

**City of Kingston  
Ordinary Council Meeting**

**Minutes**

**25 July 2011**

An Ordinary Meeting of Kingston City Council was held at 7.00pm at the Cheltenham Office, 1230 Nepean Highway, Cheltenham, on Monday 25 July 2011.

**1. Apologies**

**2. Confirmation of Minutes of Previous Meetings**

Minutes of Ordinary Council Meeting 27 June 2011

Minutes of Special Council Meeting 4 July 2011

Minutes of Special Council Meeting 11 July 2011

**3. Foreshadowed Declaration by Councillors, Officers or Contractors 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**

Ken Carney

**6. Reports from Village Committees**

**7. Reports from Delegates Appointed by Council to Various Organisations**

**8. Question Time**

**9. Environmental Sustainability Reports**

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N 108 Kingston Tennis Strategy – Final.....Page No 25

N 109 Contract 11/59 - Spray Avenue, Mordialloc Road Reconstruction Tender  
Report ..... Page No 30

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and Schedules 16,17, 18 and 19 of the Design  
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**10. Community Sustainability Reports**

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**11. Organisational Development & Governance Reports**

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**12. Corporate Services Reports**

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**13. Notices of Motion**

**14. Urgent Business**

**15. Items in Camera**

N 122	Legal Matter
N 123	Community Group Matter
N 124	Personnel Matter

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Minutes of the Ordinary Meeting of Kingston City Council held at the Cheltenham Office, 1230 Nepean Highway, Cheltenham, on Monday 25 July 2011 which commenced at 7.02pm.

**Present:** Cr Ron Brownlees (Mayor)  
Cr Arthur Athanasopoulos  
Cr Lewis Dundas  
Cr Dan Moloney  
Cr Paul Peulich  
Cr Trevor Shewan  
Cr Steve Staikos  
Cr Rosemary West OAM

**In Attendance:** Paul Franklin – Acting Chief Executive Officer  
Mauro Bolin – General Manager Community Sustainability  
Rachel Hornsby – General Manager Environmental Sustainability  
Trish Smyth – Acting General Manager Organisational Development & Governance  
Jonathan Guttman – Manager City Strategy  
Sarah Bishop – Acting Manager Communications & Public Affairs  
Phil De Losa – Program Leader Governance  
Nicola Wright – Governance Officer

**1. Apologies**

Cr John Ronke  
John Nevins – Chief Executive Officer

**Crs Peulich/Moloney**

That the apologies be noted.

**Carried**

The Mayor, Cr Brownlees welcomed Rachel Hornsby – General Manager Environmental Sustainability to her new role at Kingston and her first Ordinary Council meeting.

**2. Confirmation of Minutes of Previous Meetings**

Minutes of Ordinary Council Meeting 27 June 2011  
Minutes of Special Council Meeting 4 July 2011  
Minutes of Special Council Meeting 11 July 2011

**Crs Staikos/Athanasopoulos**

That the Minutes of:  
Ordinary Council Meeting 27 June 2011  
Special Council Meeting 4 July 2011  
Special Council Meeting 11 July 2011 be confirmed.

**Carried**

**3. Foreshadowed Declaration by Councillors or Officers of any Conflict of Interest**

Cr Lewis Dundas declared a conflict of interest in Item N 112 – Rezone land at northern precinct of Southern Road from Industrial 1 Zone to Residential 3 Zone.

**4. Petitions**

None

**5. Presentation of Awards**

The Mayor, Cr Ron Brownlees presented a certificate to Ken Carney for his work and ongoing contribution to the local community of Aspendale Gardens and commitment to Council for over 20 years.

**Procedural Motion**

**Crs Staikos/Peulich**

That Standing Orders be suspended to allow the recipient of the award to respond.

The Motion was carried.

**Procedural Motion**

**Crs Staikos/Shewan**

That Standing Orders be resumed.

The Motion was carried.

**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 July 2011*

**Highlight: Mayor, Cr Brownlees briefing on the Port of Hastings**

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**6.2 Mentone/Parkdale Village Committee**

**Chairperson – Dorothy Booth**

*Report of Meeting held on 5 July 2011*

**Village Committee Motion:**

Committee commented unanimously that they wish to see the Mentone Structure Plan passed as soon as possible.

**Officer Comment: The Council resolved to adopt the Mentone Activity Centre Structure Plan at the Special Council meeting held on Monday 11 July 2011.**

**Crs Dundas/West**

That the Village Committee be informed Council adopted the Mentone Activity Centre Structure Plan at a Special Council Meeting held on 11 July 2011.

**Carried**

**Highlight: Rosa Zouzoulas' attendance at this meeting – information provided was informative and worthwhile. A thankyou was expressed to Rosa on behalf of Committee.**

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**6.3 Mordialloc Village Committee**

**Chairperson – Loretta John**

*Report of Meeting held on 5 July 2011*

**Highlight: Discussion on liquor store licences.**

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**6.4 Dingley/Heatherton Village Committee**

**Chairperson – Anne Caprackas**

*Report of Meeting held on 6 July 2011*

**Highlight: Discussion of the new format for VC Meetings**

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**6.5 Moorabbin/Highett Village Committee**

**Chairperson – Les Heimann**

*Report of Meeting held on 6 July 2011*

**Highlight: Improvement of Pathway to include the CRM module**

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**6.6 Patterson Lakes/Carrum Village Committee**

**Chairperson – Malcolm Dunkinson**

*Report of Meeting held on 6 July 2011*

**Highlight: None**

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**6.7 Aspendale/Edithvale/Aspendale Gardens/Waterways Village Committee**

**Chairperson – Ken Carney**

*Report of Meeting held on 7 July 2011*

**Village Committee Motion:**

The Aspendale/Edithvale/Aspendale Gardens/Waterways Village Committee would like to thank Council CEO John Nevins for his undertaking to allow the 4th Mordialloc Sea Scouts to stay on Lambert's Island, and request he ensure Council proceeds to work with the Sea Scouts in good faith to implement Option 1 of the Business Case provided to Council in February 2011 that will see Scouting fully fund maintenance of the hall in return for a long term lease, or consider Option 2 as a shared funding arrangement between Council and Scouting to build a new hall available to the broader community under ongoing management of the Scouts.

**Officer Comment: Council has been involved in long term discussions and a decision has not yet been made on this matter. Council is prepared to have the Mordialloc 4<sup>th</sup> Sea Scouts remain on Lambert Island if there is a financial strategy in place to address the building's structural and maintenance issues.**

**Crs Shewan/Moloney**

That the Village Committee be advised of the outcome of Council's current initiatives to address the Mordialloc 4<sup>th</sup> Sea Scouts building structural and maintenance issues.

**Carried**

**Village Committee Motion:**

The Committee requests that Council engineers investigate with VicRoads the potential to extend the inside lanes of Wells Road to improve the left hand turn lanes into Springvale Road.

**Officer Comment: A meeting is scheduled with VicRoads on 26 July 2011 to discuss various issues, such as the Wells Road option.**

As a general guide, Council can seek funding from VicRoads on an annual basis and generally needs to have an agreed design prior to any request. Medium sized straight forward projects can take up 2 -3 years to develop from suggestion and assessment, to concept design, to detailed designs; this would include relevant community consultation. Even once designed and funding requested, projects have to be compared with other competing projects to ensure that Council and/or VicRoads funding is used to best benefit our community.

**Crs Shewan/Moloney**

That the Village Committee be updated, if and when key milestones are achieved on this request.

**Carried**

**Highlight: None**

- 6.8 Chelsea/Chelsea Heights/Bonbeach Village Committee**  
**Chairperson – John Bainbridge**  
*Report of Meeting held on 13 July 2011*

**Highlight: The Allocation of an Arts Grant totalling \$130,000 from Arts Victoria, Department of Transport, Metro, City of Kingston and Chelsea Community Renewal**

**7. Reports from Delegates**

Crs West and Shewan reported on their recent attendance at the Municipal Association of Victoria Councillor Development Weekend.

**Crs Peulich/Dundas**

That the reports be received.

**Carried**

**8. Question Time**

The Mayor informed the meeting that question time would take place at approximately 8.00pm. (Refer to page 29 of the minutes).

**Procedural Motion**

**Crs Staikos/Peulich**

That Item N 117 be now considered.

The Motion was carried.

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**Crs Staikos/Peulich**

That Council resolve to adopt the Arts and Cultural Strategy.

**Carried**



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**9. Environmental Sustainability Reports**

**N 106 Town Planning Application Decisions – June, 2011**

**Approved By:** Tony Rijs-General Manager, Environmental Sustainability

**Author:** Ian Nice – Manager, Planning

Attached for information is the report of Town Planning Decisions for the month of June, 2011.

A summary of the decisions is as follows:

<b>Type of Decision</b>	<b>Number of Decisions Made</b>	<b>Percentage (%)</b>
Planning Permits	72	69
Notice of Decision	14	14
Refusal to Grant a Permit	6	7
Other - Withdrawn (1) - Prohibited (0) - Permit not required (7) - Lapsed (3)	11	10
<b>Total</b>	<b>103</b>	<b>100</b>

(NB: Percentage figures have been rounded)

**Recommendation**

That the report be noted.

**Crs Athanasopoulos/Staikos**

That the recommendation be adopted.

**Carried**

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KP-169/2011	1 Darvall Court	CHELTENHAM	17/03/2011	1/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-263/2011	42 Crawford Road	CLARINDA	18/04/2011	1/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-710/2010	39 Bay Street	PARKDALE	7/10/2010	1/06/2011	TWO (2) DWELLINGS	Permit Issued	Yes
KP-55/2011	10 Bertram Street	MORDIALLOC	27/01/2011	1/06/2011	NEW DWELLING - LSIO	Permit Issued	NO
KP-305/2010	82 Station Street	ASPENDALE	20/05/2010	1/06/2011	TWO (2) DWELLINGS	Permit Issued	Yes
KP-88/2011	24 Warren Road	MORDIALLOC	11/02/2011	1/06/2011	SINGLE DWELLING ON LAND SUBJECT TO A SPECIAL BUILDING OVERLAY	Permit Issued	NO
KP-880/2010	80 Sherwood Avenue	CHELSEA	3/12/2010	1/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-305/2011	34 Portland Place	WATERWAYS	12/05/2011	1/06/2011	SINGLE DWELLING ON LAND SUBJECT TO INUNDATION OVERLAY	Permit Issued	NO
KP-290/2010	1 Foster Street	ASPENDALE	14/05/2010	1/06/2011	CONSTRUCT A DWELLING ON A LOT LESS THAN 300SQM	Notice of Decision	NO
KP-214/2011	6 Sycamore Avenue	MENTONE	7/04/2011	1/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-444/2010	2 Horscroft Place	MOORABBIN	7/07/2010	1/06/2011	CHANGE OF USE - OFFICE WITH	Permit Issued	NO

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					REDUCTION IN CAR PARKING REQUIREMENTS		
KP-84/2011	Unit 1 47 Albenca Street	MENTONE	10/02/2011	1/06/2011	SIX (6) LOT SUBDIVISION	Permit Issued	NO
KP-868/2010	9 Graham Road	CARRUM	29/11/2010	3/06/2011	THREE (3) DWELLINGS	Permit Issued	NO
KP-598/2009/A	1 Helena Street	CLAYTON SOUTH	24/02/2011	3/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-162/2011	14 Warren Road	MORDIALLOC	10/03/2011	3/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-116/2011	1 Swallow Court	PATTERSON LAKES	25/02/2011	3/06/2011	REPLACE JETTY 78	Permit Issued	NO
KP-134/2011	15 Swallow Court	PATTERSON LAKES	7/03/2011	3/06/2011	REPLACE JETTY NO. 82	Permit Issued	NO
KP-136/2011	206 Gladesville Boulevard	PATTERSON LAKES	7/03/2011	3/06/2011	REPLACE JETTY 90	Permit Issued	NO
KP-131/2011	2 Brigantine Court	PATTERSON LAKES	7/03/2011	3/06/2011	REPLACE JETTY NO. 15	Permit Issued	NO
KP-926/2010	223 Como Parade East	PARKDALE	24/12/2010	3/06/2011	TWO (2) DWELLINGS & TWO (2) LOT SUBDIVISION	Notice of Decision	NO

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KP-133/2011	6 Brigantine Court	PATTERSON LAKES	8/03/2011	3/06/2011	REPLACE JETTY NO. 16	Permit Issued	NO
KP-105/2011/A	38 Barkly Street	MORDIALLOC	27/05/2011	3/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-89/2011	18-20 Baxter Avenue	CHELSEA	11/02/2011	3/06/2011	CHANGE OF USE - TAKE AWAY FOOD PREMISES	Permit Not Required	NO
KP-254/2011	11 Wannan Street	HIGHETT	14/04/2011	3/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-294/2011	Unit 2 50 Parkers Road	PARKDALE	6/05/2011	6/06/2011	DWELLING EXT.	Withdrawn	NO
KP-60/2010	4 Niringa Avenue	ASPENDALE	9/02/2010	6/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-311/2011	28 Curlew Point Drive	PATTERSON LAKES	16/05/2011	6/06/2011	REPLACE JETTY (JETTY 119)	Permit Issued	NO
KP-873/2010	9 Hoffman Street	CHELTENHAM	3/12/2010	6/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-546/2010/A	48 Albenca Street	MENTONE	18/05/2011	6/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-201/2011	293 Nepean Highway	EDITHVALE	31/03/2011	7/06/2011	THREE (3) LOT SUBDIVISION	Permit Issued	NO
KP-462/2010	92 Argyle Avenue	CHELSEA	12/07/2010	7/06/2011	TWO (2) DWELLINGS	Notice of Decision	NO
KP-353/2010	252 Gladesville Boulevard	PATTERSON LAKES	7/06/2010	7/06/2011	TWO (2) DWELLINGS	Lapsed	NO

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KP-27/2011	1242 Nepean Highway	CHELTENHAM	17/01/2011	7/06/2011	BUILDINGS AND WORKS USE OF LAND FOR A CARWASH AND CAFE	Permit Issued	NO
KP-211/2011	1126-1146 Centre Road	OAKLEIGH SOUTH	5/04/2011	8/06/2011	BUILDING & WORKS	Permit Issued	NO
KP-647/2010	5 40 Nepean Highway	ASPENDALE	16/09/2010	8/06/2011	DWELLING EXTENSION	Notice of Decision	NO
KP-853/2009	2-4 Nepean Highway	MENTONE	22/12/2009	8/06/2011	MAJOR PROMOTIONAL, SKY SIGN	Refused	Yes
KP-721/2009	1 Perry Street	MOORABBIN	30/10/2009	8/06/2011	THREE (3) DWELLINGS	Permit Issued	Yes
KP-46/2011	59 Langrigg Avenue	EDITHVALE	25/01/2011	8/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-155/2011	8 27 Shearson Crescent	MENTONE	9/03/2011	8/06/2011	BUILDINGS & WORKS	Permit Issued	NO
KP-891/2010	1-19 Industrial Drive	BRAESIDE	10/12/2010	8/06/2011	BUILDINGS AND WORKS ON LAND SUBJECT TO INUNDATION OVERLAY	Permit Issued	NO
KP-97/2011	35 Oakes Avenue	CLAYTON SOUTH	17/02/2011	8/06/2011	ADVERTISING SIGN	Permit Issued	NO
KP-70/2011	8A Eveline Avenue	PARKDALE	4/02/2011	10/06/2011	DWELLING EXTENSION ON LAND SUBJECT TO A SPECIAL BUILDING	Permit Issued	NO

