gael's observations of usage

- 6.6 Patterson Lakes/Carrum Village Committee**
Chairperson – Don Reed
Report of Meeting held on 6 April 2011

Village Committee Motion:

That the Carrum/Patterson Lakes Village Committee provides its full support for the draft lighting designs presented to the Committee on 6 April 2011 by Steve Perumal. The Committee recommends that Council approve the draft designs and enable the installation of improved lighting on the Carrum Nepean Highway Bridge.

Officer Comment:

The Village Committee's motion has been noted.

Highlight: Draft designs for improving the lighting on the Nepean Hwy Bridge in Carrum

- 6.7 Aspendale/Edithvale/Aspendale Gardens/Waterways Village Committee**
Chairperson – Ken Carney
Report of Meeting held on 7 April 2011

Highlight: Exploring the possibility of having the Wetlands Discovery Centre named after Les Williams (former president of Friends of Edithvale-Seaford Wetlands)

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

6.8 Chelsea/Chelsea Heights/Bonbeach Village Committee

Chairperson – John Bainbridge

Report of Meeting held on 13 April 2011

Highlight: The committee commended Alan West on a very informative and interesting presentation in response to the flooding which occurred on February 4th 2011.

9. Environmental Sustainability Reports

N 49 Adoption of the Moorabbin Activity Centre Structure Plan

Approved by: Tony Rijs, General Manager, Environmental Sustainability

Author: Rosa Zouzoulas, Team Leader Strategic Planning

1. Purpose

The purpose of this report is to provide a summary of the submissions received in relation to the Draft Moorabbin Activity Centre Structure Plan and to provide an overview of the major issues that have emerged through the public consultation process. The report also updates Council on the recent further traffic analysis undertaken in consultation with Vic Roads.

The report recommends that Council adopt the Draft Structure Plan and that a request be made to the Minister for Planning to obtain authorisation to prepare an Amendment to implement permanent planning controls for the Moorabbin Activity Centre into the Kingston Planning Scheme.

2. Background

2.1 Draft Moorabbin Activity Centre Structure Plan

The Draft Moorabbin Activity Centre Structure Plan has been prepared to provide an integrated response to the change envisaged for the Centre over the next twenty (20) years, it envisages a number of key projects. These projects have been identified to relieve existing traffic pressures on the Centre and its road hierarchy and to provide for the Centre's beautification, and increased useability and liveability, such projects include:

- § The potential redevelopment of the railway airspace (Axispace project) in Station Street, to create a unique development precinct incorporating prominent contemporary multi level buildings for living, employment and regional entertainment opportunities.
- § The rationalisation of commuter & visitor car parking at the Railway Station and development of a new car park within the Axispace project.
- § Provide for an enhanced Station Forecourt to improve access to public transport, provide a community focal point for the centre and link to newly created open spaces for recreation embellished with public art and street furniture
- § Extending and making Central Avenue one way to Redholme Street to provide direct access to open space, improve traffic circulation, reduce rat running through the centre and to assist the improve pedestrian amenity.
- § Making Station Street one way between Nepean Hwy and South Road to improve traffic circulation by seeking to preference the arterial road network in managing car traffic. This initiative will bring opportunities to substantially enhance the experience for pedestrians through Central Avenue and Taylor Street.
- § Transform the triangular block surrounded by Redholme St, Tuck St and Central Avenue to a vibrant mix of retail activity, with residential opportunities and a new public space at the Taylor St and Central Ave junction.

The development of the Draft Structure Plan follows on from work undertaken through the Moorabbin to Mordialloc Integrated Framework Plan, July 2008 (PLAN). This earlier work identified the broad parameters for growth in the Cheltenham, Moorabbin, Mentone and

Parkdale Activity Centres and provided a platform for managing future development through individual structure plans for these centres.

2.2 Interim Structure Planning Controls

Following the adoption of PLAN, Council sought interim planning controls via Amendment C100 in the form of new Schedules to the Design and Development Overlay. The controls seek to manage design and built form outcomes for the Cheltenham, Moorabbin, Parkdale and Mentone Activity Centres. After some negotiation and re-drafting, interim planning controls were approved by the Minister for Planning on 21 January 2010. The interim structure planning controls are due to expire on 31 October 2011.

3. Summary and Conclusion

The development of the Draft Moorabbin Activity Centre Structure Plan has been a significant planning task for Council which has involved community consultation and detailed background analysis. The public consultation undertaken has provided an opportunity for the community to review and test the visions and objectives that have been developed through the consultation processes over recent years. The community has provided valuable input to the development of the plan and will continue to have input through the future planning scheme amendment process and the implementation of the ideas identified in the Structure Plan.

Council officers believe that the Draft Structure Plan presented to Council for adoption seeks to achieve a reasoned balance when reviewing the surveys and submissions and matters of relevant policy.

Council's adoption of the Draft Moorabbin Activity Centre Structure Plan will enable exciting implementation actions to be progressed and will in turn allow Council to give consideration to the objectives and design guidelines contained within the Draft Structure Plan in assessing development proposals in the study area to ensure an integrated approach.

4. Consultation

The Draft Moorabbin Activity Centre Structure Plan was made available for public comment for a period of 6 weeks between 27 April and 18 June 2010. Community consultation included:

- § Making the Structure Plan available at the Moorabbin and Highett Libraries, Cheltenham and Mentone Customer Service Offices and Council's website.
- § An information morning held on 8 May 2010 on Taylor Street, Moorabbin.
- § An information session held on 5 May 2010 at Council's Moorabbin Arts Centre.
- § Direct notification to seven hundred and fifteen (715) landowners and occupiers within the study area (including the Cities of Bayside and Glen Eira), community groups, developers and authorities.
- § Articles in local media.
- § An article in Kingston Your City.
- § Presentations carried out with the Moorabbin Village Committee.
- § Presentations to and consultation with key stakeholders including Victrack, VicRoads, Department of Transport, Bayside City Council, Glen Eira City Council, Department of Planning and Community Development and key landowners.

5. Issues

5.1 Submissions

Consultation of the Draft Structure Plan generated a total of fifty one (51) submissions either through survey form (on line and hard copies) of written responses). A copy of the submissions received have been previously circulated to Councillors and a copy is available to view in the Councillors lounge.

An analysis of surveys and submissions received the following reflects the key themes that emerged.

5.2 Discussion of Submissions Received

1. Horscroft Place – Rezoning

The Draft Moorabbin Activity Centre Structure Plan identifies the redevelopment of a small pocket of industrial and commercial land on the edge of the activity centre into future parkside contemporary residential living. The initiative seeks to create a new residential precinct within walking distance of public transport, retail and on the doorstep of major recreational space. The precinct was proposed to be connected to the centre and station through the extension of Central Avenue noting it is within convenient walking distance.

In order to facilitate the gradual shift from Industrial and Commercial to Residential, a Planning Scheme Amendment involving a land rezoning will be required. The draft structure plan seeks to rezone this land to resolve issues of amenity with adjoining residential areas, and alleviate any potential for an intensification of industrial activities in this area.

Kingston has a substantial supply of strategically located industrial land within the municipality, which provides significant employment opportunities. Horscroft Place is not deemed to be 'strategic' industrial land in the sense of providing significant industrial land and employment opportunities for the municipality. The rezoning of the Precinct would therefore not compromise Kingston's industrial objectives.

Mixed responses were received in relation to the proposed rezoning and redevelopment of this precinct to future residential development. Those concerned raised issues associated with future uncertainty for industrial businesses and viability, and investment loss. Whilst an amendment would be progressed in the short term which would include the rezoning of land in the activity centre, businesses will not be forced out of the area and may continue to operate in accordance with the provisions of the Kingston Planning Scheme that provides them with existing use rights. As with other strategic sites in the municipality this initiative may take up an extended period to transition from Industrial to Residential.

Recommendation: That Council proceed with the initiative to rezone and promote the redevelopment of this precinct through the initiation of a detailed amendment to the Kingston Planning Scheme.

2. Inappropriate densities proposed in established residential areas

Another key initiative of the Draft Structure Plan which has received mixed support is the extent and nature of redevelopment for residential purposes throughout the activity centre. The draft structure plan seeks to capitalize on the under developed nature of the heart of the

activity centre and identifies projects to create a significant accommodation role within and on the edge of the activity centre.

Key projects identified to achieve the accommodation role in the centre include the redevelopment of the railway airspace (Axispace Project) for a number of new mixed use buildings of approximately 7 storeys, the Avenue Place Project (redevelopment of 'The Link' building), for new mixed use buildings up to 5 storeys in height, redevelopment of existing retail properties to accommodate a mix of uses in upper levels up to 4 storeys in height, a new contemporary residential precinct on the above mentioned industrial land of up to 4-5 storeys transitioning down to a lower scale at the interface with established residential areas, in height, and development of up to 3 storeys in height in established residential areas where consolidation of land is achieved.

Some residents have raised concerns in regards to the proposed scale of development, and others with regard to the increased densities in the residential areas at the edge of the centre. The draft structure plan proposed building heights in established residential areas of maximum three storeys or 11 metres only where site consolidation is able to be achieved. It is therefore considered that the concerns of residents have been addressed.

Some concern with regard to high density development in the heart of the activity centre stem from recent planning permit approvals including the redevelopment of 358 South Road Moorabbin. Concerns identified include social problems, lowering of living standards, and increased traffic. The socio-economic work undertaken to date identifies significant growth in the 34-49 year and 70-84 year age brackets with younger people in the 25-34 age bracket finding it more difficult to purchase suitable housing in Moorabbin. As with many of Kingston's established areas, Moorabbin has experienced some incremental growth in its existing residential areas through 2-3 dwelling developments, but is yet to experience any substantial growth due to cost of land and development costs. Officers believe that the under developed nature of the Moorabbin activity centre offers the potential for new and varied housing forms to be introduced into the centre that cannot be accommodated elsewhere thus providing for those in younger and older age groups seeking alternate housing forms.

Varying scale of development in Activity Centres has proven successful in nearby suburbs and allows for passive surveillance of adjoining open spaces and streets, provides a living population and activation of predominantly static and potentially unsafe spaces (particularly at night) and given the proximity and likely future occupants, residential living on the doorstep of public transport delivering reduced car journeys. Officers are therefore of the view that the benefits to the Moorabbin Activity Centre in providing for new forms of development and investment are necessary and deliver significant community benefit.

A proposal to amend the concept plan for the Axispace project to remove building bulk near the proposed new station entry is considered by Officers to have merit. Such a proposal would reduce the number of proposed new buildings over the railway airspace to provide for greater open space and exhibition areas within this precinct of the Moorabbin Activity Centre. This would reduce the extent of building bulk, remove the sense of enclosure and allow greater flexibility and variety in the design of the open space as part of this project.

Recommendation: That the draft Structure Plan be amended at figure 7 to show an increased open space surrounding the station entry, and at figure 14 to reduce the number of new building footprints as part of the Axispace Project.

§ *Central Avenue extension*

As previously identified, the Parkside Contemporary Living Precinct encouraged by the draft Structure Plan will benefit from a new link from the Moorabbin Reserve along Central Avenue to Moorabbin Railway Station. This will ‘open up’ the reserve and potentially provide a direct visual link between these two key features of Moorabbin. This initiative would result in the potential loss of existing residential properties to achieve a direct visual connection.

The submissions received identify significant concern from those owners of residential properties fronting Healey Street, and industrial properties where illustrations depict the extension of Central Avenue to occur. The illustrations included in the draft Moorabbin Structure Plan are indicative at this stage to illustrate the initiative rather than clarify the design details and alignment.

The future extension of Central Avenue clearly requires substantial detailed design work to be undertaken by Officers and appropriately qualified engineers prior to the implementation of the extension of the road.

It is recommended that in order to achieve the objectives of this initiative, that further work be undertaken by Council following adoption of the structure plan to determine the ultimate road alignment and design and future development options for the precinct. Accordingly, it is appropriate that Council proceed to adopt the initiative to extend Central Avenue but that all references to acquisition or alignments through private property be removed from the adopted structure plan.

Recommendation: That Council support the proposal to extend Central Avenue, and that an ultimate road alignment for Central Avenue to provide a vehicular link through to the Moorabbin Reserve be master planned, following adoption of the structure plan. That the Structure Plan be amended to remove reference to acquisition and conceptual alignments for the extension of Central Avenue, until such time as the master plan is completed.

3. *Car parking*

The submissions received highlight parking as another perceived constraint for the Moorabbin Activity Centre. Submissions received raised concern that the Structure Plan does not provide for a substantial increase in car parking within the Centre. Commuter car parking at Moorabbin Railway Station is currently under serviced with many commuters parking in surrounding streets (in all three municipalities).

The Draft Structure Plan indicates the potential for the provision of new car park utilising the airspace above the railway station or the ability to utilise one of the building cells to provide for a multi deck car park. A car park in this location could be designed to cater for growth in commuter parking demand. The draft structure plan identifies the ability for such a car park to cater for approximately 230 vehicles. The anticipated demand for car parking in the centre would cater for not only commuter parking but provide increased car parking during other

periods arising from the nearby arts and culture precinct outside the commuter demand during weekdays. The State Government Department of Transport did not highlight any concerns with the redevelopment of the railway airspace but did note that any development would be required to have minimal impact to rail services and will need to be designed to cater for railway infrastructure.

Comments received in relation to the provision of car parking in new private development are considered to be best assessed as part of new development proposals which are advanced in the Activity Centre. Generally speaking, Council Officers give consideration to the amount of car parking required as part of the assessment of development proposals.

Officers have sought to investigate the short to medium term existing car parking situation with particular reference to the arts and culture precinct, that occasionally creates greater short term car parking demand within the centre. A review of the events calendar, patronage and parking demand provided by the Kingston Arts Centre indicates that the majority of the major events (a major event is classified as an event that has 200 plus patrons), provided at the Kingston Arts Centre occur after business hours. It is understood that approximately 40 car spaces are generally available at the arts centre/ town hall in addition, the commuter car parking at the station, the public parking areas at the rear of the Bayside shopping centre, and within the Moorabbin activity centre within Kingston is utilised for significant events. Furthermore, officers have been advised that many of the major events occur seasonally with a large number of patrons travelling to the Arts Centre by private bus thereby eliminating the pressures on short term car parking for such events. Officers of the Kingston Arts Centre have advised that the availability of short term car parking whilst not fully catering for the number of patrons particularly during the seasonal major events, is a historically existing condition, and that should additional car parking be dedicated for the arts centre that this would not be utilised at capacity in the majority of instances.

Officers have also examined the likely number of car parking spaces that would be lost through the new intersection at Jasper and South Roads. In considering the loss of car parking in this location an examination has been undertaken as to the potential for additional car parking spaces along Station Street when changed to one way. The one way design of Station Street would provide for an approximate additional forty three spaces which when added to the existing spaces available would result in an approximate increase of seventeen spaces following the loss of spaces through the design of the new intersection to the supermarket precinct.

Recommendation: That the Concept Strategy and Section 3.3.1 & Section 3.4.1 of the Structure Plan be amended to include consideration of how car parking is best provided as part of the future axispace development including options which involve both a multi level car park and the option as exhibited in the draft structure plan.

That Section 3.3.1 of the structure plan be amended to include the potential for additional parallel short term car parking along Station Street once it is changed to one way northbound.

§ *Traffic changes*

A number of submissions received whilst supportive of the vision of the Draft Structure Plan consider that Council have not appropriately explored the impacts of the proposed traffic changes envisaged by the draft Structure Plan.

The Draft Moorabbin Activity Centre Structure Plan considers a number of road changes as appropriate traffic and urban design interventions to manage the tension between the needs of the vehicular traffic passing through the centre and those wishing to use and visit the centre. Projections indicate that without a strategic response which seeks to further concentrate traffic on the peripheral arterial road network congestion will increase further during peak periods in the Moorabbin Activity Centre and create a tension between vehicles trying to move through the centre versus those trying to access its facilities.

