Agenda

Ordinary Council Meeting

Monday, 24th July 2023

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

Peter Bean
Chief Executive Officer
Kingston City Council

community inspired leadership

City of KINGSTON

ACKNOWLEDGEMENT OF COUNTRY

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past and present and emerging.

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island elders who have guided and continue to guide the work we do.

City of Kingston
Ordinary Council Meeting

Agenda **24 July 2023**

Notice is given that a Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 24 July 2023.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Ordinary Council Meeting 26 June 2023
Minutes of Special Council Meeting 26 June 2023

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

Nil

5. Presentation of Awards

Nil

6. Reports from Delegates Appointed by Council to Various Organisations

7. Question Time

8. Planning and Place Reports

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9. Community Strengthening Reports

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9.3 Response to Resolution - Notice of Motion No. 13/2021 - Public Art Review..... 365
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11. Customer and Corporate Support Reports
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11.5 Governance Rules Review 619
11.6 Service Model - Concierge and Customer Care 769

12. Chief Finance Office Reports
12.1 Cultural and Recreation Land Agreements: Policy Adoption 775

13. Notices of Motion
13.1 Notice of Motion No. 20/2023 - Cr Howe - Let There Be Light 803
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14. Urgent Business

15. Confidential Items 807

Confidential Attachments
11.3 Appointment of Members to Strategic Advisory Committees
Appendix 1 Interview Evaluations for Strategic Advisory Committees Recruitment Process 2023
12.1 Cultural and Recreation Land Agreements: Policy Adoption
Appendix 3 Confidential Attachment - Council Paper Analysis of Cult and Recreation Policy Changes

Explanation of Meeting Procedure

Meeting Procedure is Regulated by the City of Kingston Governance Rules
The procedures for this Council Meeting are regulated by Council's Governance Rules.

Chairperson
The Mayor as Chairperson is the ultimate authority for the conduct of the meeting.

Agenda
The business to be dealt with at the meeting is set out in the agenda. No other business can be dealt with, unless admitted as Urgent Business by resolution of Council.

Motions
A motion must be moved and seconded to be valid. The mover of the motion will then be permitted to speak to it. Other Councillors will then be permitted to speak either for or against the motion. The mover will be permitted a right-of-reply, which will conclude the debate.

Voting
The motion will then be voted on by show of hands. If the motion is carried, it becomes a resolution (decision) of the Council. Any Councillor may call for a Division, in order that the vote of each Councillor is formally recorded. The result of the Division supersedes the vote by show of hands.

Amendments
A Councillor may move an amendment to a motion. Any amendment moved shall be dealt with in the same way as a motion, except that there is no right of reply for the mover of the amendment and the mover of the motion if the amendment is carried. If carried, the amendment becomes the motion and the previous motion is abandoned.

Speaking at the Meeting
No visitor to a Council meeting may speak to the meeting, except for:

- The applicant (or their representative) and one objector in relation to an application for a planning permit;
- Special circumstances in which leave to speak is granted by the Chairperson.

Unless special circumstances apply, the Chairperson will limit the presentation of a speaker to four minutes' duration.

Explanation of Meeting Procedure

Questions

Members of the public present at the meeting may put questions in writing to Council which will be dealt with during Question Time. Questions must be submitted by:

- Submitting an online question form on Council's website by 3.00pm on the day of the Council meeting; or
- Placing a hard copy question form in the Question Box situated in the foyer by 7.30pm on the day of the Council meeting.

Questions are to be as succinct as possible. Questions which cannot be accommodated on the question form provided are likely to require research and are more appropriately directed to Council in the form of a letter. In such cases, the question/s may be answered in writing at the direction of the Chairperson subsequent to the meeting.

Individual members of the public are permitted to ask a maximum of two (2) questions.

Confidential Business

The meeting may be closed at any time to deal with confidential items in camera. In these instances members of the public will be asked to leave the Council Chamber, and the meeting re-opened once the confidential business is completed.

Courtesy to the Mayor

All Councillors are required to direct their attention towards the Chairperson when speaking. This is in accordance with protocols relating to respect for the Chairperson of a meeting and is a requirement of Council's Meeting Procedures Local Law.

Emergency Evacuation of Chamber

Members of the public are requested to note the green and white EXIT signs.

In the event of an emergency requiring evacuation of the Chamber, the public should evacuate by way of the EXIT located to the right hand side of the Council Chamber. This leads to the foyer through which you passed in order to enter the Chamber. Proceed from the foyer through the revolving door/side door and out of the building. This is the primary evacuation route.

If the nature of the emergency is such that the primary evacuation route is impracticable, the public should evacuate by way of the EXIT located to the right of the Council table as viewed from the public gallery. Follow further EXIT signs thereafter, which lead to an exit point on the south side of the building. This is the secondary evacuation route.

Council staff will issue directions on how to proceed to evacuate in the event of an emergency.

Explanation of Meeting Procedure

Do You Have a Hearing Difficulty?

Phonic Ear Hearing Assistance is available to any member of the public gallery with a hearing disability. Just ask a member of staff for a unit prior to the meeting.

Interpreting Service

131 450
TIS National

Recording of Meetings

Council Meetings are recorded and streamed live on the internet.

Recordings are archived and available on Council's website www.kingston.vic.gov.au.

All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded.

8. Planning and Place Reports

Ordinary Council Meeting

24 July 2023

Agenda Item No: 8.1

TOWN PLANNING APPLICATION DECISIONS - JUNE 2023

Contact Officer: **Carly De Mamiel, Senior Customer Liaison and Administration Officer**

Attached for information is the report of Town Planning Decisions for the month of June, 2023.

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	77	76
Notice of Decision	12	12
Refusal to Grant a Permit	5	5
Other - Withdrawn (7) - Prohibited (0) - Permit not required (0) - Lapsed (0) - Failure to Determine (0)	7	7
Total	**101**	**100**

(NB: Percentage figures have been rounded)

RECOMMENDATION

That the report be noted.

Appendices

Appendix 1 - Town Planning Application Decisions June 2023 (Ref 23/183924)

Author/s: Carly De Mamiel, Senior Customer Liaison and Administration Officer

Reviewed and Approved By: Naomi Crowe, Team Leader City Development Administration

8.1

TOWN PLANNING APPLICATION DECISIONS - JUNE 2023

1 Town Planning Application Decisions June 2023 9

Planning Decisions June, 2023

APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2022/685	104 Devon Street	CHELTENHAM	18/10/2022	1/06/2023	The construction of three (3) double storey dwellings	Permit	No
KP-2022/387	550-570 Heatherton Road	CLAYTON SOUTH	9/06/2022	1/06/2023	The construction of buildings and works including an additional hot house, an extension to the existing hothouse and a dispatch and storage building associated with the use of the land for agriculture (crop raising) and alterations to the access to a road in the Transport Zone 2 (Heatherton Road)	Permit	No
KP-2016/605/A	49 Jean Street	CHELTENHAM	25/07/2022	1/06/2023	Develop the land for the construction of eight dwellings (3 double storey dwellings and 5 three storey dwellings) with a basement car park	Permit	No
KP-2022/726	7 1-3 James Street	MORDIALLOC	2/11/2022	1/06/2023	The construction of a first floor addition and a roof top terrace to the existing dwelling	Permit	No
KP-2019/449/B	19 Avondale Avenue	CHELSEA	19/12/2022	1/06/2023	Development of two (2) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2022/669	Scotch Parade	BONBEACH	11/10/2022	1/06/2023	Removal of the reserve status and easements from the drainage reserve no.1 on plan of subdivision LP8882 and the drainage reserve and reserve on plan of subdivision LP5727, creation of easements E-1 and E-2 and subdivision of the land in accordance with the endorsed plans	Permit	No

KP-2023/96	Factory 16 1-7 Canterbury Road	BRAESIDE	19/05/2023	1/06/2023	The construction of a mezzanine level and a waiver in the car parking requirements associated with a warehouse	Permit	No
KP-2023/277	81 Field Avenue	EDITHVALE	24/05/2023	1/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/294	51 Brownfield Street	MORDIALLOC	31/05/2023	1/06/2023	Subdivide the Land into Two (2) Lots	Withdrawn	No
KP-2023/189	77 Lochiel Avenue	EDITHVALE	18/04/2023	2/06/2023	The construction of a swimming pool in the Special Building Overlay	Permit	No
KP-2003/248/A	102-104 Malcolm Road	BRAESIDE	18/05/2023	2/06/2023	To construct buildings and works (mezzanine) on this site with reduced car parking requirements pursuant to Clause 52.06 of the Kingston Planning Scheme	Permit	No
KP-2020/578	27 Sixth Street	PARKDALE	30/09/2020	2/06/2023	Develop the land for the construction of a double storey dwelling to the rear of the existing dwelling and alterations to the existing dwelling, in a Special Building Overlay	Refused	Yes
KP-2021/426/A	18 James Avenue	ASPENDALE	19/05/2023	2/06/2023	Develop the land for two (2) dwellings	Withdrawn	No
KP-2018/579/A	56 Weymar Street	CHELTENHAM	25/03/2023	2/06/2023	Construct a front fence and verandah on land subject to the Special Building Overlay	Permit	No
KP-2023/276	42 Edmond Street	PARKDALE	24/05/2023	5/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/181	6 124-126 Keys Road	CHELTENHAM	11/04/2023	5/06/2023	Subdivide the land into Two (2) Lots	Permit	No
KP-2023/183	401 Nepean Highway	MORDIALLOC	12/04/2023	5/06/2023	Subdivide the land into two (2) lots (boundary realignment)	Permit	No
KP-2022/792	54 Kubis Avenue	ASPENDALE	13/12/2022	5/06/2023	The development of two (2) dwellings	Permit	No
KP-2001/130/A	2-10 Teague Avenue	MENTONE	17/02/2023	5/06/2023	To amend the permit to develop and use this site for ten (10) dwellings	Permit	No

KP-2022/419/A	1 1 Jennifer Avenue	PARKDALE	29/03/2023	5/06/2023	Extend a dwelling on a lot less than 300sqm (including a front fence higher than 1.2m) on land within a Special Building Overlay	Permit	No
KP-2023/291	69 Riviera Street	MENTONE	30/05/2023	5/06/2023	Proposed front fence with driveway gate	Withdrawn	No
KP-2022/297	25-27 Wells Road	CHELSEA HEIGHTS	5/05/2022	6/06/2023	Develop the land for a storage facility and alter access to a road in the Transport Zone 2	Permit	No
KP-2015/107/C	74 Venice Street	MENTONE	19/05/2022	6/06/2023	Amend the permit conditions including condition 24 to extend the permitted use of the land in association with a temporary education centre from 31 December 2022 until 31 December 2024; delete condition 5 and 8 relating to the provision of a stormwater management plan and traffic signage.	Permit	No
KP-2002/512/A	45 Derring Lane	CHELTENHAM	22/12/2022	6/06/2023	The development of the site for one (1) dwelling on a lot less than 300 square metres	Permit	No
KP-2023/180	452 Station Street	BONBEACH	11/04/2023	6/06/2023	Subdivide the land into three (3) lots	Permit	No
KP-2022/800	179-217 Centre Dandenong Road	DINGLEY VILLAGE	9/12/2022	6/06/2023	Removal of native vegetation	Refused	No
KP-2023/87	46 Mulkarra Drive	CHELSEA	21/02/2023	6/06/2023	Develop the land for the construction of two (2) dwellings within a Special Building Overlay	Permit	No
KP-2023/102	2A Roycroft Avenue	ASPENDALE	28/02/2023	6/06/2023	Removal of Reserve No. 1 and Reserve No. 2 from LP6462	Withdrawn	No
KP-2022/831	Unit 15 465-469 Clayton Road	CLAYTON SOUTH	22/12/2022	7/06/2023	Develop the land for a three storey apartment building comprising 54 dwellings and display an internally	Refused	No

					illuminated business identification sign		
KP-1972/408/A	1 192 Como Parade West	PARKDALE	28/02/2023	7/06/2023	To have buildings and works erected thereon in accordance with the attached endorsed plans, and to be used for the purpose of three flats	Permit	No
KP-2022/816	676 Nepean Highway	CARRUM	19/12/2022	7/06/2023	The construction of a double storey dwelling at the front of an existing dwelling and to create access to a road in the Transport Zone 2	Permit	No
KP-2023/199	73 Hunt Crescent	CLARINDA	26/04/2023	7/06/2023	Subdivision of three (3) lots	Permit	No
KP-2022/678/A	10 16-18 Turakina Avenue	EDITHVALE	26/05/2023	8/06/2023	The construction of a ground floor extension to an existing dwelling	Permit	No
KP-2022/690	47 Kallay Street	CLAYTON SOUTH	20/10/2022	8/06/2023	Construction of two (2) double storey dwellings	Permit	No
KP-2021/862	18 Clay Street	MOORABBIN	15/12/2021	8/06/2023	The development of two (2) dwellings	Permit	No
KP-2022/75	1242A Centre Road	CLAYTON SOUTH	12/02/2022	8/06/2023	The development of three (3) dwellings and alter access to a Transport Zone 2	Permit	No
KP-2016/842/B	12 Ronald Street	MOORABBIN	31/03/2023	8/06/2023	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2023/25	582 Nepean Highway	BONBEACH	23/01/2023	9/06/2023	The development of one (1) dwelling and associated works on land affected by a Design and Development Overlay, Schedule 1 generally in accordance with the submitted plans	Notice of Decision	No
KP-2017/387/A	21 Silver Street	CHELTENHAM	21/12/2020	9/06/2023	Develop the land for the construction of one (1) dwelling to the rear of the existing dwelling and alterations to the existing dwelling	Notice of Decision	No
KP-2023/140	12C 93 Wells Road	CHELSEA HEIGHTS	24/03/2023	9/06/2023	The use of the land as a shop (sauna and cryotherapy)	Notice of Decision	No

KP-2023/320	12 Lawborough Avenue	PARKDALE	6/06/2023	9/06/2023	Proposing to build a carport/shed	Withdrawn	No
KP-2023/286	45 McIndoe Parade	PARKDALE	29/05/2023	9/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/5	2 Campbell Grove	DINGLEY VILLAGE	9/01/2023	9/06/2023	Subdivide the Land into Two (2) Lots	Permit	No
KP-2023/110	15A 56 Keys Road	CHELTENHAM	9/03/2023	9/06/2023	The development of alterations and additions (mezzanine level) to the existing warehouse and a reduction of the car parking requirement	Permit	No
KP-2013/750/A	21 Childers Street	MENTONE	31/10/2022	9/06/2023	Use and develop the land for a childcare centre and kindergarten, a reduction of the car parking requirement and display of business identification signage	Permit	No
KP-2016/995/A	1234 Nepean Highway	CHELTENHAM	22/12/2021	9/06/2023	In accordance with the endorsed plans Use of land for a childcare centre and restricted recreation facility (gym) and development of the land for the construction of a multistory mixed use building comprising dwellings, offices, food and drinks premises (cafe), childcare centre and restricted recrea	Permit	Yes
KP-2020/258	2 9 Stephens Street	CARRUM	18/05/2020	9/06/2023	Development of buildings and works to the existing dwelling, variation to the car parking requirement and associated works in accordance with the endorsed plans	Refused	Yes
KP-2022/483	410-412 Warrigal Road	HEATHERTON	19/07/2022	9/06/2023	The development and use of the site for two (2) convenience restaurants, the display of advertising signage and the construction and alteration	Permit	No

					of access to a road in a Transport Zone 2		
KP-2022/247	25 Brindisi Street	MENTONE	14/04/2022	13/06/2023	The construction of ten (10) dwellings and a shop and a reduction in the car parking requirements for a shop	Permit	Yes
KP-2023/187	62 Langrigg Avenue	EDITHVALE	17/04/2023	13/06/2023	Subdivide the land into three (3) lots	Permit	No
KP-2022/176	129 Como Parade East	PARKDALE	17/03/2022	13/06/2023	Contruction of a three storey apartment building containing 34 dwellings in accordance with the endorsed plans	Permit	Yes
KP-2023/166	19 Imes Street	PARKDALE	4/04/2023	14/06/2023	Subdivide the land into three (3) lots	Permit	No
KP-2023/168	113 McDonald Street	MORDIALLOC	5/04/2023	14/06/2023	The construction of a testing hut associated with a residential aged care facility	Permit	No
KP-2023/324	84 Field Avenue	EDITHVALE	7/06/2023	14/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/284	30 Vialls Avenue	PARKDALE	29/05/2023	14/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/225	553 Station Street	CARRUM	2/05/2023	14/06/2023	Subdivide the Land into Four (4) Lots and create common property	Permit	No
KP-2022/467	18 Phillip Street	MENTONE	12/07/2022	15/06/2023	The construction of two (2) double storey dwellings	Notice of Decision	No
KP-2023/206	6 Deanswood Court	CHELTENHAM	28/04/2023	15/06/2023	THE DEVELOPMENT OF TWO (2) DWELLINGS	Permit	No
KP-2023/221/A	32 Dahmen Street	CARRUM	2/06/2023	15/06/2023	The construction of a front fence in the Special Building Overlay	Permit	No
KP-2018/405/B	69 Riviera Street	MENTONE	2/06/2023	15/06/2023	The development of four (4) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2015/336/C	88 Beach Road	MENTONE	29/04/2022	15/06/2023	Develop the land for the construction of buildings and works associated with an existing educationc entre, and to use and	Permit	Yes

					develop land at No's 36, 38 & 40 Naples Road Mentone for an education centre in accordance with the endorsed plans		
KP-2022/720	27 Myola Street	CARRUM	4/11/2022	16/06/2023	Development of the land for three (3) double storey dwellings, including two (2) new dwellings and alterations and additions to the existing dwelling	Permit	No
KP-2021/865	431 Centre Dandenong Road	HEATHERTON	9/12/2021	16/06/2023	The use and the development of the land as a vehicle store (bus storage facility), the display of business identification signage, the alteration and creation of access to a road in a Transport Zone 2 and the removal of native vegetation	Refused	No
KP-2023/226	4 72 Swan Walk	CHELSEA	6/06/2023	16/06/2023	The construction of a front fence on a lot less than 300 square metres and in the Special Building Overlay	Permit	No
KP-2023/313	525-527 Main Street	MORDIALLOC	5/06/2023	16/06/2023	The construction of buildings and works and external painting to an existing building in the Heritage Overlay	Permit	No
KP-2023/89	Factory 1 20-28 Levanswell Road	MOORABBIN	21/02/2023	19/06/2023	The construction of a storage tank in association with an existing industry	Permit	No
KP-2022/728/A	116 Valetta Street	CARRUM	23/05/2023	19/06/2023	The construction of a double storey dwelling in the Special Building Overlay	Permit	No
KP-2023/336	47 Frank Avenue	CLAYTON SOUTH	13/06/2023	19/06/2023	The construction of a verandah associated with the existing dwelling in the Special Building Overlay	Permit	No
KP-2022/822	2 Bondi Road	BONBEACH	21/12/2022	19/06/2023	Subdivision of four (4) lots	Permit	No
KP-2023/121	7 587 Nepean Highway	BONBEACH	16/03/2023	19/06/2023	Develop the land for a dwelling extension on a lot less than 300m2 (enclosure of first floor balcony)	Permit	No

KP-2023/340	138 Parkers Road	PARKDALE	13/06/2023	19/06/2023	We are planning on putting in an inground pool and spa, in addition will erect a verandah to the rear of the house and a decking as the floor. We also hope to build a sunroom to be used as an alfresco dinning and entertainment space. An additional pergola may also be built at the rear of the prope	Withdrawn	No
KP-2016/790/B	Unit 3 94 Station Street	ASPENDALE	19/01/2023	20/06/2023	Develop the land for the construction of three (3) double storey dwellings, in accordance with the endorsed plans	Notice of Decision	No
KP-2022/731	11 Harvey Court	CHELTENHAM	10/11/2022	20/06/2023	Construction of two (2) dwellings	Notice of Decision	No
KP-2023/317	3 Lynne Street	CHELSEA HEIGHTS	7/06/2023	21/06/2023	The construction of a verandah to the rear of the existing dwelling	Permit	No
KP-2019/802/A	43 Levanswell Road	MOORABBIN	5/12/2022	21/06/2023	The use of land as a place of assembly, the sale and consumption of liquor on the premises and a reduction of the car parking requirement	Permit	No
KP-2009/709/A	7 188-190 Beach Road	MORDIALLOC	16/12/2022	21/06/2023	The construction of extensions to the existing dwelling on this site, on a lot less than 300m2, with an internal storey height exceeding 3.5 metres, on land designated within the Special Building Overlay, in accordance with plans to be submitted pursuant to Condition 1 hereof:	Permit	No
KP-2022/765	101 Keys Road	MOORABBIN	30/11/2022	22/06/2023	Development of the land for buildings and works (warehouse) and reduction in the car parking requirement	Permit	No

KP-2022/827	24 McMillan Street	CLAYTON SOUTH	22/12/2022	22/06/2023	The development of two (2) dwellings	Permit	No
KP-2023/57	92 Emma Street	CARRUM	16/02/2023	23/06/2023	The construction of one (1) single storey dwelling	Permit	No
KP-2023/138	Warehouse 17 314 Governor Road	BRAESIDE	17/03/2023	23/06/2023	The construction of a mezzanine and the use of part of the building as an office	Permit	No
KP-2023/342	23 Grandview Grove	MOORABBIN	14/06/2023	23/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/227	82 Bernard Street	CHELTENHAM	2/05/2023	26/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/356	5 Captain Street	ASPENDALE	21/06/2023	26/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2012/601/A	1 17 Bay Street	PARKDALE	27/03/2023	26/06/2023	The construction of an extension to the existing dwelling	Permit	No
KP-2019/359/A	94 Tootal Road	DINGLEY VILLAGE	18/07/2022	27/06/2023	Use and develop the land for a minor sport and recreation facility, function centre, medical centre, shop, museum and reduction of bicycle parking requirements	Notice of Decision	No
KP-2022/717	30 Acacia Avenue	MENTONE	7/11/2022	27/06/2023	The construction of three (3) double storey dwellings	Notice of Decision	No
KP-2001/351/B	151 Bay Trail	PARKDALE	9/11/2022	27/06/2023	The use of land for a food and drink premises (café) and function centre, buildings and works, the display of business identification signage, the sale and consumption of liquor, and a waiver of the car parking requirement	Notice of Decision	No
KP-2022/475	19 Central Avenue	MOORABBIN	15/07/2022	27/06/2023	Develop the land for a five storey apartment building with basement car parking comprising of 44 dwellings	Notice of Decision	No
KP-2008/126/A	2 Ocean Lane	PATTERSON LAKES	17/01/2023	27/06/2023	To construct buildings and works (dwelling) on land designated within	Permit	No

					the Land Subject to Inundation Overlay on this site in accordance with the endorsed plans and subject to the following conditions, and a variation of the restrictive covenant AF534082C registered on the title of Lot 449 on PS50841		
KP-2023/346	24 Isabella Street	MOORABBIN	15/06/2023	27/06/2023	The construction of one (1) double storey dwelling on land within the Special Building Overlay	Permit	No
KP-2023/352	6 Black Street	CHELSEA	20/06/2023	28/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2022/752	8 56 Keys Road	CHELTENHAM	23/11/2022	28/06/2023	The development of a canopy extension to an existing building and reduction of the required car parking spaces.	Permit	No
KP-2020/298/A	62 Main Road	CLAYTON SOUTH	14/02/2023	28/06/2023	Development of two (2) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2023/264	53 Bear Street	MORDIALLOC	18/05/2023	28/06/2023	Construction of one (1) dwelling on land affected by the Land Subject to Inundation Overlay	Permit	No
KA-1/2023	2 Main Road	CLAYTON SOUTH	14/03/2023	29/06/2023	Removal of Section 173 Agreement	Approved	No
KP-2023/174	5 Bogey Court	DINGLEY VILLAGE	5/04/2023	29/06/2023	Variation to Restrictive Covenant C540244	Permit	No
KP-2021/458	29 Southern Road	MENTONE	27/07/2021	30/06/2023	The development of two (2) double storey dwellings in the Special Building Overlay	Withdrawn	No
KP-1997/195/A	487A Station Street	CARRUM	8/03/2023	30/06/2023	The development of four (4) dwellings	Notice of Decision	No
KP-2023/327	3 Willmott Street	ASPENDALE	8/06/2023	30/06/2023	Subdivide the land into two (2) lots	Permit	No
KP-2023/341	8 Devon Street	CHELTENHAM	14/06/2023	30/06/2023	Subdivide the land into Two (2) Lots	Permit	No
KP-2022/791	55 Nirringa Avenue	ASPENDALE	13/12/2022	30/06/2023	The development of two (2) dwellings	Notice of Decision	No

KP-2010/368/B	8-10 Plane Tree Avenue	DINGLEY VILLAGE	8/05/2023	30/06/2023	Alterations and additions to existing warehouse and reduction of car parking requirement	Permit	No

Ordinary Council Meeting

24 July 2023

Agenda Item No: 8.2

KP-2022/798 - 179-217 CENTRE DANDENONG ROAD, DINGLEY VILLAGE

Contact Officer: Metika Claxton, Statutory Planner

Purpose of Report

Council to consider planning permit application No. KP-2022/798 - 179-217 Centre Dandenong Road, Dingley Village.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or contractor/s who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

RECOMMENDATION

That Council determine to support the proposal and issue a Notice of Decision to grant a planning permit for the Removal of native vegetation at 179-217 Centre Dandenong Road, Dingley Village, subject to the conditions contained within this report.

This application requires a decision by Council, for the following reasons:

- The Council resolution states: *The instrument of delegation be amended to escalate any planning or local laws application for ten (10) or more tree removals for Council decision*. While this application is only for the removal of one tree, the Officer's views are that the proposal still meets the threshold specified in the resolution given the recent tree removal permits on the site exceed ten (10) individual trees approved for removal.

EXECUTIVE SUMMARY				
Address	179-217 Centre Dandenong Road, Dingley Village			
Legal Description	Lot 3 on Title Plan 156129L			
Applicant	AS Residential Property No. 1 Pty Ltd			
Planning Officer	Metika Claxton			
PLANNING REQUIREMENTS				
Planning Scheme	Kingston			
Zoning	Clause 37.01 – Special Use Zone (Schedule 1)			
Overlays	None			
Particular Provisions	Clause 52.17 – Native Vegetation			
Permit Trigger/s	Clause 52.17-1 – A planning permit is required to remove, destroy or lop native vegetation.			
APPLICATION / PROCESS				
Proposal	Removal of native vegetation.			
Reference No.	KP-2022/798	**RFI Received**	30 March 2023	
App. Received	12 December 2022	**App. Amended**	NA	
Site Inspection	Yes - Attended by Council's Vegetation Management Officer & an external, independently engaged, ecologist			
S.52 Advertising	Commenced: 21 April 2023	**Advertising Completed**	8 May 2023	
S.55 Referrals	None			
Internal Referrals	Yes			
Objection(s)	Eight (8) (TRIM checked on 6 July 2023)			
Vegetation	**Trees > 8m**	Yes	**No. of Trees to be removed (110cm circumference)**	Nil
LEGISLATIVE				
Covenant/Other Restriction	No	Complies: NA		
Aboriginal Cultural Sensitivity Area	Yes			
CHMP	Exempt as not used for a purpose under Regulation 46(1)(b).			
Considered Plans	Tree Risk Assessment for AS Residential Property No. 1 Pty Ltd prepared by Homewood Consulting Pty Ltd, dated 16 September 2022 Ecology Offset Assessment prepared by Ecology and Heritage Partners Pty Ltd, dated March 2023.			