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					OVERLAY		
KP-61/2011	1266 Nepean Highway	CHELTENHAM	7/02/2011	10/06/2011	FOUR (4) LOT SUBDIVISION	Permit Issued	NO
KP-497/2010	27 Eulinga Road	CLARINDA	26/07/2010	10/06/2011	FOUR (4) DWELLINGS	Notice of Decision	NO
KP-882/2010	398 Clayton Road	CLAYTON SOUTH	6/12/2010	10/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-711/2010	308 Nepean Highway	PARKDALE	8/10/2010	10/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-86/2004	216 Wickham Road	HIGHETT	17/02/2004	10/06/2011	ANMIAL BOARDING	Permit Issued	NO
KP-682/2010	35 Garfield Street	CHELTENHAM	21/09/2010	10/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-193/2011	38 Coast Banksia Drive	BONBEACH	15/03/2011	15/06/2011	BUILDINGS & WORKS	Permit Not Required	NO
KP-279/2011	7 Ferrier Grove	BONBEACH	29/04/2011	15/06/2011	DWELLING EXTENSION ON A LOT LESS THAN 300 M2	Permit Not Required	NO
KP-620/2010	2 Hicks Street	PARKDALE	6/09/2010	15/06/2011	TWO (2) DWELLINGS ON LAND DESIGNATED WITHIN A SPECIAL BUILDING OVERLAY	Notice of Decision	NO

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KP-735/2009	1146-1148 Nepean Highway	HIGHETT	9/11/2009	15/06/2011	TO DEVELOP THIS SITE FOR ONE HUNDRED AND THIRTY-FOUR (134) DWELLINGS, TO ALTER ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1 (NEPEAN HIGHWAY), A REDUCTION IN CAR PARKING REQUIREMENTS PURSUANT TO CLAUSE 52.06 OF THE KINGSTON PLANNING SCHEME AND TO EXCEED THE	Permit Issued	Yes
KP-164/2011	303 Boundary Road	MORDIALLOC	15/03/2011	15/06/2011	SECTION 32 PLAN - 5 LOT SUBDIVISION	Permit Issued	NO
KP-290/2011	1 Blythe Court	DINGLEY VILLAGE	4/05/2011	15/06/2011	SINGLE DWELL ON LAND SUBJECT TO A SPECIAL BUILDING OVERLAY	Permit Issued	NO
KP-381/2011	4 Shoalwater Drive	WATERWAYS	6/06/2011	15/06/2011	SINGLE DWELLING	Permit Issued	NO
KP-888/2010	22 Ebb Street	ASPENDALE	7/12/2010	15/06/2011	TWO (2) DWELLINGS	Notice of Decision	NO
KP-156/2011	1 2 Wren	MOORABBIN	9/03/2011	15/06/2011	BUILDINGS & WORKS	Permit Issued	NO

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	Road						
KP-869/2008/A	49 Bondi Road	BONBEACH	8/06/2011	15/06/2011	3 LOT SUBDIVISION	Permit Issued	NO
KP-708/2010	8 Wilson Street	CHELTENHAM	5/10/2010	15/06/2011	TWO (2) DWELLINGS	Notice of Decision	NO
KP-655/2010	599A Nepean Highway	BONBEACH	17/09/2010	15/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-20/2010	278-281 Nepean Highway	EDITHVALE	14/01/2010	15/06/2011	SIXTEEN (16) DWELLINGS WITHIN A 2-STOREY APARTMENT STYLE BUILDING WITH A BASEMENT CAR PARK	Permit Issued	Yes
KP-301/2011	40 Pier One Drive	PATTERSON LAKES	11/05/2011	16/06/2011	SINGLE DWELLING ON LAND SUBJECT TO INUNDATION OVERLAY	Permit Issued	NO
KP-881/2010	235-237 Nepean Highway	EDITHVALE	5/12/2010	16/06/2011	INSTALLATION OF ATM	Permit Not Required	NO
KP-580/2010	13 Station Road	CHELTENHAM	24/08/2010	16/06/2011	VARIATION TO LIQUOR LICENCE	Permit Issued	Yes
KP-859/2010	Office FLOOR 1 255 Charman Road	CHELTENHAM	26/11/2010	16/06/2011	ADVERTISING SIGN	Permit Not Required	NO



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KP-204/2011	1468 Centre Road	CLAYTON SOUTH	1/04/2011	16/06/2011	TWO (2) DWELLING DEVELOPMENT	Permit Issued	NO
KP-801/2010	8-26 Canterbury Road	BRAESIDE	9/11/2010	16/06/2011	USE AND DEVELOPMENT OF THE SITE FOR A BROTHEL	Notice of Decision	NO
KP-488/2010	1 Ozone Avenue	ASPENDALE	23/07/2010	17/06/2011	FOUR (4) DWELLINGS	Notice of Decision	NO
KP-563/2010	560 Station Street	CARRUM	20/08/2010	20/06/2011	CHILD CARE CENTRE	Permit Issued	Yes
KP-100/2011	41-45 Tarnard Drive	BRAESIDE	21/02/2011	21/06/2011	BUILDINGS & WORKS	Lapsed	NO
KP-208/2011	7 Jeanette Street	CLAYTON SOUTH	7/04/2011	21/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-783/2010	5 Kingston Street	MORDIALLOC	1/11/2010	21/06/2011	TWO (2) DWELLINGS	Lapsed	NO
KP-790/2010	17 Norma Avenue	CHELTENHAM	5/11/2010	22/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-848/2010	5 25 Ti-Tree Grove East	PARKDALE	23/11/2010	22/06/2011	DWELLING EXTENSION & REMOVAL OF COVENANT	Permit Issued	NO
KP-26/2011	6 Wesley Court	HIGHETT	17/01/2011	22/06/2011	TWO (2) DWELLINGS & TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-425/2010	23 Elora Road	OAKLEIGH SOUTH	2/07/2010	22/06/2011	TWO (2) DWELLINGS	Permit Issued	NO

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KP-441/2010	7 Olive Grove	MENTONE	6/07/2010	22/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-850/2005	50-54 Alex Avenue	MOORABBIN	1/12/2005	22/06/2011	RETAIL PREMISES	Permit Not Required	NO
KP-477/2010	366-368 Boundary Road	DINGLEY VILLAGE	20/07/2010	22/06/2011	BUILDINGS & WORKS	Permit Issued	NO
KP-149/2011	5 Avenza Street	MENTONE	9/03/2011	22/06/2011	THREE (3) LOT SUBDIVISION	Permit Issued	NO
KP-49/2009/A	34-94 Oak Avenue	MENTONE	31/05/2011	23/06/2011	119 DOUBLE STOREY DWELLINGS WITHIN LAND SUBJECT TO A SPECIAL BUILDING OVERLAY	Permit Issued	NO
KP-43/2011	307 Station Street	CHELSEA	18/01/2011	23/06/2011	TO VARY THE RESTRICTION OF THE SECTION 173 AGREEMENT	Permit Not Required	NO
KP-317/2011	1 18 Chelsea Road	CHELSEA	16/05/2011	24/06/2011	TWO (2) LOT SUBDIVISION	Permit Issued	NO
KP-146/2011	27 Bowman Street	ASPENDALE	8/03/2011	24/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-747/2010	33 Bethell Avenue	PARKDALE	20/10/2010	27/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-606/2010	21 Dahmen Street	CARRUM	2/09/2010	27/06/2011	TWO (2) DWELLINGS	Notice of Decision	NO

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<b>Planning Decisions June, 2011</b>							
<b>APPL. No.</b>	<b>PROPERTY ADDRESS</b>	<b>SUBURB</b>	<b>APPL. DATE</b>	<b>DATE DECIDED</b>	<b>PROPOSAL DESCRIPTION</b>	<b>DECISION</b>	<b>VCAT DECISION</b>
KP-827/2010	434 Station Street	BONBEACH	22/11/2010	27/06/2011	THREE (3) LOT SUBDIVISION	Permit Issued	NO
KP-572/2010	49 Como Parade East	PARKDALE	23/08/2010	27/06/2011	TWO (2) DWELLINGS	Notice of Decision	NO
KP-39/2010	135 Lower Dandenong Road	MENTONE	28/01/2010	27/06/2011	TWENTY-ONE (21) LOT SUBDIVISION	Permit Issued	NO
KP-872/2010	307 Station Street	CHELSEA	2/12/2010	27/06/2011	TWENTY THREE (23) DWELLINGS	Refused	NO
KP-279/2010	12 Mascot Avenue	BONBEACH	12/05/2010	27/06/2011	FOUR (4) DWELLINGS	Permit Issued	NO
KP-860/2010	3 Booker Street	CHELTENHAM	26/11/2010	27/06/2011	THREE (3) DWELLINGS	Permit Issued	Yes
KP-745/2010	22-36 Bulli Street	MOORABBIN	19/10/2010	27/06/2011	BUILDNGS & WORKS	Permit Issued	Yes
KP-203/2009/A	75 Station Street	ASPENDALE	17/08/2010	27/06/2011	TWO DWELLINGS	Permit Issued	Yes
KP-871/2010	37 Patterson Street	BONBEACH	2/12/2010	27/06/2011	TEN (10) DWELLINGS	Refused	NO
KP-589/2010	28 Rennison Street	PARKDALE	27/08/2010	27/06/2011	FOUR (4) DWELLINGS	Permit Issued	Yes
KP-853/2010	2 Mentone Parade	MENTONE	25/11/2010	28/06/2011	BUILDINGS & WORKS	Notice of Decision	NO
KP-607/2010	80 Rowans Road	HIGHETT	2/09/2010	28/06/2011	TWO (2) DWELLINGS	Refused	NO

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<b>Planning Decisions June, 2011</b>							
<b>APPL. No.</b>	<b>PROPERTY ADDRESS</b>	<b>SUBURB</b>	<b>APPL. DATE</b>	<b>DATE DECIDED</b>	<b>PROPOSAL DESCRIPTION</b>	<b>DECISION</b>	<b>VCAT DECISION</b>
KP-327/2011	104 Rowans Road	MOORABBIN	19/05/2011	29/06/2011	CONSTRUCT AN EXTENSION TO A DWELLING ON LAND DESIGNATED WITHIN A SPECIAL BUILDING OVERLAY	Permit Issued	NO
KP-321/2011	34-94 Oak Avenue	MENTONE	13/05/2011	29/06/2011	VARIATION OF EASEMENT	Permit Issued	NO
KP-148/2011	27 Judd Parade	CHELTENHAM	9/03/2011	29/06/2011	TWO (2) DWELLINGS	Permit Issued	NO
KP-692/2010	72 Woodbine Grove	CHELSEA	30/09/2010	29/06/2011	THREE (3) DWELLINGS	Permit Issued	Yes

**N 107**

**Beach Road Street Tree Planting Report**

**Approved by:** Tony Rijs, General Manager Environmental Sustainability

**Author:** Tony Collins - Parks Team Leader

**1. Purpose**

To report on the outcome of community consultation for the proposed street tree planting project on Beach Road.

**2. Background**

The City of Kingston has a program in place to maximise the aesthetic values of Kingston's streetscapes by establishing and maintaining street and roadside tree planting, as outlined within Councils Plan, 2009-13, strategic indicator, 2.3.5.

Council's standard approach when undertaking large scale street tree replacement programs or 'whole of street' programs is to provide affected residents with a brief description defining the area to be planted and the reason for planting. A description or plan is provided indicating where new trees will be located. The nominated species for planting and the rationale for selection are provided along with three appropriate tree species of which the preferred species is to be selected by the residents. Residents are given the timelines of two weeks inclusive of 10 working days associated with the proposal, the opportunity to provide comment and a Council officer's name and contact details.

Following Council's resolution on the 24th of May 2010 (see below), Officers surveyed residents along Beach Road between Charman Road and Main Street Mordialloc in order to determine whether the planting of street trees would be supported.

**Crs Dundas/West**

That Council continue its approach to street tree planting within the Mentone to Mordialloc precinct by focusing on improving the amenity of the streets adjacent to Beach Road and the foreshore. Significant street tree planting has been undertaken within, High St, Epsom Rd, James St, Rosella Rd, Parkers Rd, Antibes St, Birdwood St, Sophia Grove, The Corso, Mentone Pd and Plummer Rd. Extensive street tree planting is scheduled for Warrigal Rd from Beach Rd to the Nepean Highway in 2010, starting with a pilot program of 10 to 20 plantings along Beach road, protected from wind and securely staked.

**Carried.**

Following this survey, a report was presented in October 2010 informing Council of the outcome of the pilot street tree planting consultation. Given the vast majority of residents who responded were opposed to the pilot street tree planting program, Council Officers recommended to the October Council meeting, not to undertake street tree planting along Beach Road.

The following resolution was made at Ordinary Council Meeting on the 25<sup>th</sup> of October 2010.

**Crs West/Brownlees**

That Council advise the Mentone Parkdale Village Committee and surveyed residents of Beach Road that following community consultation, Council will be planting street trees along Beach Road between Antibes and Foam Street and/or other streets, outside the homes of residents who either supported or did not oppose trees outside their houses in accordance with the wishes of residents who indicate a preference for a particular nature-strip location for their tree.

**Carried**

**3. Summary and Conclusion**

Following Council's resolution on the 25 of October 2010, Officers surveyed residents along Beach Road between Charman Road, Mentone and opposite Pier Road Mordialloc in order to determine whether the planting of street trees would be supported. Given the vast majority of the residents surveyed opposed the proposal; it is recommended that Council does not undertake any street tree planting along Beach Road. All surveyed residents and the Mentone Parkdale Village Committee will be advised of Council's decision.

**4. Consultation**

Residents of Beach Road between Charman Road, Mentone and opposite Pier Road Mordialloc were surveyed to identify those residents who either supported or did not oppose trees outside their houses and to provide an opportunity for the affected residents to make comment and nominate the preferred street tree species for Beach Road.

In total **455** individual Beach Road properties were surveyed, however it should be noted there are a number of dwellings included in this figure which do not face Beach Road. Surveyed residents were given two weeks to respond to the proposal. A number of surveys were returned after the deadline and these have all been included in the collated results.

Of the 455 individual properties surveyed, Council received 222 responses. This represents a higher response rate than what is typical for street tree surveys undertaken by council. The following details are a summary of all the survey responses.

- 26 of the 222 respondents (12%) supported the street tree planting program
- 4 of the 222 respondents (2%) did not mind.
- 192 of the 222 respondents (86%) did not support the street tree planting program

During the consultation process, it was evident that Council's survey letter was duplicated for reasons unknown. Therefore to accurately assess the feedback from surveyed residents, only those residents who provided an address in their response were considered as legitimate.

Of the **222** responses received **203** provided addresses of which **22** (11%) supported the planting project, **2** (1%) didn't mind and **179** (88%) did not support the planting project.

On Beach Road between Charman Road, Mentone and opposite Pier Road Mordialloc there are approximately **214** individual property lots that front Beach Road. These include schools, units, townhouses, houses and some commercial properties. In preparing the recommendation,

consideration has only been given to individual properties that front Beach Road and who provided an address in their survey response.

Council received **124** responses from a possible **214** properties fronting Beach Road. Of these, **4** (3%) supported the street tree planting project, **1** (1%) didn't mind and **119** (96%) did not support the planting project.

**Summary Table Of Survey Results**

<b>Number Of Residents who:</b>	<b>Total Respondents</b>	<b>Total Respondents With Addresses</b>	<b>Total Respondents With Addresses With Beach Road Frontage</b>
<b>Responded in Total</b>	<b>222</b>	<b>203</b>	<b>124</b>
Supported the street tree planting program	26	22	4
Did not mind	4	2	1
Did not support the street tree planting program	192	179	119

## **5. Issues**

Consultation with affected and interested members of the local community is paramount to ensuring the success of any street tree planting works. A well informed community that participates and has input into the process will ensure a successful outcome.

A number of common issues were raised from those residents who were opposed to the proposal including concerns of views to Port Phillip Bay being obscured and safety issues with regard to the amount of constant vehicle and bike traffic along Beach Road. (See above **Summary Table Of Survey Results**)

Consideration was given to the proposed species for the residents to select as the preferred species for the Beach Road. Due to the coastal aspect, indigenous coastal tolerant tree species were offered, ranging from medium sized trees to small trees. This however did not have any influence on the survey results.