In its initial study, ARUP, traffic consultants identified changes to the existing road network to manage the tension, eliminate rat runs, slow the traffic down and return key roads to those wishing to visit and use the centre other than a 'cut through'. Key initiatives included:

- § Closing the median at South Road/Taylor St to stop the existing rat run to Jasper Road and providing greater storage capacity on South Road.
- § Making Station Street one way north bound with a priority bus lane at the intersection of Station St and South Road
- § Making Central Avenue oneway eastbound between Station St and Redholme St
- § Providing traffic calming in Redholme St
- § Direct future access from the Safeway site into the intersection of Jasper and South Roads

In its analysis of the centre, and establishing the proposed changes to the existing road network, ARUP assessed a number of different proposals to identify the most appropriate, this included consideration of a dedicated right turn from Nepean Hwy into South Road to eliminate rat run through Station and Taylor Streets, making Station Street one-way in part, creating a new road to extend Jasper Road through the heart of the centre to link directly to Nepean Hwy thereby reducing demand on Station and Taylor Streets and a number of other such measures. These are outlined in detail in the background report prepared by ARUP and are measured against the preferred option, favoured for its ability to achieve the desired urban design treatments, reduce or eliminate rat runs, eliminate the need for new roads and thus acquisition and improve vehicle congestion during peak periods.

Concerns raised during the consultation period predominantly arose from residents in Redholme and Healey Streets, Moorabbin. Changing Central Avenue to one way eastbound between Station Street and Redholme Street creates egress problems for these residents wishing to turn right onto South Road. Current traffic levels on South Road necessitate residents of these streets to enter the centre via Central Avenue and turn right or head north along Jasper Road through the Taylor Street and South Road signalised intersection.

The submission from VicRoads highlighted the need to undertake further work to justify to their satisfaction the proposed road network changes particularly their impact to arterial roads before their acceptance of the draft Structure Plan for Moorabbin.

Since the consultation period, ARUP have undertaken further detailed traffic modelling of the activity centre to justify to VicRoads the proposed changes to the road network. The further work has also sought to consider the issues raised by residents of Moorabbin, and

seek to identify solutions with access onto South Road particularly during peak periods where traffic volumes are at their greatest. ARUP's further work has reconfirmed the initiatives originally identified to improve traffic movement in the activity centre. Their work has sought to establish a clear way at the intersection of Healey St and South Road across both eastbound and westbound lanes providing clear vehicular access. Furthermore, their work has identified the need for the future detailed design of the Jasper and South Roads intersection to require a new local road within the redevelopment of the Woolworths site to allow vehicles to turn right onto South Road or head northbound on Jasper Road using Redholme St and the new local road and intersection at this location thereby catering for any difficulties that may arise particularly with projected traffic volume growth on South Road arising from future arterial network connections.

Officers believe that the abovementioned detailed traffic modelling work undertaken by ARUP to substantially justify the proposed changes to the arterial and local road network be incorporated in the background documentation of the adopted Structure Plan and any key initiatives be included in the Concept Strategy, and implementation sections of the adopted Structure Plan

Recommendation: That the Concept Strategy and Section 3.3.1 of the Structure Plan be amended to include the keep clear at the Healey St and South Road intersection, and that Section 4 of the Structure Plan be amended to include key non statutory implementation measures as per ARUP's further traffic study to reinforce to VicRoads suggest improvements to the road network in Moorabbin and for Council to undertake local road upgrades as appropriate.

That the Concept Strategy be modified to illustrate a road through land at 382-384 South Road to provide for the new signalised intersection at Jasper and South Roads.

That 382-384 South Road be identified as a key acquisition site in the implementation section of the adopted Structure Plan to provide for the new intersection at Jasper and South Roads, Moorabbin.

4. Moorabbin reserve

The redevelopment of Moorabbin reserve was a key issue for the residents of Moorabbin. Concerns raised during the consultation period include, the need to redevelop the reserve, oval, facilities and improve its visual aesthetic appearance, particularly given the identified projects of the draft structure plan to substantially increase the number of residents in the future.

The study boundary of the draft Moorabbin Structure Plan extends to Linton Street but did not include the east side of Linton Street. Whilst the reserve is not included in the study area of the structure plan, the Plan does identify the need to expand the opportunities for people to meet and relax in new and improved places within and on the edge of the centre. Accordingly a key initiative of the structure plan is the extension of Central Avenue to Linton Street thereby 'opening up' and linking the reserve to the activity centre, persons accessing and living in the centre.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

Recommendation: That the community's comments in relation to the Moorabbin Reserve be forwarded to Council's Leisure and Culture Department for consideration as part of its future master planning work.

§ Other Issues

Both Bayside City Council and the Department of Planning and Community Development provided comment in relation to study area defined by the Draft Structure Plan and the need to take into account the adjoining areas of Bayside and Glen Eira. The Draft Moorabbin Activity Centre Structure Plan has been devised considering the adjoining Bayside and Glen Eira areas, however, is it considered that given the adjoining land uses the structure plan will work in a complimentary way to any future planning undertaken by the neighbouring Councils.

Bayside City Council submission also raises concern with the Draft Structure Plan initiatives proposing one way changes to the road network citing unclear and inefficient access to the Bayside part of Moorabbin as a key issue. Further traffic concerns raised the need for Kingston City Council to further investigate and lobby VicRoads for a lane changes to South Road to alleviate traffic build up from cars queuing to turn left onto Nepean Hwy. There are a number of existing vehicular routes available for persons wishing to access the Bayside portion of Moorabbin including right hand turns from the service lane on Nepean Hwy, and direct access to the public car parking and Keiller Street via South Road and Katoomba Street at the rear of the Nepean Hwy fronting retail premises within the City of Bayside. Accordingly, Officers do not believe any further work by Kingston is necessary.

The Department of Planning and Community Development's submission raises concern with the vision of the Draft Structure Plan lacking clarity and requiring it to be more consistent with State Policy and promote mixed use development including residential throughout the Activity Centre. It is considered that the vision contained in the Draft Structure Plan is appropriate for the Moorabbin Activity Centre. The objectives contained in the Draft Structure Plan identify future aspirations for housing, office, business mix, retail, entertainment etc which is considered consistent with Government Policy.

The Department has also stated that some precincts need to be enlarged, that it needs to mention and cater for existing and proposed community facilities and that the implementation section requires more detail. It is considered that the Draft Structure Plan is clear in terms of its maps and study boundary, in addition the background report provides more information with regard to the established study boundary and thus precincts. Many of the community facilities established in the Moorabbin activity centre are located along Nepean Hwy and west of Nepean Hwy. The draft Structure Plan acknowledges their presence and long term role albeit in some instances with the potential to incorporate them within mixed use developments. It is appropriate that the concept strategy of the adopted Structure Plan be amended to highlight key community facilities. Further work will also be done on refining the implementation plan to outline more clearly the key initiatives coming from the structure plan particularly as they relate to the role of VicRoads and Department of Transport.

Officers in reviewing the draft Structure Plan have identified the need to further clarify the heights envisaged for Precinct B south of Central Avenue between Station Street and Tuck Street. It appears that the provisions of Precinct B clarify maximum heights for three of the

four sub precincts but remains ambiguous with regard to the aforementioned sub precinct. A review of the adopted provisions of PLAN, the existing Design and Development provisions and the background research undertaken for the Structure Plan, indicates that this subprecinct was proposed to accommodate a sliding scale of heights from 7 storeys where the current building at 1001 Nepean Highway exists to 5 storeys on the corner of Station Street and Nepean Hwy and a maximum of 4 storeys to those properties located on the corner of Station Street and Central Avenue due to their property dimensions and to provide for consistency with adjoining sub precincts north of Central Avenue. Accordingly, it is proposed to amend the draft structure plan to further clarify heights in this sub precinct of Precinct B in Section 3.3.5, as detailed above.

Recommendation: That the concept strategy of the adopted Structure Plan be amended to highlight key community facilities.

That Council amend the Structure Plan at Section 3.3.5 to clarify maximum building heights of 7 storeys transitioning down to 5 and 4 storeys respectively for those properties south of Central Avenue between Station Street and Tuck Street and north of Redholme Street, Moorabbin.

5.3 Next Steps

The existing interim structure planning controls for the Moorabbin Activity Centre were based on the work undertaken by PLAN and were sought to provide immediate protection to the Moorabbin Activity Centre while a more detailed structure plan was being undertaken for the Centre. As highlighted previously, the interim structure planning controls are due to expire on 31 October 2011.

It is now recommended that Council adopt the Moorabbin Activity Centre Structure Plan and seek authorisation from the Minister of Planning to commence a Planning Scheme Amendment. The Amendment should:

- § Modify relevant Clauses of the Municipal Strategic Statement (MSS) to give recognition to the objectives for the future of the Moorabbin Activity Centre.
- § Review as appropriate zoning controls which apply to land within the study area.
- § Introduce planning provisions via the Activity Centre Zone to tackle issues relating to building heights, setbacks, public realm enhancements and key site development facilitation.

Council Officers are also presently giving consideration to what role development contributions mechanisms may play in supporting some of the initiatives identified in the structure plan. As further work is undertaken in this area additional advice will be provided to Council as to whether a future Planning Scheme Amendment would include modifications to the Kingston Planning Scheme to make provision for contributions.

6. Triple Bottom Line Checklist

- § **Environmental** – The vision and key projects identified in the Draft Moorabbin Activity Centre Structure Plan seek to encourage the development of alternate transport travel modes and encourage energy efficient building design and layout through

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

appropriate planning guidelines for redevelopment. These guidelines are proposed to be translated into permanent planning controls.

§ **Social** – The vision for Moorabbin will improve the liveability of the area, increase opportunities for social interaction and improve transport choice. The introduction of permanent planning controls provides a mechanism to assure residents that matters of building scale, amenity, character and design will be considered and that new activity developments will not unduly impact on the liveability of the peripheral established residential neighbourhoods.

§ **Financial** – The Draft Moorabbin Activity Centre Structure Plan identifies the direction of the centre which will in turn improve the competitiveness of the centre by stimulating business and employment opportunities.

7. Recommendation

That Council resolve to:

1. Adopt the Moorabbin Activity Centre Structure Plan with the following changes as outlined in this report:
 - (a) That Council support the proposal to extend Central Avenue, and that an ultimate road alignment for Central Avenue to provide a vehicular link through to the Moorabbin Reserve be master planed, following adoption of the structure plan. That the Structure Plan be amended to remove reference to acquisition and conceptual alignments for the extension of Central Avenue, until such time as the master plan is completed.
 - (b) That Council proceed with the initiative to rezone and promote the redevelopment of Horscroft Place and adjoining commercial land fronting South Road through the initiation of a detailed amendment to the Kingston Planning Scheme.
 - (c) That the Concept Strategy and Section 3.3.1 of the Structure Plan be amended to include the “keep clear” at the Healey St and South Road intersection, and that Section 4 of the Structure Plan be amended to include key non statutory implementation measures as per ARUP’s further traffic study to reinforce to VicRoads suggested improvements to the road network in Moorabbin and for Council to undertake local road upgrades as appropriate.
 - (d) That the Concept Strategy be modified to illustrate a road through part of land at 382-384 South Road to provide for the new signalised intersection at Jasper and South Roads.
 - (e) That part of 382-384 South Road (lot between 374-378 and 390-392 South Road extending to the Right of Way and part of the car park immediately south of the Right of Way to extend the width of the Right of Way) be identified as a key acquisition sites in the implementation section of the adopted Structure Plan to provide for the new intersection at Jasper and South Roads, Moorabbin
 - (f) That the concept strategy of the adopted Structure Plan be amended to highlight key community facilities.
 - (g) That the draft Structure Plan be amended at figure 7 to show an increased open space surrounding the station entry, and at figure 14 to reduce the number of new building footprints as part of the Axispace Project.
 - (h) That Section 4 of the Structure Plan be amended to introduce section 4.4 project implementation and timeframes to group projects into short, medium and long term projects and to identify indicative costs and funding sources which will enable co-ordination with Council’s capital works budget and programme in accordance with the attached document to this report.
 - (i) That the Concept Strategy and Section 3.3.1 & 3.4.1 of the Structure Plan be amended to include consideration of how car parking is best provided as part of the future axispace development including options which involve both a multi level car park and the option as exhibited in the draft Structure Plan.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

- | |
|---|
| <ul style="list-style-type: none">(j) That Section 3.3.1 of the structure plan be amended to include the potential for additional of parallel short term car parking along Station Street once it is changed to one way northbound(k) That Council amend the Structure Plan at Section 3.3.5 to clarify maximum building heights of 7 storeys transitioning down to 5 and 4 storeys respectively for those properties south of Central Avenue between Station Street and Tuck Street and north of Redholme Street, Moorabbin. <ol style="list-style-type: none">2. That the community's comments in relation to Moorabbin Reserve relevant to the development of a masterplan, be forwarded to Council's Leisure and Culture Department for consideration.3. Support the initiation of a Planning Scheme Amendment and authorisation from the Minister for permanent planning controls for the Moorabbin Activity Centre based on the Moorabbin Activity Centre Structure Plan. |
|---|

ATTACHMENT

Moorabbin

4.4 PROJECT IMPLEMENTATION & TIMEFRAMES

Co-ordinate Council's capital works budget and programme based on the list of priority projects:

Short Term Projects (2011-2015)

1. Bus Interchange
2. Central Avenue
3. Cycle Paths
4. Station to Park Connection

Potential Additional Funding

- (DoT)

(DoT)
(Adjacent developers)

Medium Term Projects (2016-2020)

5. Moorabbin Reserve
6. Station Street
7. Taylor Street
8. South Road

Potential Additional Funding

- (VicRoads)
(VicRoads)
(VicRoads)

Long Term Projects (2021-2030)

9. Station Square & Axispace
10. Avenue Place Plaza

Potential Additional Funding

- (State Government)
(Adjacent developers)

Ongoing Projects (2011-2030)

11. Streetscape beautification & maintenance
12. Park beautification & maintenance
13. Building & maintenance

Potential Additional Funding

The total cost for Council to implement the capital works projects identified in the Moorabbin Activity Centre Structure Plan is assumed to be in the vicinity of \$10m - \$20m over a 20 year timeframe. A key catalyst action in the structure plan will be to priorities the detailed costing of short and medium term projects to then allow them to be incorporated into the Capital Works Program.

were approved by the Minister for Planning on 21 January 2010. The interim structure planning controls are due to expire on 31 October 2011.

3. Summary and Conclusion

The development of the Draft Mentone Activity Centre Structure Plan has been a significant planning task for Council which has involved community consultation and detailed background analysis. The public consultation undertaken has provided an opportunity for the community to review and test the visions and objectives that have been developed through the consultation processes over recent years. The community has provided valuable input to the development of the plan and will continue to have input through the future planning scheme amendment process and the implementation of the ideas identified in the Structure Plan.

Council officers believe that the Draft Structure Plan presented to Council for adoption seeks to achieve a reasoned balance when reviewing the surveys and submissions and matters of relevant policy.

Council's adoption of the Draft Mentone Activity Centre Structure Plan will enable implementation actions to be progressed and will in turn allow Council to give consideration to the objectives and design guidelines contained within the Draft Structure Plan in assessing development proposals in the study area.

4. Consultation

The Draft Mentone Activity Centre Structure Plan was made available for public comment for a period of 6 weeks between 24 May until 9 July 2010. Community consultation included:

- § Making the Structure Plan available at the Highett, Cheltenham and Mentone Libraries, Cheltenham and Mentone Customer Service Offices and Council's website.
- § An information morning held on 9 June 2010 on Florence Street, Mentone.
- § An information session held on 5 June 2010 at Council's Offices in Mentone.
- § Direct notification to seven hundred and fifteen (715) landowners and occupiers within the study area, community groups, developers and authorities.
- § Articles in local media.
- § An article in Kingston Your City.
- § Presentations carried out with the Mentone Village Committee.
- § Presentations to and consultation with key stakeholders including Victrack, VicRoads, Department of Transport, Bayside City Council, Glen Eira City Council, Department of Planning and Community Development and key landowners.