1. RELEVANT LAND HISTORY

1.1. A request to rezone the golf course (not currently used as a gold course) to facilitate the redevelopment of the land for residential purposes was submitted to Council in 2016 under Planning Scheme Amendment C151. In conjunction with this request, planning permit application KP-2016/134 was lodged seeking approval for the subdivision and development of the land, specifically the subdivision into 508 lots, six (6) super lots, development of lots less than 300 square metres and other associated buildings and works. This planning application also proposed removal of native vegetation which included twenty-five (25) scattered remnant trees and 0.927 hectares of native vegetation patches.

1.2. The combined planning permit and amendment was rejected by Council at a Special Council Meeting held on 17 October 2018. The matter is now with the Minister for Planning for consideration with no decision made to date.

1.3. KP-2019/619 was refused by Council to remove/lop seven (7) trees on 17 December 2019, on the following grounds:

- *The proposal fails to comply with relevant state and local planning policies contained within of the Kingston Planning Scheme, including Clause 12.01 (Biodiversity) and Clause 21.03 (Environment and Landscape Values).*
- *The proposal fails to comply with relevant guidelines and objectives of Clause 52.17 (Native Vegetation).*

1.4. An application for review was considered by the Victorian Civil and Administrative Tribunal (VCAT) regarding twenty-three (23) applications for a planning permit that each proposed the removal of one (1) tree from the site on 28 October 2022.

1.5. Fourteen (14) of these planning permit applications were refused, under delegation, on 14 October 2021.

1.6. The remaining seven (7) planning permit applications were recommended for approval by the planning officer to a Council Meeting on 29 November 2021. Only one (1) of these applications, KP-2021/470, was approved by Council to remove a tree. All other (6) applications were determined to issue a refusal to grant a permit by Council. These seven (7) applications formed part of the application for review with VCAT with the permit applicant lodging a failure to determine application for review regarding these applications.

1.7. Two applications were refused, under delegation, on 17 March 2022.

1.8. The VCAT order by Member Christopher Harty issued on 28 October 2022 refused the granting of a permit for ten (10) trees and allowing the removal or lopping of 13 (thirteen) trees.

1.9. On 6 June 2023, KP-2022/800 was refused to remove native vegetation on the site, for one (1) tree.

1.10. None of the refused trees above are considered under this application for a planning permit with Council.

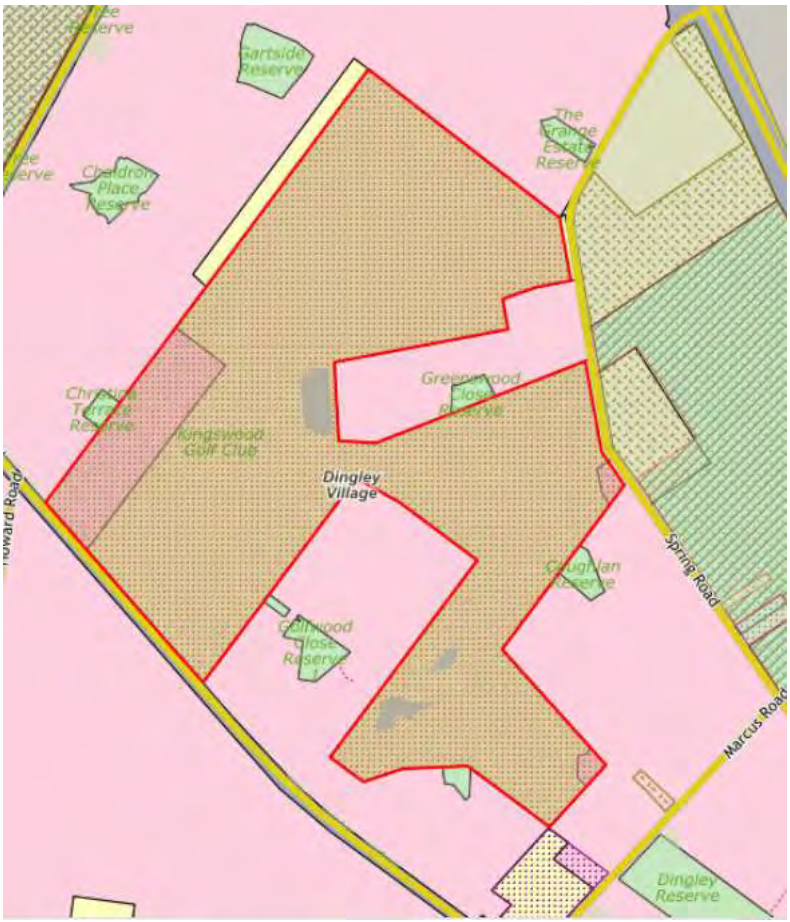
2. SITE PARTICULARS

Lot Size and Dimensions	53.37 hectares
Topography	The land is generally flat.
Vegetation	The application in hand proposes to remove native vegetation.
Easement(s)	There are several easements on the subject site.

3. SURROUNDING LAND

3.1. An aerial photograph is provided below, which details the site in its surrounding context.

Source: NearMap.



Source: Intramaps

3.2. The site is mostly surrounded by residential development as depicted above. The existing built form in the surrounding residential area is generally single and double storey detached dwellings on allotments of approximately 600 square metres in size.

3.3. The land to the north-east of the property opposite Spring Road is in the Green Wedge Zone (Schedule 2) (GWZ2) and Public Park and Recreation Zone (PPRZ). The land in the PPRZ has been developed as a public park on a former landfill site.

3.4. There are several local residential streets and public open spaces/reserves that finish and adjoin the site's boundaries.

4. PROPOSAL

4.1. It is proposed to remove one (1) native vegetation tree that is identified as Tree No. 347 Southern Mahogany (Eucalyptus botryoides).

4.2. The tree has a diameter at breast height (DBH) of 77cm and is 12 metres high by 8 metres wide.

4.3. There is no offset requirement.

4.4. The tree is located on the aerial map provided below (blue dot):

Source: NearMap.

Photo taken by Council's vegetation management officer on 3 April 2023.

5. PLANNING PERMIT REQUIREMENTS

5.1. Pursuant to Clause 52.17-1 (Native Vegetation), a planning permit is required to remove, destroy, or lop native vegetation.

6. ABORIGINAL CULTURAL HERITAGE

6.1. The subject land is identified in an area of Aboriginal cultural heritage sensitivity. However, the proposed activity is exempt from requiring a cultural heritage management plan, as the site is not used for a purpose listed under Regulation 46 of the *Aboriginal Heritage Regulations 2018*.

7. PUBLIC NOTIFICATION

7.1. The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* and Council's Planning Application Advertising Policy by notifying all adjoining and nearby owners and occupiers to the lot that the tree was located and placing three (3) notices (in accordance with the prescribed form) along the street frontages closest to the tree's location for fourteen (14) consecutive days. There were eight (8) objection received. Their concerns can be summarised as follows:

- Loss of wildlife/biodiversity.
- Negative impact on air quality/cooling.
- Insufficient evidence for safety risk.
- Re-zoning combined amendment (including development) on foot.

8. PLANNING CONSULTATION MEETING

8.1. Despite the number of objections exceeding six (6) objections, a planning consultation meeting was not held, as the objections received clearly outlined the concerns of the residents were consistent and would be unlikely to be addressed given the nature of the application and permission sought.

9. REFERRALS

9.1. Council's vegetation management officer advises:

Council's arboricultural assessment	QTRA assessment
Tree is situated against the boundary fence and is mostly dead (minimal epicormic growth remains). The risk assessment in the application refers to a limb that has since fallen/ been removed. The remaining tree is one sided weighted towards the golf course and away from the fence. Approved for destruction (habitat stumping/ringbarking) to prevent re-growth.	The Homewood Consulting report identifies the tree's Risk of Harm as 1 in 300,000. Council's assessment is a Risk of Harm of 1 in 1 million.

9.2. The application was referred to an external, independent ecologist. After undertaking a full appraisal, including a site inspection, the ecologist agrees with the above findings of Council's vegetation management officer assessment (above).

10. PLANNING PROVISIONS

Planning Policy Framework (PPF)
Clause 02.02 – Vision Clause 12 – Environmental and Landscape Values
Zone
Clause 37.01 – Special Use Zone (Schedule 1)
Particular Provisions
Clause 52.17 – Native Vegetation
General Provisions
Clause 65 – Decision Guidelines

11. PLANNING CONSIDERATIONS AND ASSESSMENT

Planning Policy Framework

11.1. Clause 02.02 – Vision

11.2. Pursuant to Clause 02.02 the proposal recognises the biodiversity, environmental and landscape values.

11.3. Clause 12.01-1S – Protection of Biodiversity

11.4. This policy seeks to assist the protection and conservation of Victoria's biodiversity. As detailed in Council's vegetation management officer's and external expert's assessments, based on the information provided by the applicant to support the application, it has been adequately demonstrated how the removal addresses this provision and appropriately conserves Victoria's biodiversity. This largely stems from the tree being in poor health and having little environmental benefit. The application has considered the importance of the biodiversity, including its culminative impact and fragmentation of habitat.

11.5. Clause 12.01-1L – Protection of Biodiversity – Kingston and Clause 12.01-2L – Native Vegetation Management – Kingston

11.6. A strategy under Clause 12.01-1L is to retain and replant native trees and vegetation cover where possible. Clause 12.01-2L seeks to retain existing native vegetation wherever possible. It is considered that the tree should not be retained given the unacceptable level of risk associated with the tree, and there are many other trees on the site better suited to provide habitats and are more diverse flora. Further, the tree is deemed to have little environmental benefit.

11.7. Clause 12.01-2S – Native Vegetation Management

11.8. The objective of this clause is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. Further to this, the strategies in achieving this objective are detailed as follows:

11.9. Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

- *Avoid the removal, destruction or lopping of native vegetation.*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- *Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.*

11.10. As detailed in the assessment below, the application has sufficiently demonstrated that efforts to avoid and minimise the tree has been undertaken. The tree provides little environmental benefits and present an unacceptable level of risk. It would not be considered a net loss to biodiversity to remove the tree and it is deemed to be a safety risk.

11.11. **Particular Provisions**

11.12. Clause 52.17 – Native Vegetation

11.13. It is considered that the proposed native vegetation removal is consistent with the objectives of Clause 52.17 as detailed below.

11.14. Clause 52.17-4 states before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate. The applicable decision guidelines (Guidelines for the removal, destruction or lopping of native vegetation) together with the planning officer's assessment is provided below:

Number	Decision Guideline	Response
1	*Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation and should focus on areas of native vegetation that have the most value. Taking this into account consider whether:* *• the site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation* *• the proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation* *• feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.*	The applicant has satisfactorily demonstrated that efforts to avoid and minimise the loss of native vegetation has been undertaken. The avoid and minimisation statement contained within the native vegetation report prepared by *Ecology and Heritage Partners* is sufficient. Council's position based on the collective facts, internal assessment and expert advice is that the tree is in poor health and should be removed with a habitat stump to be retained. A QTRA Risk of Harm assessment provided by the applicant has a 'tolerable' risk of harm. The QTRA Risk of Harm assessment undertaken by Council's vegetation management officer had a 'broadly acceptable' risk of harm. The application provides a tangible assessment demonstrating the impact on biodiversity.
2	*The role of native vegetation to be removed in:* *• Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994.* *• Preventing land degradation, including soil erosion, salination, acidity, instability and water logging particularly:* *- where ground slopes are more than 20 per cent* *- on land which is subject to soil erosion or slippage* *- in harsh environments, such as coastal or alpine areas.* *• Preventing adverse effects on groundwater quality, particularly on land:* *- where groundwater recharge to saline water tables occurs* *- that is in proximity to a discharge area* *- that is a known recharge area.*	The site is not considered within any special water supply catchment areas listed in the *Catchment and Land Protection Act 1994* and the vegetation is not within 30 metres of a waterway or riparian ecosystems. The removal is not considered to result in any land degradation. The topography of the subject site is relatively flat, and no erosion is anticipated as water runoff is dispersed.

Number	Decision Guideline	Response
3	*The need to manage native vegetation to preserve identified landscape values.*	The site does not have any identified landscape values within policy or legislation, such as a Vegetation Protection Overlay or an Environmental Significance Overlay. However, it is acknowledged that the land is effectively contiguous with the Kingston Green Wedge on the opposite side of Spring Road. Due to the tree cover and biodiversity value on the subject site, it is considered that the land has a higher landscape value than some areas within the Green Wedge itself and makes a contribution to the biodiversity of the area and broader Green Wedge.
4	*Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.*	No vegetation subject to this application is protected under the *Aboriginal Heritage Act 2006*.
5	*The need to remove, destroy or lop native vegetation to create defendable space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.*	Not applicable.
6	*Whether the native vegetation to be removed is in accordance with any Property Vegetation Plan that applies to the site.*	Not applicable.
7	*Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.*	The applicant provided an offset requirement report, and that has been recommended as a condition on the permit to be secured in accordance with the guidelines. It is the opinion of the Council's independent ecologist, that an offset is not required for the tree but as it has been put forward in the applicant's report and therefore willing to proceed with the offset, a permit condition requires the offset. This is also in line with recent tree removal permits issued on the site granted by the Victorian Civil and Administrative Tribunal.
8	*For Clause 52.16 applications, consider in relation to the native vegetation to be removed:* *• The purpose and objectives of the Native Vegetation Precinct Plan.* *• The effect on any native vegetation identified for retention in the Native Vegetation Precinct Plan.* *• The potential for the effectiveness of the Native Vegetation Precinct Plan to be undermined.*	Not applicable.

Number	Decision Guideline	Response
	• The potential for the proposed development to lead to the loss or fragmentation of native vegetation identified for retention in the Native Vegetation Precinct Plan. *• Offset requirements in the Native Vegetation Precinct Plan.*	
9	*For applications in both the Intermediate and Detailed Assessment Pathway only – consider the impacts on biodiversity based on the following values of the native vegetation to be removed:* *• The extent.* *• The condition score.* *• The strategic biodiversity value score.* *• The number and circumference of any large trees.* *• Whether it includes an endangered Ecological Vegetation Class.* *• Whether it includes sensitive wetlands or coastal areas.*	Not applicable has not been identified as an Intermediate or Detailed Assessment Pathway.
10	*For applications in the Detailed Assessment Pathway only – consider the impacts on habitat for rare or threatened species. Where native vegetation to be removed is habitat for rare or threatened species according to the Habitat importance maps, consider the following:* *• The total number of species' habitats.* *• The species habitat(s) that require a species offset(s).* *• The proportional impact of the native vegetation removal on the total habitat for each species, as calculated in section 5.3.1 of the Guidelines.* *• The conservation status of the species (per the Advisory Lists maintained by DELWP).* *• Whether the habitats are highly localised habitats, dispersed habitats, or important areas of habitat within a dispersed species habitat.*	Not applicable as the proposal has not been identified as a Detailed Assessment Pathway.

11.15. Clause 65.01 – Approval of an Application or Plan

11.16. Contained within Clause 65 are the following native vegetation specific decision guidelines:

Before deciding on an application or approval of a plan, the responsible authority must consider:

- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

11.17. With respect to the above applicable guidelines, the application has satisfactorily included adequate information to enable Council to consider the above. The subject tree for removal, is deemed to provide little environmental benefit and presents an unacceptable level of risk. As such, the removal is considered appropriate.

12. RESPONSE TO GROUNDS OF OBJECTIONS

12.1. The objector's concerns have largely been addressed within Sections 9 and 11 of this report. However, in addition to this, the common themes that were expressed in the objections received have been explored and responded to in greater detail below.

- **Loss of wildlife and other biodiversity concerns.**
  The objections listed concerns regarding loss of wildlife and other biodiversity concerns. As detailed in the assessment throughout this report, it is considered the removal of the tree is supported as it provides little environmental benefit and there are no other opportunities to address the risk such as pruning. It is considered that the removal of the tree would not adversely impact the biodiversity, and the tree poses an unacceptable level of risk.
- **Concerns impacting human health such as air quality and cooling.**
  There are concerns in regard to human health such as air quality and cooling. The Planning Scheme does not specifically mention these concerns for consideration and focuses on biodiversity concerns. There is no indication that removing the tree would have a direct impact on the air quality or cooling. However, it is acknowledged that the land does have tree cover and biodiversity value that is worth retaining when the trees are in good health. This is not the case in regard to this application, as the tree is deemed a safety risk and in poor health.
- **That the tree proposed to be removed is not a safety concern and should be pruned instead. Further, insufficient evidence to demonstrate a safety risk.**
  There are concerns that the tree was not a safety concern, and it was also mentioned that only dangerous limbs should be removed. At this point, Council Officer's assessment (as expressed above) shares a different view to that of the objectors within respect to the tree's health. As highlighted earlier, Council's vegetation management officer and Council's independent ecologist conducted a site visit where it was concluded that the tree does pose a safety risk and this risk would not be eliminated by the removal of limbs. The tree does pose a safety risk and pruning would not mitigate the risk.
- **The proposed re-zoning of the land, and other concerns regarding future development.**
  One objection mentioned the proposed combined application (re-zoning and development) of the site. Whilst a combined application is on foot at the same time as this planning permit application on this site is considered, these two matters must be considered on their own merits and separate to one another.

  The re-zoning of the subject site for residential purposes is currently under consideration by the Minster for Planning. Whilst it would have been preferred for the tree removal to be considered under the proposed planning scheme amendment, this is not the way in which the permit applicant has decided to deal with this matter. As such, Council is obliged to consider the applications as received.

13. CONCLUSION

13.1. As outlined above, it has been determined that prior to deciding on the application, all relevant factors pursuant to Section 60(1) of the *Planning and Environment Act 1987* have been given consideration. The tree provides little environmental benefits and presents an unacceptable level of risk. It is further considered that the tree removal would not have an

adverse impact on biodiversity. Further to this, the application does not give rise to any significant social or economic effects.

13.2. On balance, the application before Council is considered to substantially comply with the relevant Scheme provisions and therefore should be supported by issuing a Notice of Decision to grant a planning permit.

14. RECOMMENDATION

14.1. That a Notice of Decision to grant a planning permit be issued for the removal of native vegetation at 179-217 Centre Dandenong Road, Dingley Village subject to the following conditions:

Endorsed Tree Destruction Plan

1. Prior to the commencement of removal, destruction or lopping, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and the plans must:

    a) Show the location of the tree on an overall site plan.

Lopping Plan for Habitat Stumping

2. Prior to the endorsement of plans under condition 1, a lopping and destruction plan must be submitted to the responsible authority and approved by the responsible authority and must:

    a) Prescribe objectives, methods, and specifications for destruction (via ringbarking).

Onsite Replacement Planting

3. Prior to the commencement of tree removal, lopping or destruction on site, a plan to the satisfaction of the responsible authority illustrating the location and species of replacement canopy tree planting to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority, showing:

    a) Three (3) canopy trees indigenous to the City of Kingston capable of growing to a minimum height of 10 meters and a canopy width of 6 meters.

    b) A minimum of 2 metres in height at the time of planting.

4. The replacement canopy trees planted as a condition of this permit and shown on the endorsed plans are to remain on the land and maintained to the satisfaction of the responsible authority.

Vegetation Offset

5. To offset the permitted clearing in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the permit holder must secure the general offset of 0.013 general habitat units:

    a) Located within the Port Phillip and Westernport Catchment Management boundary or Kingston municipal area.

    b) With a minimum strategic biodiversity score of at least 0.208.

    c) Include one (1) large tree.

6. Before any native vegetation is removed, evidence that the required offset by this permit has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:

    a. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

7. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.
8. Within six (6) months of the conclusion of the permitted clearing of native vegetation under this permit, the offset requirements can be reconciled with the written agreement of the responsible authority and the Department of Environment, Land, Water and Planning.

Permit Expiry

9. In accordance with Section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
    - The tree removal is not started before two (2) years from date of this permit.
    - The tree removal is not completed before four (4) years from the date of permit issue.

    In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note: Before removing any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's vegetation management officer to verify if a Local Laws permit is required for the removal of such vegetation.

Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

Note: Within the area of native vegetation to be retained and any tree protection zone associated with the permit, the following is prohibited:

a. Any vehicle or pedestrian access, trenching or soil excavation.
b. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
c. Entry or exit pits for underground services.
d. Any other actions or activities that may result in adverse impacts to retained native vegetation.

Appendices

Appendix 1 - KP-2022/798 - 179-217 Centre Dandenong Road, DINGLEY VILLAGE VIC 3172 - CONSIDERED PLANS (Ref 23/165747)

Author/s:	Metika Claxton, Statutory Planner
Reviewed and Approved By:	Amy Lin, Team Leader Statutory Planning
	Nikolas Muhllechner, A/Manager City Development

8.2

KP-2022/798 - 179-217 CENTRE DANDENONG ROAD, DINGLEY VILLAGE

1 KP-2022/798 - 179-217 Centre Dandenong Road, DINGLEY VILLAGE VIC 3172 - CONSIDERED PLANS 37

Tree Risk Assessment

for

AS Residential Property No. 1 Pty Ltd

c/- Robert Luxmoore Pty Ltd

Assessment of a *Eucalyptus botryoides* (Southern Mahogany)
at 179-217 Centre Dandenong Road, Dingley Village

Prepared by

Homewood Consulting Pty Ltd
Unit 10/ 350 Settlement Road
Thomastown VIC 3074

Prepared for

Emanuele Raffaele
Project Manager
Ground Floor, 11A Newton Street
Richmond VIC 3121

Consulting Arborist

John Brennan
Diploma of Arboriculture
Email: johnb@homewood.com.au

16 September 2022

Tel: 1300 404 558
ABN: 39 531 880 706

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1. Introduction

Homewood Consulting Pty Ltd has been engaged to provide a risk assessment report for a *Eucalyptus botryoides* (Southern Mahogany), Tree ID 347, located at 179-217 Centre Dandenong Road, Dingley Village.

An inspection of the tree has been requested to assess the health, structure and risk that the tree currently presents in the landscape and to provide recommendations on its management.

2. Method

On Monday, 4 July 2022, Stuart Tillett conducted a site inspection.

A walkover assessment was undertaken inspecting each tree within the subject property using the Level 1 'Limited Visual Inspection' method (ISA 2017). The trees were visually inspected from ground level in order to identify certain obvious defects or specified conditions (Smiley, Matheny and Lilly 2011).

From these, trees considered likely to have substantial failures or faults and/or a high probability to cause damage to persons or property, as well as specific trees nominated by the client, were assessed using the Level 2 'Basic Assessment' method (ISA, 2017). Tree location and individual tree assessment data was recorded for these trees and included:

- Photograph of tree
- Botanical Name
- Canopy Dimensions
- Diameter at Breast Height (DBH)
- Health
- Structure
- Useful Life Expectancy (ULE)
- Risk Assessment (TRAQ)
- Recommended Works

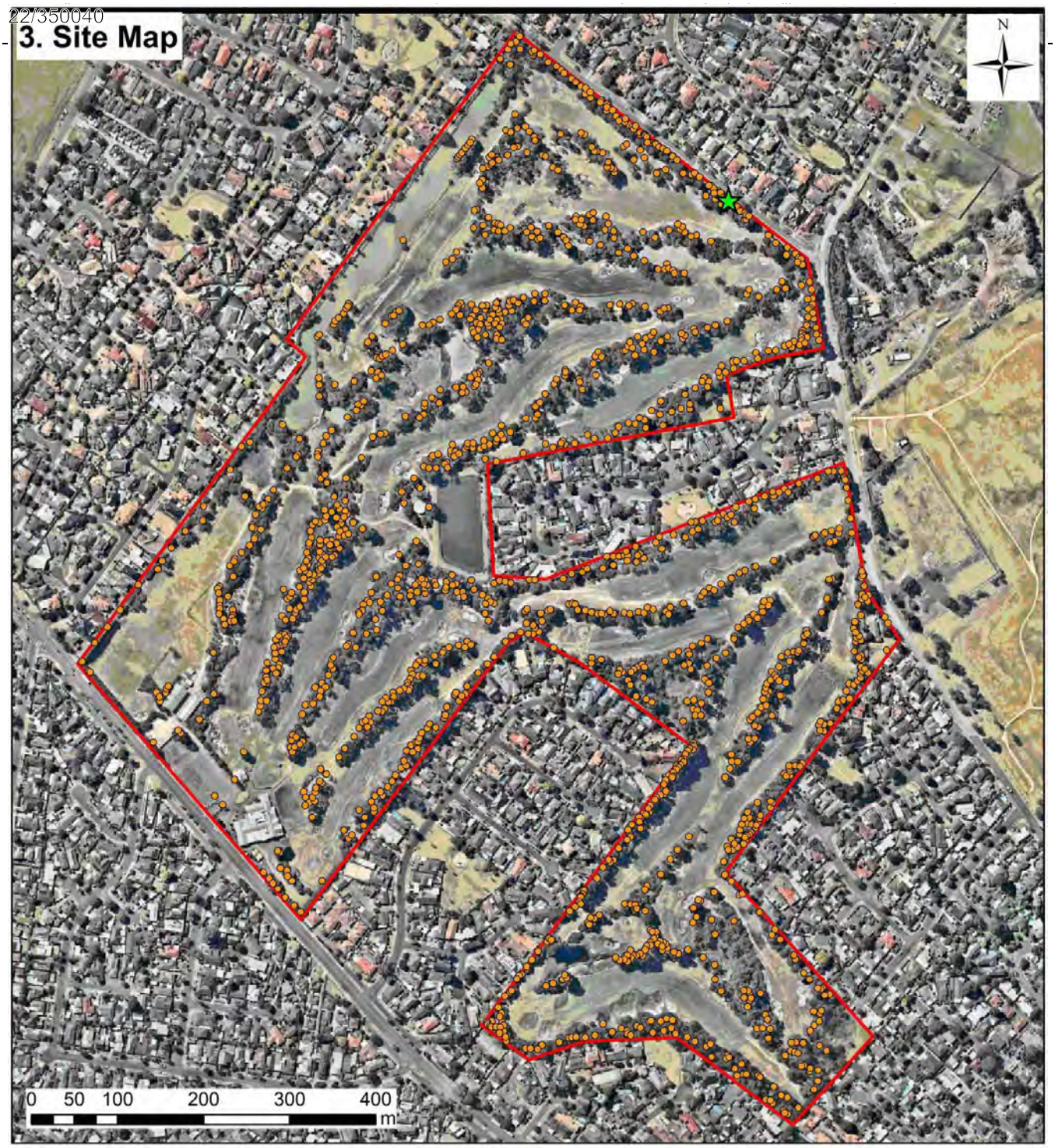
A Level 2 'Basic Assessment' is the standard assessment performed by arborists in response to most private client requests for tree risk assessments (Smiley, Matheny and Lilly 2011). It consists of a detailed visual inspection of a tree and its surrounding site, including a complete walk around the tree, looking at the buttress roots, trunk, branches and leaves. The tree is observed from a distance and close up to consider crown shape, landscape context and surroundings.