## **6. Triple Bottom Line Checklist**

- **Environmental** – Improved air quality, shade, habitat, and storm water mitigation.
- **Social** – Reduced customer satisfaction and public concern.
- **Financial** – Poor financial performance due to potential tree vandalism and poor tree establishment rates.

**7. Recommendation**

That Council resolve to:

1. Not undertake any street tree planting along Beach Road.
2. Advise all surveyed residents and the Mentone Parkdale Village Committee of Council's decision

Attachments:

1. *Beach Road Street Tree Planting Consultation Letter*
2. *Beach Road Street Tree Planting Fact Sheet*
3. *Beach Road Proposed Street Tree Planting Numbers*
4. *Beach Road Street Tree Planting Survey*

**Crs West/Staikos**

That Council resolve to:

1. Proceed with "*a pilot program of 10 – 20 plantings along Beach Road*" (in accordance with Council's resolution of May 2010);
2. That such plantings be restricted to: "*outside the homes of residents who either supported or did not oppose trees outside their houses in accordance with (their) wishes regarding the nature-strip location for their tree*" (in accordance with Council's October 2010 resolution);
3. That residents who either supported or did not oppose a nature-strip tree be consulted personally regarding the most suitable and acceptable location for their tree.
4. If any such residents cannot be contacted or turn out not to want a tree, then no tree should be planted outside their houses as part of this pilot program;
5. That trees would not be planted in front of the houses of residents who indicated they did not want nature strip trees as part of this pilot program.
6. That letters informing all Beach Road residents of this resolution be submitted to all ward councillors in draft form before being finalised and sent.
7. That the mode of consultation with residents be discussed with Ward Councillors before implementation.

**Carried**

**A Division was called**

**For**

Cr Athanasopoulos  
Cr Dundas  
Cr Moloney  
Cr Peulich  
Cr Shewan  
Cr Staikos  
Cr West

**Against**

Mayor, Cr Brownlees

The Motion was carried.



**N 108                      Kingston Tennis Strategy - Final**

**Approved by:**            Tony Rijs, General Manager Environmental Sustainability

**Author:**                    Michael Haley, Leisure Planner

**1.        Purpose**

This report presents feedback on the draft strategy that has been out for public consultation and presents the final Tennis Strategy for formal adoption.

**2.        Council Plan**

Planned Outcome 1 – Infrastructure for a Safe and Active Community

Strategy 1.2. – Accessible and shared open spaces that promote social connectedness and active, healthy lifestyles.

The Kingston Tennis Strategy aims to enhance the provision of tennis opportunities in Kingston assisting the promotion of social connectedness and healthy active lifestyles for the community.

**3.        Background**

In June 2010 Council gave support for the completion of a tennis strategy for Kingston.

The development of a tennis strategy provides Council, tennis clubs and the community clear direction and advice in relation to the current and future provision of tennis within Kingston and provides an action plan for Council to ensure sustainable facilities for future community use.

In April 2011 the Draft Kingston Tennis Strategy was presented to Council and it was agreed in Council that this draft strategy should be put out for public comment for a 4 week period. This 4 week period has now concluded and this report outlines the key issues raised in this consultation process and presents a final strategy for formal adoption.

**4.        Summary and Conclusion**

The consultation process in relation to the draft strategy has been completed and has resulted in 11 submissions. The majority of these submissions are from members of tennis clubs who have raised a range of issues in relation to the strategy. The final strategy attached incorporates some minor changes to address some of the issues that were identified in this feedback process. It should be noted that a majority of issues raised in the consultation were very club specific and can be addressed through further consultation with the clubs concerned.

**5.        Consultation**

The Draft Tennis Strategy was released for public comment on Monday 4 April for a 4 week period. The release of the strategy was widely publicised through articles in local media, press releases and a specific page on Councils website. In addition the draft strategy was on display at all Council customer service centres and all libraries throughout Kingston. Copies of the draft strategy were forwarded to all tennis clubs in Kingston and to Tennis Victoria.

As a result of the consultation period Council received 11 submissions to the strategy from tennis clubs and members of the public as well as a response from Tennis Victoria. Key issues raised in the consultation process are outlined in the issues section attached. Everyone who provided comments on the draft strategy will be sent a response.

**6. Issues**

The comments received raised a number of issues in relation to the strategy. A detailed list of all the comments received during the consultation phase can be found in Attachment 2. A summary of the main issues raised in the consultation and details of how the strategy responds to these issues is presented below. The Implementation plan listing recommendations from the strategy can be found in Attachment 3.

<b>Issues raised</b>	<b>Number of responses</b>	<b>Tennis Strategy response</b>
<b>Council's role in tennis facilities</b>		
Clarification of councils support for clubs	4	Council support all clubs as evidence by a number of Tennis Strategy recommendations
Better communication between clubs and Council	2	Better communications part of Tennis strategy as evidenced by forum with clubs. Refer recommendation 32
Councils role to provide consistent leases for all clubs, which does not happen currently	2	Confirmed in recommendations 1 and 2 (occupancy agreements)
To help clubs in business planning can council identify an asset renewal plan	1	Asset renewal plan not defined, but asset responsibilities will be clarified as part of occupancy agreement discussions.
Difficult to get help from Council with larger projects	1	Tennis Strategy advises Council support for immediate infrastructure projects. Refer recommendations 14,15,16,17
<b>Number of courts/sustainability of clubs</b>		
Clarification sought on recommendation regarding redesign of current facilities through masterplanning	1	This issue has been clarified Refer recommendation no 6, 7, 8, 9.
No need for more courts. More public courts close to clubs, less members for clubs. Membership is the lifeblood of clubs	1	Consideration may be given to build additional public access courts in specific areas only where demand exceeds provision by existing club courts.
Clarification sought on future of Chelsea, Chelsea Heights clubs	4	Tennis strategy supports retention of all clubs , while acknowledging issues outside of Council control may impact

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		on viability of some clubs
More signage and a marketing/promotion plan will assist sustainability of clubs	1	Refer recommendation 34 (signage upgrades)
Support a variety of clubs in both size and style	1	Tennis Strategy supports retention of all clubs, while acknowledging issues outside of Council control may impact on viability of some clubs.
<b>Infrastructure Development</b>		
Clarification sought as to what would be on Council's asset renewal program? Lighting, fencing, netposts?	1	This issue will be clarified as part of discussions regarding responsibilities/agreements
Cost of lighting repairs need to be identified	1	An audit of tennis court lighting will be included as part of the upcoming sporting facilities infrastructure audit.
<b>Growing participation</b>		
Clubs seeking Council/TV support to run programs for schools, community and disability organisations to encourage participation.	2	Refer recommendations 26,28 and 29 (partnerships with Tennis Victoria)
You need programs and volunteers to increase participation – not enough volunteers to assist. Concerns re lack of volunteers	3	Volunteer retention an issue across all sports. Will work with Tennis Victoria and clubs in partnership with Councils Community Engagement team to provide training opportunities for club members. Refer recommendation 30 and 32.
Clubs do not always have access to people with the right skills/leadership to assist growth – time is also an issue.	1	Related to volunteerism and training. Refer recommendation 30 and 32.
Encourage mores seniors as they are increasing in numbers locally	2	Recommendation 26 - development of programs to encourage participation
<b>Other issues</b>		
Concerns regarding use of central booking system – more information required as to how this works. Will this system collect fees?	2	Council will look to develop this program in association with clubs and TV and a number of issues will be resolved as part of this process
ITF approved surfaces very expensive to install and maintain	1	Clubs and Council will be able to consider all surfaces including an ITF approved surface when upgrading existing courts or looking to develop new courts
In future clubs may require administrators to assist in running clubs(which they wont be able to	1	Refer to issues raised above and recommendation 24

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afford) due to lack of volunteers		
Highnoor financially secure well run club and very sustainable and not vulnerable to closure in the long term	1	Tennis Strategy wording has been altered slightly to address the clubs concerns in relation to this issue.
Provide more interaction between Councils Sport and Recreation department and clubs	1	Tennis Strategy will result in much better communication between clubs and council. Refer to recommendation 32.

In addition to the comments received from the public and members of tennis clubs a submission was also received from Tennis Victoria. Tennis Victoria's submission was very supportive of the Strategy and they are keen to work with Council in implementation of a range of recommendations in the Strategy. Tennis Victoria sees it as part of their role to partner with Council in many areas of the strategy, particularly in relation to increasing participation to strengthen tennis clubs in Kingston.

**7. Triple Bottom Line Checklist**

- **Environmental** – The high number of porous courts in Kingston and the continued maintenance of these courts is an environmental issue. Most clubs are currently working to agreed water management plans with the water suppliers and many have tanks in place. A number of clubs use bore water as the main water source which has significant issues in relation to corrosion of net posts and light poles and Council will need to work with these clubs to investigate alternative water sources in the future.
- **Social** – The draft strategy aims to facilitate an increase in tennis participation within Kingston, to provide healthy lifestyle benefits to the community.
- **Financial** – The implementation of this draft strategy will have financial impacts for Council It recommends that Council make an initial capital contribution of \$70,000 per year for the next two years for the renewal/refurbishment of existing tennis infrastructure.

**8. Recommendation**

That Council resolve to adopt the Kinston Tennis Strategy.

Attachments:

*Attachment 1 – Kingston Tennis Strategy*

*Attachment 2 – Summary of responses to Draft Tennis Strategy*

*Attachment 3 – Implementation plan for Tennis Strategy*

**Crs Peulich/Dundas:**

1. That Council resolves to adopt the Kingston Tennis Strategy.
2. That a common lease template and service agreement template for clubs be submitted to Council prior to the next Ordinary Council meeting.
3. That a Kingston Tennis guide be developed for clubs to reflect the governance, maintenance and club development direction as set out by the Strategy.

**Carried**

**8 Question Time (continued)**

The Mayor advised that no questions had been received.

**N 109                      Contract No. 11/59  
Spray Avenue, Mordialloc – Wells Road to Governor Road  
Road Reconstruction – Tender Report**

**Approved by:**            Tony Rijs, General Manager Environmental Sustainability

**Author:**                    Brian Trower, Team Leader Roads & Drains

**1.    Purpose of Report**

This report seeks Council's approval to accept tenders for Contract No. 11/59– Spray Avenue Mordialloc, Wells Road to Governor Road – Road Reconstruction. It is proposed that **PRESTA & SONS PTY LTD** be accepted as the preferred tenderer for this contract based on their submitted tender of **\$1,477,000.00**.

**2.    Council Plan**

**1.1    Sustaining Kingston's Assets**

- 1.1.1    Implement Kingston's Asset Management program including:
- Identify & undertake priority works

**3.    Background**

The sections of road covered by this contract have been identified for replacement as part of council's standard road condition survey. The existing guttering and road surface has reached the end of its' expected life and is due for replacement to maintain a satisfactory road for local residents. Whilst rebuilding the road, council is taking the opportunity to improve the underground drainage system along Spray Avenue from Wells Road to Governor Road, parts of Wells Road and Governor Road.

**4.    Brief Description of the Work under the Contract**

The works involved in this contract includes the reconstruction of Spray Avenue Mordialloc, from Wells Road to Governor Road; parts of Wells Road and parts of Governor Road. Items covered as part of this contract include:

- Replacement of all concrete kerbs on both sides of the road.
- Replacement of all concrete vehicle crossings.
- Replacement of the footpath on both sides
- Asphalt resurfacing of the road
- Upgrading of street drainage.

**5.    Tenders Received**

Tenders were advertised in The Age on Wednesday 15 June 2011 and closed at 2.00pm on Thursday 30 June 2011. Three (3) tenders were received, details of which are set out in the *Confidential Attachment*.

**6. Project Funding**

This project will be funded from Council's 2011/12 Capital Works Budget.

**7. Evaluation Panel**

The tenders were assessed by:

Tony Pell – Senior Construction Engineer,  
Chang Wuol – Construction Engineer

**8. Triple Line Checklist**

**8.1 Budget/Financial Impact**

For the subject contract the preferred tenderer represents the best outcome to Council in terms of value for money and level of risk. The submitted price from the preferred contractor is below the Design Engineer's estimate.

**8.2 Social Impact**

There will be inconveniences during the works which are typical of a large road reconstruction contract such as this one. A Special Clauses document was prepared as part of the contract package, which outlines a number of requirements set out by Council to stage the works and minimise community disruption as much as possible.

**8.3 Environmental Impact**

Environmental impacts during construction of these works will be minimised due to measures put in place for controlling stormwater runoff quality, including silt barriers and straw bales

The final outcome of the works will alleviate a significant drainage/flooding issue in the area

**9. Summary and Conclusion**

The Evaluation Panel has ranked PRESTA & SONS PTY LTD highly for this contract. The panel believes that PRESTA & SONS PTY LTD have demonstrated their ability via their tender submission and previous works undertaken for Kingston City Council, to provide the best overall value for the construction of CONTRACT NO. 11/59 – SPRAY AVENUE MORDIALLOC, WELLS ROAD TO GOVERNOR ROAD – ROAD RECONSTRUCTION.

**10. Recommendation**

That CONTRACT NO. 11/59 – SPRAY AVENUE MORDIALLOC, WELLS ROAD TO GOVERNOR ROAD – ROAD RECONSTRUCTION be awarded on a Lump Sum basis to PRESTA & SONS PTY LTD for the tendered price of **\$1,477,000.00** Please refer to the "Confidential Attachment" outlining the scoring matrix and all other submissions.

**Attachments**

Confidential Attachment

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**Crs Staikos/Peulich**

That the recommendation be adopted

**Carried**





*Contractor Management Systems*  
*Certificate of Certification*

The organisation listed below has been assessed as meeting the requirements of the Civil Contractors Federation Construction Management Code, inclusive of Environmental, Occupational Health and Safety and Quality Management.

**Presta & Sons Pty Ltd**  
25 Macquarie Drive Thomastown VIC 3074

**Scope of Works**

Road and footpath construction, civil works

**Code Description**

E1 R1 D1 P1 KP1 KP2

CCF Registration No:

P390/07

Conformity Assessment Body Reference:

100236

Period of Registration:

28 August 2010 to 28 August 2011

Date of Assessment:

13 August 2010



**SYSTEMS CERTIFIED  
CONTRACTOR**

Chris White  
CCF Chief Executive Officer

Nino Capogreco, Assessor  
Global-Mark Pty Ltd



global-mark®

**JAS-ANZ**



[www.jas-anz.org/register](http://www.jas-anz.org/register)

N 110

**Contract No. 11/58  
Patterson Street & Ilma Grove, Bonbeach  
Road Reconstruction – Tender Report**

**Approved by:** Tony Rijs, General Manager Environmental Sustainability

**Author:** Brian Trower – Team Leader Roads & Drains

### **1. Purpose of Report**

This report seeks Council's approval to accept tenders for Contract No. 11/58– Patterson Street & Ilma Grove, Bonbeach – Road Reconstruction. It is proposed that **CDN CONSTRUCTORS PTY LTD** be accepted as the preferred tenderer for this contract based on their submitted tender of **\$1,002,724.10**

### **2. Council Plan**

#### **1.1 Sustaining Kingston's Assets**

- 1.1.1 Implement Kingston's Asset Management program including:
- Identify & undertake priority works

### **3. Background**

The sections of road covered by this contract have been identified for replacement as part of council's standard road condition survey. The existing guttering and road surface has reached the end of its' expected life and is due for replacement to maintain a satisfactory road for local residents. Whilst rebuilding the road, council is taking the opportunity to improve the underground drainage system along Patterson Street and Ilma Grove.

### **4. Brief Description of the Work under the Contract**

The works involved in this contract includes the reconstruction of Patterson Street from Mernda Avenue to Breeze Street, and Ilma Grove from The Fairway to Patterson Street. Items covered as part of this contract include:

- Replacement of all concrete kerbs on both sides of the road.
- Replacement of all concrete vehicle crossings.
- Replacement of the footpath on both sides
- Asphalt resurfacing of the road
- Upgrading of street drainage.