5. Issues

5.1 Submissions

Consultation of the Draft Structure Plan generated a total of one hundred and one (101) submissions either through survey form (on line and hard copies) or written responses. A petition was also received in relation to open space in Mentone. A copy of the submissions received have been previously circulated to Councillors on 12 July 2010 and a copy is available for viewing in the Councillors Lounge.

An analysis of surveys and submissions received the following reflects the key themes that emerged.

5.3 Discussion of Submissions Received

5. Traffic congestion

Traffic congestion was overwhelmingly identified as a major issue in the Mentone Activity Centre, with Balcombe Road, Como Parade and the railway crossing area and the intersection of Florence Street, Mentone Parade and Como Parade West being the two major concerns. Council engaged traffic consultants ARUP to undertake a detailed review of the existing traffic conditions to identify initiatives to address perceived constraints for pedestrians and vehicles seeking to access the Mentone Major Activity Centre. Two significant traffic interventions were presented in the draft Structure Plan for the community and key stakeholders to provide comment upon. These were to:

6. Create a new peripheral road network from Brindisi Street to Balcombe road providing direct vehicle connection into the reformatted car parks located to the rear of Como Parade West and Mentone Parade retail premises
7. Transforming the intersection of Mentone Parade, Como Parade West and Florence Street to provide for pedestrian oriented slow points

In its analysis of the centre, and establishing the proposed changes to the existing road network, ARUP assessed a number of different proposals to identify the most appropriate, traffic operational arrangements, this included consideration of a clearway to Balcombe Road during peak periods to provide for an additional lane to cater for the increased demands, different alignment options for the peripheral road including the consideration of the greater use of existing local roads (eg Davies Street), the creation of a new at grade level crossing south of the railway station with a new local road extending Swanston Street through the railway car park directly into the island intersection, and a number of other such measures. These are outlined in detail in the background report prepared by ARUP and are measured against the preferred option, favoured for its ability to achieve the desired urban design outcomes, reduce pedestrian and vehicle conflict, reduce the need for new roads and thus acquisition costs and improve vehicle congestion during peak periods.

The two options for transforming the intersection were identified as part of the Recreating Mentone project based on the proposed peripheral road connection proceeding. They are summarised as follows:

- § Option 1 – Shared Space – converts the area in front of the Kilbreda Tower and around the heritage island into a shared space (a roundabout with reduced car lane widths around the island building) to better manage pedestrian and vehicular demands and safety in this area.
- § Option 2 – Bus Lane – changes the existing road space between Florence Street and Mentone Parade on Como Parade West becomes a pedestrian zone and is blocked to vehicles. Mentone Parade from Balcombe Road to the island building becomes a no through for vehicles except for buses running along Como Parade West that will use the bus only lane along Mentone Parade.

The development of either option as outlined above is a significant initiative of the Draft Mentone Activity Centre Structure Plan. The initiative seeks to create enhanced pedestrian space for people to meet and relax and safely walk through the centre. The initiative will allow people to interact with the historic station and buildings in the centre and allow

pedestrians to safely access the island building, retail premises on Como Parade West, Mentone Parade and Florence Street in an enhanced urban environment with significant upgrades to the public realm. Officers see this as a critical intervention in order to try and create amenity improvements for Mentone and to strongly differentiate its role from that of a car based retail centre such as the nearby recently developed Thrift Park Centre.

There is apparent strong support for Council to improve traffic circulation through Mentone, however, mixed responses were however received in relation to the options put forward. Those concerned with the shared space raised issues associated with safety and those concerned with the bus lane option raised issues associated with no vehicular through access. Officers consider that issues associated with safety are addressed through the detailed design process and the significantly lower speeds and eventually lower traffic volumes through this space substantially improve the safety and amenity for pedestrians. With the changes sought at this intersection it is anticipated that many through vehicles will seek to maximise use of the peripheral road which will be the preferred route for those not wishing to slow down, visit retail premises or seek to navigate their way through significant pedestrian traffic generated by the high number of schools and visitors to the centre alike.

With regard to the identified concerns raised by submissions at the Balcombe Road, Como Parade and railway intersection, further analysis was undertaken by ARUP. This work has identified the need for changes at this intersection and further along Balcombe Road at the intersection of the new peripheral road in order to reduce traffic congestion (queue lengths) both along Balcombe Road and Como Parade. The initiatives proposed include removing the existing roundabout and replacing it with a signalised intersection that is coordinated with the boom gates at the level crossing, removing the existing pedestrian lights on Balcombe Road and signalising the intersection of the new peripheral road with Balcombe Road. These changes will allow through traffic to use the peripheral road even during peak periods when traffic volumes are at their greatest through a dedicated right hand turn lane onto the new peripheral road. The changes will also allow traffic volumes along Balcombe Road and Como Parade to be more easily cleared particularly following the departure of trains during peak periods. These initiatives have been presented to VicRoads who have indicated their support provided that the Shared Space option is pursued allowing through traffic on Como Parade West to be maintained.

Recommendation: That Council amend the Structure Plan at section 3.3.3 and delete figure 12 to provide for the Shared Space Option only as Council's preferred option for the Recreating Mentone initiative.

That Council amend the Structure Plan at section 3.3.1 to delete figures 5 and 6 and replace them with a new figure that provides for the signalisation of the intersections of Balcombe Road with Como Parade and the new peripheral road and Balcombe Road.

That Council amend the concept strategy at figure 4 to account for the above two recommendations.

That Council amend section 4 of the Structure Plan to include detailed implementation on the delivery of the Recreating Mentone initiative and

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

proposed traffic initiatives to deliver improved traffic conditions to Mentone.

8. Parking

The submissions received highlight parking as another issue for the Mentone Activity Centre. Many of the submissions received raised concern regarding the loss parking car and that the Structure Plan does not provide for the provision for additional car parking within the Centre.

In relation to the proposed redevelopment of the at grade car parks at Granary Lane and Old Bakery Lane, the Draft Structure Plan clearly stipulates the retention of the existing public parking and providing for future parking demands through its redevelopment in basement levels. The provision of additional car parking clearly needs also to be considered against the environmental cost both in construction and use of providing extra parking that discourages other forms of accessing the activity centre. Further analysis is also required as to quantifying the implications in relation to car visitation into Mentone from the catchment contained on the inland side of the Nepean Highway based on the now completed Thrift Park development.

With regard to identified concerns about the loss of car parking in the centre due to identified initiatives of the draft Structure Plan, Council has undertaken parking studies to determine current weekday and weekend occupancy rates, which have identified capacity within the centre and thus the ability to deliver key projects arising from the structure plan. The draft Structure Plan indicates that on street car parking in the centre is under utilised with average occupancy rates of 40-70% on both weekdays and weekends, and the Old Bakery Lane car park south of Florence Street peaks at 60% -70% capacity at comparable times and days.

The initiatives stemming from key urban design and traffic treatments will require the loss of some short term car parking throughout the centre. It is envisaged that the loss of this short term car parking can be accommodated elsewhere in the centre given existing conditions as mentioned above do not indicate 100% occupancy rate for the available short term car parking the centre currently. More importantly, Officers through the further work undertaken, have sought to identify opportunities to replace car parking spaces in the centre. Increased car parking has been identified through basement car parking predominantly in the redevelopment of the strategic redevelopment site (predominantly Council owned at grade car park) between Balcombe Road and Florence Street, and opportunities exist to possibly alter the configuration of existing car parking close to the precinct to possibly provide for disabled car parking spaces should there be a need identified. Officers have further examined the shared space initiative to determine the ability to cater for short term car parking within this section of Mentone. Preliminary design options indicate that due to the road configurations, the turning circles required for larger vehicles and the basis of the project being centred around increasing the public pedestrian spaces by widening footpaths to introduce car parking would be problematic and would compromise the design integrity of the project and its safety. This option will be further explored through detailed design although officers do not recommend any changes to the draft structure plan to mandate the provision of car parking in the shared space initiative.

Comments received in relation to the provision of car parking in new private development are considered to be best assessed as part of new development proposals which are advanced in the Activity Centre.

The Draft Structure Plan also indicates the provision of a multi-deck car park to the east side of the railway line to provide for growth in commuter parking demand. Council Officers consider that the development of the car park to provide for commuter demand is a matter for the State Government based on an analysis of anticipated demand.

Recommendation: That future detailed design of the shared space concept give consideration to where it is most appropriate to replace disabled car parking spaces within the immediate precinct.

9. Patterson Lane

The draft plan identified an initiative that would make Patterson Lane a one way lane accessed via the current single width lane immediately opposite Woolworths on Balcombe Road. This initiative would require Patterson Lane to be extended to link to Baclombe Road immediately west of the railway reserve thus providing a circular movement, and easier access and egress. Further investigations have been undertaken in regard to the cost and benefit of this project and it is unlikely to be feasible. Council has indicated that should land become available in the future that it would consider options to improve connections with regard to Patterson Lane and adjoining properties. Accordingly it is recommended that the structure plan be modified to highlight that Council consider opportunities to improve traffic circulation in and out of Patterson Lane should land become available.

Recommendation:

That Council delete initiatives pertaining to Patterson Lane from the Structure Plan at figure 4, section 3.3.1 and figures 5 & 6.

That Council amend the Concept Strategy – Figure 4, to include a notation stating that Council will explore opportunities to improve the access into and from Patterson Lane should land become available in which to assist this objective.

10. Building Heights

Some submissions received identify building heights as another issue for the Mentone Activity Centre. Submissions received raised concern regarding the maximum heights proposed citing a view that development of significant scale to be out of character in Mentone and its consequential impacts on the adjacent residential area.

The existing interim Design and Development Overlay (Schedule 18) for the Mentone Activity Centre provides for varying building heights throughout the centre. These heights were developed following a detailed examination of the topography of the land, the size and dimension of lots in the Centre, existing planning scheme provisions and restrictions, and view to significant Mentone landmarks. The heights proposed in the draft Structure Plan have been based on those which currently exist in Schedule 18 of the Design and Development Overlay with some changes to the setbacks to ensure more appropriate design outcomes are achieved particularly on key sites that may accommodate increased heights in locations substantially removed from adjoining established residential areas. Having further reviewed submissions it is considered that a basis exists for reviewing the suggested building heights south of Florence Street at the rear of retail properties fronting Mentone Parade and adjoining existing residential areas. Officers believe that whilst this site is identified as a key strategic redevelopment site in the draft Structure Plan and one that the Department of Planning and

Community Development consider appropriate for substantial heights and mixed use outcomes, the proposal to now not be reliant on the peripheral road in this area means that appropriately managing the transition to the adjacent residential areas becomes an increasingly important consideration. This would still achieve a mixed use development thereby providing for the activation of street frontages, retaining and increasing car parking levels and providing for office or residential development in upper levels.

It is recommended therefore that the development provisions stated in precinct B of the structure plan for this strategic redevelopment site be amended to ensure that buildings be setback a sufficient distance from side and rear boundaries where abutting existing residential areas to provide for generously dimensioned disconnection to account for amenity matters. Accordingly, it is considered that setbacks should generally be in accordance with ResCode, however the fourth storey should be setback a minimum of 9 metres to provide for increased distances between existing residential areas and the highest component of the built form on this site. This would effectively provide for the equivalent of three storeys closest to established residential areas which is equal to that achievable should the strategic redevelopment site have been identified as a site within a Residential Zone.

With regard to the maximum building heights for precincts adjoining established residential areas, including existing residential areas within the centres boundary, Officers specifically sought to limit heights in accordance with expressed community views about an appropriate transition in such areas. Under the Draft Structure Plan Precinct C which provides for 3 storeys is limited to two key locations within the study area, the Council owned depot site which is residentially zoned in Collins Street and properties in Remo Street. The 3 storey heights proposed in Precinct C can only be achieved on larger consolidated land parcels. Moreover, the precinct centred around Remo Street has also been identified for future expansion of open space but included in Precinct C to ensure that should development proceed in this area (which is not the direction recommended) development scale is appropriately controlled. Precinct D which provides for existing heights in accordance with Council's residential policy, has been applied to existing residential areas included in the study boundary. Precincts B and E both provide for maximum 4 storey development with third storey setbacks. These two precincts abut existing residential areas but are relatively limited in area, have substantial setbacks proposed in the precinct provisions, and seek to provide for increased surveillance opportunities on key sites. Through design mechanisms it is anticipated that heights can transition down to residential properties directly abutting these precincts. Lastly, as outlined above, the key strategic redevelopment site south of Florence Street and north of Brindisi Street is proposed to be altered to a maximum of four storeys with design provisions and setbacks to eliminate bulk, and to step down any future development to its adjoining residential interface given the removal of the peripheral road.

Recommendation: That the adopted Structure Plan be amended with respect to preferred maximum building heights for the key strategic redevelopment site centred around south of Florence Street and north of Brindisi Street at the rear of the retail premises fronting Mentone Parade to a maximum of four storeys. That Section 3.3.5 – be amended at Precinct B to clarify that side and rear setbacks on the strategic redevelopment site accord with ResCode provisions and that the fourth storey must be setback a minimum of 9 metres from established residential areas.

§ Open Space

A number of projects identified by the draft Structure Plan seek to increase the form, provision and location of open space within Mentone. Some submissions including a petition received identify concerns with the amount of open space north of Balcombe Road and its prayer read

We the undersigned residents of Mentone request that Council retain the Council owned Collins Street Depot site for future open space. The immediate area surrounding the Depot has less open space pro rata than anywhere else in the City of Kingston. Well under the 2.4 hectare per 1000 residents, standards as assessed in the 2005 Open Space Strategy.

The draft Structure Plan identifies a sizeable area north of Balcombe Road to provide for the recommendations of the Kingston Open Strategy to increase open space. The location of the proposed open space has been chosen on the basis of its accessibility to its intended catchment, safety (including surveillance), orientation to the north, ability to provide a relationship to planned complementary land uses and high accessibility to the majority of residents north of Balcombe Road. In relation to Collins Street Depot this site was not favoured on the basis that the connections to it are not ideal, a poor level of passive surveillance (and as such user safety) exists when compared with the preferred location and its position in the catchment it is intended to serve is not ideal.

The Collins Street depot site is still however located north of Balcombe Road where the Open Space Strategy identifies a deficiency in open space, thus it remains an option for future open space.

A key initiative stemming from the draft Structure Plan is the possible expansion of the Mentone Recreation Reserve, utilising existing Council owned land in Remo Street, and potential relocation of the Mentone lawn bowls facility from Balcombe Road to Remo Street. Preliminary discussions with representatives of the Mentone Lawn Bowls Club indicate some willingness for the club to engage in discussions with Council for the potential relocation to Remo Street and as such an ability to develop a closer relationship with other sporting clubs in Mentone thereby providing opportunities for shared club facilities and increased patronage. This will require the future acquisition of a residential property in Remo Street located at 11 Remo Street, Mentone, for the purposes of future open space in accordance with this initiative of the structure plan. The consequence of such an outcome involving the bowling club is to also provide opportunities for new open space to be provided on the north side of Balcombe Road in a strategic location.

Further open space enhancements and the creation of new open spaces are outlined in the draft Structure Plan. In particular is the creation of an extended open space area on Florence Street to provide for increased passive recreation in the core of the activity centre.

Recommendation: That the adopted Structure Plan remain consistent with the draft Structure Plan with respect to the locations it identifies for enhancements to the open space and recreational network in Mentone.

That the all references in the Structure Plan be amended to highlight the Collins Street Depot site as 'Council Owned Land'.