The assessment was conducted from ground level with no instruments used. Any assessments of decay are qualitative only. Tree height and canopy width were estimated, while Diameter at Breast Height (DBH) and basal circumference were measured with a diameter tape, unless otherwise noted.

Appendix 1 shows the data collected for the subject tree.

For definitions and descriptors of the data collected on site see Appendix 2.

3. Site Map



Assessment of trees at 179-217 Centre Dandenong Road, Dingley Village

Legend

- Subject Tree
- Trees - Walkover inspection
- Site Boundary

Base Information Supplied By:
NearMap 2020
Date: 16/09/2022
Plotted: JMB

HOMEWOOD
Unit 10 / 350 Settlement Rd
Thomastown VIC 3074
Ph: 1300 404 558
ABN: 39 531 880 706

4. Tree Details

The tree is a Mature *Eucalyptus botryoides* (Southern Mahogany), a Native species. It has Fair health and Poor structure and has a Useful Life Expectancy of Less than 5 years.

4.1 Risk Assessment

A risk assessment using Quantified Tree Risk Assessment, Version 5 (2015) has been conducted on the tree. The risk assessment method has the following components:

- Probability of failure
- Size of part likely to fail
- Target Occupancy

These are listed below for the subject tree, and the risk assessment methodology and assessment categories further detailed in Appendix 3.

4.1.1 Probability of failure (PF)

The probability of failure rating is attributed to the tree part that is most likely to fail under normal conditions within the next 12 months.

Table 1: Probability of Failure for the Assessed Tree

Probability of Failure Range	Probability of Failure Ratio	Probability of Failure Percentage	Description
3. Moderate	1/100 - >1/1,000	>0.1% - 1%	The structure of the specimen has significant faults and defects. Branch or trunk failure within the next twelve months would appear possible. The probability of failure over the next twelve months is 0.1 - 1%.

4.1.2 Size of part likely to fail (FS)

The failure size rating is attributed to the branch or trunk that is most likely to fail and cause the most damage under normal conditions over the next 12 months.

Table 2: Size of part most like to fail for the assessed tree

Size Range	Size of Part most likely to fail (diameter likely to impact target)	Impact Potential
3	110mm - 250mm	1/8.6 - >1/82

4.1.3 Target occupancy (TO)

The target occupancy is attributed to the object that is most likely to be hit / injured / damaged in the event of failure. The tree is within 3m of a boundary to a road reserve.

Table 3: Target Occupancy – object most likely to be impacted in the event of failure of assessed tree

Target Range	Property (repair or replacement cost)	Probability Ratio
4	4. Property, $380 to $3800	1/1,000 ->1/10,000

4.1.4 QTRA Risk of Harm

The method does not provide predictions of what will or will not happen but an estimate of the risk from any particular tree hazard.

The QTRA Risk Score methodology is probabilistic and the lower the value the higher the risk. The risk score is presented as a numeric value however it is properly expressed as a fraction e.g., Risk Score = 1,440 indicates that the predicted event has a 1/1,440 chance of occurrence. 1/1 indicates that an event is certain to occur and 1/10,000,000 indicates that it is extraordinarily unlikely.

QTRA has developed risk thresholds which are outlined in the table below.

Table 4. Summary of the Homewood Consulting risk assessment categories

Risk Thresholds	Description	Action
	Unacceptable Risks will not ordinarily be tolerated	Control the risk
1/1,000	**Unacceptable** (where imposed on others) Risks will not ordinarily be tolerated	Control the risk Review the risk
1/10,000	**Tolerable** (when imposed on others) Risks are tolerable if ALARP (As Low As Reasonably Practical)	Assess costs and benefits of risk control Control the risk only where a significant benefit might be achieved at a reasonable cost Review the risk
1/1,000,000	**Broadly Acceptable** Risk is already ALARP	No action currently required Review the risk

5. Conclusion and Recommendation

The tree presents a 1/ 300,000 Risk of Harm. It is recommended for removal with a Low priority – i.e., within the next 12 months.

6. Planning Requirements

Tree controls apply to the subject property as follows:

Community Local Law: A person must not without a permit:

- remove, damage, kill or destroy, or direct, authorise or allow to be removed, damaged, killed or destroyed; or
- cut, trim, lop or prune, or allow to be cut, trimmed, lopped or pruned contrary to the guidelines recommended in the Australian Standard AS4373-1996 Pruning of Amenity Trees.

Community Local Law refers to a tree with a trunk circumference greater than 110 centimetres measured at its base; or a multi-stemmed tree where the circumference of its exterior stems measured at its base equals or is greater than 110 centimetres.

VPP – Clause 52.17 Native Vegetation: 'A permit is required to remove, destroy or lop native vegetation, including dead native vegetation'.

Native vegetation is defined in planning schemes as 'plants that are indigenous to Victoria'.

Relevant permit exemptions include:

- Dead native vegetation. This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimeters or more at a height of 1.3 metres above ground level.
- Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to the pruning or lopping of the trunk of a native tree.
- Native vegetation that was either planted or grown as a result of direct seeding.

The subject tree is a *Eucalyptus botryoides*, a species whose natural distribution is restricted to a coastal strip in South-Eastern Australia, mostly within about 25km of the coast, from near Newcastle in NSW south to near Bairnsdale in Victoria (Nicolle 2016). As the origin of this tree on site has not been definitively confirmed (self-sown or planted), Council have directed the applicant to apply for a Planning Permit.

7. References

Dunster, J.A., Smiley, E.T., Matheny N., Lilly S., ISA (International Society of Arboriculture), 2017, *Tree Risk Assessment*, 2nd Edition, Champaigne, Illinois, USA.

Ellison, M.J., 2015, 'Quantified tree risk assessment used in the management of amenity trees', *Cheshire*, UK.

Smiley, ET, Matheny, N & Lilly, ET 2011, *Best Management Practices: Tree Risk Assessment*, International Society of Arboriculture, Champaign, Illinois, USA.

Standards Australia 2007, Australian Standard 4373: *Pruning of Amenity Trees*

Asset ID: 347

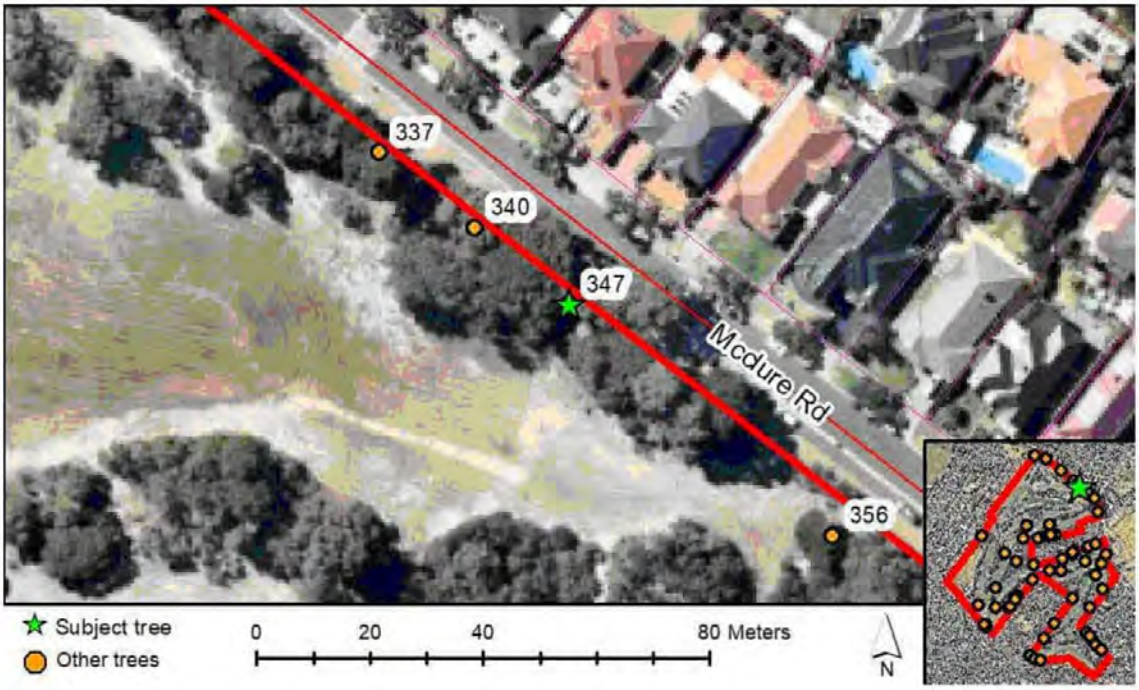
Botanical Name:	*Eucalyptus botryoides*
Common Name:	Southern Mahogany
Origin:	Native
Age:	Mature
Height & Width (m):	12 x 8
DBH (cm):	77
Health:	Fair
Structure:	Poor
ULE:	Less than 5 years

Works: Removal

Comments: Major trunk wound

Failure Potential:	**3. Moderate**
Failure Size:	**3. 101-250mm**
Target Rating:	**4. Property, $380 to $3800**
Risk of Harm:	1 in **300000**

QTRA Risk Threshold: Tolerable



Appendix 2. Data Collection Descriptors and Definitions

Tree assessments are based on the assessor's experience and opinion of the tree.

2.1 Botanical name

The scientific name identifying the genus and species of the tree. Each species has only one scientific name.

2.2 Common name

The colloquial name for a tree species, usually in plain English. Common names for a species are often local or regional and each species can have multiple common names.

2.3 Tree dimensions

Tree height and canopy width in metres (estimated unless stated otherwise).

2.4 DBH

Diameter of the trunk at breast height (1.4m above ground level) measured using a diameter tape. Used to calculate the Tree Protection Zone radius.

2.5 Basal circumference

Circumference of the trunk above the root buttress, measured using a diameter tape.

2.6 Health

Category	Description
Very Good	The tree is demonstrating excellent or exceptional growth. The tree exhibits a full canopy of foliage and is free of pest and disease problems.
Good	The tree is demonstrating good or exceptional growth. The tree exhibits a full canopy of foliage, and has only minor pest or diseases problems.
Fair	The tree is in reasonable condition and growing well. The tree exhibits an adequate canopy of foliage. There may be some deadwood present in the crown. Some grazing by insects or possums may be evident.
Poor	The tree is not growing to its full capacity; extension growth of the laterals is minimal. The canopy may be thinning or sparse. Large amounts of deadwood may be evident throughout the crown. Significant pest and disease problems may be evident or there may be symptoms of stress indicating tree decline.
Very Poor	The tree appears to be in a state of decline. The tree is not growing to its full capacity. The canopy may be very thin and sparse. A significant volume of deadwood may be present in the canopy or pest and disease problems may be causing a severe decline in tree health.
Dead	The tree is dead.

2.7 Structure

Category	Description
Good	The tree has a well-defined and balanced crown. Branch unions appear to be sound, with no significant defects evident in the trunk or the branches. Major limbs are well defined. The tree is considered a good example of the species.
Fair	The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance, and some branch unions may be exhibiting minor structural faults. If the tree has a single trunk, it may be on a slight lean or exhibiting minor defects.
Poor	The tree may have a poorly structured crown. The crown may be unbalanced or exhibit large gaps. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered root damage.
Very Poor	The tree has a poorly structured crown. The crown is unbalanced or exhibits large gaps with possibly large sections of deadwood. Major limbs may not be well defined. Branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. Branches may exhibit large cracks that are likely to fail in the future. The tree may have suffered major root damage.
Has Failed	A section of the tree has failed or is in imminent danger of failure and the tree is no longer a viable specimen.

2.8 Age Class

Category	Description
Mature	Tree has reached the expected size for the species at the site.
Semi-mature	Established tree that has not yet reach the expected size for the species at the site.
Young	Recently planted tree or juvenile self-sown tree (generally less than 5 years old).

2.9 Useful Life Expectancy (ULE)

Category	Description
40+ years	The tree is in excellent condition and under normal conditions and with appropriate management is expected to continue as a viable landscape component in excess of 40 years.
20 - 40 years	The tree is in good condition and under normal conditions and with appropriate management is expected to continue as a viable landscape component for 20-40 years.
10 - 20 years	The tree is in fair condition and under normal conditions and with appropriate management is expected to continue as a viable landscape component for 10-20 years.
5 - 10 years	The tree is in fair to poor condition or it is not a long lived species. Removal and replacement may be required within the next 10 years.
1 - 5 years	The tree is in poor condition due to advanced decline or structural defect. Removal and replacement may be required within the next 5 years.
0 years	The tree is dead, or is considered hazardous in the location. Removal may be required.

2.10 Tree Origin

Category	Description
Exotic	The species originates in a country other than Australia.
Australian Native	The species originates within Australia.
Indigenous	The species originates within the local environs.

Appendix 3. QTRA Overview

A risk assessment using Quantified Tree Risk Assessment, Version 5 (2015) has been conducted on the assessed trees.

The risk assessment method has the following components:

- **Probability of failure (PF)** - The probability of failure rating is attributed to the tree part that is most likely to fail under normal conditions within the next 12 months.
- **Size of part likely to fail (FS)** - The failure size rating is attributed to the branch or trunk that is most likely to fail and cause the most damage under normal conditions over the next 12 months.
- **Target occupancy (TO)** - The target occupancy is attributed to the object that is most likely to be hit / injured / damaged in the event of failure.

The QTRA Risk Score methodology is probabilistic and the lower the value the higher the risk. The risk score is presented as a numeric value however it is properly expressed as a fraction e.g. Risk Score = 1,440 indicates that the predicted event has a 1/1,440 chance of occurrence. 1/1 indicates that an event is certain to occur and 1/10,000,000 indicates that it is extraordinarily unlikely.

QTRA Version 5 uses Monte Carlo simulations to arrive at a mean value for the risk score values. In short, Monte Carlo simulations mean QTRA calculators work out the 'most likely' Risk of Harm from 10,000 possible outcomes for each combination of PF, FS and TO Range.

QTRA has developed a risk threshold which is outlined in Table 5 below.

An accepted threshold of risk is generally in the order of 1/10,000 and any tree that scores less than 10,000 would be expected to be remedied within the next twelve months.

Table 5: QTRA Advisory Risk Thresholds

Risk Thresholds	Description	Action
	Unacceptable Risks will not ordinarily be tolerated	Control the risk
1/1,000	**Unacceptable** (where imposed on others) Risks will not ordinarily be tolerated	Control the risk Review the risk
1/10,000	**Tolerable** (when imposed on others) Risks are tolerable if ALARP (As Low As Reasonably Practical)	Assess costs and benefits of risk control Control the risk only where a significant benefit might be achieved at a reasonable cost Review the risk
1/1,000,000	**Broadly Acceptable** Risk is already ALARP	No action currently required Review the risk

The method does not provide predictions of what will or will not happen but an estimate of the risk from any particular tree hazard. The purpose of QTRA is not necessarily to provide high degrees of accuracy, but rather to provide for the quantification of risks and to assist in the prioritisation of tree works within a group of trees. The quantification of risk is not the only consideration when managing tree safety. The financial cost of reducing the risk and the potential loss of the many benefits from trees should be accounted for when making risk management decisions. By quantifying the risks, we can more readily assess this balance.

3.1 Target Presence (Occupancy)

The target presence is attributed to the object that is most likely to be hit / injured / damaged in the event of failure.

For example: If a tree is overhanging a road it is unlikely that the road will become damaged in the event of tree failure, passing vehicles are more likely to be affected.

Therefore, the target range would be attributed according to the volume and frequency of vehicles on that road as shown in Table 6.

Table 6: QTRA Target Ranges

Target Range	Property (repair or replacement cost)	Pedestrian frequency	Vehicular frequency (number per day)	Probability Ratio
1	>$380,000	Occupation: Constant - 2.5 hours/day Pedestrians & cyclists: 720/hour - 73/hour	28,000 – 2,900 vehicles @ 100km/h 32,000 – 3,300 vehicles @ 80km/h 42,000 – 4,300 vehicles @ 60km/h 47,000 – 4,800 vehicles @ 50km/h	1/1 - >1/10
2	>$38,000 - $380,000	Occupation: 2.4 hours/day - 15 min/day Pedestrians & cyclists: 72/hour - 8/hour	2,800 - 290 vehicles @ 100km/h 3,200 - 330 vehicles @ 80km/h 4,200 - 430 vehicles @ 60km/h 4,700 - 480 vehicles @ 50km/h	1/10 - >1/100
3	>$3,800 - $38,000	Occupation: 14 min/day - 2 min/day Pedestrians & cyclists: 7/hour - 2/hour	280 - 29 vehicles @ 100km/h 320 - 33 vehicles @ 80km/h 420 - 43 vehicles @ 60km/h 470 - 48 vehicles @ 50km/h	1/100 - >1/1,000
4	>$380 - $3,800	Occupation: 1 min/day - 2 min/week Pedestrians & cyclists: 1/hour - 3/day	28 - 4 vehicles @ 100km/h 32 - 4 vehicles @ 80km/h 42 - 5 vehicles @ 60km/h 47 - 6 vehicles @ 50km/h	1/1,000 - >1/10,000
5	>$38 - $380	Occupation: 1 min/week - 1 min/month Pedestrians & cyclists: 2/day - 2/week	3 - 1 vehicles @ 100km/h 3 - 1 vehicles @ 80km/h 4 - 1 vehicles @ 60km/h 5 - 1 vehicles @ 50km/h	1/10,000 - >1/100,000
6	≤$38	Occupation: <1 min/month - 0.5 min/year Pedestrians & cyclists: 1/week - 6/year	None	1/100,000 - 1/1,000,000

Where a tree exists over several layers of human traffic frequency it is important to consider the probable failure that is likely to occur from the tree in question in determining the appropriate occupation statistic to identify a target range.

For example, a tree may exist within an open park zone for which the human traffic may be in target range 4 (>3 pedestrians per day but <1/hour) attracting a relatively low probability ratio, however, it may also be adjacent to an arterial path with associated human traffic for categorisation in target range 2 (8-72 pedestrians/hour).

If the likely failure from the tree is away from the path then a target range of 4 would be appropriate. However, if the likely failure is toward the path then the appropriate target range would be 2.

If the likely failure is of deadwood which is evenly distributed throughout the canopy then the higher range would be used.

If there are several possible types of failure with different failure sizes over different zones of human occupation around a tree, then each should be assessed and the values that will produce the highest risk score should be used.

If there is no obvious potential for failure, then the higher human occupation range should be used.

3.2 Probability of failure

The probability of failure rating is attributed to the tree part that is most likely to fail under normal conditions within the next three – five years. Strictly speaking this methodology is only concerned with the next twelve months but a greater time frame must be considered because very few trees are actually inspected every twelve months.

Probability of failure is very closely related to the structure of the tree. If a tree has good structure it should generally not be attributed a relatively high probability of failure range value for significant tree parts. However, if the part most likely to fail is deadwood then it may be appropriate for the probability of failure range value to be relatively high.

Failure potential is attributed to the tree *prior to works being completed*. Following the completion of works, the probability of failure requires reassessing to ensure that the probability range is updated.

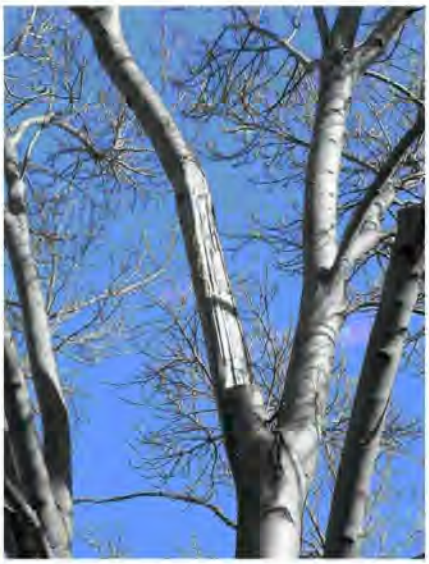


Figure 1. High failure potential

Table 7: QTRA Probability of Failure Ranges

Probability of Failure Range	Probability of Failure Ratio	Probability of Failure Percentage	Description
1 (Severe)	1/1 - >1/10	>10% - 100%	The structure of the specimen has large and very significant faults and defects. Active failure is often present and branch or trunk failure is imminent. Failure within the next twelve months would appear certain. The probability of failure over the next twelve months is 10 - 100%.
2 (High)	1/10 - >1/100	>1% - 10%	The structure of the specimen has large and significant faults and defects. Branch or trunk failure within the next twelve months would appear likely. The probability of failure over the next twelve months is 1 - 10%.
3 (Moderate)	1/100 - >1/1,000	>0.1% - 1%	The structure of the specimen has significant faults and defects. Branch or trunk failure within the next twelve months would appear possible. The probability of failure over the next twelve months is 0.1 - 1%.
4 (Low)	1/1,000 - >1/10,000	>0.01% - 0.1%	The structure of the specimen has some faults that may result in failure but failure is unlikely. The probability of failure over the next twelve months is 0.01 to 0.1%.
5 (Very Low)	1/10,000 - >1/100,000	>0.001% - 0.01%	The structure of the specimen has some minor faults that may result in failure but failure is very unlikely. The probability of failure over the next twelve months is less than 0.01%.
6 (Negligible)	1/100,000 - >1/1,000,000	>0.0001% - 0.001%	The probability of failure is highly unlikely, between 0.01 to 0.001%.
7 (None)	1/1,000,000 - - >1/10,000,000	>0.00001% - 0.0001%	The probability of failure can be considered none, less than 0.0001%.

3.3 Failure size

The failure size rating is attributed to the part of the tree that is most likely to cause the most damage under normal conditions over the next three to five years.

Table 8: QTRA Size Ranges

Size Range	Size of part most likely to fail (diameter likely to impact target)	Impact Potential
1	>450mm	1/1 - >1/2
2	260mm - 450mm	1/2 - >1/8.6
3	110mm - 250mm	1/8.6 - >1/82
4	25mm - 100mm	1/82 - >1/2,500

3.4 Examples

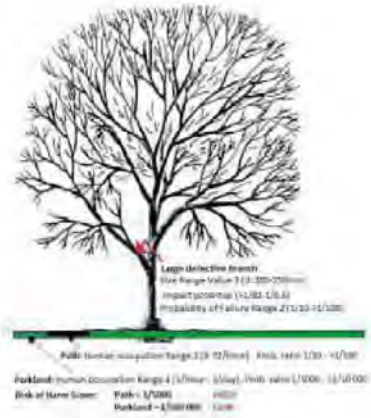


Figure 2. Risk Assessment Example 1

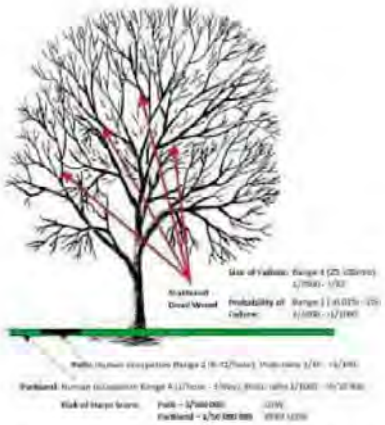


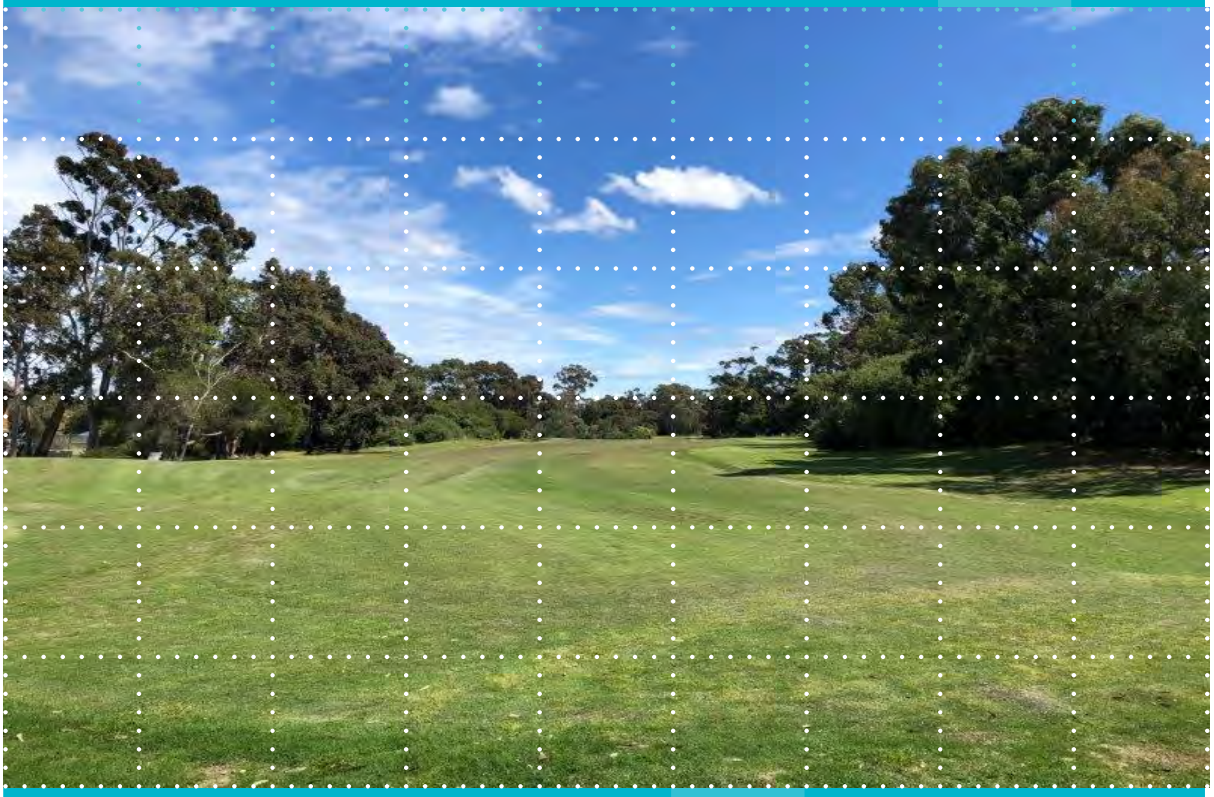
Figure 3. Risk Assessment Example 2

Proposed Removal of a *Eucalyptus botryoides* (Southern Mahogany): 179-217 Centre Dandenong Road, Dingley Village, Victoria

Prepared for

AS Residential Property No 1 Pty Ltd

March 2023



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1 Introduction

Ecology and Heritage Partners Pty Ltd was commissioned by AS Residential Property No 1 Pty Ltd AS Residential Property No 1 Pty Ltd to determine the native vegetation removal and offset requirements for a *Eucalytptus botryoides* (Southern Mahogany) at 179-217 Centre Dandenong Road, Dingley Village, Victoria.

We understand that AS Residential Property No 1 Pty Ltd is proposing to submit a planning permit application to remove this tree based on the results of the Homewood Consulting Pty Ltd (2021) Tree Risk Assessment report. All tree-specific information was obtained from the Homewood Consulting Pty Ltd (2021) report.

The topography is generally flat, with no ridges, crests, hilltops, drainage lines, wetlands, waterways, steep slopes or low-lying areas within close proximity to the native vegetation discussed in this report.

The site is not within the Bushfire Management Overlay (Clause 44.06) and thus this native vegetation removal application is not associated with any defendable space requirements.

The purpose of this assessment was to identify the native vegetation removal and offset implications under Clause 52.17 Native Vegetation of the Victoria Planning Provisions and associated *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) [(Department of Environment, Land, Water and Planning (DELWP 2017)] with respect to the proposed action.