### **5. Tenders Received**

Tenders were advertised in The Age on Saturday 18 June 2011 and closed at 2.00pm on Thursday 7 July 2011. Five (5) tenders were received, details of which are set out in the *Confidential Attachment*.

### **6. Project Funding**

This project will be funded from Council's 2011/12 Capital Works Budget.

## **7. Evaluation Panel**

The tenders were assessed by:

Tony Pell – Senior Construction Engineer,  
Chang Wuol – Construction Engineer

## **8. Triple Line Checklist**

### **8.1 Budget/Financial Impact**

For the subject contract the preferred tenderer represents the best outcome to Council in terms of value for money and level of risk. The submitted price from the preferred contractor is below the Design Engineer's estimate.

### **8.2 Social Impact**

There will be inconveniences during the works which are typical of a large road reconstruction contract such as this one. A Special Clauses document was prepared as part of the contract package, which outlines a number of requirements set out by Council to stage the works and minimise community disruption as much as possible.

### **8.3 Environmental Impact**

Environmental impacts during construction of these works will be minimised due to measures put in place for controlling stormwater runoff quality, including silt barriers and straw bales

The final outcome of the works will alleviate a significant drainage/flooding issue in the area

## **9. Summary and Conclusion**

The Evaluation Panel has ranked CDN CONSTRUCTORS PTY LTD highly for this contract. The panel believes that CDN CONSTRUCTORS PTY LTD have demonstrated their ability via their tender submission and previous works undertaken for Kingston City Council, to provide the best overall value for the construction of CONTRACT NO. 11/58 – PATTERSON STREET & ILMA GROVE BONBEACH – ROAD RECONSTRUCTION.

## **10 Recommendation**

That CONTRACT NO. 11/58 – PATTERSON STREET & ILMA GROVE BONBEACH – ROAD RECONSTRUCTION be awarded on a Lump Sum basis to CDN CONSTRUCTORS PTY LTD for the tendered price of **\$1,002,724.10** Please refer to the "Confidential Attachment" outlining the scoring matrix and all other submissions.

Attachments  
2 x Confidential Attachments

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**Crs Shewan/Athanasopoulos**


That the recommendation be adopted

**Carried**

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 <b>City of KINGSTON</b>	<b>Review of Contractor OHS Management System Documentation for CDN Constructors Pty Ltd</b>
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Date of assessment: 22/04/2011

Comment	Date of expiry of independent certification
CDN Constructors Pty Ltd are certified as a major contractor pursuant to Kingston's contractor OHS management policy.	27/04/2012

**Certification**

I have reviewed the Occupational Health & Safety documentation provided by the recommended tenderer and certify that to the best of my knowledge it satisfies Council's statutory occupational health and safety obligations

Name: Brian Trower  
Position: Team Leader Roads and Drains

Signature: 

Date: 25/04/2011

**N 111            Requests to Minister for Planning - Kingston Planning Scheme Review and Schedules 16, 17, 18 and 19 of the Design and Development Overlay**

**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 write to the Minister for Planning to provide for the:

- a) An extension of time to complete the Kingston Planning Scheme Review;
- b) Having recently adopted Structure Plans for Moorabbin, Cheltenham and Mentone seek the consent of the Minister for Planning to extend the expiry date on the existing schedules to the Design and Development Overlay of the Kingston Planning Scheme to provide for the statutory translation of the Structure Plans through a Planning Scheme Amendment process; and
- c) A Planning Scheme Amendment to implement permanent planning controls for the Parkdale Neighbourhood Activity Centre.

**2. Council Plan**

The Council Plan through Planned Outcome 2 – A Sustainable Environment seeks through Strategy 2.1 to provide *‘insightful, intergenerational planning and delivery’* and contains Strategic Action 2.1.2 which seeks to *‘review local planning and process’*. The Planning Scheme Review work presently occurring is deemed to be consistent with this action.

Strategy 2.2 of the Council Plan seeks to *‘strike a balance between development and amenity’* and reinforces through the strategic actions, the role of structure plans and the importance of the planning controls stemming from the structure plans. The continuance of interim controls in the Planning Scheme whilst the statutory translation of the structure plans is occurring is deemed consistent with this section of the Council Plan.

**3. Background**

Planning Scheme Review

Council Officers have commenced the preparation of a review of the Kingston Planning Scheme which is scheduled to be completed by 30<sup>th</sup> September, 2011. In developing the preliminary work for the Planning Scheme Review, Officers are keen to ensure that the Planning Scheme Review process provides for an inclusive process of community consultation as well as capturing issues already identified by Council that they wish to further explore as enhancements to aspects of the Kingston planning Scheme. Based on these considerations it is apparent that completion of the Kingston Planning Scheme Review is unlikely to occur by the 30th of September, 2011.

Schedules 16,17,18 and 19 to the Design and Development Overlay

The Kingston Planning Scheme at present has the following schedules contained within the Design and Development Overlay which were introduced through Planning Scheme Amendment C100:

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- Schedule 16 – Cheltenham Activity Centre
- Schedule 17 – Parkdale Activity Centre
- Schedule 18 – Moorabbin Activity Centre
- Schedule 19 – Mentone Activity Centre

Contained within Clause 4 of these Schedules is an expiry provision which reads as follows: *'The schedule does not apply after October 31, 2011'*

With a significant focus over the past few years on the development of Structure Plans for Council's Moorabbin, Cheltenham and Mentone Major Activity Centres the following has occurred at recent Council Meetings:

- Adoption of the Cheltenham Structure Plan at the 26 July, 2010 Ordinary Council Meeting and a resolution of Council at the 27<sup>th</sup> June, 2011 Council Meeting to seek direction from the Minister for Planning to commence the statutory implementation via a Planning Scheme Amendment of the Cheltenham Structure Plan.
- Adoption of the Moorabbin Structure Plan at the Ordinary Council Meeting on 23<sup>rd</sup> May, 2011
- Adoption of the Mentone Structure Plan at a Special Council Meeting on the 10<sup>th</sup> July, 2011.

Based on the above directions of Council, Officers are presently undertaking the following relevant to each of the above mentioned Structure Plans:

- Formulating the required documentation to submit to the Minister for Planning in relation seeking authorisation to commence a Planning Scheme Amendment for the Cheltenham Major Activity Centre.
- Making the required modifications to the Moorabbin and Mentone Structure Plans in accordance with the resolutions of Council to then provide for a request to Council to seek authorisation from the Minister for Planning to commence a Planning Scheme Amendment for the Moorabbin and Mentone Major Activity Centres.

#### **4. Summary and Conclusion**

This report seeks direction from Council to write to the Minister for Planning to extend the period for Council to complete the review of the Kingston Planning Scheme and also to extend the expiry date of schedules to the Design and Development Overlay within the Kingston Planning Scheme relevant to the Cheltenham, Parkdale, Mentone and Moorabbin Activity Centres.

Officers believe Council is able to demonstrate through the significant amount of work it has undertaken in developing Structure Plans for some of its key Activity Centres that it is progressing towards the completion of planning controls to inform future investment in these centres in accordance with the direction sought through the State Planning Policy Framework. For this reason it is considered that its request outlined in the recommendation will allow for the orderly and proper planning of the areas concerned to be maintained whilst important planning work is completed in accordance with the provisions of the Planning and Environment Act 1987.

**5. Consultation**

Community consultation for the Planning Scheme Review will be the subject of an upcoming report to Council.

The exhibition of the proposed planning controls to implement the Moorabbin, Cheltenham and Mentone Structure Plans is required as part of the required Planning Scheme Amendments and will provide for an opportunity for community input.

**6. Issues**

Over the term of this Council substantial work has been undertaken on formulating detailed structure plans for the Moorabbin, Cheltenham and Mentone Major Activity Centres and has culminated in the adoption of these plans over recent months by Council. Given it is likely that the statutory implementation of the Structure Plans is likely to take approximately twelve months it is appropriate to request the Minister for Planning extend the current interim controls to ensure the integrity of Council's Planning work is not compromised through inappropriate development proposals which provide outcomes which are not in accordance with the structure plans.

**7. Triple Bottom Line Checklist**

- **Environmental** – The planning initiatives contained within this report are significant in that they provide important direction as to both the overarching planning principles within the Kingston Planning Scheme and also how change will occur in key Activity Centres in the future.
- **Social** – Council has maintained a significant process of community consultation throughout the development of its structure plans and to maintain the integrity of this process it is important that planning controls are maintained throughout the implementation of the structure plans.
- **Financial** – No significant financial implications are associated with the preparation of the request outlined in the recommendation.



**8. Recommendation**

That Council resolve to write to the Minister for Planning requesting:

- a) An extension of time to complete the Kingston Planning Scheme Review till end March 2012;
- b) The expiry date shown in Clause 4 of Schedule 16 to the Design and Development Overlay applicable to the Cheltenham Major Activity Centre extended to 31<sup>st</sup> December, 2012;
- c) The expiry date shown in Clause 4 of Schedule 17 to the Design and Development Overlay applicable to the Parkdale Neighbourhood Activity Centre be extended to 31<sup>st</sup> December, 2012;
- d) The expiry date shown in Clause 4 of Schedule 18 to the Design and Development Overlay applicable to the Mentone Major Activity Centre be extended to 31<sup>st</sup> December, 2012; and
- e) The expiry date shown in Clause 4 of Schedule 19 to the Design and Development Overlay applicable to the Moorabbin Major Activity Centre be extended to 31<sup>st</sup> December, 2012.

**Crs Staikos/West**

That the recommendation be adopted

**Carried**

Cr Athanasopoulos left the Chamber at 8.04pm

Cr Athanasopoulos returned to the Chamber at 8.05pm

Cr Dundas declared a direct interest in Item N 112 by virtue of owning property in Southern Road that may result in a direct benefit or loss if the matter is decided in a particular way and left the Council Chamber at 8.07pm before the discussion and the vote on the matter.

**N 112                    Amendment C111- Rezone land at northern precinct of Southern Road from Industrial 1 Zone to Residential 3 Zone.**

**Approved by:** Tony Rijs, General Manager Environmental Sustainability

**Author:** Sarah Capenerhurst, Strategic Planner

**1. Purpose**

The purpose of this report is to consider the submissions received in relation to Amendment C111 to the Kingston Planning Scheme, and recommend that Council request the Minister for Planning to appoint a panel to further consider and report on the merits of the proposed amendment and the submissions received.

**2. Council Plan**

Planned Outcome 2- A Sustainable Environment

- Strategy 2.1.2- Review of local planning and processes

The amendment is consistent with the Council Plan by reviewing local policies that are no longer consistent with the objectives and policies of the Planning Scheme.

**3. Background**

At its Ordinary Council meeting on 26 October 2009, Council resolved to seek authorisation from the Minister for Planning to prepare Amendment C111 to the Kingston Planning Scheme and that once authorisation is granted, Council as Planning Authority, prepare and place Amendment C111 on public exhibition pursuant to Section 19 of the *Planning and Environment Act 1987*.

Authorisation to prepare the amendment was received from the Minister for Planning on the 18 March 2011.

**3.1 The Amendment**

The amendment proposes to:

- Rezone the Southern Road North Precinct from an Industrial 1 Zone to a Residential 3 Zone;
- Apply an Environmental Audit Overlay to the land affected by the amendment;
- Include the land within a Schedule to the Design and Development Overlay (DDO);
- Amend Clause 21.07 Industrial Framework Plan of the Local Planning Policy Framework by deleting the Southern Road Precinct as an existing industrial area and including the area in the medium – long term redevelopment for housing and/or mixed uses; and
- Amend Clause 21.05 Residential Land Use Framework Plan of the Local Policy Framework by including the area for promotion of Incremental Housing Change.

#### **4. Summary and Conclusion**

Amendment C111 to the Kingston Planning Scheme, which proposes to rezone land at Southern Road North Precinct, Mentone from Industrial Use to Residential Zone 3, has now been exhibited. Sixteen (16) submissions, including eight (8) submissions opposing the rezoning of land to Residential 3 zone have been received. Given the issues raised in the submissions, officers believe that it is appropriate for Council to request that the Minister for Planning appoint an independent Panel to consider and report on the Amendment.

#### **5. Consultation**

##### **5.1 Public exhibition**

Amendment C111 was placed on public exhibition for a period of two (2) months between 28 April 2011 and 4 July 2011. Notice was given as follows:

- Notice of the amendment was published in the Victorian Government Gazette on 6 May 2011.
- Notice of the amendment was published in the Moorabbin Kingston Leader on 2 May 2011
- Direct notification was sent via ordinary mail to all landowners and occupiers affected by the amendment on 28 April 2011.
- Amendment documentation was made available on Kingston's Strategic Planning website, Cheltenham customer service centre, Department of Planning and Community Development website from 28 April 2011.

##### **5.2 Submissions Received and Discussed**

During exhibition of the amendment a total of sixteen (16) submissions were received. Of the submissions received, three (3) were from referral authorities, which raised no objection to the amendment. Of the submissions, four (4) supported the amendment. The remaining nine (9) submissions raised elements of concern with the proposed amendment.

A copy of the submissions has been previously provided to Councillors and the following section of the report provides Officer comment in relation to key themes which have been raised.

#### **6. Issues**

##### Objection to Residential 3 Zone- Preference for Residential 1 Zone

Some submitters expressed concern about the Residential 3 Zone and they indicated that they felt Residential 1 Zone would be more appropriate. Clause 21.05 illustrates Kingston City Council's 'Residential Land Use Framework Plan'.

The Residential Land Use Framework Plan illustrates Council's locations for Increased Housing Diversity Areas (*the intention of these areas is that new medium density housing comprising a variety of housing types and layouts will be promoted responding to the established and evolving urban character. Because these are already established as residential areas, the design of new medium density housing proposals will need to display sensitivity to the existing residential context and amenity standards in these areas*) noting that these areas are generally located in close proximity to designated activity centres. The Increased Housing Diversity Areas are generally

located within a Residential 1 Zone. The amendment seeks to place the affected area of Southern Road into an Incremental Housing Change Area (*the type of housing change anticipated in these areas will take the form of extensions to existing houses, new single dwellings or the equivalent of new two dwelling developments on average sized lots. The existing single dwelling character of these areas is to be retained*). This would appear consistent the designation provided to surrounding established residential areas.

The objectives and strategies under Clause 21.05 identify that, in established suburban areas, which do not have any direct access to activity/transport nodes, lower density housing is promoted and encouraged.

The location of the subject area in Southern Road, interfaces with an existing residential neighbourhood, zoned Residential 3 Zone and included as an Incremental Housing Change Area in 21.05 of the Kingston Planning Scheme. It is considered that Residential 1 Zone would be inappropriate, as it may deliver outcomes which are inconsistent with both the established neighbourhood character and the desire of the State and Local Planning Policy Framework. Submitters expressed that they would prefer Residential 1 Zone, as it provides for 3 storeys. Officers are not aware that such an outcome if deemed appropriate at the time of a Planning Permit Application would be precluded in a Residential 3 Zone.

It is further noted that the subject area is not situated within the Moorabbin Airport Environs Overlay, it is located in very close proximity. The constraints imposed by flight paths and airport related activity would suggest that a Residential 3 Zone beyond the policy considerations may also be a more appropriate zoning choice.

#### Nett loss due to Residential 3 Zone rather than Residential 1 Zone

Submitters from industrial properties in Southern Road, Mentone all expressed concern regarding “nett loss” in the valuation of their properties. The ability to consider such concerns, under the scope of the Kingston Planning Scheme and the objectives and provisions of the Planning and Environment Act (1987) is limited. In locations however, where industrial pockets have over recent years been rezoned to a Residential zone in Kingston it is apparent that conversion to residential uses has eventuated illustrating an apparent degree of interest from property owners to pursue such land use change.