§ *Grade Separation of Railway*

The survey results and submissions received identify the at-grade rail crossing within the Mentone Activity Centre as the major cause for traffic interruptions and delay. There is strong support for the provision for grade separation at the level crossing. Discussions with the Department of Transport have indicated that grade separation for the Mentone railway crossing is not a high priority. The Structure Plan does however not prevent this opportunity from being considered in the longer term should Government Policy change recognising that the station retains State significant heritage attributes.

11. Pedestrian spaces and safety

A few submission raised safety of proposed new pedestrian spaces and laneways as a concern. Whilst officers believe that such concerns can be addressed through detail design, the draft Structure Plan clearly states that new development fronting laneways must provide for active frontages and urban design treatments and facades to be inclusive of treatments that allow surveillance of pedestrian spaces to ensure safety of users both during the day and night. Many examples now exist around Melbourne where the activation of laneways has brought significant vitality to activity centres.

§ *Other Issues*

Community Garden

Some submissions have expressed the desire for the adopted Structure Plan to retain and support the community garden as a key facility in Mentone. Whilst not explicit in the draft Structure Plan, the community gardens are seen as an important community asset in Mentone. Opportunities exist to undertake a future master plan for the Mentone Recreation Reserve to determine how the different active and passive activities can best be accommodated in what is recommended to be an expanded reserve utilising sites acquired in Remo Street.

Recommendation: That submissions received in relation to the Community Garden be forwarded to Council's Leisure and Culture Department for consideration in future master planning of the Mentone Recreation Reserve.

Preservation of heritage assets

Underpinning the development of the draft Mentone Structure Plan is the need to conserve, protect and enhance the valued heritage assets of the Mentone Activity Centre. Some submissions raised concern that the initiatives of the draft Structure Plan with particular consideration to future development and proposed building heights, would negatively impact on the area's valued heritage assets. Council's heritage consultant was engaged during the development of the draft Structure Plan to ensure that all proposed initiatives would not negatively impact on identified heritage buildings. In fact significant thought through the structure planning work has been put into understanding how, through projects such as Recreating Mentone greater opportunities to enhance the setting and experience of these buildings could occur. Particular focus has been given to allowing pedestrians the ability to more safely interact with the heritage island building and to view adjoining heritage buildings on all corners at the intersection of Florence St, Como Parade and Mentone Parade safely. Proposed building heights suggested in the draft Structure Plan have been reviewed by Council's heritage consultant that has considered them to be acceptable and appropriate recognising the value particularly of the above mentioned cluster of buildings in Kingston.

Property acquisition

The draft Mentone Structure Plan identified a new peripheral road network from Brindisi Street to Balcombe Road providing direct vehicular access into new parking stations as a key initiative to relieve existing traffic congestion in Mentone. This initiative would have required the potential acquisition of residential property to achieve the desired outcome identified in the draft structure plan. Further work undertaken by ARUP has identified alternative vehicular options whilst still providing for the improved traffic conditions without the need to introduce the Public Acquisition Overlay to residential land.

The new peripheral road, as identified by ARUP, particularly that section north of Florence Street, would require some property acquisition to be appropriately delivered. A closer review of the properties and their boundaries between Florence Street and Balcombe Road has identified that the existing vehicular link through the car parking is in part owned by a private party and will require some acquisition in order to formalise and provide for the new peripheral road (see attachment).

A further initiative of the draft structure plan has been to create major pedestrian connections with activated frontages at Old Bakery Lane and Granary Lane behind the shops fronting Mentone Parade. This initiative will formalise an existing pedestrian route and create an enhanced urban environment for users of this space. The section at the rear of the existing Coles supermarket and north up to the museum is currently confined and has significant pedestrian and vehicular conflicts. Given the property boundaries in this part of Mentone and that Council currently owns the rear of some of the retail tenancies fronting Mentone Parade, it is proposed to acquire the rear portion of four properties to widen the laneway and create over time create safe and user friendly pedestrian connection between Brindisi Street and Florence Street (see attachment).

Recommendation: That the Structure Plan be amended to identify the potential acquisition of the rear of four retail premises (90, 107, 109 and 113 Mentone Parade, Mentone) between Brindisi and Florence Street to create the pedestrian connection at the rear of the shops adjoining the Old Bakery Lane car park.

That the Structure Plan be amended to identify the potential acquisition of part of 105-111 Balcombe Road, Mentone to create the new peripheral road between Florence Street and Balcombe Road, Mentone.

Existing Community Buildings

The Mordialloc Art Group have articulated their desire to stay in their current location for a range of reasons including access proximity to shops and transport. The draft Structure Plan indicates the relocation of the group to new premises. The building the group currently occupy is owned and managed by the City of Kingston. Recent building condition reports have identified ongoing structural concerns. Estimates received to repair and ultimately maintain the current building outweigh the benefits to its retention. Consequently the building is identified to be demolished and thus the group is required to relocate in the short to medium term.

Officers have given further consideration to the extent of well established community activities in the Mentone Activity Centre and believe that the above mentioned activities could be consolidated into a focussed ‘community activity precinct’ in the area bordered by Mentone Parade, Brindisi Street and Venice Street by better utilising the existing community buildings. The opportunities to enhance the provision of services to the community in a centralised location within the Activity Centre and adjacent to the Keith Styles Reserve is seen as an important initiative to come from the Structure Plan.

Recommendation: That the Structure Plan be amended to identify the development of a defined community activity precinct in the area generally bordered by Brindisi Street, Mentone Parade and Venice Street to provide for the transition over time of the consolidation of existing community and civic activities.

Pedestrian access through Kilbreda

Submissions from representatives of Kilbreda College have expressed concern with regard to the proposed pedestrian access through the school grounds on the basis that the land is privately owned, security and safety of students. Officers consider these concerns to be valid and as such recommend the deletion of the pedestrian access from the adopted Structure Plan.

Recommendation: That the Structure Plan be amended to delete references of a pedestrian access link through Kilbreda College at figure 4.

Traders concerns

A submission identified the loss of passing trade due to the Recreating Mentone initiative including delivery and loading issues for such retail premises. The Recreating Mentone initiative identifies a shared space concept around the island building at the intersection of Como Parade West, Mentone Parade and Florence Street. This initiative does not preclude or seek to draw passing trade away from established retail premises but rather allow for more significant pedestrian spaces to all retail premises fronting this intersection. Officers acknowledge that a reduction in car parking would occur though consider this needs to be carefully weighted against the urban enhancements achieved through pursuing the shared space option. Concerns regarding the loading and unloading of delivery vehicles are considered best dealt with during the detailed design stage of the delivery of the project and have been accommodated in similar instances in similar exercises around Melbourne.

Department of Planning and Community Development

The Department of Planning and Community Development provided comment in relation to study area defined by the Draft Structure Plan and suggested the need to expand the study area to provide for increased densities. The Draft Mentone Activity Centre Structure Plan has been devised considering the adjoining residential areas noting that unlike many other Activity Centres the peripheral residential areas around the centre already contain a high degree of housing variety including a substantial amount of medium density housing introduced over the past few decades.

The Department of Planning and Community Development’s submission raises concern with the vision of the Draft Structure Plan lacking clarity and requiring it to be more consistent with State Policy and promote mixed use development including residential throughout the

Activity Centre. It is considered that the vision contained in the Draft Structure Plan is appropriate for the Mentone Activity Centre and it has received support from the submissions received. The objectives contained in the Draft Structure Plan identify future aspirations for housing, office, business mix, retail, entertainment etc.

The Department of Planning and Community Development has also stated that the heights and setbacks proposed for buildings within the Draft Mentone Activity Centre Structure Plan should include a separate plan and objectives for each precinct or sub-precinct. It is considered that the Draft Structure Plan is clear in terms of its maps, objectives and proposed heights and setbacks, in addition the background report provides more information in this regard.

The Department of Planning and Community Development has expressed concern with the detail provided in the Implementation Section and has voiced concerns with the ability to provide for the shared space option in this centre. It is considered appropriate that further detail, now undertaken, be included in Section 4 of the Implementation component of the Structure Plan.

Recommendation: That the Structure Plan be amended to provide more detail in Section 4 in relation to the implementation initiatives relating to the traffic initiatives required in Mentone.

5.4 Next Steps

The existing interim structure planning controls for the Mentone Activity Centre were generally based on the work undertaken by PLAN and were sought to provide immediate protection to the Mentone Activity Centre while a more detailed structure plan was being undertaken for the Centre. As highlighted previously, the interim structure planning controls are due to expire on 31 October 2011.

It is now recommended that Council adopt the Mentone Activity Centre Structure Plan and seek authorisation from the Minister of Planning to commence a Planning Scheme Amendment. The Amendment should:

- § Modify relevant Clauses of the Municipal Strategic Statement (MSS) to give recognition to the objectives for the future of the Mentone Activity Centre.
- § Review as appropriate zoning controls which apply to land within the study area.
- § Introduce planning provisions via the Activity Centre Zone to tackle issues relating to building heights and setbacks.

Council Officers are also presently giving consideration to what role development contributions mechanisms may play in supporting some of the initiatives identified in the structure plan. As further work is undertaken in this area additional advice will be provided to Council as to whether a future Planning Scheme Amendment would include modifications to the Kingston Planning Scheme to make provision for contributions.

6. Triple Bottom Line Checklist

- § **Environmental** – The vision and key projects identified in the Draft Mentone Activity Centre Structure Plan seek to encourage the development of alternate transport travel modes and encourage energy efficient building design and layout through appropriate planning guidelines for redevelopment. These guidelines are proposed to be translated into permanent structure planning controls.
- § **Social** – The vision for Mentone will improve the liveability of the area, increase opportunities for social interaction and improve transport choice. The introduction of permanent structure planning controls provides a mechanism to assure residents that matters of building scale, amenity, character and design will be considered and that new activity developments will not unduly impact on the liveability of their neighbourhood.
- § **Financial** – The Draft Mentone Activity Centre Structure Plan identifies the future direction of the centre by providing for a number of initiatives that will provide investment into Mentone and seek to reinforce its role as a Major Activity Centre.

7. Recommendation

That Council resolve to:

1. Adopt the Mentone Activity Centre Structure Plan with the following changes as outlined in this report:
 - a. That Council amend the Structure Plan at section 3.3.3 and delete figure 12 to provide for the Shared Space Option only as Council's preferred option for the Recreating Mentone initiative.
 - b. That Council amend the Structure Plan at section 3.3.1 to delete figures 5 and 6 and replace them with a new figure that provides for the signalisation of the intersections of Balcombe Road with Como Parade and the new peripheral road and Balcombe Road.
 - c. That Council amend the concept strategy at figure 4 to account for the signalisation of the new peripheral road and Balcombe Road and the signalisation of Balcombe Road and Como Parade and to identify the Shared Space option .
 - d. That Council amend section 4 of the Structure Plan to include detailed implementation on the delivery of the Recreating Mentone (shared space) initiative and proposed traffic initiatives to deliver improved traffic conditions to Mentone.
 - e. That Figure 4 – Concept Strategy be amended to identify retention of community gardens in Mentone Recreation Reserve masterplan
 - f. That Figure 4 – Concept Strategy be amended to identify retention of Aged Care facility on corner of Brindisi St and Remo St at least in the short to medium term.
 - g. That Council delete initiatives pertaining to Patterson Lane from the Structure Plan at figure 4, section 3.3.1 and figures 5 & 6.
 - h. That the Structure Plan be amended to identify the development of a defined community activity precinct in the municipal buildings adjacent to the Keith Styles Reserve for the transition over time of the consolidation of existing community and civic activities.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

- That the Structure Plan be amended to identify the development of a defined recreational precinct in the area generally bordered by Brindisi Street, Remo Street and Venice Street to provide for the transition over time of the consolidation and relocation of existing and new leisure and recreational activities.
- j. That the Structure Plan be amended to delete references of a pedestrian access link through Kilbreda College at figure 4.
 - k. That the Structure Plan be amended to provide more detail in Section 4 in relation to the implementation initiatives relating to the traffic initiatives required in Mentone in accordance with attachments to this report.
 - l. That Section 4 – Implementation Plan of the Structure Plan be amended to identify the future acquisition of land at 11 Remo Street Mentone for the purposes of future open space provision within the Mentone Reserve.
 - m. That the Structure Plan at Section 4 – Implementation Plan, be amended to identify the potential acquisition of the rear of four retail premises (99, 107, 109 and 113 Mentone Parade, Mentone) between Brindisi and Florence Street for the purposes of footpath reservation, to improve the pedestrian connection at the rear of the shops adjoining the Old Bakery Lane car park.
 - n. That the Structure Plan at Section 4 – Implementation Plan, be amended to identify the potential acquisition of part of 105-111 Balcombe Road, Mentone for the purposes of road reservation, to create the new peripheral road between Florence Street and Balcombe Road, Mentone.
 - o. That the Structure Plan be amended with respect to preferred maximum building heights for the key strategic redevelopment site centred around the Council owned car park south of Florence Street and north of Brindisi Street at the rear of the retail premises fronting Mentone Parade to a maximum of four storeys. That Section 3.3.5 – Precincts of the structure plan be amended at Precinct B to clarify that side and rear setbacks on the strategic redevelopment site accord with ResCode provisions and that the fourth storey must be setback a minimum of 9 metres from established residential areas.
 - p. That the Concept Strategy of the Structure Plan be amended with regard to the Collins Street depot site to highlight the Collins Street Depot site as ‘Council Owned Land with future use to be determined’.
 - q. That Council amend the Concept Strategy of the Structure Plan – Figure 4, to include a notation stating that Council will explore opportunities to improve the access into and from Patterson Lane should land become available in which to assist this objective.
- 2. That submissions received in relation to the Community Garden be forwarded to Council’s Leisure and Culture Department for consideration in future master planning of the Mentone Recreation Reserve.
 - 3. Support the initiation of a Planning Scheme Amendment and authorisation from the Minister for permanent planning controls for the Mentone Activity Centre based on the Mentone Activity Centre Structure Plan.

N51 **Southland Structure Plan - Background Work**

Approved by: Tony Rijs – General Manager Environmental Sustainability

Author: Jonathan Guttman – Manager City Strategy

1. Purpose

The purpose of this report is to seek direction from Council to commence preliminary studies that would be used to formulate a future Structure Plan for the Southland Principal Activity Centre. This follows a letter from the State Government Department of Planning and Community Development (DPCD), indicating its willingness to provide funding through its 'Expert Assistance Program'. A copy of the letter from the DPCD is provided as Attachment 1 to this report.

2. Council Plan

Planned Outcome 2 – A Sustainable Environment

Strategy 2.2 – Striking a balance between development and amenity

- The background work involved in further developing a Southland Structure Plan will assist in gathering information which is useful in understanding issues associated with balancing future development and local amenity around the Southland Principal Activity Centre.

3. Background

The above mentioned letter from the DPCD reinforces its interest in commencing a partnership with the municipalities of Kingston and Bayside to undertake preliminary studies to assist in the formulation of a future Southland Structure Plan. The correspondence received also indicated that the '*State Government has committed to undertake a feasibility study to construct a new station on the Frankston line at the Southland PAC [Principal Activity Centre]. It is therefore important that the new station is well designed and that integrated opportunities are identified for the entire centre*'.

The letter indicates that the *Expert Assistance Program (EAP)* is able to provide '*specialist expert advice to assist councils with structure plans for activity centres*'. The correspondence also indicates that due to funding timelines direction is required from the municipalities of Kingston and Bayside as to whether it wishes to seek to access funding. Officers understand based on discussions with representatives of the DPCD that the funding is available this financial year for preliminary studies.

4. Summary and Conclusion

Council Officers believe that the opportunity to commence preliminary studies to inform a future Southland Structure Plan will be beneficial in gaining a further understanding of the envisaged role for Southland as Kingston's Principal Activity Centre.