2 Tree Details

The specific tree details are provided below as per the Homewood Consulting Pty Ltd (2021) Tree Risk Assessment (Table 1).

Table 1. Tree details.

Asset ID	**347**
Botanical Name	*Eucalyptus botryoides*
Common Name	Southern Mahogany
Origin	Native
Age	Mature
Height and Width (m)	12 x 8
Diameter at Breast Height (cm)	77
Health	Fair
Structure	Poor
Useful Life Expectancy (years)	< 5 years

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3 Risk Assessment

Homewood Consulting Pty Ltd conducted a risk assessment using Quantified Tree Risk Assessment, Version 5 (2015). The risk assessment method addresses the following components:

3.1 Probability of failure (PF)

The probability of failure rating is attributed to the tree part that is most likely to fail under normal conditions within the next 12 months.

Table 2. Probability of failure assessment (Homewood Consulting 2022)

Probability of Failure Range	Probability of Failure Ratio	Probability of Failure Percentage	Description
3. Moderate	1/100 - >1/1,000	>0.1%-1%	The struture of the specimen has significant faults and defects. Branch or trunk failure within the next twelve months would appear possible. The probability of failure over the next twelve months is 0.1-1%

3.2 Size of part likely to fail

The failure size rating is attributed to the branch or trunk that is most likely to fail and cause the most damage under normal conditions over the next 12 months.

Table 3. Size of part likely to fail assessment (Homewood Consulting 2022)

Size Range	Size of part most likely to fail (diameter likely to impact target)	Impact Potential
3	110mm – 250mm	1/8.6 - >1/82

3.3 Target occupancy

The target occupancy is attributed to the object that is most likely to be hit / injured / damaged in the event of failure. The tree is within 3m of a boundary road reserve.

Table 4. Target occupancy assessment (Homewood Consulting 2022)

Target Range	Property (repair or replacement cost)	Probability Ratio
4	4. Property, $380 to $3800	1/1,000 ->1/10,000

3.4 Removal Recommendations

Based on an assessment of the entire tree, Homewood Consulting's 2021 Tree Assessment report recommends the removal of Tree 347 on the basis of poor structure, and the risk it poses to property. The part of the tree most likely to fail was determined to be its branches. tree presents a 1 / 300,000 Risk of Harm and is a low priority for removal (Homewood Consulting 2021).

4 Vegetation Proposed to be Removed

4.1 Vegetation Proposed to be Removed

A planning permit from the City of Kingston is required to remove, destroy or lop any native vegetation under Clause 52.17.

The tree proposed to be removed is within Location 1, with 0.070 hectares of native vegetation proposed to be removed. In the five years to March 2023, 0.775 hectares of native vegetation has been removed within the site (Section 4.5), as such, the permit application falls under the Detailed Assessment Pathway (Table).

The condition score for vegetation proposed to be removed is based on modelled scores available in the Native Vegetation Information Management (NVIM) tool (DELWP 2021a).

Table 5. Removal of Native Vegetation (the Guidelines) (DELWP 2017).

Assessment pathway	**Detailed**
Location Category	1
Total Extent (past and proposed) (ha)	0.845
Extent of past removal (ha)	0.775
Extent of proposed removal (ha)	0.070
Large Trees (scattered and in patches) to be removed (no.)	1
Small scattered trees to be removed (no.)	0
EVC Conservation Status of vegetation to be removed	Damp Sands Herb-rich Woodland (EVC 3): Vulnerable

4.2 Offset Targets

The offset requirement for native vegetation removal is **0.013** General Habitat Units and **one Large Tree.**

A summary of proposed vegetation losses and associated offset requirements is presented in Table and the Native Vegetation Removal (NVR) report is presented in Appendix 1.

Table 6. Offset Targets.

General Offsets Required	**0.013** General Habitat Units
Large Trees	**1**
Vicinity (Catchment Management Authority/Council)	Port Phillip and Westernport CMA / City of Kingston
Minimum Strategic Biodiversity Value*	**0.208**

***The minimum Strategic Biodiversity Value is 80% of the weighted average score across habitat zones where a General offset is required.

4.3 Offset Strategy

According to DELWPs Native Vegetation Offset Register (DELWP 2021b), there are 28 offset sites within the Port Phillip and Westernport CMA or City of Kingston region that can be used to satisfy the General Habitat Unit and Large Tree offset requirements. An offset register search statement identifying the relevant offsite sites is provided in Appendix 2.

4.4 Offset Requirements

There are no anticipated issues regarding the offset requirements for approval of the planning permit application and that appropriate conditions should be included on any permit granted to require securing the offset.

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4.5 Past Removal of Native Vegetation

A combined 0.775 hectares of native vegetation has been removed within the site in the 5 years prior to March 2023, with a total offset requirement of 0.136 GHU with a minimum Strategic Biodiversity Value of 0.208 (Table 7).

Table 7. Native vegetation removed within the site (individual trees)

Application Number	Tree ID	DBH	Offset requirement under the Guidelines (DELWP 2017)	Action	Decision Issue Date:
KP-2021/455	1487 Acacia implexa (Lightwood)	28	No offsets required	Removal	4/11/2022
KP-2021/466	1484 Eucalyptus viminalis (Manna Gum)	33	0.014 GHUs, 0.192 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/469	1483 Eucalyptus botryoides (Southern Mahogany)	40	0.006 GHUs, 0.192 SBV	Removal	4/11/2022
KP-2021/470	1482 Eucalyptus botryoides (Southern Mahogany)	21	No offsets required	Removal	4/11/2022
KP-2021/474	1319 Eucalyptus botryoides (Southern Mahogany)	70	0.006 GHUs, 0.192 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/475	1318 Eucalyptus botryoides (Southern Mahogany)	89	0.014 GHUs, 0.192 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/480	994 Eucalyptus botryoides (Southern Mahogany)	72	0.014 GHUs, 0.180 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/482	974 Eucalyptus botryoides (Southern Mahogany)	157	0.014 GHUs, 0.152 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/485	759 Eucalyptus botryoides (Southern Mahogany)	126	0.014 GHUs, 0.190 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/486	757 Eucalyptus botryoides (Southern Mahogany)	103	0.014 GHUs, 0.184 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/487	748 Eucalyptus botryoides (Southern Mahogany)	72	0.014 GHUs, 0.184 SBV	Removal	4/11/2022
KP-2021/490	525 Eucalyptus botryoides (Southern Mahogany)	115	0.012 GHUs, 0.128 SBV	Lopping (habitat stumping)	4/11/2022
KP-2021/492	360 Eucalyptus botryoides (Southern Mahogany)	143	0.014 GHUs, 0.208 SBV	Lopping (habitat stumping)	4/11/2022

Number of Large Trees (total)	Native vegetation removed (ha) (total)	General Habitat Units (total)	Minimum Strategic Biodiversity Value
13	0.775	0.136 GHU	0.208

Note: GHUs = General Habitat Units, SBV = Strategic Biodiversity Value

5 Avoid and Minimisation Statement

Tree 347 represents one of three native trees proposed to be removed. Two additional indigenous trees are proposed to be removed. The removal of these five trees are due to their generally poor health and/or structure as assessed by the arborist (Homewood Consulting 2021) and have been recommended for removal from a risk perspective.

The native vegetation has been deemed a safety risk based on the results of the Homewood Consulting Pty Ltd (2021) Tree Risk Assessment report and thus its loss cannot be avoided. Impacts to adjoining vegetation will be minimised by ensuring the tree is cut down/felled in a way that makes sure it falls into an open fairway and not towards any strips of adjoining shrubs and trees.

Where possible trees within the site have been retained, with Tract Consulting providing a Tree Retention Plan and Tree Removal Plan (Tract 2020) for the site with the aim of tree impact avoidance and retention of the 'mature vegetated character' of the site, in addition to assessed ecological, arboricultural and aesthetic values provided by existing vegetation. The proposed removal of trees within the site are done so from a safety perspective and are not due to any concept design or other external factor.

References

DELWP 2017. *Guidelines for the removal, destruction or lopping of native vegetation*. December 2017. Victorian Department of Environment, Land, Water and Planning, Melbourne, Victoria.

DELWP 2021a. Native Vegetation Information Management Tool [www Document]. URL: https://nvim.delwp.vic.gov.au. Victorian Department of Environment, Land, Water and Planning, Melbourne, Victoria.

DELWP 2021b. Search for Native Vegetation Credit Register [www Document]. URL: https://nvcr.delwp.vic.gov.au/Home/Index. Victorian Department of Environment, Land, Water and Planning, Melbourne, Victoria.

Homewood Consulting Pty. Ltd. 2021. *Tree Risk Assessment. Assessment of a* Eucalyptus botryoides *(Southern Mahogany) at 179-217 Centre Dandenong Road, Dingley Village*. Homewood Consulting Pty Ltd, Thomastown, Victoria.

Tract 2020 – Kingswood – Tree Retention and Removal Plan. Tract, Melbourne, Victoria

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Appendix 1 Native Vegetation Removal (NVR) report

Native vegetation removal report

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report **is not an assessment by DELWP** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

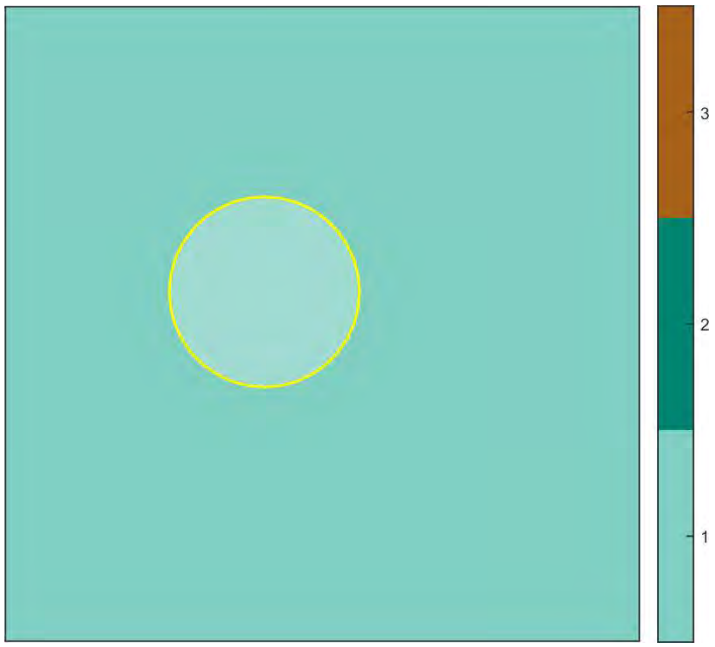
Date of issue: **24/10/2022** **Report ID: EHP_2022_121**
Time of issue: **3:32 pm**

Project ID	featureclass_124234

Assessment pathway

Assessment pathway	**Intermediate Assessment Pathway**
Extent including past and proposed	0.070 ha
Extent of past removal	0.000 ha
Extent of proposed removal	0.070 ha
No. Large trees proposed to be removed	1
Location category of proposed removal	Location 1 The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class (as per the statewide EVC map), sensitive wetland or coastal area. Removal of less than 0.5 hectares in this location will not have a significant impact on any habitat for a rare or threatened species

1. Location map



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OFFICIAL

Native vegetation removal report

Offset requirements if a permit is granted

Any approval granted will include a condition to obtain an offset that meets the following requirements:

General offset amount[1]	0.013 general habitat units
Vicinity	Port Phillip and Westernport Catchment Management Authority (CMA) or Kingston City Council
Minimum strategic biodiversity value score[2]	0.208
Large trees	1 large tree

NB: values within tables in this document may not add to the totals shown above due to rounding

Appendix 1 includes information about the native vegetation to be removed

Appendix 2 includes information about the rare or threatened species mapped at the site.

Appendix 3 includes maps showing native vegetation to be removed and extracts of relevant species habitat importance maps

1 The general offset amount required is the sum of all general habitat units in Appendix 1.

2 Minimum strategic biodiversity score is 80 per cent of the weighted average score across habitat zones where a general offset is required

Native vegetation removal report

Next steps

Any proposal to remove native vegetation must meet the application requirements of the Intermediate Assessment Pathway and it will be assessed under the Intermediate Assessment Pathway.

If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. Council will refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.**

This *Native vegetation removal report* must be submitted with your application for a permit to remove, destroy or lop native vegetation.

Refer to the *Guidelines for the removal, destruction or lopping of native* vegetation (the Guidelines) for a full list of application requirements This report provides information that meets the following application requirements:

- The assessment pathway and reason for the assessment pathway
- A description of the native vegetation to be removed (met unless you wish to include a site assessment)
- Maps showing the native vegetation and property
- The offset requirements determined in accordance with section 5 of the Guidelines that apply if approval is granted to remove native vegetation.

Additional application requirements must be met including:

- Topographical and land information
- Recent dated photographs
- Details of past native vegetation removal
- An avoid and minimise statement
- A copy of any Property Vegetation Plan that applies
- A defendable space statement as applicable
- A statement about the Native Vegetation Precinct Plan as applicable
- An offset statement that explains that an offset has been identified and how it will be secured.

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For more information contact the DELWP Customer Service Centre 136 186

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Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes.

Appendix 1: Description of native vegetation to be removed

All zones require a general offset, the general habitat units each zone is calculated by the following equation in accordance with the Guidelines:

General habitat units = extent x condition x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The general offset amount required is the sum of all general habitat units per zone.

Native vegetation to be removed

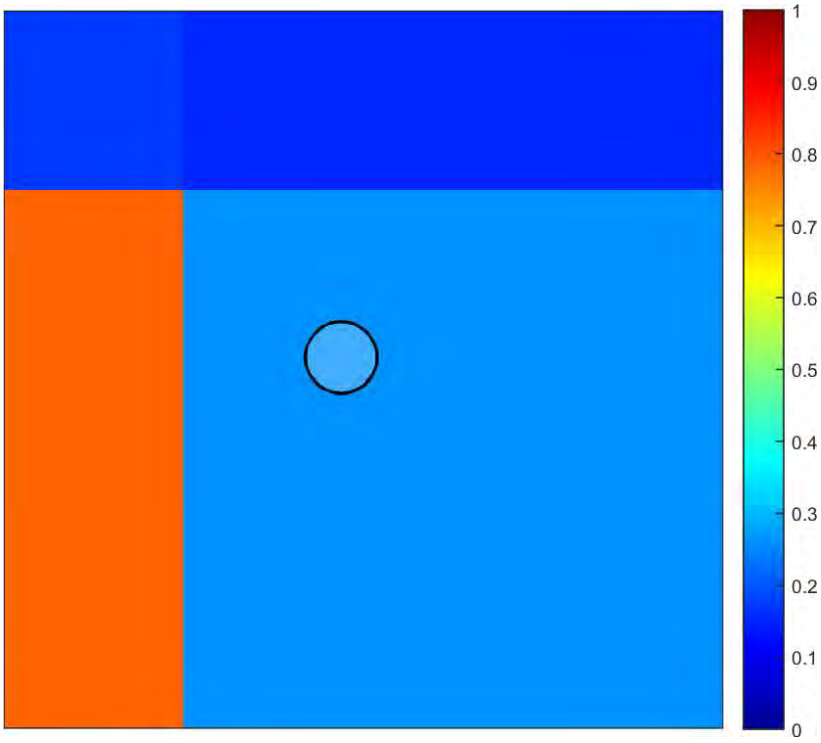
Information provided by or on behalf of the applicant in a GIS file						Information calculated by EnSym						
Zone	**Type**	**BioEVC**	**BioEVC conservation status**	**Large tree(s)**	**Partial removal**	**Modelled Condition score**	**Polygon Extent**	**Extent without overlap**	**SBV score**	**HI score**	**Habitat units**	**Offset type**
1-A	Scattered Tree			1	no	0.200	0.070	0.070	0.260		0.013	General

Appendix 2: Information about impacts to rare or threatened species' habitats on site

This is not applicable in the Intermediate Assessment Pathway.

Appendix 3 – Images of mapped native vegetation

2. Strategic biodiversity values map



3. Aerial photograph showing mapped native vegetation

4. Map of the property in context

Yellow boundaries denote areas of proposed native vegetation removal.

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Appendix 2 Available Native Vegetation Credits

Report of available native vegetation credits

This report lists native vegetation credits available to purchase through the Native Vegetation Credit Register.

This report is **not evidence** that an offset has been secured. An offset is only secured when the units have been purchased and allocated to a permit or other approval and an allocated credit extract is provided by the Native Vegetation Credit Register.

Date and time: 08/02/2023 06:10 **Report ID: 17659**

What was searched for?

General offset

General habitat units	Strategic biodiversity value	Large trees	Vicinity (Catchment Management Authority or Municipal district)	
0.013	0.208	1	CMA	Port Phillip and Westernport
			or LGA	Kingston City

Details of available native vegetation credits on 08 February 2023 06:10

These sites meet your requirements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
BBA-0277	6.426	454	Port Phillip and Westernport	Mornington Peninsula Shire	No	Yes	No	Abezco, Ethos, VegLink
BBA-0670	18.072	148	Port Phillip and Westernport	Cardinia Shire	No	Yes	No	Abezco, VegLink
BBA-0677	16.368	1491	Port Phillip and Westernport	Whittlesea City	No	Yes	No	Abezco, VegLink
BBA-0678	45.126	2620	Port Phillip and Westernport	Nillumbik Shire	No	Yes	No	VegLink
BBA-0678_2	0.388	59	Port Phillip and Westernport	Nillumbik Shire	No	Yes	No	VegLink
BBA-0931	0.034	2	Port Phillip and Westernport	Moorabool Shire	Yes	Yes	No	Bio Offsets
BBA-2774	0.020	9	Port Phillip and Westernport	Greater Geelong City	Yes	Yes	No	VegLink
BBA-2789	1.317	14	Port Phillip and Westernport	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2790	2.911	116	Port Phillip and Westernport	Baw Baw Shire	Yes	Yes	No	Contact NVOR
BBA-2870	2.544	431	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
BBA-2871	16.335	1668	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
TFN-C1636	0.941	130	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	Yarra Ranges SC
TFN-C1650	0.098	20	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC

TFN-C1663	0.102	27	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	Yes	Yarra Ranges SC
TFN-C1664	2.221	64	Port Phillip and Westernport	Yarra Ranges Shire	Yes	Yes	No	Yarra Ranges SC
TFN-C1962	0.098	9	Goulburn Broken, Port Phillip and Westernport	Macedon Ranges Shire	No	Yes	No	Contact NVOR
VC_CFL-0838_01	0.209	697	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3016_01	0.035	22	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3084_01	0.256	117	Port Phillip And Westernport	Cardinia Shire	Yes	Yes	No	VegLink
VC_CFL-3084_02	0.038	38	Port Phillip And Westernport	Cardinia Shire	Yes	Yes	No	VegLink
VC_CFL-3687_01	0.321	64	Port Phillip And Westernport	Baw Baw Shire	Yes	Yes	No	Baw Baw SC
VC_CFL-3708_01	0.198	507	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3709_01	0.139	395	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3710_01	7.606	322	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3729_01	0.016	6	Port Phillip And Westernport	Melton City	Yes	Yes	No	VegLink
VC_CFL-3740_01	1.094	92	Port Phillip And Westernport	Cardinia Shire, Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL-3740_01	0.318	16	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	Bio Offsets
VC_CFL-3744_01	2.428	377	Port Phillip And Westernport	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3758_01	0.466	12	Port Phillip And Westernport	Melton City	Yes	Yes	No	VegLink
VC_CFL-3762_01	0.324	102	Port Phillip And Westernport	Moorabool Shire	Yes	Yes	No	VegLink
VC_CFL-3764_01	8.011	51	Port Phillip And Westernport	Yarra Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3769_01	0.879	52	Port Phillip And Westernport	Nillumbik Shire	Yes	Yes	No	VegLink

These sites meet your requirements using alternative arrangements for general offsets.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)

There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

These potential sites are not yet available, land owners may finalise them once a buyer is confirmed.

Credit Site ID	GHU	LT	CMA	LGA	Land owner	Trader	Fixed price	Broker(s)
VC_CFL-3746_01	4.962	563	Port Phillip And Westernport	Macedon Ranges Shire	Yes	Yes	No	VegLink
VC_CFL-3781_01	5.568	24	Port Phillip And Westernport	Moorabool Shire	Yes	Yes	No	VegLink

LT - Large Trees *CMA - Catchment Management Authority* *LGA - Municipal District or Local Government Authority*

Next steps

If applying for approval to remove native vegetation
Attach this report to an application to remove native vegetation as evidence that your offset requirement is currently available.

If you have approval to remove native vegetation
Below are the contact details for all brokers. Contact the broker(s) listed for the credit site(s) that meet your offset requirements. These are shown in the above tables. If more than one broker or site is listed, you should get more than one quote before deciding which offset to secure.

Broker contact details

Broker Abbreviation	Broker Name	Phone	Email	Website
Abezco	Abzeco Pty. Ltd.	(03) 9431 5444	offsets@abzeco.com.au	www.abzeco.com.au
Baw Baw SC	Baw Baw Shire Council	(03) 5624 2411	bawbaw@bawbawshire.vic.gov.au	www.bawbawshire.vic.gov.au
Bio Offsets	Biodiversity Offsets Victoria	0452 161 013	info@offsetsvictoria.com.au	www.offsetsvictoria.com.au
Contact NVOR	Native Vegetation Offset Register	136 186	nativevegetation.offsetregister@delwp.vic.gov.au	www.environment.vic.gov.au/native-vegetation
Ecocentric	Ecocentric Environmental Consulting	0410 564 139	ecocentric@me.com	Not avaliable
Ethos	Ethos NRM Pty Ltd	(03) 5153 0037	offsets@ethosnrm.com.au	www.ethosnrm.com.au
Nillumbik SC	Nillumbik Shire Council	(03) 9433 3316	offsets@nillumbik.vic.gov.au	www.nillumbik.vic.gov.au
TFN	Trust for Nature	8631 5888	offsets@tfn.org.au	www.trustfornature.org.au
VegLink	Vegetation Link Pty Ltd	(03) 8578 4250 or 1300 834 546	offsets@vegetationlink.com.au	www.vegetationlink.com.au
Yarra Ranges SC	Yarra Ranges Shire Council	1300 368 333	biodiversityoffsets@yarraranges.vic.gov.au	www.yarraranges.vic.gov.au

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For more information contact the DELWP Customer Service Centre 136 186 or the Native Vegetation Credit Register at nativevegetation.offsetregister@delwp.vic.gov.au

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Ordinary Council Meeting

24 July 2023

Agenda Item No: 8.3

KP-2018/701/B - 43-45 WESTALL ROAD, CLAYTON SOUTH

Contact Officer: Harris Argyriou, Statutory Planner

Purpose of Report

This report is for Council to consider the amendment application to Planning Permit No. KP-2018/701/B - 43-45 Westall Road, Clayton South.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or contractor/s who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

RECOMMENDATION

That Council determine to support the proposal and issue an amended planning permit for the use of a primary school, associated works and alteration of access to a road in a Road Zone, Category 1 in accordance with the endorsed plans, at 43-45 Westall Road, Clayton South, subject to the conditions contained within this report.

This application requires a decision by Council, for the following reason:

- The land is owned by the City of Kingston.

EXECUTIVE SUMMARY			
Address	43-45 Westall Road, CLAYTON SOUTH VIC 3169		
Legal Description	Land in Plan of Consolidation 105480		
Applicant	Mark Alsop		
Planning Officer	Harris Argyriou		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential Zone (Schedule 3)		
Overlays	None		
Particular Provisions	Clause 52.06 – Car Parking Clause 52.29 – Land adjacent to the Principal Road Network Clause 52.34 – Bicycle Facilities Clause 53.19 – Non Government Schools		
Permit Trigger/s	Clause 32.08-2 – Use of the land as a primary school. Clause 32.08-9 – Building and works associated with a Section 2 use.		
APPLICATION / PROCESS			
Permit Allows	The use of a primary school, associated works and alteration of access to a road in a Road Zone, Category 1.		
Amendment/s Sought?	A Section 72 amendment for the construction of ground floor extensions and internal rearrangements to the existing primary school and the removal of one (1) native tree within the front setback.		
Reference No.	KP-2018/701/B	**RFI Received**	31 March 2023
App. Received	13 February 2023	**App. Amended**	23 May 2023
Site Inspection	9 May 2023		
S.52 Advertising	**Commenced:** 13 April 2023	**Advertising Completed**	1 May 2023
S.55 Referrals	None		
Internal Referrals	Vegetation Department		
Objection(s)	Nil (TRIM checked on 7 July 2023)		
Vegetation	**Trees > 8m** Yes	**No. of Trees to be Removed (circumference 110cm)**	1 (> 8 metres)
Application to be determined under officer delegation	It was resolved by Council through a Notice of Motion in 2020 requiring any planning application that involves the removal of tree(s) exceeding 8m in height to be reported to the Councillor Information Session (CIS). This application was reported to the CIS in accordance with Council's resolution. The application was not 'called in' by any Councillor and, therefore, will be determined under delegation, however, given the application relates to council land, the application will be put to Council for determination.		
LEGISLATIVE			
Covenant/Other Restriction	Covenant 1776607	Complies: Yes	
Aboriginal Cultural Sensitivity Area	Previously: No Currently: No	**CHMP**	Not required, not in an area of Aboriginal cultural heritage sensitivity.
Considered Plans	Plans prepared by Mark Alsop Architect, Sheets 1, 4, 4A, 5, 6 & 7, dated 3 February 2023, submitted to Council on 15 June 2023.		

1.0 RELEVANT LAND HISTORY

1.1 Planning permit KP-2009/331 was issued by Council on 2 July 2009 for the use of this site for a medical centre (maternal child health centre), in conjunction with the existing preschool. Associated plans (pages 1 and 2) were endorsed on 2 July 2009. The use was discontinued for a period of two (2) years and therefore the permit expired.

1.2 Planning permit KP-2018/701 was issued by Council on 26 April 2019 for the use of a primary school, associated works and alteration of access to a road in a Road Zone, Category 1 in accordance with the endorsed plans.

1.3 Plans satisfying condition 1 of the planning permit (pages 1 to 7) were endorsed on 28 June 2019.

1.4 The permit expiry condition allowed two (2) years to commence the use and development from the date of permit issue (26 April 2021), four (4) years to complete the development from the date of permit issue (26 April 2023) and requires that the use is not discontinued for a period of two (2) years, for the planning permit to remain valid. The owner has acted on the planning permit, with the use having been commenced, and the development approved under the original permit completed. As the planning permit has been acted upon, this Section 72 amendment application can be considered.

1.5 The planning permit was not a permit issued at the direction of the Victorian Civil and Administrative Tribunal or a permit issued under Division 6 (Powers of Minister in relation to applications) of the Planning and Environment Act 1987 (Act).

1.6 Pursuant to Section 52 of the Act, notice (advertising) of the planning permit application was required. A total of six (6) objections were received. The relevant grounds of objection to the planning permit application are expressed as follows:

- Noise.
- Hours of operation.
- Number of students.
- Car parking and increases in traffic.
- Pedestrian/traffic conflicts.
- Whether there is a need for a new school in the area.