#### Proposal to facilitate traffic flow- extension of Southern Road

The amendment in part seeks to provide for and improve the amenity issues within an established residential area. There has been a history of interface issues between the industrial precinct and adjoining residential land uses, especially in terms of heavy vehicle traffic moving through the residential area. In an attempt to alleviate traffic issues, Council investigated the option of closing Southern Road at the residential/industrial interface and extending it in a northerly direction through Moorabbin Airport. In 2008, negotiations between Council and the Moorabbin Airport Corporation (MAC) to extend Southern Road failed due to the expectations the MAC had in relation to receiving a significant amount of compensation from Council (\$1.8 million) to provide for the road link.

At the Ordinary Council Meeting on 27<sup>th</sup> October, 2008, Council resolved as follows:

*That Council advise the Moorabbin Airport Corporation that it does not wish to proceed with the extension and closure of Southern Road and that Council commence a Strategic Study to investigate options for the residential conversion of industrial zoned land off Southern Road.*

Commercial implications for growth expansion

A submission received indicates that changing the zone to Residential will constrain their future plans to grow and operate their business. Additionally, the submitter believes it “will also cobble any future monetary value for our business if it were to put it on the market if the rezoning was to go ahead”. With regard to the impact on the specific business itself, the business would have existing use rights in accordance with Clause 63 of the Kingston Planning Scheme and without any evidence to suggest otherwise, it is difficult to assess the impact of the rezoning on the value of the property/business.

Design and Development Overlay-concerns with wording

Some submissions support the rezoning from Industrial 1 Zone to Residential 3 Zone, however had minor issues with the wording of the proposed Design and Development Overlay (DDO22). Council Officers met with one submitter at its request to discuss the concerns raised. As a consequence of this discussion the following changes were discussed:

- Under ‘Building Design’ the following changes were discussed
  - Expanded - “development should be based on contemporary architecture and innovative urban design principles to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties”- to fall in line with State Policy Objective 15
  - Variety of dwelling and lot sizes - added at the end ‘across the precinct’ as the design objectives are not relevant to lots that can only take a single dwelling
  - Deleted ‘Use of low embodied energy materials in its construction and measures for a low energy intensive building operation’ as this would be considered as part of the recommended ESD assessment.
  - Deleted ‘Good control of solar radiation including orientation, natural light and shading’ as is a repetition.
  - Added two new headings under Section 4 ‘Information to be submitted with an Application’; ‘Use and Development’ and ‘Subdivision’ to acknowledge that different information would be required for Subdivision and Use and Development.

These items will be further discussed should this matter be referred to an independent panel noting the intent and objectives of the schedule remain the same, however minor wording changes may provide for improved clarity and consistency.

The submission received from the largest land own sought changes with the use of the words ‘must’ and ‘should’ as expressed in the proposed schedule. Given Council are seeking to require new development to respond to building design and Environmental Sustainable Design (ESD), rather than have discretion, it is contended that this submission be considered by an Independent Panel.

A subsequent section outlines the strategic justification for seeking to proceed with the proposed amendment, including an analysis of how it supports State and Local policy intentions.

## **7. Options**

Section 22 of the *Planning and Environment Act 1987* requires that Council consider all submissions received in respect to an exhibited amendment.

Section 23 of the *Planning and Environment Act* specifies that after considering submissions, Council must:

- Change the amendment as requested in submissions and proceed to approve it in a modified form;
- Ask the Minister to appoint an independent panel to review the submissions- the panel is independent, it's main role is to review the submissions and provide advice to Council and the Minister about the amendment and submissions referred to the amendment- preferred option
- Abandon the amendment - this option is not preferred. The community want to have the industrial traffic as a safety and public amenity issue, resolved as soon as possible.

### **7.1 Strategic Justification**

#### **7.1.1 State Planning Policy Framework**

The amendment is considered to be consistent with the State Planning Policy Framework. In particular, the amendment gives effect to the following objectives:

- Clause 15.02 - To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.
  - Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
- Clause 17.02 - To ensure availability of land for industry.
  - Identify land for industrial development in urban growth areas where: 'Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses'.

Planning seeks to prevent environmental problems created by sitting incompatible land uses close together. Whilst land is required for industrial activities, it is also equally important to provide appropriate areas for industrial activity to occur, away from sensitive land uses. The industrial precinct at Southern Road is situated next to an existing Residential area whereby the industrial traffic must pass through in order to reach their destination. It is also constrained by airport and public use zone interfaces, thus it is considered that the land in question is sufficiently contained to be not seen as a strategic parcel of industrial land.

#### **7.1.2 Local Planning Policy Framework**

The proposed amendment is considered to be consistent with the Local Planning Policy Framework. In particular, this amendment gives effect to the following objectives:

- Clause 21.05 – Residential Land Use
  - To manage the interface between residential development and adjoining or nearby sensitive/strategic land uses

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- Support innovative residential infill development on former industrial sites adjacent to established residential areas, and on other mixed use or traditionally non-residential sites where appropriate.
- Promote lower density housing in established suburban areas that do not have direct access to activity/transport nodes and “encourage” only incremental change in housing density (*incremental housing change areas*). Such areas will retain their predominantly single dwelling character and incremental change will occur in the form of single dwellings or the equivalent of dual occupancy developments on average sized lots.
- Promote minimal housing change in areas affected by aircraft noise, single dwelling covenants and neighbourhood agreements (*minimal housing change areas*).

Clause 21.05 of the Kingston Planning Scheme identifies the challenges that face the municipality’s growing and ageing population. It identifies objectives and strategies to provide for future housing requirements and to ensure the existing neighbourhoods are managed in a way that ensures the area’s function, character and amenity are not compromised. Clause 21.05 has identified that there is a need for locations that are suitable for redevelopment. The vision for Kingston’s residential areas outlined in the Kingston Residential Strategy (September 2000) is “*to promote and facilitate both increased local housing diversity to meet the changing housing needs*”.

- Clause 21.07- Industrial Land Use
  - To ensure that industrial development does not adversely impact on the amenity and safety of adjoining land uses
  - To redevelop smaller pockets of industrial land located within residential areas for innovative residential or mixed use development, taking into account local environmental and amenity issues.

The proposed rezoning of the North precinct of Southern Road, would serve to promote the objectives stated above. This precinct is not considered to be of regional or municipal significance in terms of Kingston’s broader role in providing industrial land use opportunities. The precinct is isolated from surrounding industrial land through poor road linkages, and additionally it is hemmed in by neighbourhood residential land use, which impacts upon the amenity and safety of these adjoining land uses.

- City of Kingston Industrial Strategy 1997

The City of Kingston Industrial Strategy provides directions for the future of Kingston’s industrial areas to facilitate sustainable industrial and economic development to create wealth creation and job growth. The Industrial Strategy “*promotes the on-going retention and re-development of industrial precincts but acknowledges that in some small isolated areas opportunities may exist for alternative land uses*”.

**8. Recommendation**

1. That Council resolve to, as Planning Authority, request the Minister for Planning to appoint an Independent Planning Panel to convene and consider Amendment C111 to the Kingston Planning Scheme
2. That all submissions received in respect to Amendment C111 be referred to the Panel for further consideration.
3. That all submitters to Amendment C111 be advised in writing of resolutions 1 and 2 above.

Cr Athanasopoulos left the Chamber at 8.07pm

Cr Athanasopoulos returned to the Chamber at 8.08pm

**Crs West/Staikos**

That the recommendation be adopted

**Carried Unanimously**

Cr Dundas returned to the Council Chamber at 8.13pm



**N 113**

**2011 - 2012 Community Grants Program - Funding  
Recommendations for Triennial and City Wide Grant Allocations**

**Approved by:** Mauro Bolin, General Manager Community Sustainability

**Author:** Dominic McCann, Co-ordinator Community Wellbeing

**1. Purpose**

The purpose of this report is to present the recommended funding allocations for the 2011/2012 Community Grants Program to Council and to seek approval for the distribution of the funding from the 2011/2012 budget. The recommendations specifically relate to the funding streams of Triennial Grants and City Wide Grants only.

**2. Council Plan**

Community Grants enable the provision of funds to enhance opportunities for groups and individuals to provide strong, cohesive and engaged communities under *Planned Outcome 3 - Healthy, Strong and Connected Communities; Strategy 3.2 – Promoting Strong, cohesive and engaged communities.*

**3. Background**

Council offers a range of opportunities for groups and individuals that service the municipality of Kingston to apply for financial assistance by way of a Community Grant. Grants are primarily offered to:

- Enable not-for-profit organisations to deliver services, programs, special events and other activities to the community, which would not otherwise be provided; and
- Enable the community to participate in a broader range of activities than those directly funded by Council, through full or partial funding of costs.

Six funding streams are supported through the Community Grants Program: Triennial Grants, City Wide Grants, Village Committee Grants, Individual Development Grants, Schools Development Grants and Access & Equity Grants. However, this report relates only to recommendations for the allocation of funding for City Wide Grants and Triennial Agreements as others aside from the Village Committee Grants program are considered at different times throughout the year. The grant recommendations by the Village Committee are still to be finalised and will be presented to Council as soon as possible.

**3.1 Process**

Applications for the 2011/2012 Community Grants program were open from 7 February 2011 until 6 April 2011. The Community Grants funding opportunity was promoted through:

- *Kingston Your City*;
- Mail out to organisations that expressed a wish to be on a mailing list;
- A public notice in local newspapers;
- Council's telephone on-hold message;

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- Distribution of flyers;
- Placement of Community Grants Kits at Kingston Customer Service locations and Kingston libraries; and
- Handouts at major events and activities.

Four information sessions for potential applicants were held, with a total of 102 people attending. The sessions provided information about the guidelines and the application process. Individual “help sessions” were also offered and eight different groups availed themselves of this support.

All applications were registered and reviewed by Council officers to ensure that they complied with the funding guidelines and where applicable, applicants were provided with an opportunity to supply further information.

**4. Summary and Conclusion**

The 2011/2012 Triennial and City wide Community Grants Program attracted 58 Citywide applications with a further 33 Triennial grant commitments in place.

Attachments A, B, C, and D provide full details of the assessment of 2011/2012 City Wide and Triennial grants.

**4.1 Budget Summary**

As part of its recent budget deliberations, Council has increased the 2011/2012 Community Grants budget overall by 3% to lift the total dollar value of all available grant funding to \$1,212,428.

An additional \$30,000 in funding was approved to go to community centres and neighbourhood houses.

The following table summarises the financial details specifically for the 2011/2012 City-wide, Triennial, Individual, Access & Equity and School Development grants:

<i>GL Code</i>	<i>Category</i>	<i>2011/2012 Requested \$</i>	<i>2011/2012 Budget \$</i>	<i>2011/2012 Recommended Allocation \$</i>	<i>Comments</i>
<b>1818.2397</b>	Community Centres / Neighbourhood Houses	467,670	467,670	467,670	Fully expended
<b>1818.2396</b>	City Wide Grants Annual Grants	236,500	134,925	134,570	Not all applications were fully funded – budget limitations Unallocated funds \$355
	Triennial Agreements	306,352	306,352	306,352	Fully expended

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<i>GL Code</i>	<i>Category</i>	<i>2011/2012 Requested \$</i>	<i>2011/2012 Budget \$</i>	<i>2011/2012 Recommended Allocation \$</i>	<i>Comments</i>
	Community Grants      Event	22,500	38,500	22,500	<i>Chelsea Flower Show cancelled by organising committee Cancellation of Chelsea Flower Show \$15,000 Surplus \$1000</i>
	<b><i>Unsuccessful City-wide Applications</i></b>				<b><i>6 applications were not approved for a number of reasons such as – the organisations did not meet the needs of residents of the City of Kingston, services were already being provided by other organisations, the activity was being delivered in another municipality, the activity was the responsibility of another level of government</i></b>
	<b><i>Applications not assessed</i></b>	<b><i>0</i></b>	<b><i>0</i></b>	<b><i>0</i></b>	
<b>1818.2394</b>	<i>Individual Development Grants</i>		24,696	24,696	<i>Applications are submitted on a needs basis throughout the year</i>

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<i>GL Code</i>	<i>Category</i>	<i>2011/2012 Requested \$</i>	<i>2011/2012 Budget \$</i>	<i>2011/2012 Recommended Allocation \$</i>	<i>Comments</i>
					<i>Ongoing application</i>
<b>1818.2410</b>	<i>Access and Equity</i>		21,536	21,536	<i>Fully expended</i>
<b>1818.2398</b>	<i>Supplementary Grants</i>		20,691	20,691	<i>Funds set aside as a buffer for unusual applications</i>
<b>1818.2395</b>	<i>School Development Grants</i>		8,196	8,196	<i>Will be distributed at the end of the calendar year. Usually fully expended</i>
	<b>TOTALS</b>	<b>1,033,022</b>	<b>1,022,566</b>	<b>1,006,211</b>	<i>Surplus \$15,000</i>

#### 4.2 Conclusion

The Triennial and City Wide components of the 2011/2012 Community Grants Program attracted 58 Citywide applications with a further 33 existing triennial grant commitments in place. The funding requests in these categories totalled \$565,352 with a total distribution of \$463,422. This equates to 85% of requests being funded. The interdepartmental assessment panel recommends that the grants be distributed to organisations as per attachments A, B, C and D.

#### 4.3 Chelsea CareWorks

An application for funding from Chelsea Careworks was received on 15 June 2011 after the grants closing date. Chelsea CareWorks delivers a number of programs to the Chelsea community such as free community meals twice a week, introduction to computer classes for people who are isolated, employment programs and games programs for the elderly. It also runs a Men's Shed; which is a community based program that aims to enhance the psychosocial health and wellbeing of men.

Chelsea CareWorks has requested a \$60,000 triennial grant (\$20,000 each year over three years) to employ an administration coordinator to ensure the maintenance of current programs and possibly develop services into the future.

The Men's Shed program is a unique component of the application from Chelsea CareWorks which sets it apart from other similar organisations and programs within Kingston. Operating from the site of Chelsea Church of Christ, there is no other program of this kind in the local area and there is just one other emerging Men's Shed that operates in the broader municipality (Clarinda). Chelsea CareWorks has a purpose-built facility for this activity, however there are no other avenues of

funding available to enable the Chelsea Men's Shed to employ a coordinator to maintain and further develop the program.

The Men's Shed model has had demonstrated success across Australia in facilitating social inclusion for men, and in particular for senior men. Given Kingston's burgeoning senior population and the associated needs and challenges, there is an opportunity for this local service to make an increased positive contribution to strengthening the local community.

There are insufficient funds in the existing community grants budget to award the Chelsea CareWorks application and it would require Council to endorse this additional expenditure over the next three years. There is however a surplus of \$15,000 in the current financial year due to the cancellation and return of grant monies for the Chelsea Flower Show. If Council does not intend to increase the budget for triennial grants at this time, it may consider allocating the existing \$15,000 surplus funds to support the work of Chelsea CareWorks for a 12-month period. Given the limited funds available and in order to optimize these resources and their value to the Kingston community, it is recommended that the funds be allocated to exclusively support the Men's Shed program (and not the ancillary programs outlined in the application for a 12 month period). A service agreement would be established with Chelsea CareWorks which would outline these and related expectations associated with the allocation of funding.

## **5. Consultation**

A cross departmental assessment panel was formed and met twice to assess the City Wide Grant applications in accordance with Council's Grants Policy. The panel comprised:

- Acting Community Grants & Administration Coordinator – Jennifer O'Connor
- Team Leader Sport and Recreation – Nigel Brown
- Team Leader Capital Projects – Rob Savoia
- Team Leader Community Engagement – Tim Bearup
- Community Projects Coordinator – Dominic McCann
- Team Leader Children's Services Development – Donna Feore
- Team Leader Environmental Planning – Emily Boucher
- Compliance Coordinator – Kirsten Palfrey
- Program Leader Performance Planning – Angela Granter

## **6. Issues**

### **Funds not allocated**

After assessment of all grant applications, the following funds were unallocated:

- City Wide Applications: \$355
- Chelsea Flower Show: \$15,000

### **Requests not submitted for assessment**

The following applications were deemed ineligible with the Grants Policy:

- World Malayalee Council – An event located in Burwood and the benefit to Kingston residents was not demonstrated
- St Vincent De Paul Society, Chelsea – Currently receives Triennial Funding
- Chelsea Primary School – An activity confined to school is ineligible

## **7. Recommended Options**

### **7.1 Recommended:**

**7.1.1** That Council endorses the Triennial and City Wide funding allocations as recommended by the grants assessment panel as per attachments A, B C and D.