Having spoken with the DPCD, Officers have reinforced that although the benefits of undertaken preliminary studies around Southland are apparent Council is focussing over the coming months with completing its existing structure planning program (Moorabbin, Mentone and Cheltenham) including its translation into the Kingston Planning Scheme. Council is also undertaking a Kingston Planning Scheme review. The DPCD have reinforced that in recognising the existing work program before Council it will manage the contractual/administrative issues removing much of the required resource burden. DPCD would though be reliant on the municipalities of Bayside and Kingston to nominate the required preliminary studies and provide technical local inputs based on the areas of investigation.

5. Consultation

Preliminary work is likely to involve tasks including traffic modelling, existing land use and building height analysis, retail survey work and office supply analysis. These preliminary tasks are unlikely to require external consultation beyond the participating Councils and relevant State Government Departments and Agencies.

Upon completion of the preliminary work it is likely that a further report will be presented to Council seeking its formal direction as to a suggested project brief in relation to the completion of a Southland Structure Plan. This report would seek direction from Council as to the form in which a future consultation program could take for a structure plan for Southland.

6. Issues

Officers support the view of the DPCD that undertaking preliminary work to assist in the development of a Southland Structure Plan is important as it will assist to illustrate key issues not only relevant to the structure plan, but also preliminary feasibility work associated with a future Southland station.

It is recognised that differing views in relation to land use and development activity may exist between the municipalities of Kingston and Bayside and that the preliminary work would be tailored to reflect local conditions. The partnership between the two municipalities as part of developing and implementing the Hihett Structure Plan illustrates how such an approach has worked in earlier Structure Planning across municipal boundaries.

7. Triple Bottom Line Checklist

- **Environmental** – As indicated in the correspondence from the DPCD the preliminary studies will play a useful role in seeking to better inform future planning not only for the Activity Centre but also a future Southland Station. The ability to better integrate the Principal Activity Centre which contains the regional bus interchange with fixed rail presents some important benefits in providing alternative means of accessing the Principal Activity Centre and the broader transport network.
- **Social** – The development of structure plans is a key component of Councils planning program in that enables the community to actively engage with the how change should be managed in designated areas of the municipality. The preliminary work identified in this report will be most useful background to what will be a broader process of community engagement as a structure plan is further advanced.
- **Financial** – No budget allocation is presently made to undertake preliminary studies for the development of a structure plan for Southland. As such the ability to have these studies funded through the Expert Assistance Program is of benefit to the City of Kingston.

8. Recommendation

That Council resolve to:

- a) Write to the Department of Planning and Community Development seeking its assistance through the Expert Assistance Program to undertake preliminary studies for the development of a future structure plan at the Southland Principal Activity Centre.
- b) Seek a report from Council Officers upon completion of preliminary studies relating to the Southland Principal Activity Centre seeking direction in relation to a project brief to develop a Structure Plan for the Southland Principal Activity Centre.
- c) Reinforce to the relevant State Government Departments the importance of a completed Southland Structure Plan in appropriately considering the design and location of a future Southland Station.
- d) Write to the City of Bayside informing them of the above resolutions.

Attachments:

Letter from Department of Planning and Community Development (30 March, 2011)

N52 Mentone Planning Controls

Approved by: Tony Rijs, General Manager Environmental Sustainability

Author: Jonathan Guttmann, Manager City Strategy

1. Purpose

This report is prepared in response to requests from Council to examine the planning controls applicable to the land generally between the boundaries of the identified Mentone Activity Centre and the area to the east toward Nepean Highway.

The report provides further guidance to Council on the form of planning controls that could be utilised to inform the scale of future development in the areas exposed to significant change as a consequence of development.

2. Council Plan

The Council Plan through Planned Outcome 2 - A Sustainable Environment has a strategy which is 'Striving for a balance between development and amenity'. The consideration by Council of the contents of this report is considered to be related to this strategy.

3. Background

Context

Councillors have asked Officers to further explore the desired buildings heights on particularly the larger parcels of land located near the major intersection of Balcombe Road, Nepean Highway and Warrigal Road.

Modifying the Kingston Planning Scheme

In order for Council to seek to modify the Kingston Planning Scheme controls applying to a parcel of land in the City of Kingston, a Planning Scheme Amendment is required. In advancing a Planning Scheme Amendment, authorisation to proceed with an Amendment is required from the Minister for Planning.

4. Summary and Conclusion

This report provides direction to Council on what is required should it be of the mind that it wishes to modify the Kingston Planning Scheme to introduce further consider modifying planning controls over land to the immediate east of the Mentone Activity Centre.

The report presents an analysis of the allotments in the precinct, zoning provisions and suggests those areas deemed most likely to be the subject of significant future development change. The identified areas are generally focussed around the junctions of Nepean Highway, Balcombe and Warrigal Roads. The report recommends that a built form analysis be undertaken in the area indicated in Attachment 1 as a basis for subsequently considering the introduction of planning controls for this precinct. The basis for recommending such an

analysis is to ensure sufficient justification is developed for any future Planning Scheme Amendment.

5. Consultation

Although provisions of the Planning and Environment Act 1987 under Section 20 allow Council to seek an exemption from the Minister for Planning in relation to the giving of Notice of a Planning Scheme Amendment, these provisions are used sparingly.

Officers believe that if Council is to consider a Planning Scheme Amendment to seek to introduce modifications applying to land, it would be advisable that it seeks to engage with the potentially affected land owners to discuss the basis for Council's intention to undertake a Planning Scheme Amendment.

6. Issues

Land Parcel Analysis

Officers have examined the precinct between the boundary of the Mentone Activity Centre, Nepean Highway and Warrigal Road and considered the following:

- a) The zoning of existing land parcels (copy of the zoning map is provided as an attachment); and
- b) The size of the existing land parcels.

Land in the precinct generally falls into the following zones:

Residential 1 Zone

Residential 1 Zone – This zone is applied to approximately 20% of the municipality's residential areas and is the area whereby, across the municipality Council encourage Increased Housing Diversity. The profile of the lot sizes in the land zoned Residential 1 is generally lots ranging in size from approximately 600m² to approximately 850m². In the area under investigation some of the lots which are zoned Residential 1 contain medical uses or strata flats (eg 45 – 47 Balcombe Road or 49 Balcombe Road). Redevelopment proposals in the Residential 1 zone for more than one dwelling on an allotment would be subject to the provisions of Rescode.

The key exceptions in relation to land size (zoned Residential 1) are the following sites:

90 Nepean Highway, Mentone (approximately 2,159m²) – This site incorporates the car park land at the rear of the shops which front Nepean Highway and the site on the corner of Collins Street and Nepean Highway (zoned Business 1).

10 Rogers Street, Mentone (approximately 20,464m²) – This site is home to the St Patricks Church which despite being zoned Residential 1 has a well established Place of Worship and Education use.

202 – 208 Nepean Highway, Mentone (approximately 2,840 m²) - This site which is on the south east corner of Nepean Highway and Warrigal Road is home to an existing motel and restaurant.

Having viewed the Residential 1 zoned land east of the Mentone Activity Centre it is apparent that:

1. Much of the land already contains medium density housing or service (medical/education) uses and limited likelihood exists of redevelopment occurring which is inconsistent with that which generally occurs in Residential 1 zoned areas in others parts of the municipality.
2. Officers do however consider that allotments at 19 and 21 Balcombe Road which are zoned Residential 1 and are relatively unencumbered have greater likelihood of containing more significant development outcomes given their main road frontage and proximity to the adjacent Mixed Use Zoned area.
3. The potential also exists for the future redevelopment of the site at 90 Nepean Highway, Mentone and given its profile, consideration could be given to reviewing the desired design outcomes for this site.

Mixed Use zoned land

The Purpose of Mixed Use Zone is as follows:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To encourage residential development that respects the neighbourhood character.

The following outlines the size of the land parcels zoned Mixed Use on or near the intersection of Warrigal Road, Nepean Highway and Balcombe Road:

33 – 35 Childers Street and 1-9 Balcombe Road, Mentone (approximately 5,982 m²) – The land at 33-35 Childers Street, Mentone has been the subject of Planning Permit Application KP09/711 and was granted planning permission to construct forty one dwellings. The balance of the land at 1-9 Balcombe Road, Mentone is presently the subject of a Planning Permit Application for a mixed use development.

11 -13 Balcombe Road, Mentone (approximately 568m²) – It is understood that this land which sits between two sites which either hold or are subject to Planning Permit Applications has not been the subject of any recent Planning Permit Applications.

15 Balcombe Road, Mentone (approximately 997m²) – This site was the subject of Planning Permit Application KP10/302 and a Planning Permit Application has been granted to allow twenty six (26) dwellings.

17 Balcombe Road, Mentone (approximately 1,006m²) – This site does not appear to be the subject of any recent planning permit applications.

It is understood that this is a location Council is keen to further explore in relation to the appropriate scale of development in this location.

Business 3 Zoned land

A precinct of Business 3 Zoned land is located on the north side of Balcombe Road between 10-12 and 44 Balcombe Road. The Purpose of Business 3 Zone is as follows:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage the integrated development of offices and manufacturing industries and associated commercial and industrial uses.

In a Business 3 zone the use of land for Accommodation (other than a Caretakers House) is prohibited. Therefore the construction of apartments in this location is not permissible without a Planning Scheme Amendment unless existing use rights are prevalent.

Having reviewed the land sizes in this precinct it is apparent that:

1. Based on the ownership details limited properties are seemingly in contiguous ownership.
2. The largest lot in the precinct at 10-12 Balcombe Road is approximately 663m² with most of the allotments approximately 300m².
3. Based on the width of the allotments, the ability to substantial intensify the intensity of activity is difficult.

Although Council has had some complaints over recent years regarding the relationship of some activities in this precinct to the established residential area (to the north), it is not considered that an immediate basis exists for modifying the zoning in this precinct.

Business 1 Zoned land

A section of Business 1 Zoned land is located on the west side of Nepean Highway just north of Balcombe Road between 90 – 116 Nepean Highway, Mentone. The Purpose of Business 1 Zone is as follows:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

In a Business 1 zone the ability to use the land to provide for accommodation is permissible.

Having reviewed the land sizes in this precinct it is apparent that:

1. Based on the ownership details limited properties are in contiguous ownership.
2. The largest lot in the precinct is at 90 Balcombe Road and is also partly zoned Residential 1. The allotment is approximately 2,159m². The balance of the allotments in the precinct, are generally approximately 230m².
3. In a similar vein to the allotments zoned Business 3, the ability to substantially intensify the activities on the smaller allotments zoned Business 1 is difficult.

The ability to advance significant development proposals in this precinct is compromised on many of the allotments due to the size of the allotments. That being said, an opportunity would exist to further clarify Councils planning intentions for the key area which exists between the Mentone Major Activity Centre and the Thrift Park Neighbourhood Activity Centre.

Based on the analysis undertaken within this section of the report it is recommended to Council that it seek to develop a built form analysis generally involving the following parcels of land and their immediate interfaces:

1. 202 – 208 Nepean Highway, Mentone (South east corner of Nepean Highway and Warrigal Road);
2. All the land contained within the Mixed Use Zone including the residentially zoned land parcels at 19 and 21 Balcombe Road;
3. All the land contained within the Business 1 zone and the land at 90 Balcombe Road, Mentone; and
4. All the land zoned Business 3 on the north side of Balcombe Road.

The analysis would provide a basis for consideration of appropriate buildings height controls and could then lead to a Planning Scheme Amendment for this area which would likely involve a Design and Development Overlay.

7. Recommendation

a) Instruct Council Officers to seek the services of an appropriately qualified consultant to develop a built form analysis of the following land parcels:

- 202 – 208 Nepean Highway, Mentone
- 90 – 116 Nepean Highway, Mentone
- 1 – 21 Balcombe Road, Mentone
- 10-12 and 44 Balcombe Road, Mentone; and
- 33-35 Childers Street, Mentone.

b) That upon completion of the built form analysis a further report be presented to Council indicating possible changes to the Kingston Planning Scheme.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

Attachments:

N53 Bring Forward Projects from 2011/12 Capital Program

Approved by: Tony Rijs – General Manager Environmental Sustainability

Author: Brian McNamara – Senior Asset Management Analyst

1. Purpose

Bring Forward projects is an option utilised by Council to minimise end of year Carry Over enabling delivery of maximum community benefit from the Annual Capital Works Program.

As the 2011/12 Capital Program has not been officially confirmed by Council this report seeks Council approval to advance the delivery of projects that are recognised and funded within Long Term Financial Plan targets for the Capital Forward Plan.

2. Council Plan

Planned Outcome 1 – Infrastructure for a Safe and Active Community

Effective delivery of Annual Capital Works Program

3. Background

Prior to 2008 end of year carry overs were routinely 15% sometimes as high as 25% of the adopted capital program. A robust Capital Forward Plan and the strategic use of Bring Forward has enabled the reduction of end of year carry over to as little as 5% in recent years.

4. Summary and Conclusion

The report identifies potential Bring Forward projects listed in the proposed 2011/12 Capital Program Budget that are deliverable by end financial year.

Is it recommended that projects identified in Section 6 of this report be approved for Bring Forward expenditure. Enabling effective use of 2010/11 capital allocations, maximising community benefit and minimising end of year carry over.

5. Consultation

Bring Forward Projects have been nominated by responsible officers and confirmed by General Managers and the Corporate Leadership Group. The information is consistent with the capital monthly report for end March.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

6. Issues

The following table lists projects and estimated budgets for Bring Forward from the draft 2011/12 Capital Program to advance their delivery by end June 2011

Code	Project Description	2011/12 Allocation	Potential Bring Forward	Comment
N0181	Essential Safety Compliance Works	\$530,000	\$80,000	Opportunity to advance the delivery of critical essential safety projects.
C0012	Playgrounds	\$350,000	\$200,000	Advance Roy Dore Res & Mentone Racecourse Res Playgrounds to facilitate grant application that requires completion by August 2011
N0191	Parks Asset Renewal	\$280,000	\$100,000	Associated park furniture and paths supporting Playgrounds at Roy Dore and Racecourse Res
C0018	Parks & Urban Design	\$100,000	\$25,000	Advancing detailed design for 2011/12 projects
			\$405,000	

It should be noted as at End March approximately \$500,000 of projects are identified requiring end of financial year Carry Over . These include Dredging at Mordialloc Creek, which is expected to be in progress but not completed and Corporate Reporting Software, which is currently undergoing tender evaluation and is not expected to commence rollout until July/Aug.

As we move into the final months of the 2010/11 Capital Works Program there may be further opportunities to advance projects, maximising community benefit and minimising Carry Over. Requiring further confirmation of Council as they arise.

7. Triple Bottom Line Checklist

Not Applicable

8. Recommendation

That Council resolve to confirm Bring Forward projects identified in Section 6 of this report.

10. Community Sustainability Reports

N54 Sport and Recreation Reference Group

Approved by: Mauro Bolin – General Manager Community Sustainability

Author: Nigel Brown – Acting Manager Leisure and Culture

1. Purpose

This report responds to a motion from Cr Peulich at Ordinary Council of 22 November 2010 requesting Council officers investigate the establishment of a Kingston Sport and Recreation Reference group.

The report recommends the formal establishment of a Sport and Recreation Reference Group.

2. Council Plan

Planned Outcome 3 – Healthy, Strong and Connected Communities
Strategy 3.2 – Strong, cohesive and engaged communities.

This report discusses the formation of a Sports and Recreation Reference Group which will improve the level of Council engagement with its community sports and recreation organisations.

3. Background

A range of potential options have been investigated for the establishment of a Kingston Sport and Recreation Reference Group. This has included benchmarking similar groups within other local government areas.