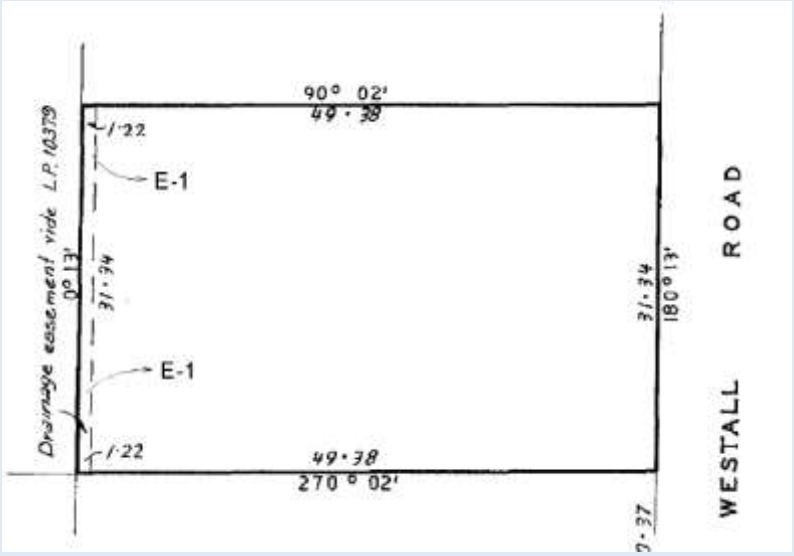
1.7 An application for an amendment to planning permit KP-2018/701 pursuant to Section 72 of the Act was submitted to Council on 16 December 2021 for the construction of ground floor extensions and internal rearrangements to the existing primary school. The amendment (KP-2018/701/A) was subsequently approved and an amended planning permit was issued on 11 July 2022. Plans were endorsed on 16 December 2022.

1.8 The proposed changes sought under this application do not undermine any agreement or offer put forward by the permit applicant during the consideration of the original proposal.

2.0 SITE PARTICULARS

2.1 The photograph below illustrates the subject site from a streetscape perspective.

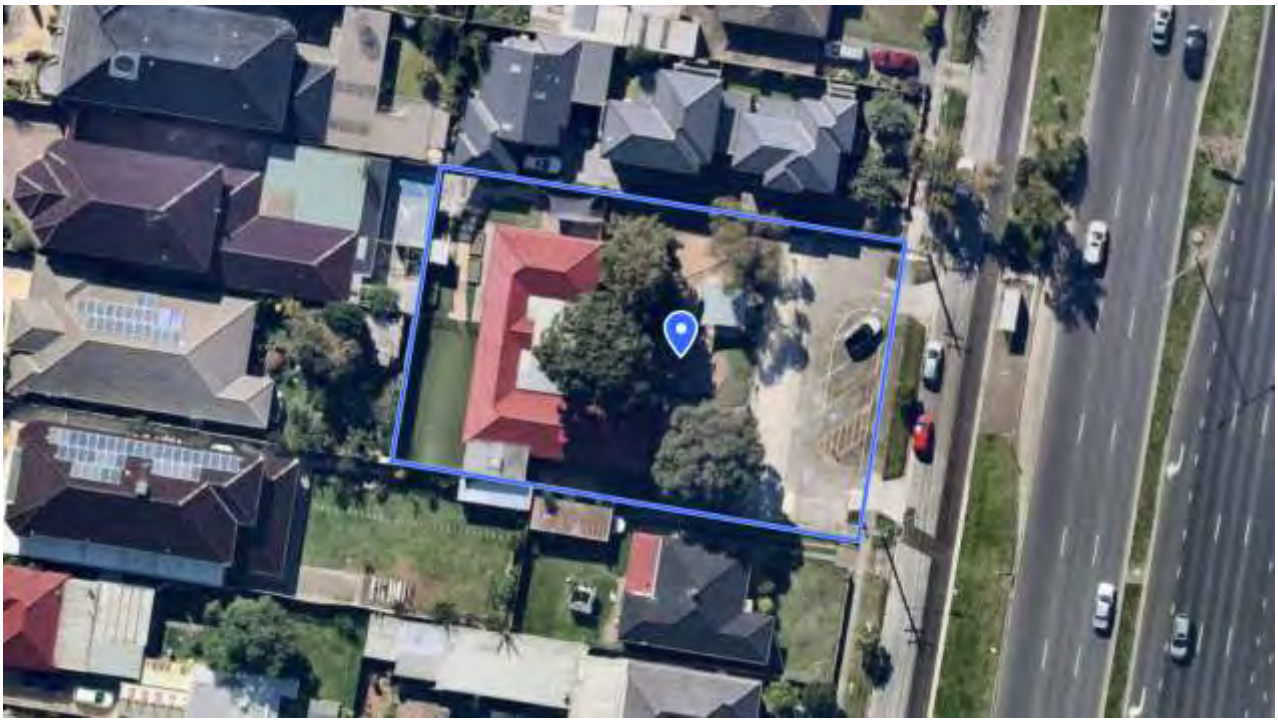
(**Source:** Planning officer site visit, May 2023)

Allotment Characteristics	The site is located on the western side of Westall Road, Clayton South. The site is rectangular in shape with a frontage of approximately 31.34 metres to Westall Road, and a maximum side depth of 49.39 metres. Refer to title plan below: 
Built Form	A single storey, face brickwork building with pitched concrete tiled roof and associated outbuildings and structures occupy the land at 43-45 Westall Road. The existing building is setback a minimum of 22.4 metres from its front property boundary facing Westall Road, 5.4 metres from the side (northern) boundary, 7.2 metres from the rear (western) boundary and built to the side (south) boundary. Vehicle access is provided via two (2) existing crossovers which are located adjacent to the north and south (side) common boundaries providing separate entry and exit points from the service lane of Westall Road for vehicles accessing the car parking area. An open car parking area with eight (8) car parking spaces and open fenced play ground is

	located within the front setback. A pedestrian pathway exists along the northern property boundary.
Use	The subject site was previously used for the Westall Kindergarten, Westall Maternal and Child Health Centre and Multicultural Playgroup. The subject site is currently used for the Fitra Community School.
Size (m^2)	1,544 m^2
Topography	The land is generally flat.
Fencing	A 1.6 metre high tubular steel picket fence exists within the site, separating the car parking area and pedestrian pathway from the children's play area.
Vegetation	Scattered vegetation exists within the front setback of the subject site, including a *Eucalyptus leucoxylon* (Yellow Gum), a *Liquidamber styraciflua* (Sweet Gum), *Angophora costata* (Smooth-barked Apple), a *Photinia serratifolia* (Chinese Hawthorn) and a *Melaleuca styphelioides* (Prickly-leaved Paperbark), the last two of which are to be removed.
Easements	A 1.22 metre wide E-1 drainage easement is located along the site's west (rear) property boundary.
Footpath Assets / Access	Two (2) existing crossovers are located adjacent to the north and south (side) common boundaries providing separate entry and exit points from the service lane of Westall Road for vehicles accessing the car parking area. Two (2) power poles are located adjacent to the north-east and south-east corners of the subject site, within the nature strip. A street tree exists in the centre of the frontage. A pedestrian path and pram ramp are located on the north side of the frontage providing access to the bus stop located in the median strip between Westall Road and the Westall Road service lane.
Covenant(s) / Restrictions	***Covenant 1776607*** is listed on the Certificate of Title. The covenant restricts the quarrying of the site, stating that no stone, earth, clay, gravel or sand is allowed to be removed from the site. The proposed amendment to this planning permit does not result in a breach of this restriction.

3.0 SURROUNDING LAND

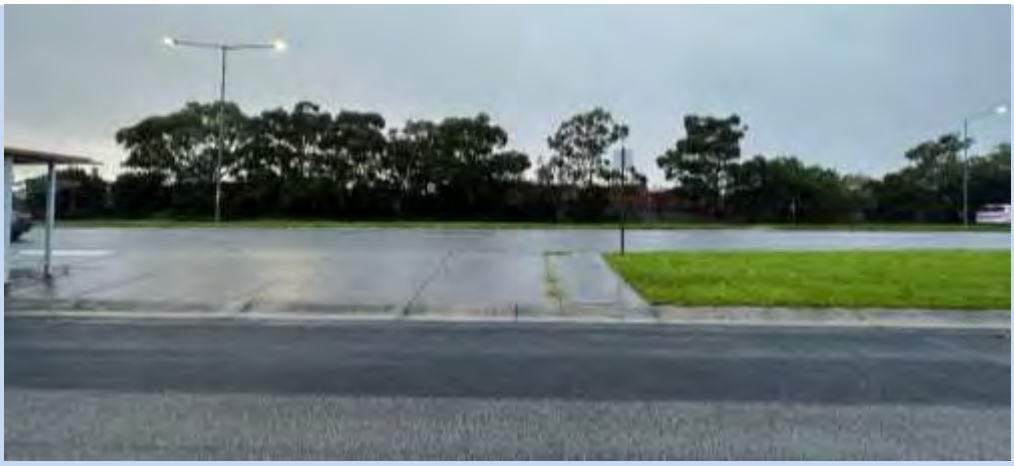
3.1 The following map illustrates the subject site in its surrounding context.



(**Source:** NearMap aerial imagery, April 2023).

3.2 Land directly abutting the subject site and opposite is described as follows:

North (side)	 (**Source:** Planning officer site visit, May 2023) **Units 1-3 / No. 41 Westall Road** is occupied by three (3) double storey rendered and face brickwork dwellings with complex hipped concrete tiled roofs, and an associated 1.2 metre high brick front fence with brick piers, located along the site's frontage. The site contains one (1) crossover which services a common driveway for the three (3) dwellings and the garage for Unit 3, which adjoins the common boundary with the subject site. The front dwelling includes an approximate 7.5 metre front setback from Westall Road. There is vegetation scattered throughout both the front and rear (side) secluded private open space areas of each unit.

East (opposite)	 (**Source:** Planning officer site visit, May 2023) **No. 6-12 Booloora Road** – On the opposite side of Westall Road is Industrial 1 Zone land within the City of Greater Dandenong. The land is occupied by warehouse type development which is orientated to face Booloora Road to the east. Significant vegetation exists in the Westall Road reserve at the rear of the industrial properties.
South (side)	 (**Source:** Planning officer site visit, May 2023) **No. 47 Westall Road** is occupied by a single storey rendered dwelling with a complex hipped tiled roof and a low timber paling front fence along the site's frontage to Westall Road. The site contains one (1) single-width crossover located on the northern side of the site's frontage adjacent to the subject site, with the driveway then extending along the northern boundary and terminating at a detached single car garage located to the rear of the dwelling. The dwelling is setback approximately 8 metres from its front property boundary to Westall Road, and 3.3 metres from the common boundary with the subject site to accommodate a driveway. There is minimal vegetation across the site and the rear secluded private open space is devoid of any additional built form.

West (rear)	 (**Source:** Planning officer site visit, May 2023) **No. 16 Culshaw Avenue** is occupied by a double storey brick dwelling with a pitched terracotta tiled roof and a high brick front fence with high brick piers and vertical slat metal infills along the site's frontage to Culshaw Avenue. The site contains one (1) double-width crossover located on the northern side of the site's frontage, with the driveway then extending along the northern boundary and terminating at a detached garage located to the rear of the dwelling. The dwelling is setback approximately 6.5 metres from its front property boundary to Culshaw Avenue, and 7.5 metres from the rear common boundary with the subject site. There is minimal vegetation across the site and the rear secluded private open space contains a half basketball court, sheds and structures associated with the main dwelling. **No. 18 Culshaw Avenue** is occupied by a single storey brick facework and rendered dwelling with a pitched concrete tiled roof and with no front fence to Culshaw Avenue. The site contains one (1) single-width crossover located on the northern side of the site's frontage, with the driveway then extending along the northern boundary and terminating at an attached double car garage. The dwelling is setback approximately 6.5 metres from its front property boundary to Culshaw Avenue, and 13.9 metres from the rear common boundary with the subject site. There is vegetation scattered throughout the rear of the site, with the secluded private open space containing one structure located in the north-east rear corner of the site.
Describe Neighbourhood Character	The surrounding area to the north, south and west of the subject site generally comprises residential zoned land with the residential development style within this area of Clayton South, largely comprising single detached dwellings, along with tandem style townhouses/units. There are also emerging examples of side-by-side developments. The detached homes are primarily original 1960s to 1970s homes, situated on larger blocks and contain design elements typical of this era. There are a number of new double-storey dwelling developments of mixed styles located on the larger blocks within the immediate area of the subject site. There is also an increase in new side-by-side construction featuring modern features like render, brick, cladding and hipped roof forms. Most newer developments in the immediate area of a contemporary style. The Grange Reserve exists approximately 500 metres south-west of the subject site, with an Industrial 1 Zone precinct to the immediate east of the

site, within the City of Greater Dandenong and a further industrial precinct approximately 650 metres to the west of the site.

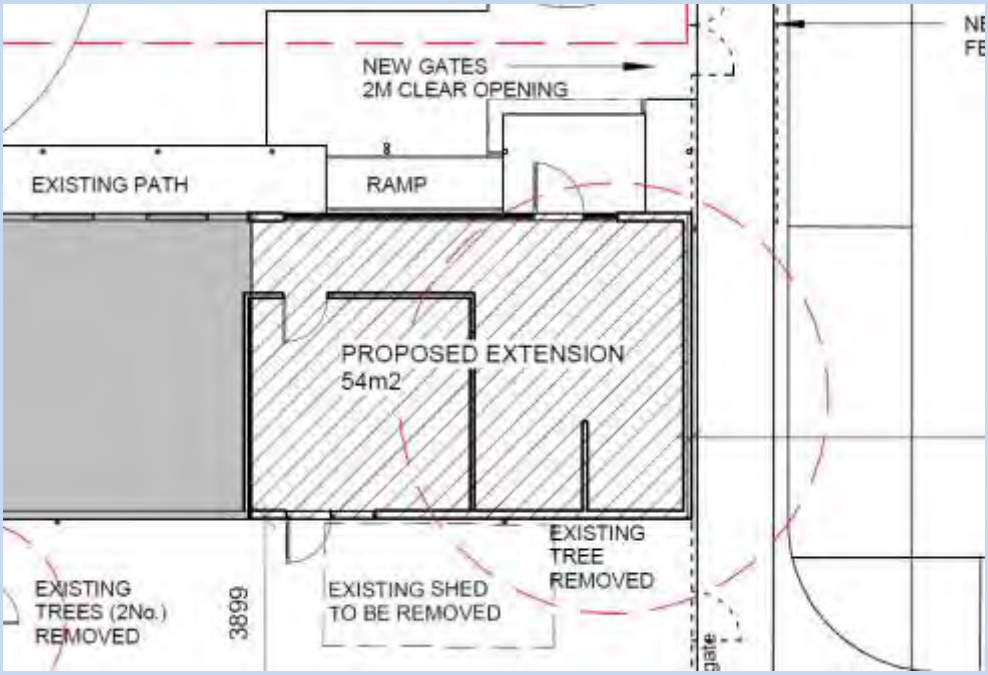
4.0 PROPOSED AMENDMENT

Requested Amendment/s to Plans and/or Permit

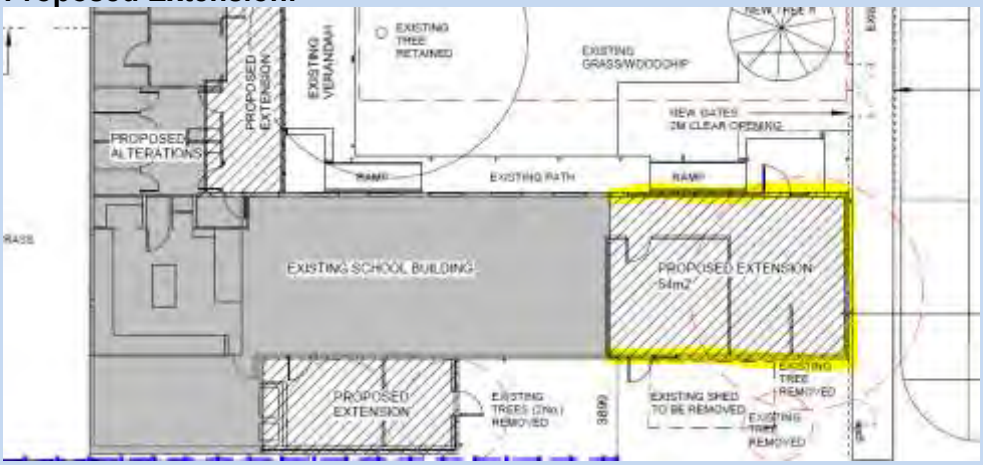
The Section 72 amendment request by the applicant is for:

The construction of ground floor extensions and internal rearrangements to the existing primary school and the removal of one (1) native tree within the front setback.

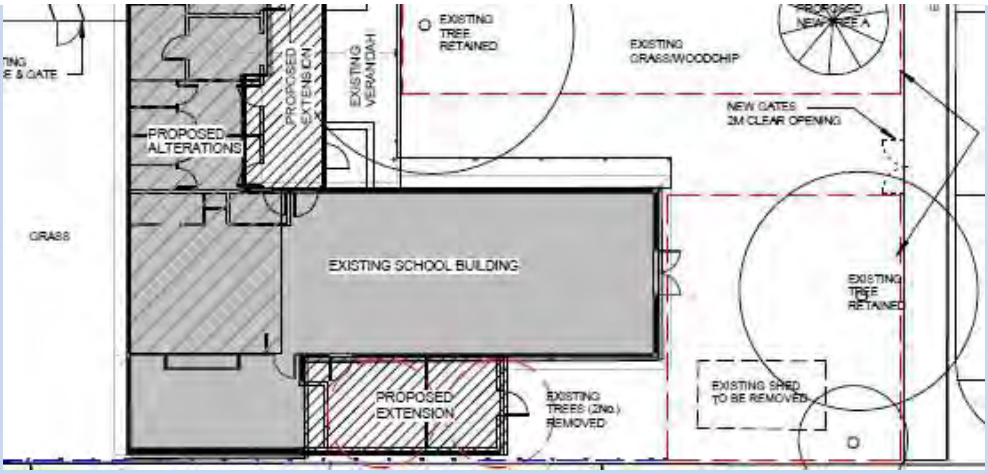
The amendment comprises a 54m^2 extension to the front of the Fitra Community School, to include a meeting room, office, sick bay and staff area, as depicted on the proposed ground floor plan below:



Proposed Extension:



Existing Site Conditions:



To facilitate the extension to the existing building, Tree No. 3, the *Melaleuca styphelioides* (Prickly-leaved Paperbark) is required to be removed, as proposed above.

Tree No. 4 a *Photinia serratifolia* (Chinese Hawthorn) has also been removed from site and was required to be removed to facilitate the extension of the building.

The proposed alterations to the existing building comprise the following:

Internal changes:
- Cupboard removed in office next to kitchen.
- Overhead cupboard dotted on west wall of kitchen.
- Cleaner's cupboard added in kitchen.
- Additional basin and trough relocated in male and female toilets.
- Landing shown outside doors W4, W5 and D9.
- Notes, floor waste and fire extinguisher added.
- Pantry configuration altered.
- Staff WC reduced in size.
- Tactile added.

External changes:
- Planting schedule is amended to show trees D and E.
- Handrail detail added.
- Gate D11 added.
- Gate D9 to swing outward instead of inward.
- Dimension to passage increased to 1470mm.
- Window 9 added next to door.
- Tactile added.
- Two (2) landings to the western side added.
- New landing area to front entrance added.
- New concrete paving to front added.
- Ramp to front entrance added.
- Dimensions to landing added.
- Handrails and kerb rails shown.
- New roof to existing roof structure shown.
- Two (2) banks of louvres shown to Window 7 in lieu of fixed glass.
- Two (2) awning sashes shown to Window 8 in lieu of fixed glass.
- Cement sheet with texture finish shown to new extension.

	- New double gates to replace existing gates.

5.0 LEGISLATIVE PROVISIONS

5.1 The amendment has been requested pursuant to Section 72 of the Act. Section 72 of the Act states:

(1) A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.

(2) This section does not apply to-

(a) a permit or a part of a permit issued at the direction of the Tribunal, if the Tribunal has directed under section 85 that the responsible authority must not amend that permit or that part of the permit (as the case requires); or

(b) a permit issued under Division 6.

5.2 It has been established that the planning permit:

- was not issued at the direction of the Tribunal;
- was not issued under Division 6 of the Act.

5.3 Section 73 of the Act states that Sections 47 to 62 of the Act apply to the amendment application. This allows the Responsible Authority to apply the abovementioned sections of the Act to the amendment application as if it was an application for a permit. This includes reference to the permit expiry date, allowing the amended permit to be acted upon without needing to amend the expiry condition.

5.4 Accordingly, the relevant sections will be addressed in this report.

6.0 PLANNING CONTROLS

Zone / Overlay / Particular Provision/s	Rationale
Clause 32.08 – General Residential Zone (Schedule 3)	The proposal seeks to make improvements to the existing primary school on site, through an extension to the front of the existing building. This is consistent with the purpose of the zone which seeks to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
Clause 52.06 – Car Parking	The amendment application proposes no changes to the existing car parking area and car parking arrangement at the front of the site. The car parking area continues to provide eight (8) car parking spaces, three (3) spaces provided in a 45 degree arrangement and five (5) spaces provided in parallel arrangement. Clause 52.06 (Car Parking) requires one (1) car parking space to each employee that is part of the maximum number of employees on the site at any time for a primary school. This equates to a car parking requirement of eight (8) car parking spaces. As the required number of car parking spaces is provided on the site, a planning permit is not required for a reduced car parking rate pursuant to Clause 52.06-3.

Zone / Overlay / Particular Provision/s	Rationale
Clause 52.29 – Land Adjacent to the Principal Road Network	Pursuant to Clause 52.29 of the Kingston Planning Scheme, a planning permit is required to construct or alter an access to the Transport Zone 2. Pursuant to Clause 52.29-4, an application must be referred to the Roads Corporation under Section 55 of the Act. The proposed amendment proposes no changes to the access to the school and therefore there is no planning permit trigger under Clause 52.29.
Clause 52.34 – Bicycle Facilities	The amendment application proposes no changes to the bicycle facilities on site. A primary school use requires a bicycle parking rate of one (1) space to each 20 employees and one (1) space to each 5 pupils over year 4. Pursuant to Clause 52.34 of the Kingston Planning Scheme, a planning permit is required to reduce or waive the bicycle facility requirements associated with a primary school, however, as the required seven (7) bicycle parking spaces are provided, there is no planning permit required in this instance.
Clause 53.19 – Non Government Schools	The proposal seeks to make improvements to the existing primary school on site, through an extension to the front of the existing building. This is consistent with the purpose of Clause 53.19 which seeks to facilitate upgrades and extensions to existing non-government schools.

7.0 PLANNING POLICY

PPF / LPP policy	Clause	Assessment against relevant Policy
PPF	Clause 15 – Built Environment and Settlement	The proposed amendment is consistent with Clause 15 (Built Environment and Heritage). The addition to the school will contribute to a safe, healthy and functional environment by providing additional classroom, meeting room, office and play space for students and members of staff. The proposed design is considered to be respectful of both the existing building along with the broader neighbourhood by maintaining the existing single storey built form, continuing the current roof form of the building and by using materials commonly found in the area.
PPF	Clause 15.03-2S – Aboriginal Cultural Heritage	The subject land is not identified in an area of Aboriginal cultural heritage sensitivity.
Clause 65	Decision Guidelines	All matters have been considered. The proposed amendment to the planning permit is found to result in the continued orderly planning of the area with no significant effect on the amenity of the area.

8.0 INTERNAL REFERRALS

Referral Department	Comments
Vegetation Management Officer	No objection to the proposed amendment subject to the provision of an amended ground floor plan, illustrating the location and species of one (1) canopy tree, planted in the front setback. The canopy tree is to be a *Eucalyptus melliodora,* (Yellow Box) and must be a minimum of 2 metres in height at the time of planting.

9.0 EXTERNAL REFERRALS

9.1 No external referrals were required as a part of the amendment application.

10.0 ADVERTISING

10.1 Following the commencement of advertising, no representations for or against this application have been received.

11.0 PLANNING CONSULTATION MEETING

11.1 No planning consultation meeting was required.

12.0 FURTHER CONSIDERATION / ANALYSIS

12.1 The buildings and works proposed are supported for the following reasons:

- The proposed extension to the existing building maintains a single storey built form, with a wall height of 3 metres which is consistent with the existing primary school building and broader neighbourhood character.
- The extension proposes material finishes that complement the existing building, with the proposed extension also maintaining the current roof form of the building, therefore ensuring the extension responds appropriately to current site conditions.
- The proposal enables improved on site facilities including additional office space, staff area space, meeting space and a sick bay.
- Council's vegetation management officer has no objections to the removal of the trees subject to the inclusion of conditions for suitable replacement planting. This is recommended to form a condition of the amended planning permit.
- The proposal was advertised with no objections received.

12.2 It is noted that there are no changes sought to the existing planning permit conditions, including those that relates to student numbers, hours of operation and staff numbers. Car parking is calculated according to the number of employees. This will remain unchanged as part of this amendment. Existing conditions in relation to amenity will be retained on the permit to protect the surrounding amenity.

13.0 CONCLUSION

13.1 On balance, the proposed amendments are considered to substantially comply with the relevant planning policy and therefore should be supported.

13.2 As outlined above, it has been determined that prior to deciding on this application, all factors pursuant to Section 60(1) of the Act have been considered. Further to this, the amended proposal does not give rise to any significant social or economic effects.

13.3 The proposed amendment is considered appropriate for the site, subject to conditions, as evidenced by:

- The compatibility of the design and siting with the surrounding area.
- The mitigation of off-site amenity impacts.
- A suitable level of compliance with all relevant policies and particular provisions under the Kingston Planning Scheme.

13.4 Further, given the amendment is considered acceptable, Section 74 of the Act requires that an amended permit must be issued.

14.0 RECOMMENDATION

14.1 That an amended planning permit be issued under delegated authority of Council for the use of a primary school, associated works and alteration of access to a road in a Road Zone, Category 1 in accordance with the endorsed plans at 43-45 Westall Road, Clayton South, subject to the list of conditions detailed below:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic must be provided. The plans must be substantially in accordance with the advertised plans prepared by Cyber Drafting and Design, Job No. 18133, Sheets 1 to 8 inclusive, Revision D, dated 22 November 2018, submitted to Council on 23 November 2018 **(amended plans prepared by Mark Alsop Architect, Sheets 1, 4, 4A, 5, 6 and 7, dated 3 February 2023, submitted to Council on 15 June 2023)**, but modified to show:

    a. bicycle parking and associated amenities in accordance with the requirements of Clause 52.34 of the Kingston Planning Scheme;

    b. the car parking layout design to comply with Design Standard 2 of Clause 52.06-9 of the Kingston Planning Scheme;

    c. an acoustic fence along the sections of the north, south and west boundaries of the site which adjoin the neighbouring areas of secluded private open space, to a minimum height of two (2) metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be provided;

    d. internal fencing on the west side of the modified car parking area, including the details of its style, height and materials;

    e. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;

    f. a traffic and parking management plan which includes, but not limited to, the means by which the direction of traffic, the pedestrian flows to and from car parking areas, and the car parking will be controlled both on- and off-site;

    g. the ground floor plan prepared for this address by Mark Alsop Architect (18/11/2021) is to be amended to the satisfaction of the Responsible Authority to show:

        i) Two (2) indigenous canopy trees capable of growing to minimum mature dimensions of 8 metres in height and 5 metres in width to be planted in the rear setback of the property; with one (1) indigenous tree capable of growing to a similar mature size to be planted in the front setback.

        ii) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.

iii) All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm.

iv) The street tree, the *Melaleuca styphelioides* (Prickly-leaf Paperbark) near the 'shed to be removed', and the *Angophora costata* (Smooth-barked Apple Gum), *Liquidambar styraciflua* (Liquidambar) and *Eucalyptus leucoxylon* (Yellow Gum) around the playground, as being retained.

v) A survey, including, botanical names of all existing trees to be retained or removed on the site including tree protection zones for trees to be retained calculated in accordance with AS4970-2009.

vi) Tree protection measures for the existing onsite trees accurately drawn to scale and labelled as per condition 15.

vii) **One (1) *Eucalyptus melliodora* (Yellow Box).**

Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

3. The use must operate only between the hours of:

   Monday to Friday: 8:00am to 5:00pm

   Or otherwise as approved by the Responsible Authority in writing.