**7.1.2** That Council endorses an allocation of \$15,000 surplus funding in the current financial year to Chelsea CareWorks specifically to support the maintenance and development of the Chelsea Men's Shed.

### **7.2 Alternative:**

**7.2.1** That Council does not endorse the Triennial and City Wide funding allocations as recommended by the grants assessment panel as per attachments A, B C and D.

**7.1.2** That Council endorses the funding application from Chelsea Careworks in its present form and allocates the additional funds required over the three year period.

**7.2.3** That Council does not endorse any allocation of funding to Chelsea CareWorks.

## **8. Triple Bottom Line Checklist**

### **Social:**

The funding provided to successful applicants demonstrates Council's commitment to working in partnership with local groups and allows Council to support events, projects, services and/or initiatives that are of benefit to the community that are not being delivered directly by Council.

### **Financial:**

The 2011/2012 Council Budget has a provision of \$479,777 to fund the Triennial and City Wide Grants program for 2011-2012. The current 2011/12 budget can accommodate the grants distribution to organisations as per the cross departmental panel recommendations (attachments A, B, C and D). Funding for the Chelsea CareWorks triennial application as submitted would require Council to approve additional expenditure of \$45,000 over the three years (supplemented by a \$15,000 surplus which can be allocated in the current financial year).

### **Environmental:**

Environmental issues are dealt with within specific projects and are not directly relevant to this report.

**9. Recommendation**

1. That Council endorses the Triennial and City Wide funding allocations as recommended by the grants assessment panel as per attachments A, B C and D.
  
2. That Council endorses an allocation of \$15,000 funding in the current financial year to Chelsea CareWorks to specifically support the maintenance and development of the Chelsea Men's Shed.

**Attachments:**

*Attachment A - City Wide successful applications*

*Attachment B - Triennial successful applications*

*Attachment C - Triennial Event successful applications*

*Attachment D - Unsuccessful applications*

*Attachment E - Chelsea Care Works Triennial Grant Application*

*Attachment H - Additional Information – Chelsea Care Works Application*

**Crs Staikos/Peulich**

That the recommendation be adopted

**Carried**





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*

**Crs Peulich/Staikos**

That the recommendation be adopted.

**Carried**



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

**Table of Councillor requests:**

<b>Councillor</b>	<b>Ward</b>	<b>Initiative</b>	<b>Request Date</b>	<b>Amount \$</b>
Cr Dan Moloney	South	<i>Aspendale Garden's Residents' Association</i> <i>Family Fun Day</i>	4 July 2011	600.00

**Recommendation**

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

**Crs Staikos/Peulich**

That Council approve the expenditure of ward funds in accordance with the table of Councillor requests with the inclusion of the following request:

Dingley Lions Club – “Dingley Dozen Run”

Mayor, Cr Ron Brownlees	\$200
Cr Arthur Athanasopoulos	\$300
Cr Lewis Dundas	\$300
Cr Dan Moloney	\$100
Cr Paul Peulich	\$300
Cr John Ronke	\$100
Cr Trevor Shewan	\$100
Cr Steve Staikos	\$300
Cr Rosemary West	\$300
<b>Total</b>	<b>\$2000</b>

**Carried**

**N 116                      Council Plan Final Quarter Report for April - June 2011**

**Approved by:**            Trish Smyth, Acting General Manager, Organisational Development and Governance

**Author:**                    Linda Yeo, Organisational Planning and Performance Officer

**Purpose**

To present the 2009/13 Council Plan Final Quarter Report for April - June 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 April – June 2011.

**Summary and Conclusion**

The attached quarterly report highlights achievements against the outcomes and strategies of the Council Plan for the fourth quarter of 2010/11. Of the 192 actions, 92 actions are completed, 75 actions are on track and 14 actions are expected to have delays or issues rectified by next quarter and 2 actions will be delayed significantly at year end.

**Issues**

*April - June 2011 Highlights and Challenges*

During the fourth 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***

- § The 2011/12 Annual Capital Program and Capital Forward Plan are scheduled for confirmation on 11 July 2011.
- § Concept design work has commenced for the next phase of work at Kingston City Hall.
- § Work is progressing for the refurbishment of the Shirley Bourke Theatre and is due for completion by December 2011.
- § Playground renewal and park refurbishment work is complete at Bicentennial Park, Bald Hill Park and First Street / Rayhur Street reserve.

***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.
- § 1.2.2 - Reg Marlowe Reserve - Consultation has commenced however Council is waiting for the developer to notify Council formally regarding the sewer alignment outside the park. Once this is verified, updated landscape concept plans will be sent to the community. Work is scheduled for September.
- Roy Dore Reserve - Consultation is complete however playground construction was delayed due to Civil Works (road & car park construction). The road and car park construction was also delayed due to wet weather conditions.
- Dolomore Reserve - Proposed reconstruction of the playground has been delayed by 12 months and won't be undertaken until 2012/13 due to the Commonwealth accessibility funding of \$100,000 that was received for Mentone Racecourse Reserve. As a result Mentone Racecourse Reserve is the priority for 2011/12.
- § 1.1.5 - Draft lease policy still delayed due to department priorities. The policy will be tabled at CLG followed by organisational comment.

**Outcome 2: A Sustainable Environment**

***Highlights***

- § The draft Tree Management Policy and a summary of community feedback was presented to Council and adopted on 9 May 2011.
- § The Moorabbin Structure Plan was adopted at May 2011 Council Meeting.

***Challenges***

- § 2.1.1 - Council is awaiting a response from the Minister for Planning in relation to seeking direction on the future of the Kingston Green Wedge Taskforce. Council has continued to work on the development of its Green Wedge Plan and is hoping to have this document completed during this calendar year following a successful process of community engagement during this quarter.
- § 2.3.3 - Due to resident concerns, the 2011 foreshore planting season has been adjusted until a report is submitted and Council agree on a preferred planting plan.

**Outcome 3: Healthy, Strong and Connected Communities**

***Highlights***

- § March 2011 data for immunisation rates demonstrated Kingston had achieved slightly better than national targets in the three cohorts 12-15 months Kingston 93%, nationally 92%; 24 – 27 months Kingston 94%, nationally 92%; 60 – 63 months Kingston 91%, nationally 89%.
- § The Draft Kingston Arts and Culture Strategy was presented to Council for consideration in April 2011 and placed on community consultation for four weeks. The final version is to be considered by Council in July 2011.
- § Federal Government National Health reforms and Aged Care changes are being responded to. New Emergency Management obligations are being addressed. An Emergency Management Co-ordinator has been appointed. Legislative change for nursing registration has been reviewed. Funding and Service Agreements have been addressed.

***Challenges***

- § 3.2.4 – An application to the Healthy Communities Grant was submitted with Monash and Bayside Council as secondary partners however was unsuccessful.
- § 3.4.3 - National Children's Services Legislation has been passed and awaiting release in 2012 of National Children's Services Regulations which may impact on the operation of Kindergarten and Long Day Care Services.

**Outcome 4: A Prosperous, Innovative Business City**

***Highlights***

Stage 1 works were completed within one of Mordialloc's busy older industrial areas at a cost of \$1.05M. This is the first stage of an innovative stormwater harvesting project that removes pollutants and captures runoff from factories and Beach Avenue which has been fully reconstructed. Stage 2 is scheduled to be completed during 2011/2012 at an estimated cost of \$1.7M. The second stage involves the reconstruction of Spray Avenue and Wells Road and includes the installation of large tanks to store harvested water for irrigating the turf wicket at Grut Reserve and street trees. Once completed, this project will significantly reduce the level of pollutants discharging into Mordialloc Creek as well as providing an increased level of flood protection for this area.

***Challenges***

- § 4.1.5 – The Footpath Trading Policy review is continuing with benchmarking against other local Council's but will not be completed until 2011/12 financial year. Broad consultation will be required.
- § 4.2.7 - Whilst the majority of trade panels were established by February 2011, the final trades and engineering consultants panel have been slightly delayed and have not become operational until June 2011 due to staff departures.

**Outcome 5: Community Inspired Leaders**

***Highlights***

- § Tender evaluation for the Planning and Reporting system was completed and the contract awarded 30 June 2011.
- § The Community Vision campaign seeking nominations for Reference Panel members is now complete with interviews to be conducted in July.

***Challenges***

- § 5.1.1 - DSE have responded to Council's request that the option of creating an offshore geofabric tubebag reef be considered instead of an erosion control wall. The response states that more study will need to be done on current offshore reef projects before they would fund additional reef projects.
- § 5.1.1 - Due to the ongoing development of Federal and State Environmental Policy involvement has been limited. A staff member met with Mark Dreyfus's MP senior advisor to gauge understanding of progression with a number of policies and put forward Kingston's position.
- § 5.3.3 - Review of Asset Management Policy and Strategy has been delayed due to primary focus on AMS implementation.

*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 June quarter there was 6.28 kilometres of road renewal and 1.96 kilometres of footpath renewal. There were 270 planning permit applications received and 35 buildings applications received this quarter and 5,126 volunteer hours donated by community members.

During the 2010/11 financial year, there were a total of 12.68 kilometres of road renewal and 13.74 kilometres of footpath renewal. There were 1,002 planning permit applications received and 148 buildings applications received and a total of 21,473 volunteer hours donated by community members.

**Triple Bottom Line Checklist**

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

**Proposed Action**

**Recommendation:**

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

Attachment(s):

1. *Quarterly Report to Council Plan June 2011 – TRIM Ref: 11/71805*

**Crs Staikos/Shewan**

That the recommendation be adopted.

**Carried**

**N 117                      Arts & Cultural Strategy 2011-15**

**Approved by:**            Trish Smyth, Acting General Manager Organisational Development and Governance

**Author:**                    Suzanne Snooks, Acting Team Leader, Festivals and Arts Development

**1.     Purpose**

This report presents feedback on the draft strategy that has been out for public consultation and presents the final Arts and Cultural Strategy (refer attachment) for Council consideration and formal adoption.

**2.     Council Plan**

- 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.

The Arts and Cultural Strategy aims to enhance the provision of arts and cultural opportunities for Kingston residents and assist in establishing and promoting the City as more liveable and creative.

**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 staff and the consultants. This consultation phase resulted in the consultant's development of an Issue Paper which highlighted key issues, opportunities and questions for consideration in the development of the Strategy by Council staff.

In April 2011 the Draft Arts and Cultural Strategy was presented to Council and it was agreed in Council that this draft strategy should be put out for public comment for a 4 week period. This 4 week period has now concluded and this report outlines the key issues raised in this consultation process and presents a final strategy for Council consideration and formal adoption.

**4.     Summary and Conclusion**

The consultation process in relation to the draft Strategy has been completed and has resulted in 16 submissions. The majority of these submissions are from members of Community Arts Groups who have raised a range of issues in relation to the Strategy. The final Strategy (attached)



incorporates some minor changes to address some of the issues that were identified in this feedback process. The final Strategy is now presented for consideration before proceeding to Council for formal adoption.

The Festivals and Arts Development Unit has been omitted from being listed as a Council Partner in Implementation Plan (*Attached 1*) as it is responsible for the delivery of the overall Arts and Cultural Strategy.

The majority of actions within the Strategy are to be undertaken within existing financial and human resources. Those Actions which cannot be accommodated within existing resources will be subject to the usual budget process and potential funding from grant programs.

## **5. Consultation**

The draft Arts and Cultural Strategy was released for public comment on Friday 29 April for a four week period. The release of the Strategy was widely publicised. Activities to promote the Draft Arts and Culture Strategy included: a media release; print ads in Moorabbin Kingston and Mordialloc-Chelsea Leaders; A3 posters displayed at Customer Service Centres, Libraries and Kingston Arts Centre; a listing on Kingston's Facebook page; information in hard copy and electronic mail-outs to individuals and organisations in Kingston Arts Centre's database.

As a result of the consultation period Council received 16 submissions to the Strategy. Key issues raised in the consultation process are outlined in the issues section attached. Everyone who provided comments on the draft Strategy will be sent a response.

## **6. Issues**

The comments received were highly supportive of the Strategy and also provided an opportunity for the community to raise additional issues in relation to the Strategy. A detailed list of all the comments received during the consultation phase can be found attached in *Attachment 2*. A summary of the main issues raised in the consultation and details of how the Strategy responds to these issues is below. The Implementation Plan listing recommendations from the Strategy which are referred to be low can be found in *Attachment 1*.

<b>Issues raised</b>	<b>Number of responses</b>	<b>Arts and Cultural Strategy response</b>
<b>Creative Communication</b>		
Support for increasing recognition and awareness of Arts and Cultural activity in Kingston to local residents and beyond	5	Council will implement the Arts and Cultural Strategy and continue to increase awareness of Arts and Culture as evidenced by a number of Strategy recommendations
Support for better communication and publicity	4	Developing a Communications Plan as part of the Arts and Cultural Strategy as evidenced by recommendations 1.1 and 1.3

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Support for improved communications between arts and cultural groups	2	Continued development of the <i>Schmooze</i> and <i>Tool Box</i> programs and their improved publicity. Confirmed in recommendation 4.2
Cultural tourism seen as important	1	Confirmed in recommendations 1.5 & 1.6
Opportunities for artists and groups to speak with Council about funding and needs		Continued development of the <i>Schmooze</i> and <i>Tool Box</i> programs and their improved publicity. In addition the Strategy includes the development of a new community cultural development program as outlined in 3.10
<b>Creative Leadership</b>		
Support for leading the development of community culture that embraces creativity and values artistic input into developing the environment in which we live	5	Council will implement the Arts and Cultural Strategy and support a community of Arts and Culture as evidenced by a number of Strategy recommendations
Support for Leadership Award	5	Confirmed in recommendation 2.3
A need for more studio spaces	1	Consideration may be given to additional studio spaces in the future to complement the new <i>Open Studios</i> program
More funding for artists to work in Community Cultural Development	2	Confirmed in recommendations 3.1, 3.5, 3.6, 3.10
Increase Public Art	4	Confirmed in recommendation 2.5
<b>Creative Partnerships</b>		
Strong support for building partnerships to maximise resources for the delivery of creative activity	7	Council will implement the Arts and Cultural Strategy to maximise resources for creative activity in the community as evidenced by a number of Strategy recommendations
Would like to see more engagement with community groups that assist people from diverse cultures and people with disabilities, frail, aged	1	Strengthened in recommendation 3.11

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Increase partnerships with indigenous, youth, environment groups, libraries and link with historical/arts groups	5	Confirmed in recommendations 3.4, 3.5 & 3.7
<b>Creative Communities</b>		
Very strong support to increase engagement and participation of individuals and communities in Arts and Cultural activities by recognising and supporting their creative pursuits	8	Council will implement the Arts and Cultural Strategy to increase engagement and participation in Arts and Culture as evidenced by a number of Strategy recommendations
Need to develop skills and support creative communities program for schools, community and disability organisations to encourage participation	2	Confirmed in recommendations 4.01, 4.02, 4.11, 4.14, & 4.16
Membership of historical groups is aging need to encourage young people to join	1	Confirmed in recommendations 3.1 & 3.4
<b>Creative Places and Spaces</b>		
Support for revitalising built and natural environments to enhance Kingston as a liveable creative City is seen as important	5	Council will implement the Arts and Cultural Strategy and support revitalising built and natural environments as evidenced by a number of Strategy recommendations
Need to consider an Arts Hub - Mentone RSL as well as the Clayton area put forward as suggestions	2	Confirmed in recommendations 5.7, 5.8 & 5.9.
Open existing buildings for multipurpose use including underutilised buildings E.g. church halls, community centres	1	Confirmed in recommendation 5.7 & 5.8
<b>Other issues</b>		
Increase awareness of U3A	2	Council will consider this when developing the Communication Plan

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Volunteers need more support and skills development	1	This will be considered when programming the annual Schmooze program artist networking events and forums
Arts Register could include Interest in History as a tag option	1	Council will consider undertaking a review of the Arts Register
Libraries are important partners for arts and cultural activities	1	This will be demonstrated in the new literary arts program due to be delivered in the first year of the Strategy
History to be included more	3	Council will liaise with the City Historian
Dire need for an “Arts Outpost” in Carrum – Mordialloc (probably Clayton as well)	1	Refer to recommendation 5.3, 5.9 & 5.10
There are no funding opportunities mentioned for community arts projects, and our very existence depends of Council support, both in resources and funding	1	Strengthened recommendation 3.6 Also note recommendation 3.5
One person raised the issue of only 132 people were surveyed & that general conclusions could not be made	1	The survey was widely promoted through advertising in news papers, personal mail outs, Kingston Your City, local radio etc. The survey was one part of the consultation process and all together there were 520 responses, which is considered a very good participation rate for a consultation process
The word research should not be used	1	The research process included benchmarking, survey, extensive consultation, a literature review, review of current programs, professional experience of the consultants combined equals 50 years
Suggestion to include definitions of Cultural Tourism and cultural services	1	Cultural Tourism definition has now been included in the report, cultural services is an accepted general term

There are 50 actions but only 6 relate to History. There could be more done on history. For example, where film making about historical characters the emphasis seems to be on the film making, not the history. History is not reflected in the vision	1	The word culture is referred to as inclusive of all forms, including settlement and indigenous history. There are 53 actions and many relate to or imply inclusion of history
Layout issue could be better	1	This is a draft document and will be professionally designed and printed once accepted by Council

### **7. Triple Bottom Line Checklist**

**Environmental** -The 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 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 Strategy are to be undertaken within existing financial and human resources. Those Actions which cannot be accommodated within existing resources will be subject to the usual budget process and potential funding from grant programs.