Council engages with over 150 sport and recreation organisations on an ongoing basis. The level of engagement can be operational, educative or strategic depending on the issue. In many cases the engagement can be required across a number of different clubs or associations. Establishment of an advisory / reference group could be a method of engaging our community on important issues relating to the provision of sport and recreation.

4. Summary and Conclusion

Establishment of a Sport and Recreation Reference Group is considered a feasible and effective action by Council, to improve Council's engagement with its sport and recreation providers. The group will provide a forum for stakeholders to engage with Council on strategic issues of importance for the community as it relates to the provision of sport and recreation.

A proposed terms of reference has been drafted for a Kingston Sports and Recreation Reference Group, which if adopted would provide appropriate guidance as to the roles, responsibilities and membership of any group. (Attachment 1)

5. Consultation

Council officers conducted a benchmarking exercise on the provision of similar reference groups within a local government setting. The outcomes of this benchmarking were used in developing a draft terms of reference for the proposed Sports and Recreation Reference Group.

6. Issues

Council officers canvassed a variety of local councils on the provision of similar sports advisory groups. A number of Councils do have advisory groups and the following provides a summary of the findings.

- Groups of this type operate most effectively when they are focussed on providing guidance and advice on strategic issues, rather than involved in operational processes. Provision of terms of reference helps the group and its individual members to understand the roles, responsibilities and objectives of the reference group.
- Membership of the Group should be representative of the broad range of stakeholders involved in the provision of sports and recreation opportunities within Kingston. It would therefore be beneficial to have members who have broad experience in sports and recreation and are not likely to be subject to sport parochialism or club bias in the performance of their duties. Membership numbers ranged from 6-16. Most groups allow for the co-opting of specialist expertise when considering a specific issue.
- Councillor representation was seen as important to the success of the group. It provides credibility to the group as well as providing a clear link between its membership and Council.
- The role of chairperson of the reference group was split between some models which were chaired by one of the Councillor representatives, while other groups were chaired by the community representatives.
- Most groups sought membership nominations from the community from persons who had broad and extensive knowledge of sport and recreation provision. There was frequently an objective of recognising the diverse variety of providers through the membership of the groups.

7. Triple Bottom Line Checklist

- **Environmental** – The proposed reference group would have consideration for environmental sustainable policy as it relates to sport and recreation use of open space.
- **Social** – Establishment of a Sport and Recreation Reference Group will demonstrate an effective and concentrated action by Council to engagement with sport and recreation groups on strategic issues. It could also serve as a forum for communication of innovative ideas and policies to Council for investigation.

- **Financial** – Conduct of an expression of interest process and set-up of the initial reference group is estimated to cost \$2000 for printing and advertising costs. Ongoing facilitation of the group can be managed within existing Sport and Recreation unit resources.

8. Recommendation

“That Council resolve to

1. Establish a Sport and Recreation Reference Group in line with the proposed Terms of Reference.
2. Conduct an Expression of Interest process for appointments to the group.
3. Nominate two Councillors to sit on the Sport and Recreation Reference Group and nominate the initial chair of the group.”

Attachments:

Proposed Kingston Sports and Recreation Reference Group - Terms of Reference TRIM 11/32429

N 55 Draft Arts & Culture Strategy 2011-2015

Approved by: Mauro Bolin, General Manager Community Sustainability

Author: Suzanne Snooks, Arts and Cultural Development Coordinator

1. Purpose

The purpose of this report is to present the final draft of the Kingston Arts & Culture Strategy 2011-15 to Council for endorsement for the purpose of public consultation.

2. Council Plan

This report and proposal aligns with:

- Planned Outcome 3 – Healthy, Strong and Connected Communities
Strategy 3.2.8 – Facilitate the development and enjoyment of arts and cultural opportunities for artists, community groups and individuals through the implementation of the Arts & Cultural Strategy.

3. Background

The 2005-2008 Arts and Cultural Strategy was the first to be adopted by the City of Kingston. This Strategy achieved many great outcomes for the Kingston community and placed master plans at the ready for development of facilities managed by Kingston Council.

In 2009 independent arts industry consultants, Arts & Cultural Services Australia and United Notions were engaged to consult, draft, and present a new Arts & Cultural Strategy. Since this commitment was made, extensive community and Council consultation was undertaken by the consultants. This consultation phase resulted in the consultant's development of an Issues Paper which highlighted key issues, opportunities and questions for consideration in the development of the draft strategy by Council staff. A final draft of the Kingston Arts & Culture Strategy 2011-15 is now ready for approval for the purpose of public consultation.

4. Summary and Conclusion

The draft Kingston Arts & Culture Strategy 2011-15 provides clear direction and outlines plans for the development of arts and culture in the municipality over the next five years. Extensive input into the development of the draft Strategy has occurred, with initial community consultation undertaken, drafting of the Strategy for public comment, and channelling of documents through Council at key stages of the draft Strategy's development. Council adoption of the draft Strategy is now sought with a view to presenting the document for a 4 week period of public comment.

5. Consultation

A range of community engagement and consultation methodologies were utilised to gather quantitative and qualitative information about the Kingston community's arts and cultural participation and their needs and values. Research and consultation has been carried out by independent consultants, engaged to facilitate the process and summarise the key issues. The total number of residents consulted was 520, a good community representation.

6. Issues

A community consultative session was set up with invited community members, in order to validate the information that was presented in the Summary Issues Paper. The majority of this group confirmed that the themes and issues presented in this presentation were true and a correct representation of information gathered at the community consultation forums.

An internal consultation process has also taken place with staff from varied Council departments, where they also viewed the Summary of Issues Presentation.

Some of the key issues identified through research and consultation to enable Council to better respond to Community needs and expectations include;

- Need for Indigenous cultural development;
- Need for greater marketing and promotion;
- Need for creative community hubs;
- Need for relationships to be developed between professional artists, multicultural, youth and business sectors; and
- Need for relationships to be developed between arts and urban designers with a view to beautifying the City.

This report seeks Council endorsement to present the draft Arts & Culture Strategy 2011-2015 to the public for a 4 week period of consultation.

7. Triple Bottom Line Checklist

Environmental -The draft Strategy considers the environment in terms of cultural infrastructure and community use of Kingston's natural features, both at a municipal and local level.

Social - The draft Strategy highlights actions that will promote health, education and creative engagement across Kingston. There are opportunities to develop and engage new audiences and to further address the social and cultural needs of the Kingston communities.

Financial - The majority of actions within the draft Strategy are to be undertaken within existing financial and human resources. Additional funding required for projects arising as a result of specific actions will be subject to the usual budget process or potential funds from grant programs and other external sources and could enable recommendations to be successfully delivered over the term of the Strategy.

<h2>8. Recommendation</h2>

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

<p>That Council resolves to approve the release of the draft Arts & Culture Strategy 2011-2015 for a 4 week period of public consultation.</p>
--

Attachments:

TRIM Ref. 11/25041 - Draft Arts and Cultural Strategy 2011-15

N56

Recommended Members for 2011 - 2013 Access and Equity Committee

Approved by: Mauro Bolin, General Manager Community Sustainability

Author: Kate Daddo, Coordinator Community Development
Tim Bearup, Team Leader Community Engagement

1. Purpose

To seek endorsement from Council of the short listed candidates for appointment to Council's Access and Equity Advisory Committee.

2. Council Plan

The functioning of the Access and Equity Committee relates to Outcome 3 in the Council Plan 2009 - 2013, in particular:

- Strategy 3.2.5 Ensure access and equity principles are promoted and encouraged throughout the community.
- Strategy 3.2.7 Monitor the status of community strength and wellbeing.
- Strategy 3.2.13 Promote community and stakeholder engagement, participation in service and policy planning and development; service delivery and evaluation.
- Strategy 3.4.2 Ensure the currency of existing policies, plans and strategies to support our community achieve a strong, healthy and active life.

3. Background

The Access and Equity Advisory Committee was established by Council in August 2000 as the Multicultural Advisory Committee. This establishment was in response to community consultation that highlighted a need to strengthen the relationship between Council and Kingston's culturally diverse community. The committee was then expanded to also address the needs of people with disabilities and indigenous people in relation to access and equity matters.

The Access and Equity Advisory Committee was established to provide information and advice to Council on equitable service distribution to all residents. The committee represents the principles of equal rights of all people in the community to enjoy access to goods and services and to be treated with equal respect.

The committee provides a link between Council and communities that have traditionally had difficulty accessing services within the City of Kingston. The work of the committee is to assist in removing barriers and creating opportunities.

4. Summary and Conclusion

The standard bi-annual review of membership of Council's Access and Equity Committee has been undertaken in accordance with the Council approved Terms of Reference. New nominations were sought for the committee and a significant level of interest from the community was received.

In total, 31 applications for the committee were received. The agreed assessment process was used to shortlist applicants and to recommend 16 members for appointment. The preferred candidates will bring together a range of experiences and backgrounds to achieve diverse representation and to assist Council in delivering the best outcomes for the community (see Attachment A).

5. Consultation

The Access and Equity Terms of Reference requires the committee and its membership to be reviewed every two years. Therefore, the positions were declared vacant at the end of 2010 and expressions of interest for the new committee were sought. The vacant positions were advertised widely throughout the community using mediums such as advertisements in the local Leader Newspapers, Kingston Your City and direct mail outs to community organisations representing multicultural, indigenous and disability groups.

6. Issues

A very positive response from the community was received with 31 nominations being submitted. This strong community response indicates a high level of interest in Council's social justice orientated activities and provided a good depth to the field from which members could be assessed and short listed.

It is intended that members of the committee are selected from diverse backgrounds and experiences to ensure broad community representation. The following assessment criteria were applied to develop the list of recommended candidates for the committee:

- Balance between old and new members;
- Appropriate gender and age representation;
- Balanced representation of issues and expertise;
- A variety of suburbs being represented; and
- Capacity of the individuals to make a positive contribution to the committee based on the content of the applications.

The Access and Equity Committee undertakes a strategic and integrated approach to relevant equity issues within Kingston. Arising from the review process, it is also intended that in 2011-2013 there will be increased support given to the development of three 'issue-specific'

subgroups which will operate under the auspices of the committee. These three subgroups will address practical and task-oriented projects relating to their area of focus:

- Subgroup One: Indigenous people
- Subgroup Two: People with disabilities
- Subgroup Three: People from multicultural backgrounds.

Therefore, whilst assessing the various applications, consideration has been given to which individuals would be most appropriately suited to the broader strategic focus of the committee or to the more practical 'issue-specific' functions of the subgroups.

This committee/subgroup model has provided the opportunity to offer candidates who have not been appointed to the Access and Equity Committee the option to still contribute their skills and interests in a meaningful way. As such, the proposed 2011-2013 Access and Equity Committee (and subgroups) will ensure that Council continues to receive high quality advice to meet the needs of its residents.

Details on those short listed for Council's determination are included in Attachment A.

7. Options:

Preferred Option:

- 7.1** That Council endorse the appointment of the recommended candidates to the Access and Equity Committee.

Alternative Option:

- 7.2** That some or all of the recommended candidates are not endorsed by Council and further nominations for the committee are sourced from other registered candidates and/or from further recruitment.

8. Triple Bottom Line Checklist

8.1 Environmental:

An effective Access and Equity Committee can be utilised by Council to communicate positive environmental messages to multicultural and indigenous populations as well as to people with a disability.

8.2 Social:

The appointment of an effective Access and Equity Committee will support Council to improve access of residents to goods, services and natural assets within the municipality. The committee will ensure that the needs of some of the most vulnerable resident populations within Kingston are recognised and appropriately responded to.

8.3 Financial:

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

The Access and Equity Committee is supported by Council's existing operational budget.

9. Recommendation

“That Council resolve to approve the recommended appointments to the Access and Equity Committee as per Attachment A.”

Attachments:

Attachment A: Access and Equity Committee – Recommended Nominees

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

**Attachment A
Access and Equity Committee – Recommended Nominations**

1. Nominations

Name	Membership Classification	Organisation	Suburb	Skills, Interests, Experience
Anna Wang (current member)	Resident	N/A	Oakleigh South	Director in Corporate Planning Society of Philippines.
Peter Spyker (current member)	Organisation	Centrelink	Oakleigh south	President Central Bayside Community Health Services. Centrelink Multicultural officer.
Reg Shelley (current member)	Resident	N/A	Parkdale	Indigenous issues representative.
Geraldina Alvearez-Poblete	Organisation	New Hope	Clarinda / Clayton South	New Hope Foundation. Community Development Project Officer.
Paula Barnett	Organisation / Resident	Berendale School	Moorabbin	Principal of Berendale Education and Training.
Aden Ibrahim	Resident	N/A	Oakleigh South	Involved in Eritrean community. Teacher and Business Trader.
Dawn Eddington	Organisation	Victoria Police	Moorabbin	Crime Prevention Officer. Community liaison.
Wayne Pollard	Resident	N/A	Carrum	Welfare worker. Interest in indigenous rights.
Julie Bruick	Organisation / Resident	Yooralla	Chelsea	Yooralla – early intervention worker.
Ramba Thoman	Organisation	Kingston Indian Seniors Citizens Assoc.	Clayton South	Physiotherapist at Sandringham and Dandenong hospital.
Geoff Gledhill	Resident	N/A	Parkdale	Community member. Interest in disability issues.
Cynthia Sederino	Organisation	President Lions Club Clarinda	East Bentleigh	Carer. President of Lions Club, Clarinda.
Peter Sfyris	Organisation	Australian Cyprian Sports & Social Assoc.	Moorabbin	Australian Cyprian Sports & Social Association
Margaret Sutherland	Resident	N/A	Bonbeach	Teacher. Involved in aged care nursing.
Bev Boyunegmez	Resident	N/A	Moorabbin	Interested in mental health rights.
Ali Yildiz	Resident	N/A	Cheltenham	Lawyer – Community Legal Centre

- Please refer to Section 6 of the report for the selection criteria that was applied.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

- *Where appropriate, applicants who are not appointed to the Access and Equity Committee will be offered opportunities to participate in the sub-groups and alternative activities.*

11. Organisational Development & Governance Reports

N 57 Assembly of Council Report

Approved by: Elaine Sowerby, General Manager Organisational Development and Governance

Author: Nicola Wright, Governance Officer

1. Purpose

This report provides copies of the Assembly of Council records in line with the Local Government Act amendments which came into effect on 24 September 2010 to support openness and transparency of Governance processes.

2. Council Plan

Planned Outcome 5 – Community Inspired Leaders
Strategy 5.3 – Sound governance and responsible financial leadership

The reporting of Assembly of Council meets the requirements of the Local Government Act.

3. Background

An amendment to the Local Government Act now requires that Assembly of Council records are reported to the next possible Council Meeting. This amendment seeks to promote openness and transparency of Council decision making.

4. Summary and Conclusion

Attached are the Assembly of Council records completed for the month in the lead up to the Council Meeting.

The report is provided in line with the Local Government Act section 80A which requires that the record of an assembly must be reported to the next practical ordinary Council meeting and recorded in the minutes of that meeting.

What are the main things that need to be considered. Discuss any impact of implementing your proposal and what the costs would be.

5. Issues

The Chief Executive Officer must ensure that a written record is kept of every assembly of Councillors. These records must be reported to the next Ordinary Council Meeting

The written record only needs to be a simple document that records

- The names of all Councillors and staff at the meeting,
- A list of the matters considered,
- Any conflict of interest disclosed by a Councillor, and

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

- Whether a Councillor who disclosed a conflict left the room.

A standard Assembly of Council form will generally be used as the record for the purposes of the Act. These form the attachment to the report. At times however to avoid duplication minutes of some meetings may be attached as the record of the Assembly if they include the required information, including disclosures.

The Act does not require details of a conflict of interest disclosure at an assembly to be recorded.

6. Recommendation

That Council notes the contents of this report.