4. Not more than eight (8) staff may be present on the premises at any one time without written consent of the Responsible Authority.

5. Not more than seventy (70) students may be present on the premises at any one time without written consent of the Responsible Authority.

Vegetation

6. Prior to the completion of all works on site, one (1) additional canopy tree is to be planted in the front setback, the canopy tree is to be:

   a) A *Eucalyptus melliodora* (Yellow Box); and

   b) A minimum of 2 metres in height at the time of planting.

7. The canopy tree planted as a condition of this permit and shown on the endorsed plans is to remain on the land and maintained to the satisfaction of the Responsible Authority.

Amenity

8. Before the use starts or the building is occupied, the acoustic fence as shown on the endorsed plans must be erected and maintained to the satisfaction of the Responsible Authority.

9. The amenity of the area must not be detrimentally affected by the use, including through the:

   i) Transport of materials, goods or commodities to or from the land.

   ii) Appearance of any building, works or materials.

   iii) Emission of artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

   iv) Presence of vermin.

   v) Any other way.

10. The use of the site shall not cause nuisance or be detrimental to the area by the emission of noise to the satisfaction of the Responsible Authority. Noise emissions must comply with the State Environment Protection Policy.

Parking and Traffic

11. Before the use commences, a traffic and parking management plan, as endorsed, must be implemented to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

12. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.

Vic Roads

13. Before the development starts, a detailed Functional Layout Plan (FLP) must be submitted to and approved by the Roads Corporation (VicRoads). When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and must show the School Speed Zone sign arrangement along Westall Road as per VicRoads Speed Zone Guidelines. Please refer Traffic Engineering Manual, Volume 3 (Edition 1, June 2017) for more information on speed limits around schools.

14. Unless otherwise agreed in writing by VicRoads, prior to the commencement of the use of the development hereby approved, all works as required by VicRoads must be completed in accordance with approved Functional Layout Plan (FLP) and detailed design plans to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads.

15. Unless otherwise agreed in writing by VicRoads, the electronic signs must be installed and operational prior to the school starting its operation.

Completion of Works

16. Prior to the use of building hereby permitted, all works and conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.

Tree Management and Protection Plan

17. All works within 5 metres of the existing trees to be retained at this address must be done in a manner that avoids adversely impacting these trees and:

    a. Tree protection fencing and/or ground protection is to be established around all existing trees within 5 metres of the proposed works, prior to demolition and maintained until all works on site are complete, unless otherwise with written consent from Council.

        i. Tree protection fencing is to be a 1.8-metre-high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting.

        ii. Ground protection is to consist of a layer of 10mm plyboard, rumble boards or similar, over a 100mm layer of mixed particle mulch.

        iii. The fencing and/or ground protection is to encompass as much of the tree protection zones (TPZ) as possible, while allowing clearance for construction works.

    b. Unless with the written consent from Council, all excavation for the portable classroom is to be dug by hand, with the footings to be modified if required to avoid damage to tree roots greater than 40mm in diameter. If required, roots less than 40mm in diameter can be cut with clean, sharp tools.

    All canopy pruning must be carried out by a suitably qualified and experience arborist, in a manner consistent with the standard specified within Australian Standard 4373-2007 *Pruning of Amenity Trees* and without the use of climbing spurs/irons.

Time Limits

18. In accordance with Section 68 of the *Planning and Environment Act* 1987 (the Act), this permit will expire if one of the following circumstances applies:

    - The use and development are not started within two (2) years from the date of permit issue.
    - The development is not completed within four (4) years from the date of permit issue.
    - The use is discontinued for a period of two (2) years.

    In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

Note: Prior to the commencement of the development, you are required to obtain the necessary building permit.

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

Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

Note: Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's vegetation management officer to verify if a Local Laws permit is required for the removal of such vegetation.

Note: No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the *Road Management Act 2004*, the *Road Safety Act 1986*, and any other relevant acts or regulations created under those Acts.

THIS PERMIT HAS BEEN AMENDED PURSUANT TO SECTION 72 OF *THE PLANNING AND ENVIRONMENT ACT 1987* AS FOLLOWS:

Amendment	Date of Amendment	Description of Amendment	Responsible Authority
A	11 July 2022	Amendment A relates to considered / advertised plans Mark Alsop Architect, Sheets 1 to 8 inclusive and dated 07/04/2022. The scope of changes pertaining to Amendment A include: - Amending condition 1 to refer to new submitted plan. - Inclusion of landscaping conditions 1(g) and 15 and subsequent renumbering.	City of Kingston

B	(Date to be the same as Date Amended)	Amendment B relates to the considered / advertised plans prepared by Mark Alsop Architect, Sheets 1 to 7, inclusive of Sheet 4A, dated 3 February 2023, submitted to Council on 15 June 2023. The scope of changes pertaining to Amendment B include: - Inserting new condition 1(g)(vii), 6 and 7. - The associated renumbering of proceeding conditions.	City of Kingston

Appendices

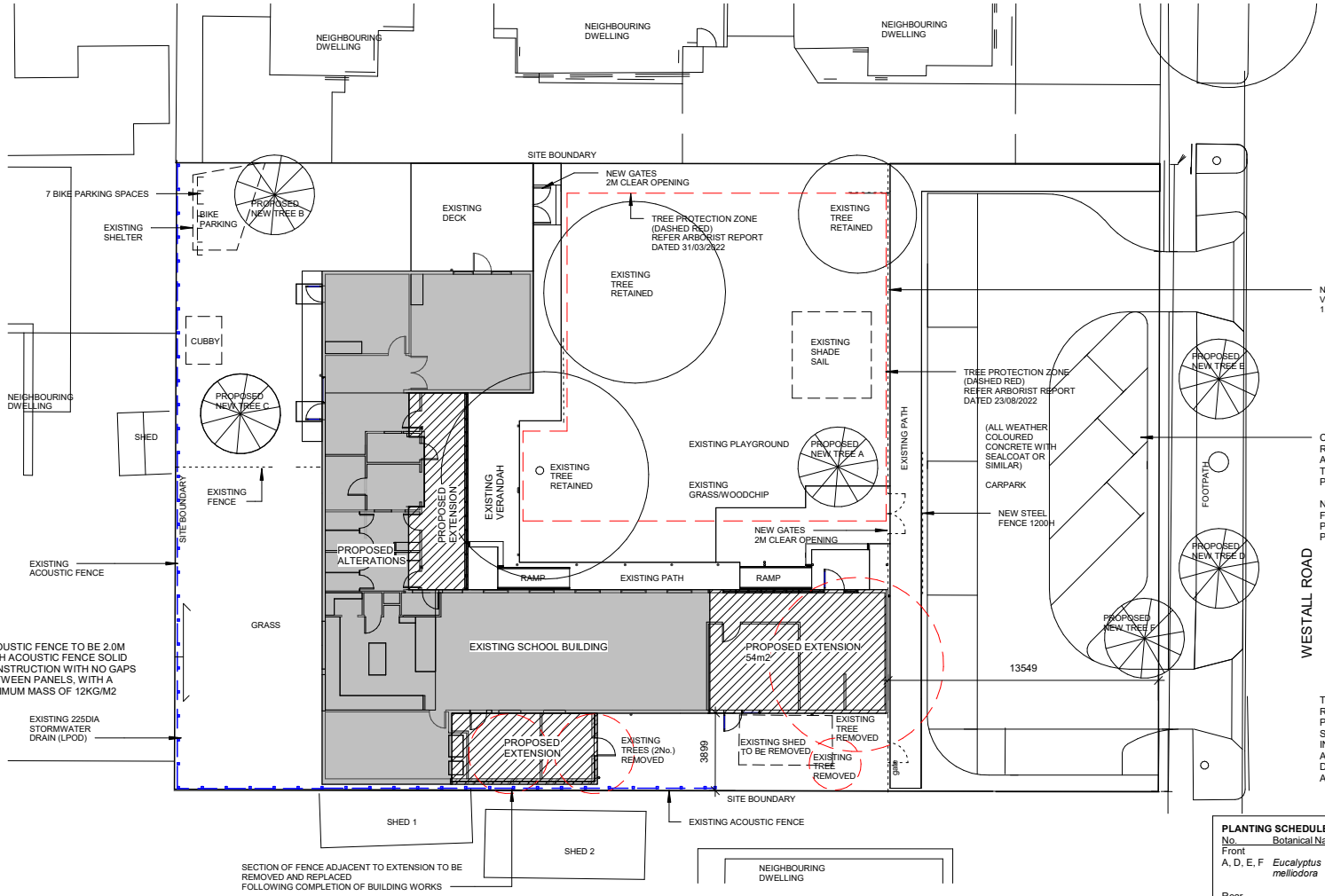
Appendix 1 - KP-2018/701/B - 43-45 Westall Road, CLAYTON SOUTH VIC 3169 - CONSIDERED PLANS (Ref 23/162831)

Author/s: Harris Argyriou, Statutory Planner
Reviewed and Approved By: Amy Lin, Team Leader Statutory Planning
Nikolas Muhllechner, A/Manager City Development

8.3

KP-2018/701/B - 43-45 WESTALL ROAD, CLAYTON SOUTH

1 KP-2018/701/B - 43-45 Westall Road, CLAYTON SOUTH VIC 3169 - CONSIDERED PLANS 95



PLANTING SCHEDULE

No.	Botanical Name	Common Name	Planting Size	Quantity
Front				
A, D, E, F	*Eucalyptus melliodora*	Yellow Box	40cm/27L 1.4-1.8	1
Rear				
B, C	*Eucalyptus pauciflora*	Dwarf Snow Gum	40cm/27L 1.4-1.8	2

MARK ALSOP ARCHITECT
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WEB: alsopdesign.com.au
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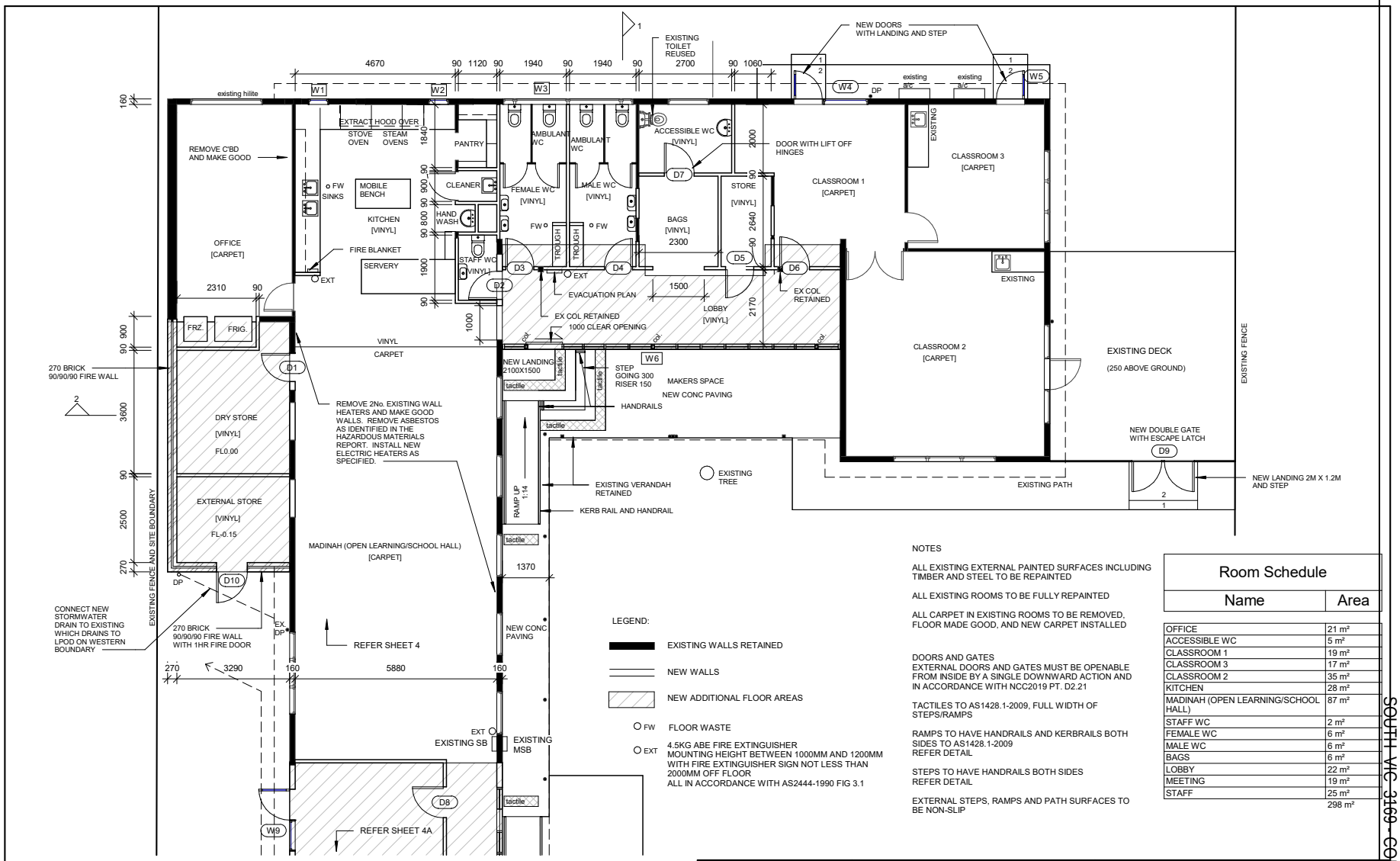
DATE	AMENDMENT
13/06/2023	
04/05/2023	
06/03/2023	

SCALE AT A3: 1:200

SHEET NUMBER & NAME: 1 SITE PLAN

FITRA COMMUNITY SCHOOL
ALTERATIONS AND ADDITIONS
45 WESTALL ROAD
CLAYTON SOUTH



NOTES

ALL EXISTING EXTERNAL PAINTED SURFACES INCLUDING TIMBER AND STEEL TO BE REPAINTED

ALL EXISTING ROOMS TO BE FULLY REPAINTED

ALL CARPET IN EXISTING ROOMS TO BE REMOVED, FLOOR MADE GOOD, AND NEW CARPET INSTALLED

DOORS AND GATES
EXTERNAL DOORS AND GATES MUST BE OPENABLE FROM INSIDE BY A SINGLE DOWNWARD ACTION AND IN ACCORDANCE WITH NCC2019 PT. D2.21

TACTILES TO AS1428.1-2009, FULL WIDTH OF STEPS/RAMPS

RAMPS TO HAVE HANDRAILS AND KERBRAILS BOTH SIDES TO AS1428.1-2009
REFER DETAIL

STEPS TO HAVE HANDRAILS BOTH SIDES
REFER DETAIL

EXTERNAL STEPS, RAMPS AND PATH SURFACES TO BE NON-SLIP

Room Schedule

Name	Area
OFFICE	21 m²
ACCESSIBLE WC	5 m²
CLASSROOM 1	19 m²
CLASSROOM 3	17 m²
CLASSROOM 2	35 m²
KITCHEN	28 m²
MADINAH (OPEN LEARNING/SCHOOL HALL)	87 m²
STAFF WC	2 m²
FEMALE WC	6 m²
MALE WC	6 m²
BAGS	6 m²
LOBBY	22 m²
MEETING	19 m²
STAFF	25 m²
	298 m²

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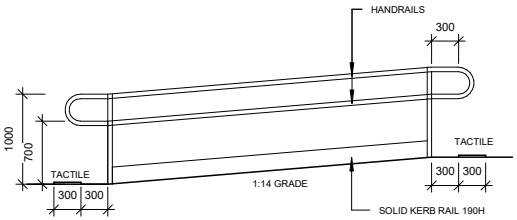
DATE	AMENDMENT
13/06/2023	
04/05/2023	
06/03/2023	

SCALE AT A3: 1:100

SHEET NUMBER & NAME
4 PROPOSED PLAN

FITRA COMMUNITY SCHOOL
ALTERATIONS AND ADDITIONS
45 WESTALL ROAD
CLAYTON SOUTH



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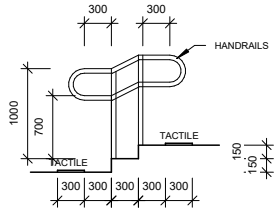
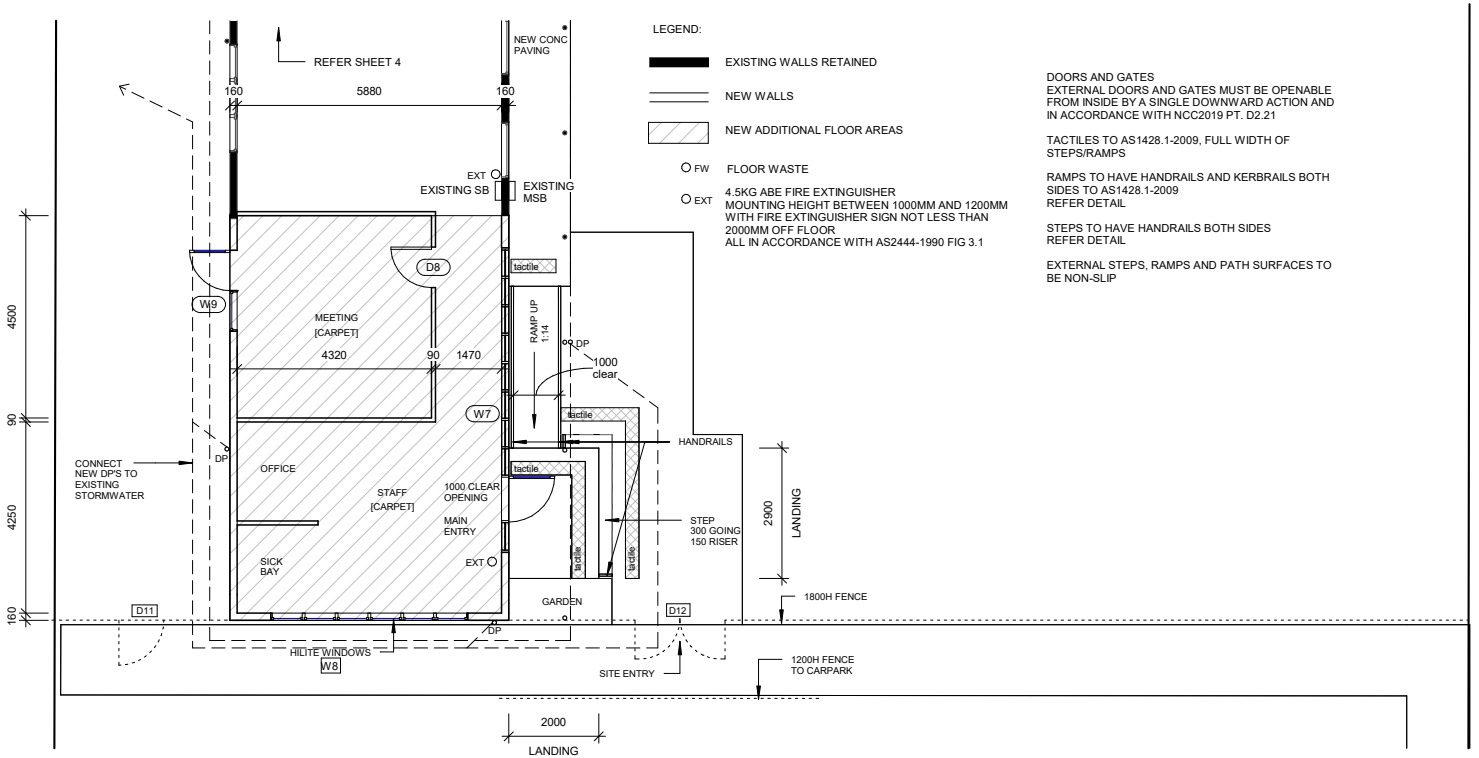


STEP DETAIL
1:50



LEGEND:

- EXISTING WALLS RETAINED
- NEW WALLS
- NEW ADDITIONAL FLOOR AREAS
- FW FLOOR WASTE
- EXT 4.5KG ABE FIRE EXTINGUISHER MOUNTING HEIGHT BETWEEN 1000MM AND 1200MM WITH FIRE EXTINGUISHER SIGN NOT LESS THAN 2000MM OFF FLOOR ALL IN ACCORDANCE WITH AS2444-1990 FIG 3.1

DOORS AND GATES
EXTERNAL DOORS AND GATES MUST BE OPENABLE FROM INSIDE BY A SINGLE DOWNWARD ACTION AND IN ACCORDANCE WITH NCC2019 PT. D2.21

TACTILES TO AS1428.1-2009, FULL WIDTH OF STEPS/RAMPS

RAMPS TO HAVE HANDRAILS AND KERBRAILS BOTH SIDES TO AS1428.1-2009
REFER DETAIL

STEPS TO HAVE HANDRAILS BOTH SIDES
REFER DETAIL

EXTERNAL STEPS, RAMPS AND PATH SURFACES TO BE NON-SLIP

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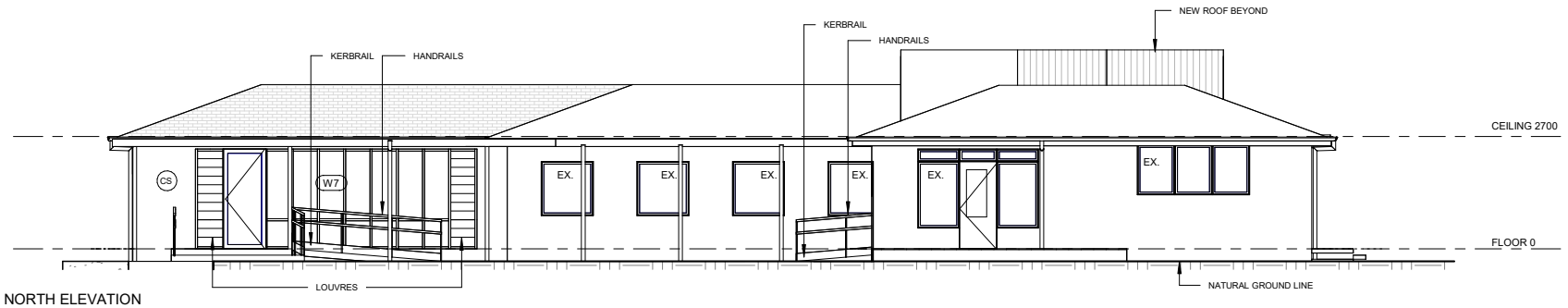
DATE	AMENDMENT
13/06/2023	
04/05/2023	
06/03/2023	

SCALE AT A3: 1:100

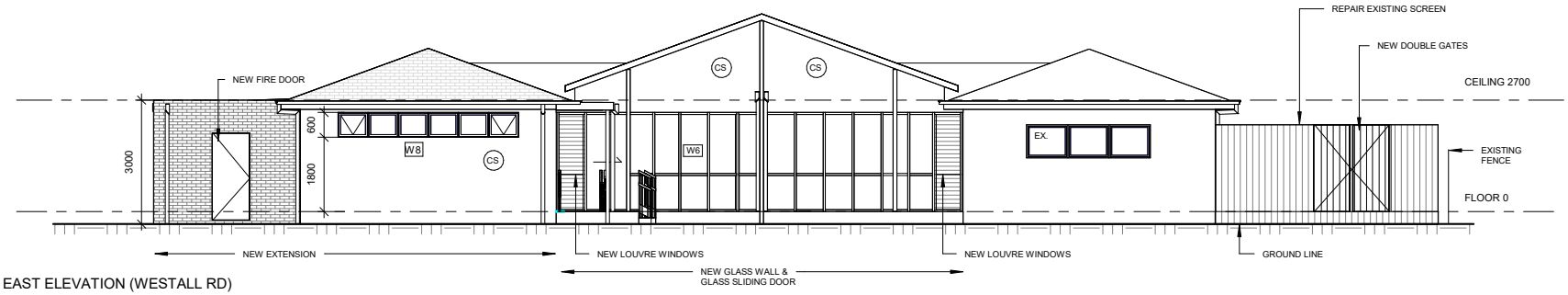
SHEET NUMBER & NAME
4A FLOOR PLAN - CONT.