### **8. Recommendation**

That Council resolve to adopt the Arts and Cultural Strategy

Attachments:

*Attachment 1 - Final Arts and Cultural Strategy 2011-15 including Strategy Implementation Plan (Trim No. 11/64515)*

*Attachment 2 - Draft Arts and Cultural Strategy 2011-15 Summary of Responses (Trim No. 11/73055)*

**Refer to page 8 of the minutes for the resolution.**

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**N 118**

**Investment Policy Report – June 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.

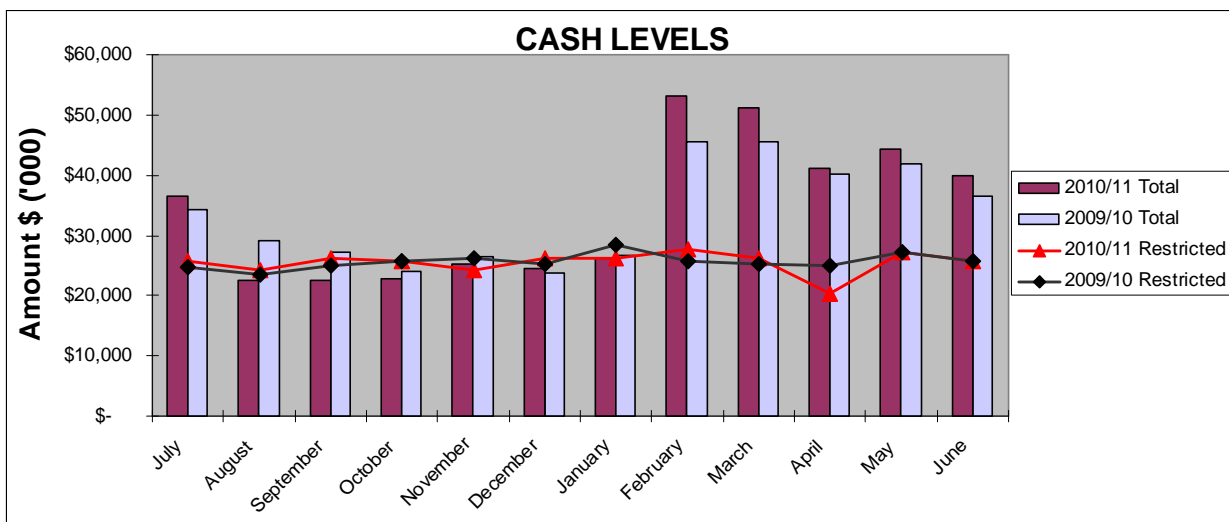
**2. Background**

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 30<sup>th</sup> June 2011 compared to the overall portfolio limits specified in the Investment Policy.

**3. Summary and Conclusion**

At the 30<sup>th</sup> June 2011 Council had a total of \$40.0 million held in Cash and Investments, which is \$3.5 million favourable to June 2010. These funds were held in the following categories:

	<b>June 2011</b>	<b>June 2010</b>
<b>Category</b>	<b>Amount (\$'000)</b>	<b>Amount (\$'000)</b>
Unrestricted Cash	13,891	10,746
Restricted Assets – Asset Development Reserve	7,469	6,502
Restricted Assets – Long Service Leave	6,900	6,500
Restricted Assets – Trust Funds and Deposits	11,694	12,685
<b>Total</b>	<b>39,954</b>	<b>36,433</b>



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**4. Discussion**

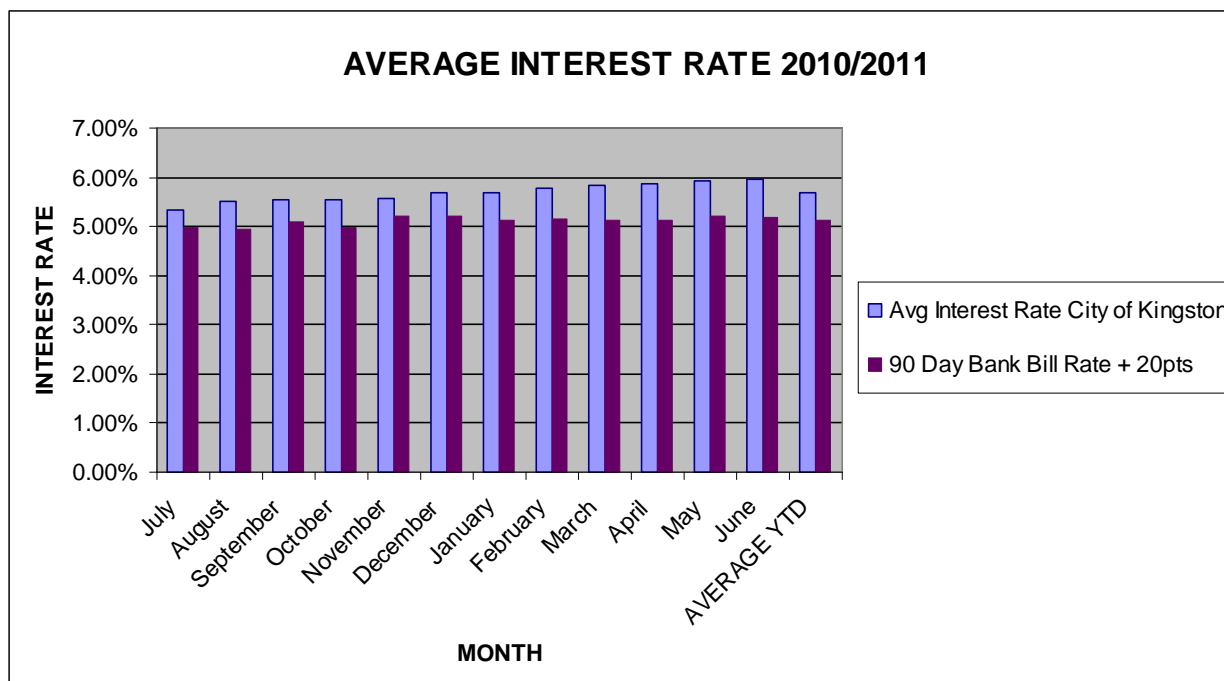
Cash has been invested in the following ways:

	<b>June 2011</b>	<b>June 2010</b>
<b>Type of Investment</b>	<b>Amount (\$'000)</b>	<b>Amount (\$'000)</b>
Cash at Bank	3,954	783
Cash At Call	5,000	5,000
Funds Invested (Fixed term investments)	31,000	30,650
<b>Total</b>	<b>39,954</b>	<b>36,433</b>

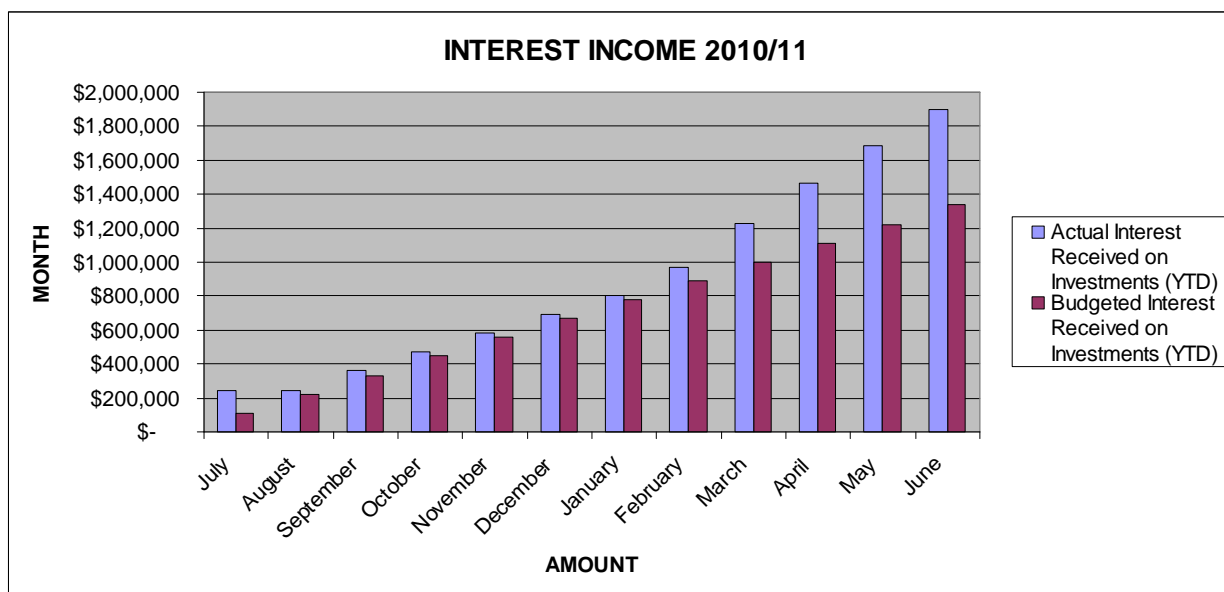
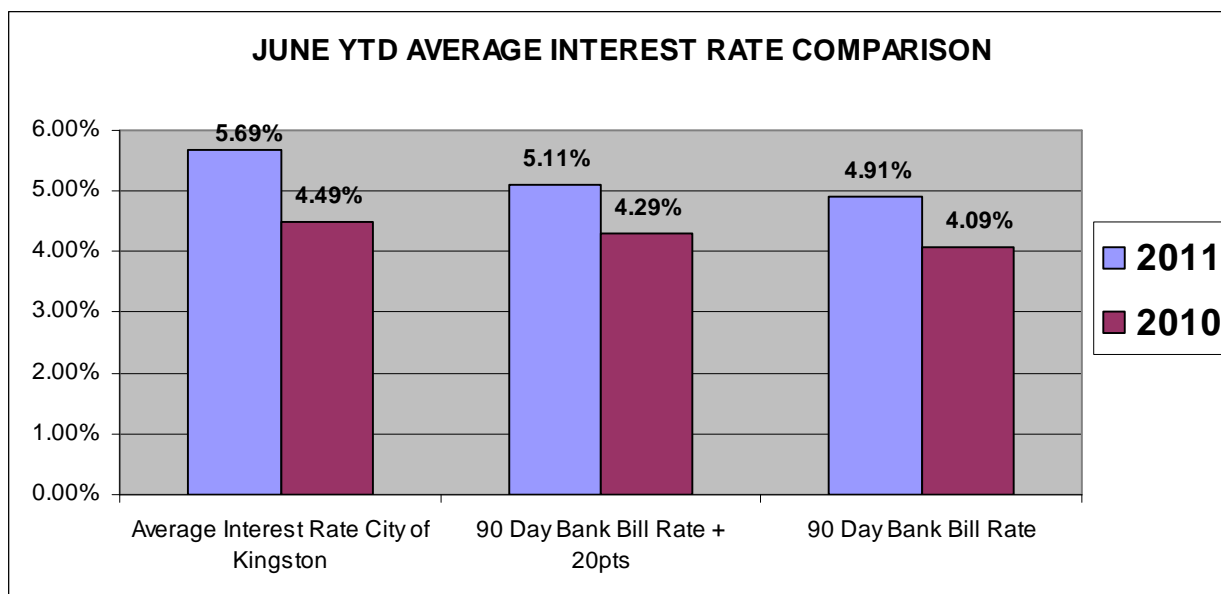
Council had funds of \$31.0 million invested as at 30<sup>th</sup> June, 2011. The investments have been made for fixed terms periods from 60 days to 365 days. The interest rates achieved as at 30<sup>th</sup> June 2011 were in the range of 5.60% to 6.50% p.a.

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 86% 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: National Australia 32% and Commonwealth Bank 32%. All are below the 60% maximum required by the Investment Policy. 100% of funds are invested for less than 1 year.

**5. Portfolio Performance**

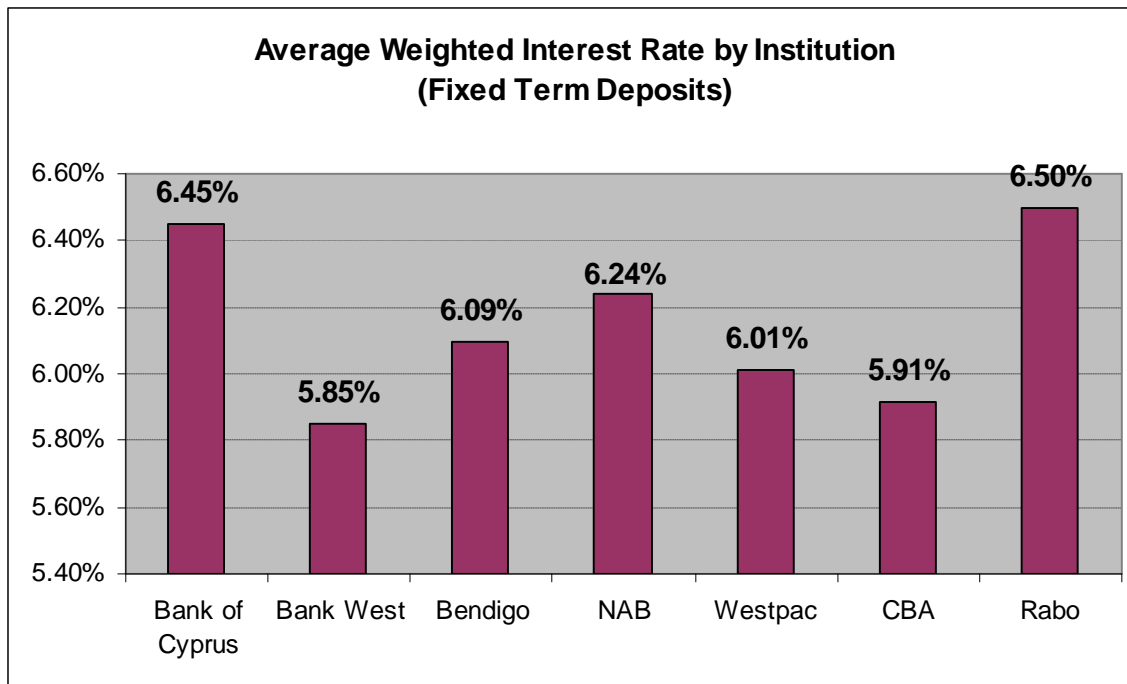


The average interest rate to 30<sup>th</sup> June, 2011 is 5.69% (Jun10 – 4.49%) which is 77pts ahead of the average 90 Day Bank Bill Rate of 4.91% (Jun10 – 4.09%) and 57pts ahead of the investment policy target of the average 90 Day Bank Bill Rate plus 20pts of 5.11% (Jun10 – 4.29%).