Attachments:

Assembly of Council forms

N 58

Expenditure of Ward Funds Schedule

Approved by: Elaine Sowerby, General Manager Organisational Development & Governance

Author: Nicola Wright, Governance Officer

1. Purpose

The purpose of this report is to seek formal Council approval of the expenditure of Ward funds in accordance with the ‘*Expenditure of Ward Funds Policy*’.

2. Council Plan

Planned Outcome 5 – Community Inspired Leaders

Strategy 5.3 – Sound governance and responsible financial leadership

The reporting of Ward Fund Grants meets the requirements of the Local Government Act.

3. Background

The Council, on 23 March 2009, adopted a revised policy for the expenditure of ward funds.

Each financial year during a Council term, Kingston Councillors are allocated \$6,000 in ward funds for utilisation in accordance with the adopted policy. Part 2 of the policy, which outlines the limitations on the expenditure of ward funds, specifies that Councillors may propose that ward funds be allocated for initiatives that aim to:

- a) *assist a recognised community group (including sporting/recreational body, arts/cultural group, charity, youth group, pre-school, playgroup, senior citizens club, historical society, friendship group, environmental group, trader organisation or toy library) which provides a service, program or activity used by or of benefit to Kingston residents;*
- b) *assist an individual who is a resident of the City of Kingston to participate in a sporting, recreational or cultural activity, or other pursuit of a personal development nature, or who is in necessitous circumstances;*
- c) *Support an event or activity which will be of benefit or interest to residents of the City of Kingston;*
- d) *Support the key external themes of enhancement of the physical environment or the development of community well being, identified in the Council Plan.”*

It should be noted that the policy also enables a Ward Councillor to propose that his / her ward funds be expended outside of the Councillor’s specific ward, provided that the ward funds are expended for the benefit of the Kingston community, and that one or more of the criteria set out above are met.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

The table below lists the Councillor requests for the expenditure of ward funds received since the last Ordinary Council Meeting.

Table of Councillor requests:

Councillor	Ward	Initiative	Request Date	Amount \$
Mayor, Cr Ron Brownlees	Central	<i>Cheltenham Community Centre Community Programs</i>	12/4/2011	250.00
Mayor, Cr Ron Brownlees	Central	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	12/4/2011	250.00
Cr Arthur Athanasopoulos	North	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr Paul Peulich	North	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr Steve Staikos	North	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr Lewis Dundas	Central	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr Rosemary West	Central	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr Dan Maloney	South	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr John Ronke	South	<i>Lighthouse Foundation Sponsorship of young people to attend development program</i>	14/4/2011	200.00
Cr Trevor Shewan	South	<i>Lighthouse Foundation Sponsorship of young people to</i>	14/4/2011	200.00

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

		<i>attend development program</i>		
--	--	-----------------------------------	--	--

Recommendation

That Council approve the expenditure of ward funds in accordance with the table of Councillor requests.

N 59 Council Plan Quarterly Report for January – March 2011

Approved by: Elaine Sowerby, General Manager,
 Organisational Development and Governance

Author: Linda Yeo, Organisational Planning and Performance Officer

Purpose

To present to Council the Council Plan Quarterly Report for January – March 2011.

Council Plan

Planned Outcome 5 – Community Inspired Leaders
Strategy 5.3 – Sound Governance and responsible financial leadership.

Council reports quarterly against the Council Plan which is disclosed on our website to ensure transparency of our reporting.

Background

The 2009–13 Council Plan was endorsed by Council on 16 June 2009 and updated in June 2010. The Council Plan sets out Council’s four year vision under five outcome areas, associated strategies and indicators. This quarterly report provides progress against each of the strategies of Council Plan for the period of January – March 2011.

Summary and Conclusion

The attached quarterly report highlights achievements against the outcomes and strategies of the Council Plan for the third quarter of 2010–11. Of the 192 actions, 28 actions are completed, 147 actions are on track and 14 actions are expected to have delays or issues rectified by next quarter and 3 actions will be delayed significantly at year end.

Issues

January - March 2011 Highlights and Challenges

During the Third quarter of 2010–11, significant progress has been made against the outcomes of the Council Plan. Progress is as follows:

Outcome 1: Infrastructure for a Safe and Active Community

Highlights

- § Review of the asset condition data and modelling was completed based on best available data to end 2009/10.
- § The Asset Management System tender was confirmed by Council at March 2011 meeting.
- § Council approved the removal of three pipes from the foreshore between Charman Road and Mundy Street.
- § The Active Leisure Plan was adopted in March 2011.
- § Playground renewal and park refurbishment work is now complete at Bicentennial Park and Bald Hill Park.
- § Concept design work has commenced for the next phase of work at Kingston City Hall.

- § The contract has been awarded for the refurbishment of the Shirley Bourke Theatre, which will commence on site during early April 2011.

Challenges

- § 1.1.2 - The proposed park refurbishment for 28 Mascot Avenue to the Patterson River Trail will not be going ahead due to lack of support from the land owner Melbourne Water. As part of Council budget discussions, consideration of a playground has been deferred to 2013.
- § 1.1.5 - Draft lease policy delayed and currently being prepared for consideration by Council in April 2011.

Outcome 2: A Sustainable Environment

Highlights

- § The Sustainability program has been developed and Environmental Planning will continue to support Economic Development as the lead department, through the provision of expert environmental advice upon request.
- § The Clean up Australia Day event was held during the March quarter with participation from 33 sites.
- § Community consultation for Carrum Erosion Control Project completed in March 2011 with proposal currently being put before Council.
- § Access-way replacement fences at Bapaume Ave, Bona Vista Ave and Gladstone Ave have now been completed.
- § Refurbishment of the public boat ramp at Chelsea Yacht Club car park has been completed with repair works to Mordialloc Promenade wall to commence.
- § The 2011 autumn street tree planting program has been organised and cyclic street tree pruning has been completed in Patterson Lakes and Moorabbin.
- § All schools in the City of Kingston were sent information advertising the waste education program. 10 school waste education sessions were delivered to three schools.

Challenges

- § 2.1.1 - The review of the Kingston non-urban area in collaboration with State Government was unable to meet during the March quarter. At this stage Council is unaware when the next meeting will be held.

Outcome 3: Healthy, Strong and Connected Communities

Highlights

- § The Family Children's Services Strategy is under development and is scheduled for completion in April 2011.
- § The Kind 2 Mind Mental Health Expo was conducted during the March quarter. A total of 1300 students attended over the two day period.
- § Community Care Services were provided in accordance with Council Budget and Funding and Service Agreements (MCAS).
- § Studio leases at the Kingston Arts Centre have now been finalised with three studio artists working from the art spaces.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

- § Arts Victoria granted Kingston \$400,000 towards the development of Shirley Burke Theatre.
- § The Dingley Bendigo Bank asked that \$10,000 of its 2010/11 \$20,000 grant be directed to the Dingley Rotary Memorial sculpture project.

Challenges

- § 3.3.3 - Due to staff shortage, the Battle of the Bands event has been postponed for the next quarter. Two events are currently being planned for the in the January and April quarter. All events are expected to be held by June 2011.

Outcome 4: A Prosperous, Innovative Business City

Highlights

- § Aspendale footpath works completed including landscaping and concepts for upgrade of Westall shopping centre. Detailed engineering design completed in Rosebank with works expected to be tendered in 2nd quarter of 2011/2012 and construction to commence in the latter half of 2011.
- § Engineering design is now complete for capital works improvements to the older Mordialloc industrial areas.
- § The key pillars of framework have been completed for the Kingston Business Sustainability Framework.
- § Business Women's Network group meeting held in February, the network continues to grow with all small events booked out.
- § In addition to the successful CEO roundtable group, a new group called "Rising Stars" was established in March 2011.

Challenges

- § 4.1.1 – The Shopping Centre Public Toilet Strategy has been placed on hold due to funding not being allocated for 2011/12.
- § 4.1.3 - The priority list for new signage at shopping centres has now been completed. Funding for signage and installation has not been allocated for 2011-12.

Outcome 5: Community Inspired Leaders

Highlights

- § Council has been successful in receiving \$100k funding for erosion control works at Carrum.
- § The Asset Management software tender and evaluation was approved by Council at its March meeting. An implementation plan is in progress.
- § As part of the 'Influencing Our Reputation' customer service project, investigations have taken place and reports prepared into: Customer Service Opening Hours, Suitable staffing numbers at Counters, Options for One Counter at Cheltenham and future models for Customer Service Centres. Decisions on how to move forward are influenced by current budgetary implications.
- § Updates are continually being made to Kingston's website and intranet. Intranet improvements include regular story / photo updates and promoting the organisation

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

calendar. The Communications department is also managing Council's new Facebook page which has more than 500 "likes". From these 500 "likes" Facebook is receiving more than 37,000 wall posts each month.

- § At the March 2011 meeting, Council adopted the commencement of a Community Visioning project. Work to develop a reference panel and source a facilitator will commence in April 2011.
- § Both Contractor OHS Management Training and Contractor OHS Assessments/Certifications have been completed. The First Aid Policy has been developed and First Aid Risk Assessments for all of Kingston's 28 work locations have now been completed.
- § Council has delivered an EEO awareness training program via Online Learning for the organisation with an overall completion rate of 84%. This excludes Parks, Depots and Aged Care Services who will be completing the training off-line.

Challenges

- § 5.3.3 - The Asset Management Policy and Strategy has been delayed due to a focus on the software tender process however draft documents are to be available by end of June 2011.
- § 5.3.6 – Contract negotiations currently underway to ascertain an implementation date for a Human Resource Information System.
- § 5.4.3 - Difficulties in relation to a Corporate Business Solution are currently being experienced due the volume of work being undertaken for example:
 - Pathway Statutory Planning and Building System completed
 - Pathway Customer Service System currently being implemented expected to be completed by May 2011

Master Action Sheet

The following data is provided purely as a work flow indicator to highlight the number of Master Action Sheet items added and completed during the March quarter. Of the 171 actions received this quarter, 62 are complete and 109 are in progress.

Note: Due to the Christmas holiday period fewer meetings were held and as a result fewer requests were received overall compared to the December quarter.

Master Action Sheet January - March 2011			
Action Type	Actions received	Actions complete	Actions in progress
Ordinary Council/CIS	39	12	27
Councillor Requests	29	16	13
Village Committees			
• Aspendale	8	3	5
• Chelsea	17	7	10
• Cheltenham	7	6	1
• Clayton South	2	1	1
• Mordialloc	19	6	13
• Patterson Lakes	22	5	17
• Dingley	13	4	9
• Mentone	7	1	6
• Clarinda	7	1	6
• Moorabbin	1	0	1
TOTAL	171	62	109

Triple Bottom Line

Indicators

The Quarterly Report to the Council Plan also notes triple bottom line indicators where a specific quarterly figure is available. By reporting our financial, environmental and social performance we are providing a solid foundation for measuring our progress in these areas.

During the March quarter there was 6.27 kilometres of road renewal and 2.68 kilometres of footpath renewal. There were 220 planning permit applications received and 35 buildings applications received this quarter and 4,919 volunteer hours donated by community members.

Triple Bottom Line Checklist

- Environmental – not applicable
- Social – volunteers as above
- Financial – not applicable

Recommendation:

That Council resolve to note the March 2011 Quarterly Report to the 2009-13 Council Plan
--

Attachment(s):

1. Quarterly Report to Council Plan March 2011 – TRIM Ref: 11/21038
2. Quarterly Standard Statements Report March 2011 – TRIM Ref: 11/37691

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

12. Corporate Services Reports

N60 Investment Policy Report – March 2011 Quarter

Approved by: Paul Franklin, General Manager Corporate Services

Author: Bernard Byrden, Manager Finance

1. Purpose

In accordance with Council’s adopted Investment Policy, the purpose of this report is to advise Council where Kingston’s working capital is currently invested. Kingston’s funds that are not immediately required for operating purposes are invested in accordance with the relevant legislative requirements and policy requirements, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that our liquidity requirements are being met.

2. Background

Council’s Investment Policy that was adopted by Council in October 2008 requires Council to be updated on our investment portfolio each quarter and the General Manager Corporate Services to be updated monthly. This monthly report compares our investments as at 31st March 2011 compared to the overall portfolio limits specified in the Investment Policy.

3. Summary and Conclusion

At the 31st March 2011 Council had a total of \$51.1 million held in Cash and Investments, which is \$5.5 million favourable to March 2010. These funds were held in the following categories:

	March 2011	March 2010
Category	Amount (\$’000)	Amount (\$’000)
Unrestricted Cash	24,918	20,520
Restricted Assets – Asset Development Reserve	7,005	5,004
Restricted Assets – Long Service Leave	6,600	6,500
Restricted Assets – Trust Funds and Deposits	12,554	13,599
Total	51,077	45,623

4. Discussion

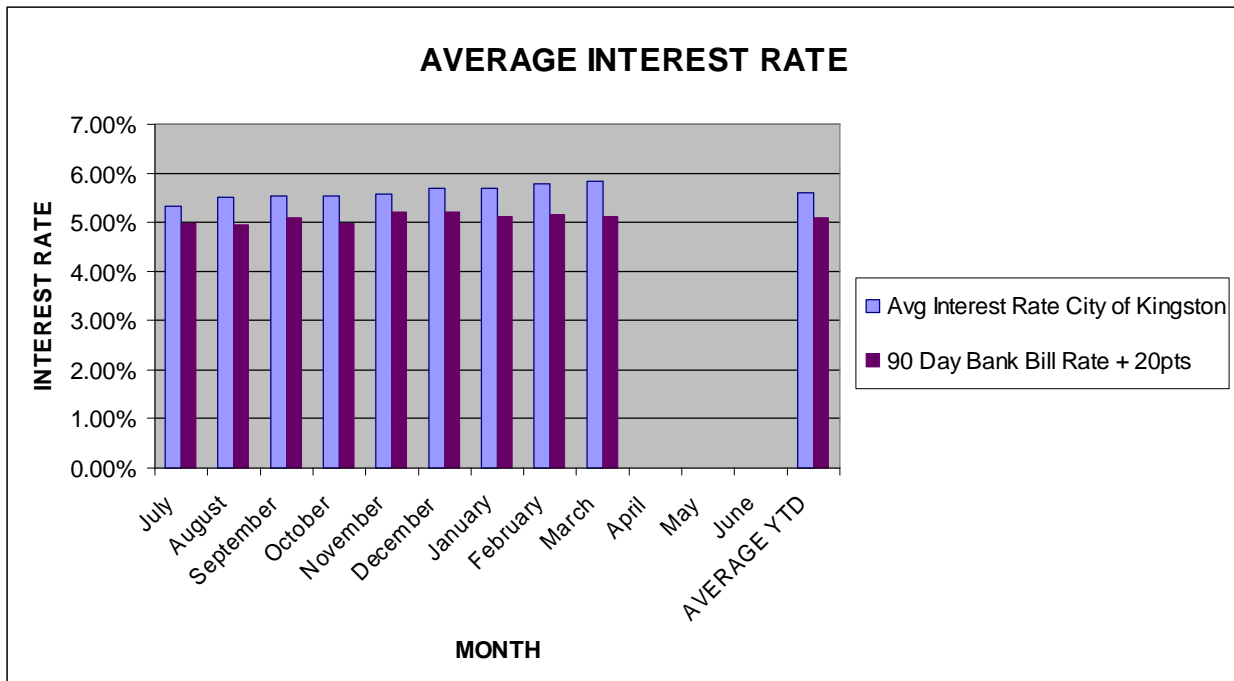
Cash has been invested in the following ways:

	March 2011	March 2010
Type of Investment	Amount (\$’000)	Amount (\$’000)
Cash at Bank	4,377	1,523
Cash At Call	5,000	9,500
Funds Invested (Fixed term investments)	41,700	34,600
Total	51,077	45,623

Council had funds of \$41.7 million invested as at 31st March, 2011. The investments have been made for fixed terms periods from 30 days to 180 days. The interest rates achieved as at 31st March, 2011 were in the range of 5.40% to 6.24% p.a.