FITRA COMMUNITY SCHOOL
ALTERATIONS AND ADDITIONS
45 WESTALL ROAD
CLAYTON SOUTH

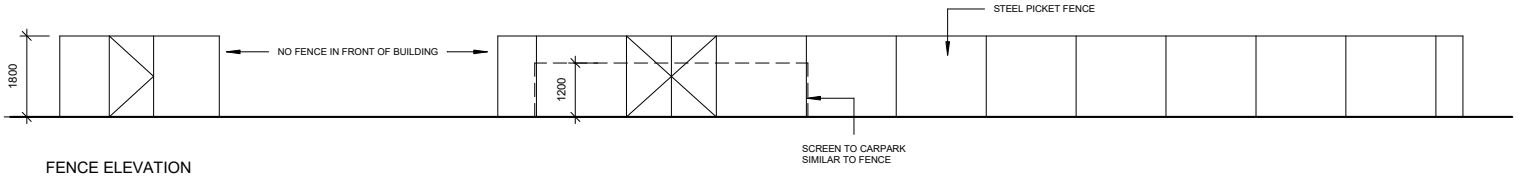


NORTH ELEVATION

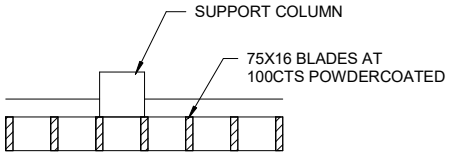
CS CEMENT SHEET WITH SAND TEXTURE FINISH



EAST ELEVATION (WESTALL RD)



FENCE ELEVATION



FENCE PLAN DETAIL 1:10

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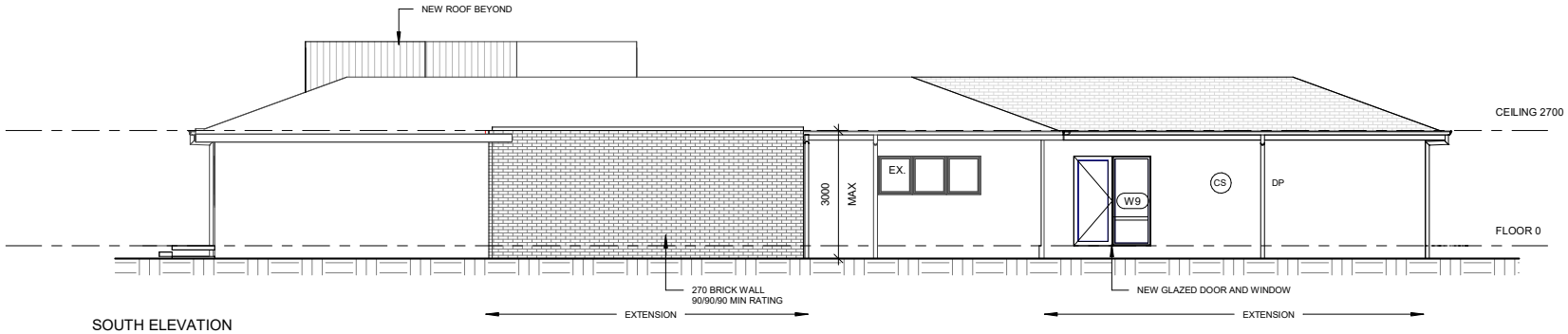
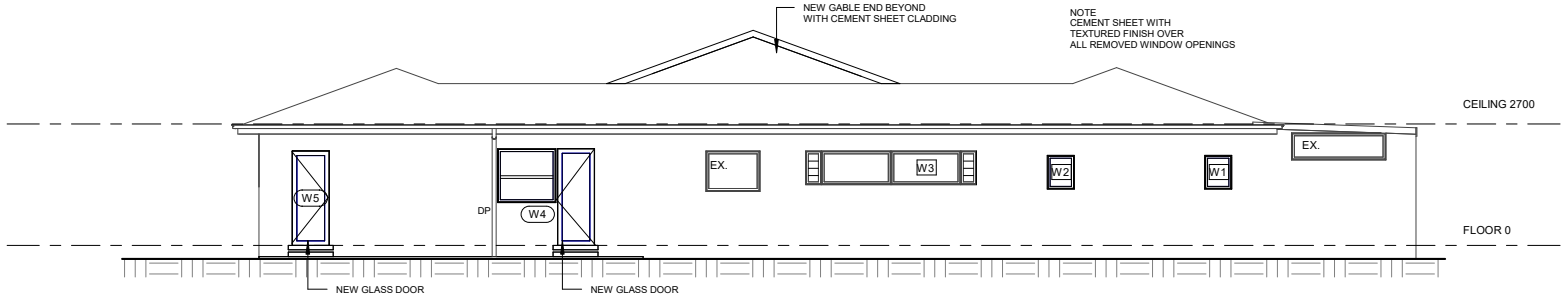
DATE	AMENDMENT	SCALE AT A3
13/06/2023 04/05/2023 06/03/2023		1:100

SHEET NUMBER & NAME
5 ELEVATIONS 1

FITRA COMMUNITY SCHOOL
ALTERATIONS AND ADDITIONS
45 WESTALL ROAD
CLAYTON SOUTH



SOUTH ELEVATION



WEST ELEVATION

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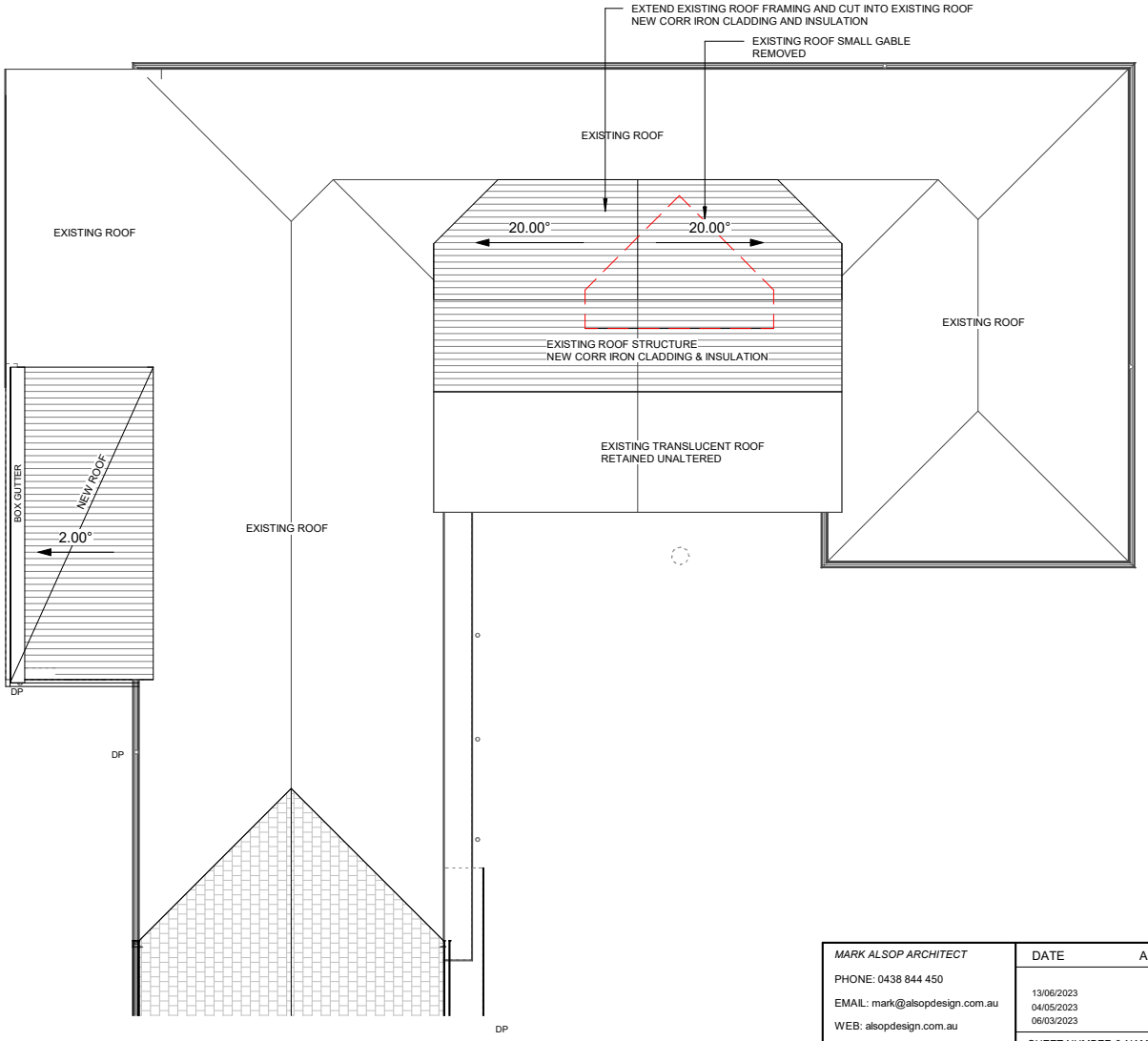
DATE	AMENDMENT
13/06/2023	
04/05/2023	
06/03/2023	

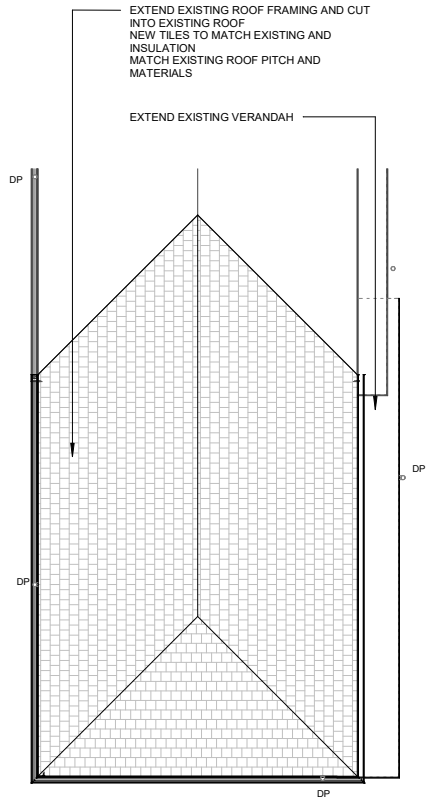
SCALE AT A3: 1:100

SHEET NUMBER & NAME
6 ELEVATIONS 2

FITRA COMMUNITY SCHOOL
ALTERATIONS AND ADDITIONS
45 WESTALL ROAD
CLAYTON SOUTH



ROOF PLAN



ROOF PLAN (CONT.)

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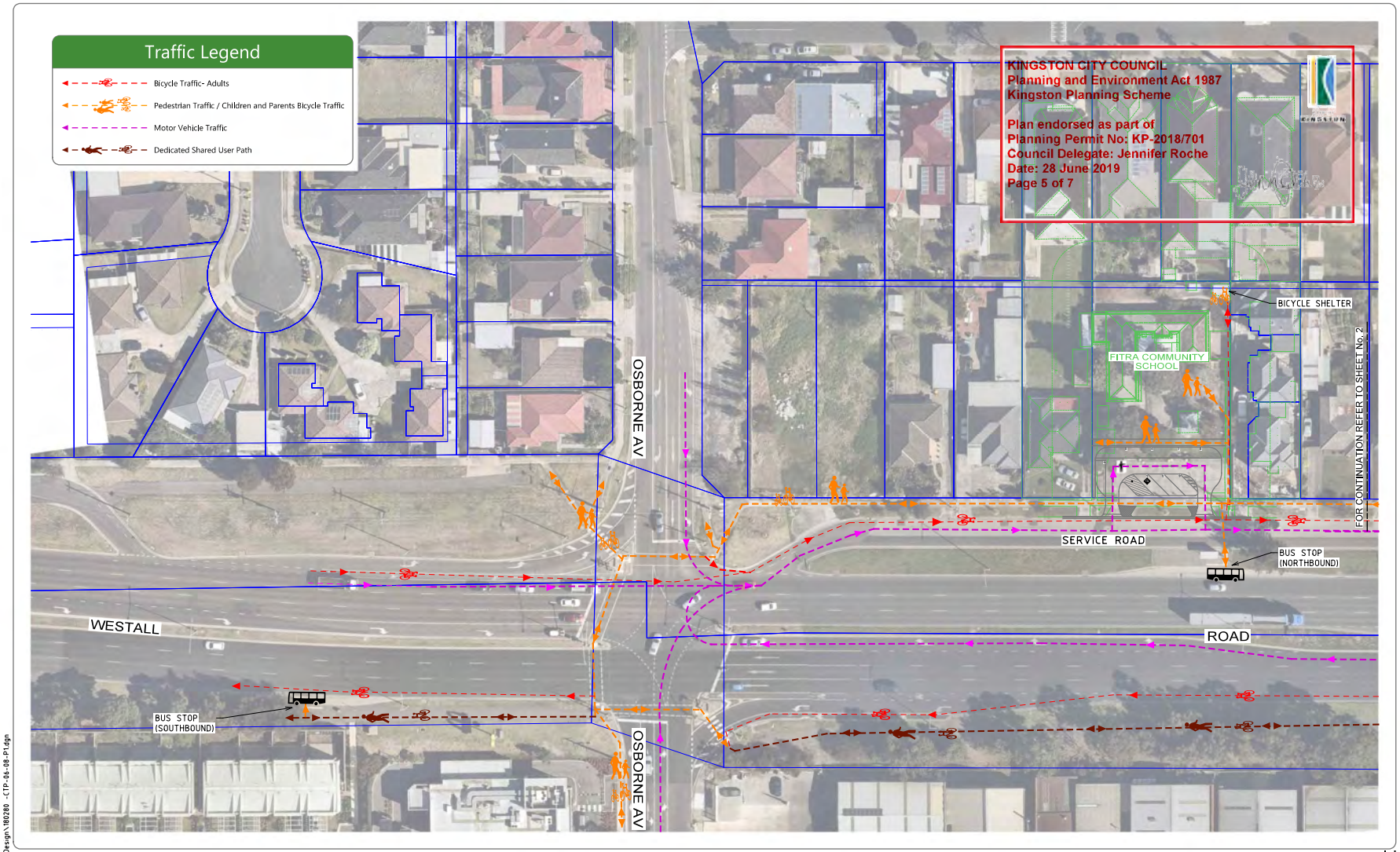
06/03/2023	

SCALE AT A3: 1:100

SHEET NUMBER & NAME: 7 ROOF PLAN

FITRA COMMUNITY SCHOOL
ALTERATIONS AND ADDITIONS
45 WESTALL ROAD
CLAYTON SOUTH



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Drawing Record

ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P1	DS	AA	17.05.19	

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MELWAY MAP 79 G8
CLAYTON

SCALE OF METRES
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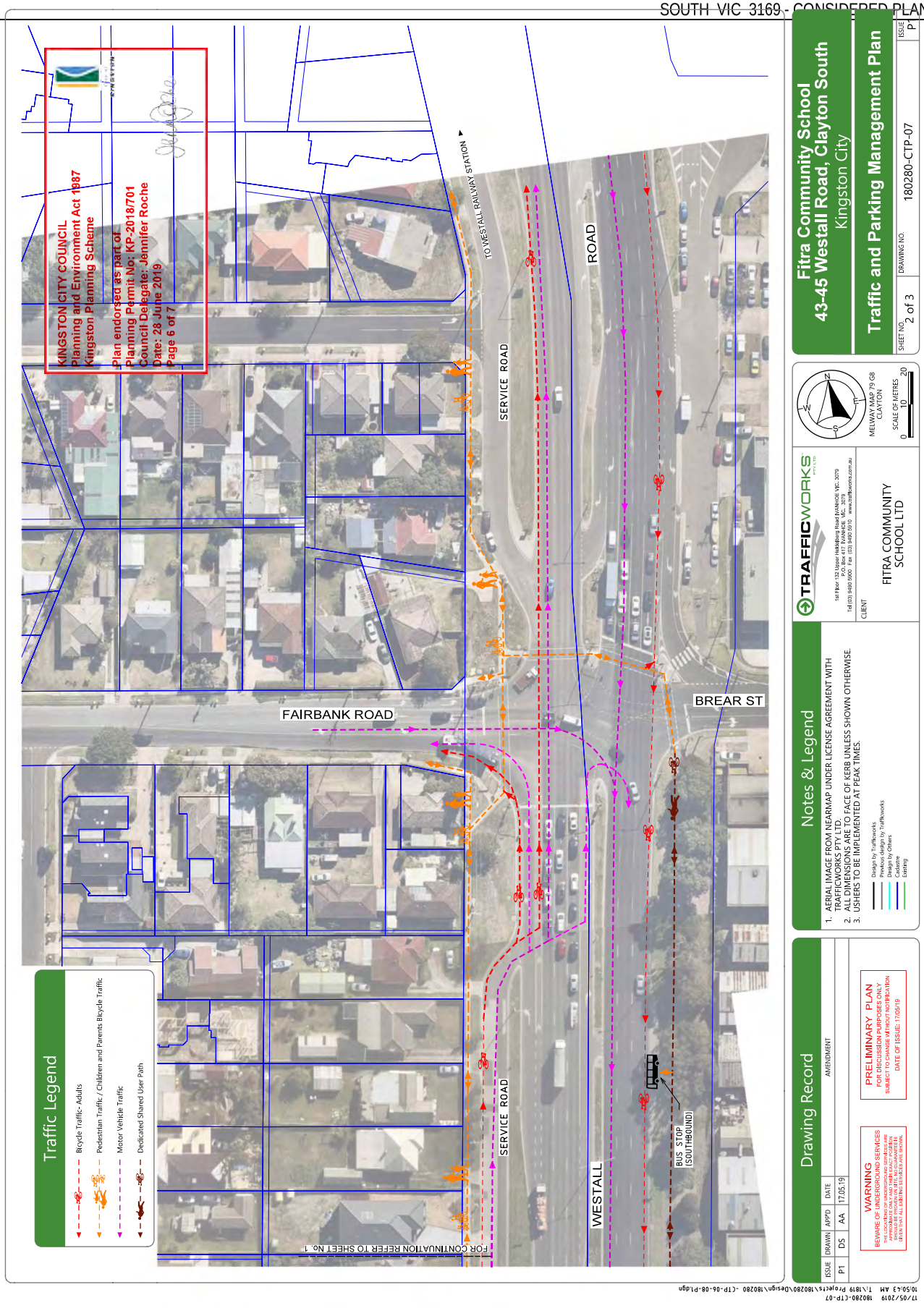
43-45 Westall Road, Clayton South
Kingston City

Traffic and Parking Management Plan

SHEET NO.	DRAWING NO.	ISSUE
1 of 3	180280-CTP-06	P1

Vestall Road, CLAYTON - CONSIDERED PLANS


KINGSTON CITY COUNCIL
Planning and Environment Act 1987
Kingston Planning Scheme
Plan endorsed as part of
Planning Permit No: KP-2018/701
Council Delegate: Jennifer Roche
Date: 28 June 2019
Page 6 of 7
Traffic Legend
Bicycle Traffic- Adults
Pedestrian Traffic / Children and Parents Bicycle Traffic
Motor Vehicle Traffic
Dedicated Shared User Path
FAIRBANK ROAD
SERVICE ROAD
SERVICE ROAD
WESTALL ROAD
BREAR ST
TO WESTALL RAILWAY STATION
BUS STOP (SOUTHBOUND)
FOR CONTINUATION REFER TO SHEET No. 1
Fitra Community School
43-45 Westall Road, Clayton South
Kingston City
Traffic and Parking Management Plan
SHEET NO. 2 of 3
DRAWING NO. 180280-CTP-07
ISSUE P1
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SCALE OF METRES 0 10 20
Drawing Record
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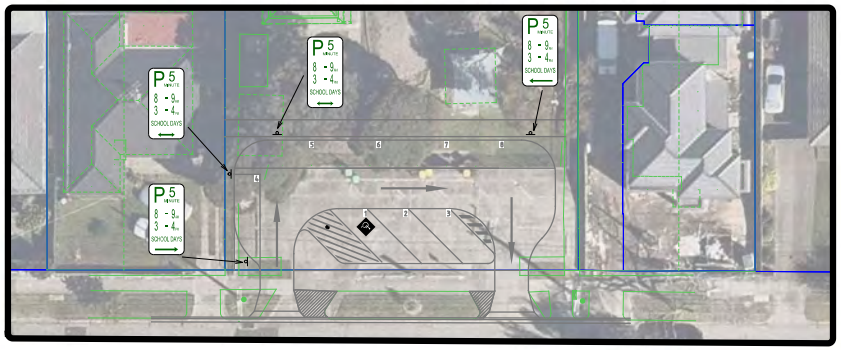

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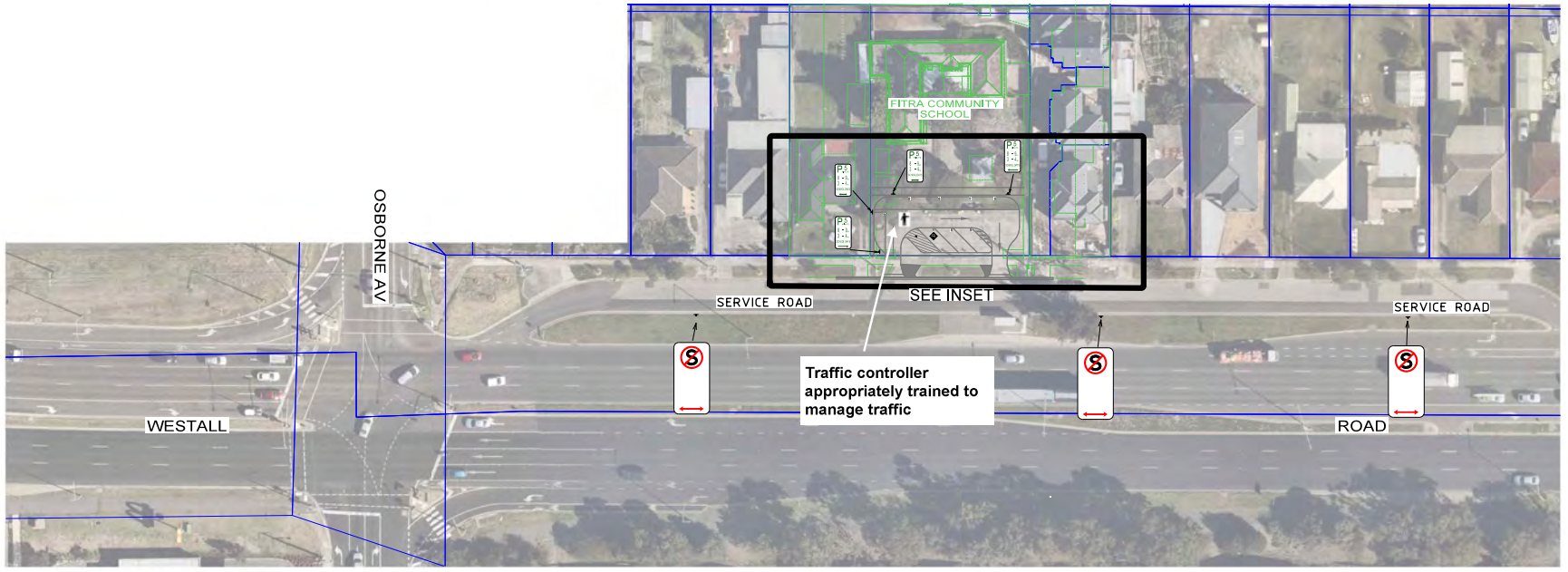
Planning and Environment Act 1987
Kingston Planning Scheme

Plan endorsed as part of
Planning Permit No: KP-2018/701
Council Delegate: Jennifer Roche
Date: 28 June 2019
Page 7 of 7



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MELWAY MAP 79 G8
CLAYTON

SCALE OF METRES
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43-45 Westall Road, Clayton South
Kingston City

Traffic and Parking Management Plan

SHEET NO.	DRAWING NO.	ISSUE
3 of 3	180280-CTP-08	P1

Ordinary Council Meeting

24 July 2023

Agenda Item No: 8.4

AMENDMENT C206KING - RECTIFICATION OF ANOMALIES IN THE KINGSTON PLANNING SCHEME

Contact Officer: Mathieu Maugueret, Senior Strategic Planner

Purpose of Report

This report recommends that Council adopt Planning Scheme Amendment C206king to the Kingston Planning Scheme with minor changes and submit it to the Minister for Planning for approval.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Adopt Planning Scheme Amendment C206king to the Kingston Planning Scheme subject to the following changes:
    - Correction of a grammatical error in the Explanatory Report;
    - Amend the Schedule to the Heritage Overlay to:
        - Change the name of Mordialloc Primary School to Mordialloc Beach Primary School; and
        - Change the address of the heritage building located on the Mordialloc Beach Primary School site to 71-79 Albert Street, Mordialloc.
    - The removal of the following Council-owned sites from the Amendment.
        - 2-6 Swansea Road, Chelsea
        - 5 Launching Way, Carrum
        - 2 Lawrence Avenue, Aspendale
    - The correction of a minor mapping error which incorrectly showed an apartment building at 1A Foster Street, Aspendale to be partially rezoned to Public Use Zone (PUZ6).
2. Submit Planning Scheme Amendment C206king to the Minister for Planning for approval.

1. Executive Summary

Amendment C206king implements various corrections to the mapping of zones and overlays in order to resolve errors in the Kingston Planning Scheme. These include mapping errors, redundant overlay provisions, land affected by multiple zones and land where the zone is inconsistent with its use. The Explanatory Report provided at Appendix 1 includes a list of all sites affected by the Amendment and a description of the changes.

Amendment C206king was placed on public exhibition for a period of 4 weeks between 27 April and 26 May 2023. A total of six submissions were received. Four submissions supported the Amendment and offered no objection, and two submissions were supportive subject to minor changes to the Amendment. These include to:

- Amend the Schedule to the Heritage Overlay to:
  - Change the name of Mordialloc Primary School to Mordialloc Beach Primary School; and
  - Change the address of the heritage building located on the Mordialloc Beach Primary School site to 71-79 Albert Street, Mordialloc.

- Amend the Explanatory Report to correct a minor grammatical error.

A copy of the submissions is provided at Appendix 2.

It is noted that the Manager Property Services has provided feedback and requested changes in relation three of the Council owned sites. Officers have considered the rationale provided in support of the changes requested and are supportive of the following changes to the amendment:

- Removal of the following Council-owned sites from the Amendment.
  - 2-6 Swansea Road, Chelsea
  - 5 Launching Way, Carrum
  - 2 Lawrence Avenue, Aspendale

- Correction of a minor mapping error which incorrectly showed an apartment building at 1A Foster Street, Aspendale to be partially rezoned to Public Use Zone (PUZ6).

This report recommends that Council adopt Planning Scheme Amendment C206king subject to the changes outlined above and submit it to the Minister for Planning approval.

2. Background

Errors and anomalies were identified in the Kingston Planning Scheme Review 2012 that require correction via a planning scheme amendment.

Amendment C149, which was approved by the Minister for Planning on 15 August 2019, provided for 253 corrections to errors and anomalies in the Kingston Planning Scheme generally applicable to Council owned land.

Amendment C197king which was approved by the Minister for Planning on 24 February 2022, provided for 57 corrections to errors and anomalies in the Kingston Planning Scheme.

Planning Scheme Amendment C206king consists of further corrections identified which include rezoning of land that has been incorrectly zoned or is in dual zones, amendments to incorrect overlays and amendments to maps to correct errors.

Conditions of Planning Scheme Amendment C206king Authorisation

At the Council Meeting held on 25 July 2022, Kingston City Council resolved to seek authorisation from the Minister for Planning to undertake Planning Scheme Amendment C206king. Authorisation was granted with the following conditions on 29 November 2022 (refer to Appendix 3).

- Identify the existing Foreshore/Residential Environs Area on the proposed Residential Land Use Framework Plan at Clause 16.
- Correct the extent of mapping for HO74, Beach Road, Mentone, to align with the extent of the significant structure.
- Correct the heritage overlay mapping for HO103, as discussed with council officers.

The first condition seeks to show the foreshore area on the residential map, which was accidentally removed as part of the mapping update of this amendment.

The last two conditions seek to correct the Heritage Overlay curtilages so that they correctly apply to the buildings of heritage significance.

The Amendment was exhibited as per the requirements of the Authorisation.

3. Discussion

3.1 Submissions Received

A total of six submissions were received, these include two submissions from private landowners and/or occupiers and four from Government agencies. It is noted that some feedback received on YKYS was not considered to be submissions as they were general questions or comments. A copy of all submissions is provided at Appendix 2.

Four submissions received were in support of the Amendment and provided no objection.

A submission made by the Department of Education offered provisional support subject to minor changes. The submission identified that the Schedule to the Heritage Overlay should be amended as follows:

- The column headed ‘Heritage Place’ relating to PS map reference HO90, in the Schedule to Clause 42.01 (Heritage Overlay), relating to HO90, be updated to refer to Mordialloc Beach Primary School (rather than Mordialloc Primary School)
- The column with the address of 71-79 Albert Street, Mordialloc (deleting the reference to 59 Barkly Street).

These changes would reflect the correct name and address of the school within the heritage control.

Another submission made by a landowner identified a grammatical error in the Explanatory Report. The Report incorrectly refers to “Environment Significance Over” instead of “Environmental Significance Overlay” under 1/5-10/5 Salmon Street, Mentone. The Explanatory Report has been amended to correctly refer to the Environmental Significance Overlay.