Interest Income received on investments at 30<sup>th</sup> June, 2011 totals \$1.9 million, which is \$559k favourable to the budget of \$1.3 million.





As at 30<sup>th</sup> June, 2011 the average weighted interest rate per institution ranges from 5.85% to 6.50%.

**5. Recommendation**

That Council note that funds at 30<sup>th</sup> June 2011 are being invested in line with the risk management profile prescribed in Council's Investment policy.

Attachment:

*Investment schedule – TRIM 11/72809*

**Crs Athanasopoulos/Peulich**

That the recommendation be adopted.

**Carried**

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**N 119**

**Annual Report of the Chairman of the Audit Committee**

**Author:** Ray Liggett, Chair Audit Committee

**Introduction**

As a part of Council's governance obligations to its community the Audit Committee was established as an independent Advisory Committee to Council in 1997.

The Audit Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.

As part of Council's governance obligations to its community, Council has constituted the Audit Committee under a Charter to facilitate the following outcomes as a part of its work program:-

1. The enhancement of the credibility and objectivity of internal and external financial reporting;
2. Effective management of financial and other risks and the protection of Council assets;
3. Compliance with laws and regulations as well as use of best practice guidelines;
4. The effectiveness of the internal audit function; and
5. The provision of an effective means of communication between the external auditor, internal audit, management and the Council.

**Membership**

The membership of the Audit Committee during the reporting period was:-

<b>Name</b>	<b>Qualifications</b>	<b>Role</b>	<b>Period</b>	<b>Attendance</b>
Mr Ray Liggett	BSc, MBA	Independent Member & Chair	July 2010-June 2011	5 of 5 meetings
Mr Hugh Parkes	BA, MBA, FCA, CISA	Independent Member	July 2010-June 2011	5 of 5 meetings
Mr Geoff Harry	BEcon, FCA, FCPA, GAICD	Independent Member	July 2010-March 2011	3 of 4 meetings
Mr Bruce Potgieter	FCA - Australia ICA - South Africa	Independent Member	May 2011-June 2011	1 of 1 meeting
Cr Ron Brownlees	Mayor, Councillor	Internal Member	December 2010-June 2011	3 of 3 meetings
Cr Steve Staikos	Mayor, Councillor	Internal Member	July 2010-November 2010	2 of 2 meetings
Cr Paul Peulich	Councillor	Internal Member	July 2010-June 2011	4 of 5 meetings

### **Meetings**

The Audit Committee have met on 5 occasions in 2010/11:-

- 19 August 2010
- 15 September 2010
- 15 December 2010
- 16 March 2011
- 15 June 2011

### **2010/11 Review**

I am pleased to report that Kingston has in place a strong Audit Committee that has in 2010/11 undertaken a thorough and comprehensive review of many of Council's higher risk profile systems and processes. It has also continued to oversee the activities of Council's contracted Internal Auditor and External Auditor who is appointed by the Auditor-General.

The activities of 2010/11 have been guided by the Strategic Internal Audit Plan which over a rolling three year period continues to examine higher risk areas of Council's operations to give a level of assurance that Council's stewardship of the Kingston community's assets is maintained at the highest level.

A highlight of the Audit Committee in 2010/11 has been the attendance in turn of each of Council's General Managers who have briefed the Committee on the current activities of their respective division within Council. This has enabled the Committee to gain a better appreciation of current issues in local government and of Kingston specific matters.

Below are some detailed comments on how the Audit Committee has responded to its Charter. This is primarily achieved through the consideration of reports that are provided by both Management and the Internal Auditor, and monitoring the effectiveness of the Internal Audit program.

**1. The enhancement of the credibility and objectivity of internal and external financial reporting.**

To achieve this outcome the Audit Committee considered and commented on the following reports:-

- Consideration of the 2009/10 Annual Statements
- Final Internal Audit Report – Execution of CAATs
- Annual Accounts Progress
- 2009-2010 Year-End Management Letter
- Advice from DPCD – Reporting of Financial Results
- Reconciliations Review Update for June-October 2010
- VAGO Audit Engagement Letter
- 2010/11 External Audit Strategy
- Reconciliations Review Internal Audit Report for November 2010-February 2011
- 2010/2011 Annual Accounts Timetable

**2. Effective management of financial and other risks and the protection of Council assets.**

To achieve this outcome the Audit Committee considered and commented on the following reports:-

- Revised Information Architecture Diagram
- Briefing Proposed Acquisition of 1230 Nepean Highway, Cheltenham
- Draft Terms of Reference – Payroll Audit
- Draft Fraud Policy and Guide to Fraud Risk Assessment
- Internal Audit Register – Status Update to Audit Committee
- Update on Procurement and Contracts Department
- Final Payroll Review Internal Audit Report
- Updated Information Hardware Architecture Diagram
- Information Hardware Architecture Diagram and Update on Business Continuity Plan
- Final Internal Audit Report on Continuity of Service
- Draft Internal Audit Terms of Reference
- OHS Review - Internal Audit Report
- Fixed Asset Review – Internal Audit Report
- Procurement and Contract Management Follow Up – Internal Audit Report
- Council’s Risk Register
- Draft Audit Committee Annual Report to Council
- Draft 2011/2012 Annual Budget and Council Plan

**3. Compliance with laws and regulations as well as use of best practice guidelines;**

To achieve this outcome the Audit Committee considered and commented on the following reports:-

- Auditor General’s Interim Report on Local Government Performance
- Ombudsman’s Report on the St Kilda Triangle and Kew Cottages
- Auditor General’s report on Local Government Performance in 2009/10 Audits
- Audit Committees: A Guide to Good Practice for Local Government – February 2011
- Review of Audit Committee Charter

**4. The effectiveness of the internal audit function;**

Council’s current Internal Auditors are Deloitte who have extensive experience in the Local Government sector as Internal Auditors at other municipalities.

Deloitte commenced their contract in August 2008 for a three year period. Upon commencement of this contract, in consultation with Senior Management at Council, an organisational risk assessment was undertaken. This formed the basis of the Internal Audit Strategic Plan, which is reviewed by Internal Audit and Management and then adopted by the Audit Committee annually. The Internal Audit program that the Committee has overseen is in place to assist both Council and Management to achieve sound control over all Council activities. Internal Audit is not involved in the day to day internal transaction checking but provides an independent and objective assurance that the appropriate processes are in place. The Audit Committee also formally reviews the performance of the Internal Auditor each year.

Prior to accepting each report submitted by the Internal Auditor, the Committee examines the recommendations made in each report and management’s comments thereon.

To enable the Committee to closely monitor the implementation of Management’s agreed actions to address the recommendations contained in the Internal Auditor’s reports a progress report from Management is provided to each meeting. It is particularly pleasing that during

the year a large number of actions, including some very long standing ones of high or significant importance have been completed by management. Management's focus on them is acknowledged and appreciated.

**5. The provision of an effective means of communication between the external auditor, internal audit, management and the Council.**

Council's current External Auditor is the Victorian Auditor-General. The Auditor-General has elected to contract this activity for 2009/10 to Mr Mark Peters of HLB Mann Judd. Mr Peters is responsible for providing a recommendation to the Auditor-General that the Annual Financial Statements of Council present fairly and in accordance with applicable Accounting Standards. Representatives of HLB Mann Judd met with the Audit Committee during March to brief the Committee on how they would be conducting the annual audit. It is usual practice to meet again with Mr Peters in August to allow him to report on the findings of his examination of Council's financial records. It is normal practice for the External Auditor to review the Internal Audit program to better understand the internal control framework that exists at Council.

I feel that the above comments clearly demonstrate to Council that the Audit Committee has discharged its responsibilities to Council as set out in the Audit Committee Charter.

**Accountability**

In addition to this annual report, the Audit Committee's minutes are available to Councillors and are presented to Council meetings as part of the communication from the Audit Committee to the Council. Whilst the Committee has two Councillors as members, I also welcome any opportunity for further interaction with the other elected representatives.

**Acknowledgements**

I would like to acknowledge the professionalism and participation of all the members of the Audit Committee. The level of discussion on matters brought before the Committee have been of a very high standard, which I believe have resulted in tangible benefits to the community, Council and Council officers. The Committee has also greatly benefited from the contributions of the Councillor Committee Members who bring significant local knowledge and local community experience to the meeting table.

I also wish to record my appreciation of the work undertaken by Council staff in supporting the work of the Committee including the commitment and involvement of the Chief Executive Officer, Mr John Nevins with the Audit Committee.

**Conclusion**

Council has an obligation to the community to properly utilise the resources put at its disposal. The Audit Committee and the activities that it oversees is one mechanism that allows the community to feel confident that Council is properly discharging stewardship and governance obligations.

**Recommendation to Council**

That Council note the contents of the 2010/11 Annual Report on the activities of the Audit Committee.

**City of Kingston  
Ordinary Council Meeting**

**Minutes**

**25 July 2011**

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**Crs Peulich/Staikos**

That the recommendation be adopted.

**Carried**



**N 121            5 Exley Drive Moorabbin Expression of Interests**

**Approved by:** Paul Franklin, General Manager Corporate Services

**Author:** Julian Harvey, Manager Property, Art and Leisure Services

**1. Purpose**

The purpose of this report is to determine the future options for the building at 5 Exley Drive, Moorabbin in the context of Council's recently adopted Moorabbin Structure Plan via a public expression of interest for use of the building for an initial term of 2 years with an option for a further two year term.

**2. Council Plan**

- Planned Outcome 1 – Providing Resources for a safe and active community  
Strategy 1.1 – Lease Policy Review
- Planned outcome 5 – Community inspired Leaders Strategy 5.3 sound Governance and responsible Financial Leadership.

**3. Background**

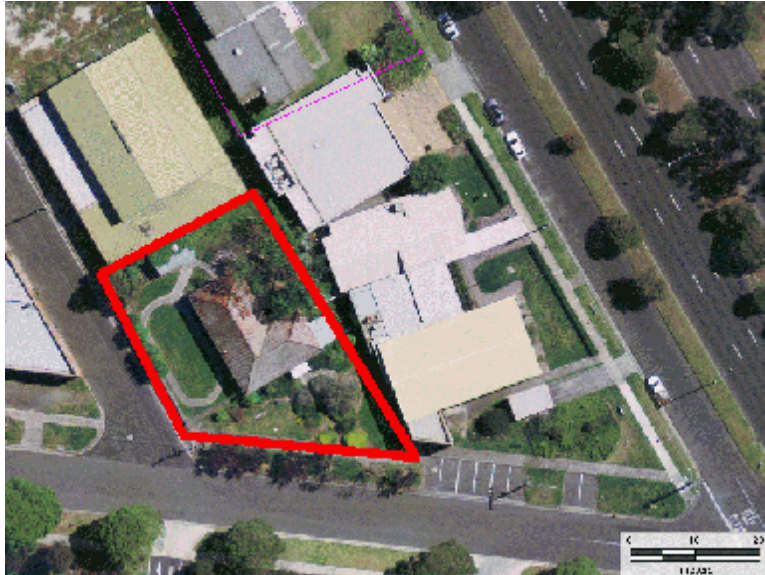
5 Exley Drive Moorabbin is a vacant Council-owned building that formerly housed the Moorabbin pre-school. The pre-school vacated the building at the end of the first teaching term of 2007. The Councillors of the day elected not to demolish the building and to retain it if a future need arose.

In the longer term the site is a part of a strategic holding and is one of Moorabbin's best future redevelopment opportunities. The site is strategically located within the bounds of the Moorabbin Activity Centre and adjoins other Council property and the Moorabbin Bowl site. Council owns approximately a third of the land in the Exley Drive/Ewar St precinct. Another third, represented by the Bowl, is owned by a consortium of property investors who are experienced developers, the remainder of the precinct is owned by small investors and the Moorabbin Hebrew Congregation.





In the short-term Council has an empty building which could provide accommodation for community use for the period until the site is required for future development. Council has an obligation as the owner to ensure that the building is compliant with the regulations related to any future use.



### **5 Exley Drive Moorabbin**

#### **4. Issues**

To ensure that Council provides the whole community with the opportunity to access this short-term lease, Officers propose to run an Expression of Interest campaign seeking community uses for the building.

If a tenant is identified as being capable of occupying the space on a short-term basis a lease agreement will be executed subject to a redevelopment clause which enables Council to provide the Tenant with six months notice to vacate the property.

The final terms of Expression of Interest to include:

- certification from the Municipal Building Surveyor that the proposed use is permitted
- all relevant regulatory authority permits/licences/regulations to be obtained prior to commencement of use
- use to commence within 12 months of the lease being awarded

#### **5. Options**

1. Commence a Feasibility Study which contemplates the development of the site within Council ownership and further consider the inclusion of buildings
2. Commence an Expression of Interest Campaign to seek capital non-intensive short-term tenant for the building

**6. Triple Bottom Line Checklist**

- Environmental –The re-use of the building for the short term would provide positive environmental benefits.
- Social – The property is currently vacant and the re-use of the building for a period would provide positive social capital through furthering activities in Kingston.
- Financial –Re-use of the site for a short-term tenancy would have a minimal capital cost to Council.

**7. Summary and Conclusion**

5 Exley Drive has been vacant for almost 4 years

The potential to use the building in the short -term should be pursued as a viable low capital alternate use over which Council will continue to have absolute control.

The Exley Drive and Ewar Street precinct of which 5 Exley Drive forms part, represents one of Council's most strategic property holdings. The precinct, if carefully and thoughtfully redeveloped, has the potential to reinvigorate the face of Moorabbin at the Highway and provide some funding for the Moorabbin Structure Plan Implementation.

**8. Recommendation**

That Council resolves to:

1. Seek Expressions of Interest for the use of 5 Exley Drive, Moorabbin for an initial period of 2 years with an option for one two year extension, termination with a notice period of 6 months.
2. Officers commence work on initial development feasibility for the precinct.

**Crs Staikos/Peulich**

That Council resolves to:

1. Seek Expressions of Interest for the use of 5 Exley Drive, Moorabbin for an initial period of 2 years with an option for one two year extension, termination with a notice period of 6 months.
2. That the outcome of the EOI process be reported to Council no later than the October 2011 Ordinary Council meeting.
3. Officers commence work on initial development feasibility for the precinct.

**Carried**

**13. Notices of Motion**

None

**14. Urgent Business**

None

**Crs Staikos/Shewan**

That in accordance with the provisions of section 89(2) of the Local Government Act 1989, the meeting be closed to members of the public for the consideration of the following confidential items:

- N 122 as it relates to a legal matter
- N 123 as it relates to a matter that would prejudice the body being the subject of the report
- N 124 as it relates to a personnel matter

**Carried**

The meeting was closed to the public at 8.27pm.

**Crs Athanasopoulos/Peulich**

That the meeting be opened to members of the public.

**Carried**

The meeting was opened to members of the public at 8.53pm

There being no further business the meeting closed at 8.53pm

**Confirmed.....His Worship, The Mayor 22 August 2011**