The attached Investment Schedule details our investments by credit rating, by bank and by maturity and demonstrates compliance with the Investment Policy. The schedule shows that 90% of funds are invested in AA or AAA rated investments compared to the prescribed minimum of 75%. The majority of funds are invested as follows: Westpac 29%; National Australia 24% and Commonwealth Bank 23%. All are below the 60% maximum required by the Investment Policy. 100% of funds are invested for less than 1 year.

5. Portfolio Performance

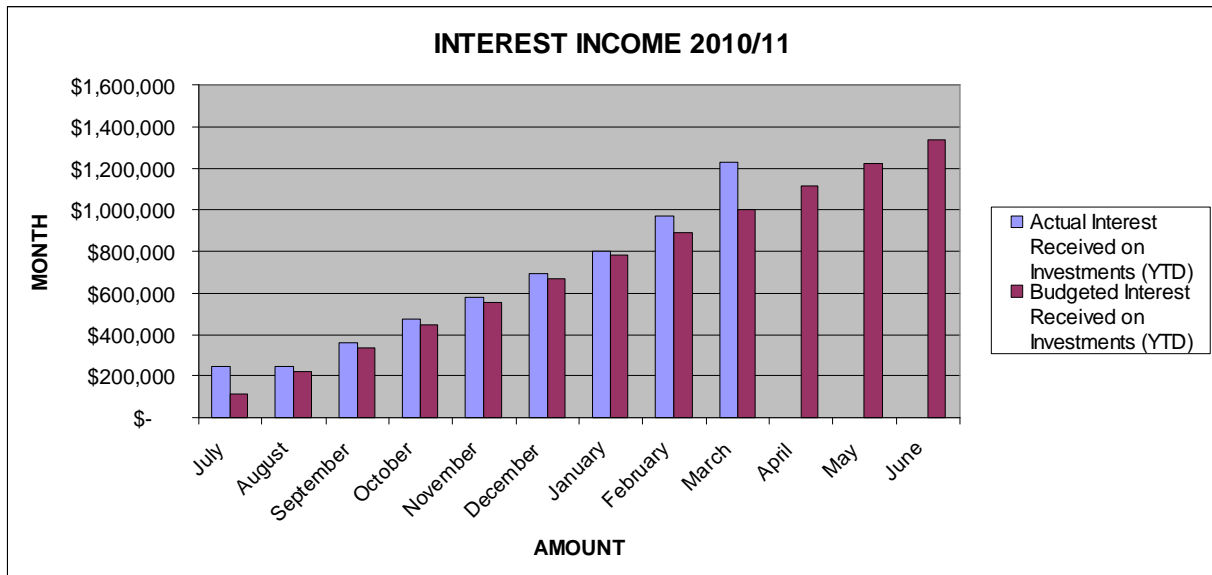
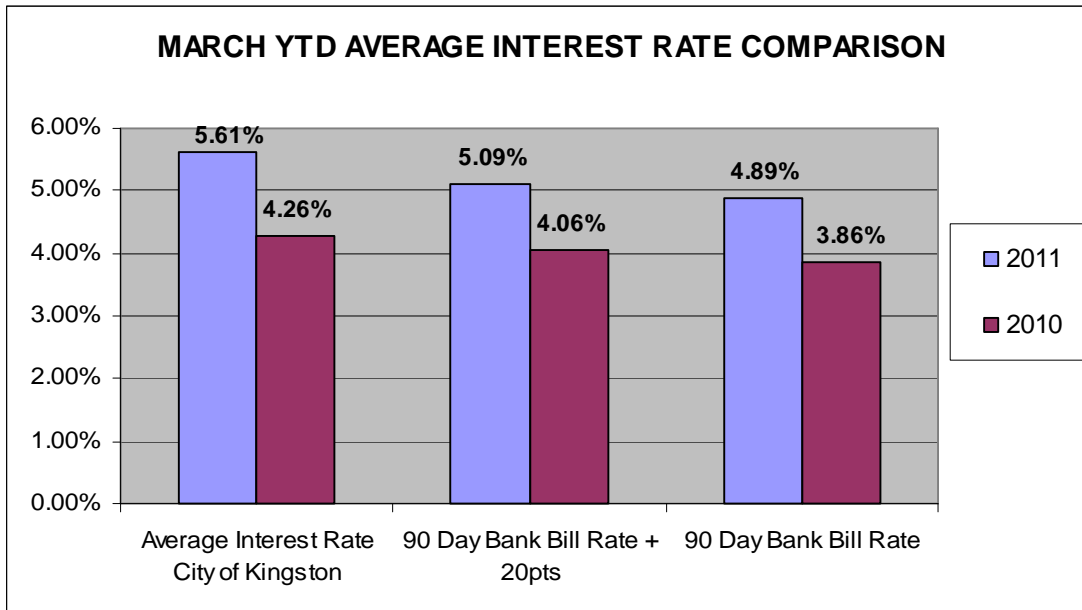


The average interest rate to 31st March is 5.61% (Mar10 – 4.26%) which is 72pts ahead of the average 90 Day Bank Bill Rate of 4.89% (Mar10 – 3.86%) and 52pts ahead of the investment policy target of the average 90 Day Bank Bill Rate plus 20pts of 5.09% (Mar10 – 4.06%).

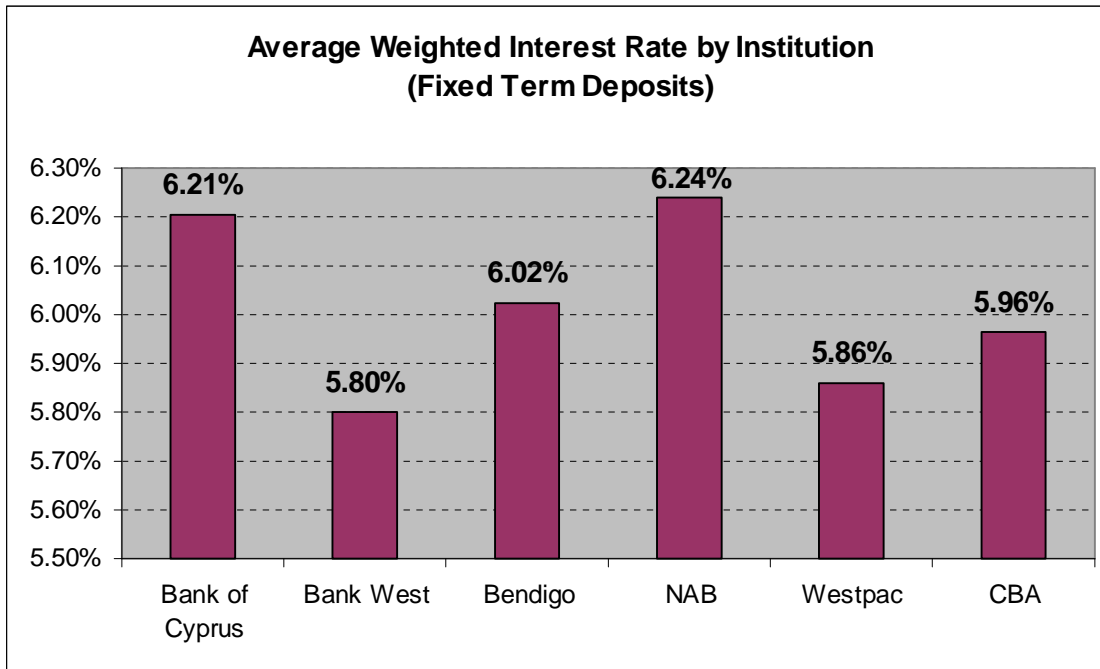
**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011



Interest Income received on investments at 31st March, 2011 totals \$1.2 million, which is \$230k favourable to the budget of \$1.0 million.



As at 31st March 2011 the average weighted interest rate per institution ranges from 5.80% to 6.24%.

5. Recommendation

That Council note that funds at 31st March 2011 are being invested in line with the risk management profile prescribed in Council's Investment policy.

Attachment:

Investment schedule – TRIM 11/39510

N 61

Procurement Policy Update

Approved by: Paul Franklin, General Manager Corporate Services

Author: Darryn Pasma, Manager Procurement & Contracts

1. Purpose

The purpose of this report is to present an update of the Procurement Policy and Procedures (previously Purchasing Policy and Procedures) for adoption by Council.

2. Council Plan

- Planned Outcome 5 – Community Inspired Leaders
Strategy 5.3 – Sound governance and responsible financial leadership.
- A review of the Procurement Policy supports achievement of the community benefits of transparency and accountability, efficient and effective resource management and meeting all legal requirements in an efficient and effective manner.

3. Background

Section 186A(7). (Procurement Policy) of the Local Government Act 1989 requires that:

“At least once in each financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.”

The Purchasing Policy and Procedures were last reviewed in September/October 2009, with Council adopting the revised Purchasing Policy pursuant to Section 186A of the Local Government Act at the Ordinary Council Meeting on 26 October 2009 (Financial Year 2009/2010).

As noted above, Section 186A(7) of the Local Government Act 1989 requires a review of the Procurement Policy to be undertaken at least once in each financial year, with this being the first review undertaken in Financial Year 2010/2011.

This policy continues to provide the overarching policy and context for numerous Council documents that relate to the procurement of works, goods and services, including;

- Purchasing Delegations;
- Business Credit Card Policy;
- Green Purchasing Policy;
- Probity Audit Policy; and
- Risk Management Policy

In addition, Council’s Contracts Manual provides officers with detailed guidelines to assist with undertaking procurement activities.

**City of Kingston
Ordinary Council Meeting**

Agenda

27 April 2011

As such it is proposed that the outcome of the current review of this policy is to implement a change in name from “Purchasing Policy and Procedures” to “Procurement Policy and Procedures”, reflecting the specific requirements of Section 186A for Council to prepare and approve a procurement policy in addition to a number of minor edits associated with the name change.

With work continuing to further develop Council’s suite of procurement documentation and current activity being undertaken to introduce a Contract Management Module as part of the implementation of the Infor Hansen Asset Management System and participation in the Department of Planning and Community Development’s Procurement Roadmapping improvement process, further review and update of the Procurement Policy and Procedures may well be required and the results of these reviews will coincide with the requirement to review the policy again in Financial Year 2011/2012.

4. Recommendation

That Council resolve to adopt the renamed and updated Procurement Policy and Procedures pursuant to the requirements of Section 186A of the Local Government Act.

Attachments:

DRAFT – Procurement Policy & Procedures (TRIM Ref 11/37292)

4. Section 223 Committee Report

The section 223 Committee met on 23 February 2011 and heard the submission from Albert Jacobs of Lighthouse Capital Properties Pty Ltd. A copy of the minutes of the committee's proceedings is attached (*attachment 4*). Mr Jacob's submission stated that he believed that he had possession rights over the fenced off section at the extreme eastern end of Farm Road and that discontinuance of the full section adjoining his property would 'detrimentally affect the title/proprietor of 149 Farm Road'. During the hearing Mr Jacobs stated that his principal concerns were that removal of the road frontage would eliminate the access for future development and would affect his property value. The committee reconvened on 12 April 2011 to reconsider Mr Jacob's submission in the light of further legal advice received. A copy of the minutes of this meeting is attached (*attachment 5*).

The Committee also considered advice received from Council's Parks Department regarding the remnant native vegetation on the section of road adjoining 149. Farm Road. This advice states that there are mature coastal Manna Gums, Acacia, Kangaroo Apple and Bracken Fern on the land and that these should be protected and incorporated into the reserve.

5. Summary and Conclusion

The Committee recommends that Council should proceed to discontinue part of the road abutting 301-307 & 309-317 Centre Dandenong Road, Cheltenham and 149 Farm Road, Heatherton, as shown in red on the below plan, and retain the road for the purpose of incorporation into Kingston Heath Reserve.



6. Consultation

Consultation has been carried out according to section 223 of the Act.

7. Options

Council is now required to consider the submission and the Committee's report under section 223(1)(d) of the Act. There are three possible courses of action open to Council. Council could decide:

Option 1 To discontinue the road as advertised and retain for incorporation into Kingston Heath Reserve.

Option 2 To discontinue part of the road (shown in red on the above plan) for incorporation into Kingston Heath Reserve (recommended).

Option 3 Not to discontinue the road.

Option 2 is the preferred option of the Committee.

8. Triple Bottom Line Checklist

- **Environmental** – the discontinuance of the road for incorporation into the reserve as public open space will provide a positive environmental benefit and put to better use a road that is no longer required for the purpose for which it was set aside.
- **Social** – Increased public open space.
- **Financial** – Not applicable.

9. Recommendation

That Council resolves to:

1. discontinue part of the road, take title and retain the land in the road, in accordance with section 206 schedule 10 clause 3 of the *Local Government Act 1989*. Upon discontinuance the land will be incorporated into Kingston Heath Reserve.
2. place a notice of the discontinuance in the *Victoria Government Gazette*.
3. note that the discontinuance shall not affect the right, power or interest held by Multinet Gas in connection with any pipes, wires or cables under the control of that authority in or near the road, pursuant to section 207C(1) of the Act..
4. write to the submitters to the above proposal advising of the decision of Council and the reasons for the decision.

Attachments:

Public Notice – Trim ref: 11/37696

Submission against proposal - Trim ref: 10/130723

Transcript of submission in support of proposal – Trim ref: 11/37455

Minutes of Section 223 committee meeting 23 February 2011 – Trim ref: 11/37356

Minutes of Section 223 committee meeting 12 April 2011 – Trim ref: 11/37654

13. Notices of Motion

**N 63 Notice of Motion – Cr Peulich
Department of Regional Development and Local Government’s
RDA Fund – Chain of Park concept**

Given the approach of the funding submission deadline for the Department of Regional Development and Local government’s RDA Fund,

1. “That Kingston Council confirms its support for the Chan of Park concept and that this be reflected in the recommendations of Planisphere’s Green Wedge report;
2. That Kingston Council develops a funding submission to the Regional Development Australia fund for the Chain of Parks;
3. That any funding submission comes back to Council by next CIS for review and comments by Councillors.”

Cr Paul Peulich
North Ward

N 64

Notice of Motion - Cr Dundas
Laneways

Kingston is experiencing many multi-storey multi-unit proposals for development. Many of these are proposing parking access through existing 3.05 metre laneways (many of which date back to horse and carriage days). Logistics problems are encountered for multiple vehicle use:

1. No passing possible
2. Historically, used as loading/delivery lane (with vehicles parked in lane during delivery cycle)
3. Often 2 way traffic permitted in single laneway
4. Often no passing provision provided

These existing laneways are and progressively will become overloaded with traffic and better provision is needed, such as:-

1. Extending width to 6 metre to allow for 2 way traffic
2. Provision of workable, legal passing bays in single lanes
3. Redesign of existing laneways to incorporate better traffic movement and where possible provision of parking spaces

There is a most urgent necessity for the Imposition of Overlays on property for planning provision.

Funding for laneways is not currently in Kingston Budget Provision.

Accordingly the following Notice of Motion is submitted:

“That an ongoing yearly provision be provided in Kingston Budge of \$2 million (or amended amount) for provision of overlay purchases, as identified, for laneways and associated parking.”

Cr Lewis Dundas
Central Ward

N 65

Notice of Motion – Cr Dundas
Beach Road Reservation

“That Kingston Council does not support a reduction in the current Beach Road reservation as to road width and parking provision between Charman Road, Cheltenham and Nepean Highway Mordialloc.

That a letter from the Mayor’s Office be forwarded to Minister of Roads conveying this resolution with copies to relevant local Members of Parliament.

That any future proposals as to provision of the Bay Trail shall not include a reduction to existing Beach Road carriageway or parking provision.”

Cr Lewis Dundas
Central Ward