The Manager Property Services has provided feedback and requested changes in relation three of the Council owned sites. Officers have considered the rationale provided in support of the changes requested and are supportive of the removal of the following sites from the Amendment for the reasons outlined below:

- 2-6 Swansea Road, Chelsea
  The site falls within the Chelsea Structure Plan area. Given the strategic work already commenced by Council to prepare a Structure Plan for Chelsea it is appropriate the site should be considered and addressed as part of the structure planning process.

- 2 Lawrence Avenue, Aspendale
  Council is currently undertaking research regarding the best future use of the site. It is considered that any proposed changes to the planning controls of the site should be undertaken following the conclusion the research exercise.

- 5 Launching Way, Carrum
  There is currently a degree of ambiguity surrounding the ownership of the site. Council is currently in the process of addressing this issue. It would be considered premature to proceed with the rezoning sought by the Amendment until the ownership of the site is resolved.

These sites could be the subject of a further Planning Scheme Amendment in the future pending the resolution of the matters identified above.

3.2 Other Items

During the community consultation, a mapping error was identified. The Map incorrectly showed that 1A Foster Street, Aspendale was proposed to be rezoned to a Public Use Zone (PUZ6).

The explanatory report correctly identifies that the site is proposed to be rezoned from Commercial 1 Zone (C1Z) to General Residential Zone – Schedule 2 (GRZ2). The map has now been rectified accordingly.

To ensure that the community was made aware, the YKYS webpage was updated, and a letter was sent to the residents of 1A Foster Street, Aspendale explaining the error. A copy of the letter is attached at Appendix 4.

3.3 Submissions Consideration

Section 22 of the *Planning and Environment Act 1987* requires that Council consider all submissions made on or before the date set out in the notice.

Pursuant to Section 23 of the Planning and Environment Act 1987 after considering a submission which requests a change to the amendment, the planning authority must:

(a) Change the amendment in the manner requested; or
(b) Refer the submission to a panel appointed under Part 8; or
(c) Abandon the amendment or part of the amendment.

3.3.1 Option 1 - This is the preferred option
Adopt the Amendment with the requested change.

The Amendment will contribute to the more effective operation and administration of the Kingston Planning Scheme by ensuring that land is not encumbered by unnecessary, redundant or irrelevant controls.

3.3.2 Option 2 – Not Supported by Officers
Abandon the Amendment. This option is not supported by officers as it would prevent the effective operation of the Kingston Planning Scheme.

The proposed Planning Scheme Amendment C206king seeks to resolve anomalies which require rezoning of land that has been incorrectly zoned or is located in dual zones as well as amendments to overlay maps to correct errors.

This report recommends that Council adopt the amendment with minor changes as outlined in section 3.1 and 3.2 of this report and submit it to Minister for Planning for approval.

4. Consultation

4.1 Internal Consultation:
Internal consultation was undertaken with the Property Services and Statutory Planning teams.

4.2 Community Consultation:
Amendment C206king of the Kingston Planning Scheme was publicly exhibited between 27 April and 26 May 2023.

Group	Method
Key Stakeholders • landowners and occupiers. • surrounding properties. • prescribed Ministers. • relevant State Government Agencies	Direct mail out.
General community	Your Kingston Your Say and notice in The Age newspaper and Victorian Government Gazette on 27 April 2023.

4.3 Results/Findings:
The findings of the consultation are discussed at section 3.1 of this report.

5. Compliance Checklist

5.1 Council Plan Alignment
Strategic Direction: Liveable - Our city will be a vibrant, enjoyable, and easy place to live.
Strategy: Preserve and enhance Kingston's character and heritage

The Amendment is consistent with the Council Plan as it corrects errors in the Kingston Planning Scheme contributing to the more effective operation and administration of the Scheme.

5.2 Governance Principles Alignment

Principle (e) - innovation and continuous improvement is to be pursued.

The Amendment supports the Planning Policy Framework as it ensures that the planning controls which apply to land within the municipality are accurate and appropriate. The Amendment will contribute to the more effective operation and administration of the Kingston Planning Scheme by ensuring that land is not encumbered by unnecessary, redundant or irrelevant controls.

5.3 Financial Considerations

Budget

The adoption of this amendment will not have any budgetary/financial or resource implications with the costs allowed for within the Strategic Planning Teams operational budget.

5.4 Risk considerations

There is no foreseen risk associated with the adoption of this amendment which is seeking to further enhance the performance of the Kingston Planning Scheme.

Appendices

Appendix 1 - C206king Explanatory Report - Adoption (Ref 23/167959)
Appendix 2 - Combined Submission (Redacted) (Ref 23/167958)
Appendix 3 - Authorisation Letter with Conditions from DTP (Ref 23/167961)
Appendix 4 - Letter to Residents at 1A Foster Street, Aspendale (Ref 23/167960)

Author/s:	Mathieu Maugueret, Senior Strategic Planner
Reviewed and Approved By:	Rita Astill, Team Leader Strategic Planning
	Paul Marsden, Manager City Strategy
	Jonathan Guttmann, General Manager Planning and Place

8.4

AMENDMENT C206KING - RECTIFICATION OF ANOMALIES IN THE KINGSTON PLANNING SCHEME

1 C206king Explanatory Report - Adoption 113
2 Combined Submission (Redacted) 129
3 Authorisation Letter with Conditions from DTP 139
4 Letter to Residents at 1A Foster Street, Aspendale 141

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

AMENDMENT C206KING

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Kingston City Council, which is the planning authority for this amendment.

The amendment has been made at the request of the City of Kingston.

Land affected by the amendment

The amendment applies to 60 sites throughout the City of Kingston.

A mapping reference table is attached at Appendix A to this Explanatory Report.

Of these 60 sites, 10 have been identified as requiring rezoning. These sites are located at:

- 1A Foster Street, Aspendale
- 51 Larnook Crescent, Aspendale
- 56 Kallay Street, Clayton South
- 3 Enngonia Crescent, Clayton South
- The Esplanade, Edithvale
- 15-29 Legana Court, Patterson Lakes
- 1-19 Learmonth Road, Patterson Lakes
- 21-59 Learmonth Road, Patterson Lakes
- 187-189 Gladesville Boulevard, Patterson Lakes
- 35 Terrigal Drive, Patterson Lakes

The remaining 50 sites require changes to an overlay. These sites are located at:

1. 1 Station Street, Aspendale
2. Station Street, Chelsea (Chelsea Station & Signal Box)
3. 318 Station Street, Chelsea
4. 84-130 Thames Promenade, Chelsea (Bicentennial Park)
5. Charman Road, Cheltenham (Cheltenham Station)
6. 289 Centre Dandenong Road, Cheltenham
7. 607A Nepean Highway, Carrum
8. 12A Lochiel Avenue, Edithvale
9. 12B Lochiel Avenue, Edithvale
10. 2 Clydebank Road, Edithvale
11. 1/2 Clydebank Road, Edithvale
12. 2/2 Clydebank Road, Edithvale
13. 3/2 Clydebank Road, Edithvale
14. 4/2 Clydebank Road, Edithvale

OFFICIAL

15. 198 Old Dandenong Road, Heatherton
16. 32-54 Ross Street, Heatherton
17. 11 Hall Mark Road, Mordialloc
18. 46 Bay Trail, Mentone
19. 34 Brindisi Street, Mentone
20. 96-114 Como Parade, Mentone
21. 86 Naples Road, Mentone
22. 5 Salmon Street, Mentone
23. 1/5 Salmon Street, Mentone
24. 2/5 Salmon Street, Mentone
25. 3/5 Salmon Street, Mentone
26. 4/5 Salmon Street, Mentone
27. 5/5 Salmon Street, Mentone
28. 6/5 Salmon Street, Mentone
29. 7/5 Salmon Street, Mentone
30. 8/5 Salmon Street, Mentone
31. 9/5 Salmon Street, Mentone
32. 10/5 Salmon Street, Mentone
33. 979 Nepean Highway, Moorabbin
34. 71-79 Albert Street, Mordialloc
35. Corner Albert Street & Bear Street, Mordialloc (Mordialloc Railway Station)
36. Lot 1 Centre Road, Oakleigh South
37. 149 Bay Trail, Parkdale
38. Como Parade West, Parkdale (Railway Electricity Substation)
39. 2 Clematis Court, Patterson Lakes
40. 222 Gladesville Boulevard, Patterson Lakes
41. 224 Gladesville Boulevard, Patterson Lakes
42. 226 Gladesville Boulevard, Patterson Lakes
43. 234 Gladesville Boulevard, Patterson Lakes
44. 236 Gladesville Boulevard, Patterson Lakes
45. 238 Gladesville Boulevard, Patterson Lakes
46. 1 Gull Court, Patterson Lakes
47. 34 Curlew Point Drive, Patterson Lakes
48. 32 Curlew Point Drive, Patterson Lakes
49. 1/75-93 Gladesville Boulevard, Patterson Lakes
50. 1/197-199 McLeod Road, Patterson Lakes

The amendment also seeks to make corrections to:

- The Residential Land Use Framework Plan at Clause 16.01-1L-01.
- Schedule 1 to Clause 37.08 Activity Centre Zone
- Schedule 2 to Clause 37.08 Activity Centre Zone
- Schedule 3 to Clause 37.08 Activity Centre Zone

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- Schedule 3 to Clause 42.01 Environmental Significance Overlay (ESO3)
- Schedule to Clause 43.01 Heritage Overlay
- Schedule to Clause 45.12 Specific Controls Overlay

What the amendment does

The amendment proposes to implement various corrections to the mapping of zones and overlays, in order to resolve anomalies and errors in the Kingston Planning Scheme.

The anomalies include mapping errors, redundant overlay provisions, land affected by multiple zones and land where the zone is inconsistent with its use.

The amendment proposes to implement the following corrections:

Aspendale

- Rezone part of land located at 1A Foster Street, Aspendale from Commercial 1 Zone (C1Z) to General Residential Zone – Schedule 2 (GRZ2).

  The site is privately owned and occupied by a 2 storey multi-unit development currently under construction. The site is encumbered by dual zones. The majority of the site is zoned GRZ2 and part of the site along the eastern boundary is zoned C1Z. It is recommended that the site be rezoned to GRZ2 to reflect the existing residential use of the site.

- Rezone land located at 51 Larnook Crescent, Aspendale from General Residential Zone - Schedule 3 (GRZ3) to Public Park and Recreation (PPRZ).

  The site is owned by Council and used as open space. The site is known as Larnook Reserve and provides an important connection between Larnook Crescent and the Yammerbrook Nature Reserve. The site is zoned GRZ3. It is recommended that the site be rezoned to PPRZ to reflect Council's ownership and use of the site as a public open space.

- Amend the mapping to the Heritage Overlay (HO14) located at 1 Station Street, Aspendale to only include elements of heritage significance.

  HO14 applies to two parts of the site. The citation identifies that "*the heritage place includes the two buildings dating from the original 1929 construction, and their setback from Attenborough Road and Pine Crescent*". The two buildings of heritage significance mentioned in the citation are within the HO located in the south-western corner of the site.

  The other part of the HO is located east of the site and partially includes a building of a later period which is not included in the citation and does not appear to be of any heritage significance. It is recommended to amend HO14 to remove the eastern portion of HO14 so that only the buildings of heritage significance identified in the citation are included in the HO.

Chelsea

- Delete Heritage Overlay (HO31) over land located at the corner of Station Street and Chelsea Road, Chelsea.

  HO31 previously applied to the Chelsea Station & Signal Box. The station and signal box were both demolished as part of the level crossing removal project. It is recommended that HO31 be deleted to reflect existing conditions.

- HO32 relates to the Mason's Picture Theatre, which is located at 318 Station Street, Chelsea and is in private ownership. The citation identifies the place of heritage as "*Mason's Picture Theatre*". However, part of the theatre building is not currently located within the HO. It is recommended that HO32 be extended to include all relevant elements of heritage significance to match the citation.

- Amend the mapping to the Heritage Overlay (HO34) located at 84-130 Thames Promenade, Chelsea (Bicentennial Park) to include all relevant elements of heritage significance.

  HO34 relates to traffic lights, which are located at Bicentennial Park. The HO does not currently reflect the location of the elements of significance and does not apply to the heritage traffic lights. It is recommended that HO34 be amended to include both traffic lights to match the citation.

Clayton South

- Rezone land located at 56 Kallay Street, Clayton South from General Residential Zone - Schedule 3 (GRZ3) to Public Park and Recreation (PPRZ).

  The site is owned by Council and used for open space. The site is zoned General Residential Zone – Schedule 3 (GRZ3). A more appropriate zone would be a Public Park and Recreation Zone (PPRZ) to reflect council's ownership and use of the site. It is recommended to rezone the site to PPRZ.

- Rezone land located at 3 Enngonia Crescent, Clayton South from General Residential Zone - Schedule 3 (GRZ3) to Public Park and Recreation (PPRZ).

  The site is owned by Council and used for open space. The site is zoned General Residential Zone – Schedule 3 (GRZ3). A more appropriate zone would be a Public Park and Recreation Zone (PPRZ) to reflect council's ownership and use of the site. It is recommended to rezone the site to PPRZ.

Cheltenham

- Delete Heritage Overlay (HO2) over land located along Charman Road.

  HO2 previously applied to the Cheltenham Station. The station was deconstructed and relocated as part of the level crossing removal project. It is recommended that HO2 be deleted to reflect existing conditions.

- Amend the mapping to the Heritage Overlay (HO43) located at 289-293 Centre Dandenong Road, Cheltenham to include all relevant elements of heritage significance.

  HO43 relates to the War Memorials, located to the rear of the Cheltenham RSL Club. The HO does not currently reflect the location of the elements of significance and does not apply to the War Memorials. It is recommended that HO43 be amended to include the War Memorials at 285 Centre Dandenong Road, Cheltenham to match the citation.

Carrum

- Amend the mapping to the Heritage Overlay (HO19) located at 607A Nepean Highway, Carrum the also known as the Beaty Spot to include all elements of heritage significance.

  HO19 relates to the Soldier's Memorials, located along at the Beauty Spot, Carrum. The HO does not currently reflect the elements of significance and does not apply to the Soldier's Memorials. It is recommended that HO19 be amended to include the Soldier's Memorials to match the citation.

Edithvale

- Rezone land located at The Esplanade, Edithvale from General Residential Zone - Schedule 3 (GRZ3) and Commercial 1 Zone (C1Z) to Public Park and Recreation (PPRZ).

  The site is owned by the Department of Environment, Land, Water and Planning (DELWP), is known as the Beeson Reserve and used for public open space. The site is zoned General Residential Zone – Schedule 3 (GRZ3) and Commercial 1 Zone (C1Z). A more appropriate zone would be a Public Park and Recreation Zone (PPRZ). This zone would reflect state government's ownership and use of the site as a public open space. It is recommended to rezone the site to PPRZ.

- Delete Heritage Overlay (HO47) over land located at 12A Lochiel Avenue, Edithvale.
- Delete Heritage Overlay (HO47) over land located at 12B Lochiel Avenue, Edithvale.
- Delete Heritage Overlay (HO47) over land located at 2 Clydebank Road, Edithvale.
- Delete Heritage Overlay (HO47) over land located at 1/2 Clydebank Road, Edithvale.
- Delete Heritage Overlay (HO47) over land located at 2/2 Clydebank Road, Edithvale.
- Delete Heritage Overlay (HO47) over land located at 3/2 Clydebank Road, Edithvale
- Delete Heritage Overlay (HO47) over land located at 4/2 Clydebank Road, Edithvale

  HO47 previously applied to the old St Columba's Anglican Church. In 2018 the church was partly demolished, underwent renovation for a residential conversion and the site subdivided. The remanence of the old church is now confined to 10A and 10B Lochiel Avenue. As the land

at 12A Lochiel Ave, 12B Lochiel Ave and 2 and 1/2 to 4/2 Clydebank Road, Edithvale no longer contains any elements of heritage significance relating to the St Columbian Anglican Church, it is recommended to remove HO47 from these properties.

Heatherton

- Delete Heritage Overlay (HO56) over land located at 198 Old Dandenong Road, Heatherton.

  HO56 previously applied to a house which was demolished in 2009. It is recommended that HO56 be removed from the property to reflect the loss of the house and existing condition.

- Amend the mapping to the Heritage Overlay (HO57) located at 32-54 Ross Street, Heatherton to include all relevant elements of heritage significance.

  HO57 relates to the WWII War Memorial, located at the Ross Street Recreation Reserve. The HO does not currently reflect the location of the elements of significance and does not apply to the memorial. It is recommended that HO57 be amended to include the WWII War Memorial to match the citation.

Mordialloc

- Amend the mapping to the Heritage Overlay (HO90) located at 71-79 Albert Street, Mordialloc to include all relevant elements of heritage significance.

  HO90 relates to the Mordialloc Beach Primary School. The HO currently only partially applies to the original school building. It is recommended that HO90 be amended to fully include the original Mordialloc Beach Primary School building and setback to Barkly Street to match the citation.

- Amend the mapping to the Heritage Overlay (HO91) located at the corner of Albert Street and Bear Street, Mordialloc to include all relevant elements of heritage significance.

  HO91 relates to the Mordialloc Railway Station. The HO currently only applies to a portion of the station building. It is recommended that HO91 be amended to apply to the entire Railway Station to match the citation.

- Amend the mapping to the Heritage Overlay (HO92) located at the corner of Albert Street and Bear Street, Mordialloc to include all relevant elements of heritage significance.

  HO92 relates to the Mordialloc Railway Water Tower. The HO currently only applies to a portion of the water tower. It is recommended that HO92 be amended to apply to the entire water tower to match the citation.

- Amend the mapping to the Heritage Overlay (HO7) located at 11 Hall Mark Road, Mordialloc to include all relevant elements of heritage significance.

  HO7 relates to the Former Totalisator Building. The HO is not currently properly aligned with the building footprint. It is recommended that HO7 be amended to apply to the entire Former Totalisator Building to match the citation.

Mentone

- Amend the mapping to the Heritage Overlay (HO74) located at 46 Bay Trail, Mentone to align with the extent of elements of heritage significance.

  HO74 relates to public toilets. The HO currently applies beyond the public toilet structure into the car park. It is recommended that HO74 be amended to only apply to public toilet structure to match the citation.

- Amend the mapping to the Heritage Overlay (HO67) located at 34 Brindisi Street, Mentone to include all relevant elements of heritage significance.

  HO67 relates to the CH Soppitt Pavilion. The HO currently only partially applies to the pavilion structure. It is recommended that HO67 be amended to apply to the entire pavilion to match the citation.

- Amend the mapping to the Heritage Overlay (HO72) located at 96-114 Como Parade, Mentone to include all relevant elements of heritage significance.

  HO72 relates to Mentone Grammar School's Frogmore building c.1910. The HO currently only applies to a portion of the heritage building. It is recommended that HO72 be amended to apply to the entire c.1910 building to match the citation.

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- Amend the mapping to the Heritage Overlay (HO78) located at 86 Naples Road, Mentone to include all relevant elements of heritage significance.

  HO78 relates to St Bede's College's Memorial Gates. A small portion of the memorial gate is currently located outside of HO. It is recommended that HO78 be amended to apply to the entire gates to match the citation.

- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located 5 Salmon Street, Mentone
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 1/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 2/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 3/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 4/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 5/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 6/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 7/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 8/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 9/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from land located at 10/5 Salmon Street, Mentone.
- Delete Schedule 3 to Environment Significance Overlay (ESO3) from the Railway Reserve abutting 5 Salmon Street, Mentone.

  ESO3 applies to land at 1/5 to 10/5 Salmon Street, Mentone (previously known as 3 Salmon Street, Mentone) and to part of the Railway Reserve. The ESO previously related to a eucalyptus cladocalyx referred in the schedule as T66. The tree was damaged and later removed in 2016 as a result of a storm. It is recommended that ESO3 be removed from the subject sites to reflect the loss of the significant tree.

Moorabbin

- Amend the mapping to the Heritage Overlay (HO79) located at 979 Nepean Highway, Moorabbin to include all relevant elements of heritage significance.

  The HO relates to the Kingston Art Centre. The HO does not currently fully apply to the entire building. It is recommended that HO79 be amended to correctly apply to the Kingston Art Centre building to match the citation.

- Amend the mapping to the Heritage Overlay (HO80) located at 979 Nepean Highway, Moorabbin to include all relevant elements of heritage significance.

  The HO relates to the Moorabbin Town Hall. The HO does not currently fully apply to the entire building. It is recommended that HO80 be amended to correctly apply to the Moorabbin Town Hall building to match the citation.

- Amend the mapping to the Heritage Overlay (HO126) located at 979 Nepean Highway, Moorabbin to include all relevant elements of heritage significance.

  The HO relates to the Wurlitzer Theatre Organ. The HO is currently not correctly located over the organ. It is recommended that HO126 be amended to correctly apply to the Wurlitzer Theatre Organ to match the citation.

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Oakleigh South

- Amend the mapping to the Heritage Overlay (HO99) located at Lot 1 Centre Road, Oakleigh South to include all relevant elements of heritage significance.

  The HO relates to the Commonwealth Golf Club. A small section of the club building is currently located outside of the HO. It is recommended that HO99 be amended to correctly apply to the entire Commonwealth Golf Club building and setback to match the citation.

Patterson Lakes

- Rezone land located at 15-29 Legana Court, Patterson Lakes from General Residential Zone - Schedule 3 (GRZ3) to Public Park and Recreation (PPRZ).

  The site is owned by Council and used for open space. The site is zoned General Residential Zone – Schedule 3 (GRZ3). A more appropriate zone would be a Public Park and Recreation Zone (PPRZ). This zone would reflect council's ownership and use of the site as open space. It is recommended to rezone the site to PPRZ.

- Rezone land located at 1-19 Learmonth Road, Patterson Lakes from Public Use Zone – Schedule 1 (PUZ1) to Public Park and Recreation (PPRZ).

  The site is owned by Council and used for open space. The site is zoned Public Use Zone – Schedule 1 (PUZ1). A more appropriate zone would be a Public Park and Recreation Zone (PPRZ). This zone would reflect council's ownership and use of the site as open space. It is recommended to rezone the site to PPRZ.

- Rezone part of land located at 21-59 Learmonth Road, Patterson Lakes from Public Use Zone – Schedule 1 (PUZ1) to Public Park and Recreation (PPRZ).

  The site is owned by Council and used for open space. The site is encumbered by dual zones. The majority of the park is zoned PPRZ with a small portion zoned PUZ1. A more appropriate zone would be a Public Park and Recreation Zone (PPRZ). This zone would reflect council's ownership and use of the site. It is recommended to rezone the site to PPRZ.

- Rezone the southern part of land located at 187-189 Gladesville Boulevard, Patterson Lakes from General Residential Zone - Schedule 3 (GRZ3) to Public Park and Recreation (PPRZ).

  The subject site is owned by Council. The site is used for public open space and contains a kindergarten with associated car park. The site is known as the Gladesville Boulevard Reserve and is encumbered by three zones being the Public Park and Recreation Zone (PPRZ), Public Use Zone 6 – Local Government (PUZ6) and the General Residential Zone - Schedule 3 (GRZ3). It is recommended to rezone the southern portions of the site which are currently zoned GRZ3 to PPRZ. This zone would reflect council's ownership and use of the site.

- Rezone the land located at 35 Terrigal Drive, Patterson Lakes from General Residential Zone - Schedule 3 (GRZ3) to Public Park and Recreation (PPRZ).

  The subject site is owned by Council. The site is used for public open space and forms part of the Gladesville Boulevard Reserve the site is zoned General Residential Zone - Schedule 3 (GRZ3). A more appropriate zone would be a Public Park and Recreation Zone (PPRZ). This zone would reflect council's ownership and use of the site as open space. It is recommended to rezone the site to PPRZ.

- Amend the Schedule 2 to the Design and Development Overlay (DDO2) to partially delete the overlay from land located at 2 Clematis Court, Patterson Lakes.

- Amend the Schedule 2 to the Design and Development Overlay (DDO2) to partially delete the overlay from land located at 1 Gull Court, Patterson Lakes.

- Amend the Schedule 2 to the Design and Development Overlay (DDO2) to partially delete the overlay from land located at 34 Curlew Point Drive, Patterson Lakes.

- Amend the Schedule 2 to the Design and Development Overlay (DDO2) to partially delete the overlay from land located at 32 Curlew Point Drive, Patterson Lakes.

- Amend the Schedule 2 to the Design and Development Overlay (DDO2) to partially delete the overlay from land located at 1/75-93 Gladesville Boulevard, Patterson Lakes.

- Amend the Schedule 2 to the Design and Development Overlay (DDO2) to partially delete the overlay from land located at 1/197-199 McLeod Road, Patterson Lakes.

  DDO2 relates to the Patterson Lakes Residential Waterways Areas. The purpose of the DDO2 is to capture the land that directly abuts the water via an easement. As the above properties only partially abuts the waterways, DDO2 should only apply to the relevant parts of the sites. It is recommended to delete the parts of the DDO2 that does not directly abut the waterways.

- Delete Schedule 2 to the Design and Development Overlay (DDO2) from land located at 222 Gladesville Boulevard, Patterson Lakes
- Delete Schedule 2 to the Design and Development Overlay (DDO2) from land located at 224 Gladesville Boulevard, Patterson Lakes
- Delete Schedule 2 to the Design and Development Overlay (DDO2) from land located at 226 Gladesville Boulevard, Patterson Lakes
- Delete Schedule 2 to the Design and Development Overlay (DDO2) from land located at 234 Gladesville Boulevard, Patterson Lakes
- Delete Schedule 2 to the Design and Development Overlay (DDO2) from land located at 236 Gladesville Boulevard, Patterson Lakes
- Delete Schedule 2 to the Design and Development Overlay (DDO2) from land located at 238 Gladesville Boulevard, Patterson Lakes

  DDO2 relates to the Patterson Lakes Residential Waterways Areas. The purpose of the DDO2 is to capture the land that directly abuts the water via an easement. As the above properties do not abut the waterways, DDO2 should not apply. It is recommended to delete DDO2 from these properties.

Parkdale

- Amend the mapping to the Heritage Overlay (HO103) located at 149 Bay Trail, Parkdale to align with the extent of elements of heritage significance.

  HO103 relates to an RSL Memorial. The HO currently applies beyond the RSL Memorial structure. It is recommended that HO103 be amended to only apply to RSL Memorial structure to match the citation.

- Como Parade West, Parkdale (Railway Electricity Substation)

  Amend the mapping to the Heritage Overlay (HO101) located at along Como Parade West, Parkdale to include all relevant elements of heritage significance. The HO does not currently apply to substation building. It is recommended that HO101 be amended to correctly apply to the Railway Electricity Substation building to match the citation.

<u>Amendment to Policy Mapping</u>

- Amends the map ‘Residential Land Use Framework Plan’ at Clause 16.01-1L-01 – Housing supply – Kingston to:
  - Remove the ‘Wetland recreation along Mordialloc Creek’.

    As part of Amendment C200, a new map titled Environment, Wetlands and Waterways Framework Plan was created and includes “opportunity for wetlands re-creation”.
  - Remove ‘Older industrial areas’

    The “Older industrial areas” is already included in the Industrial Framework Plan at Clause 02.04.
  - Amend and reduce the extent of the ‘Moorabbin Airport environs’.

    The new outline of the Moorabbin Airport environs’ is based on the current extent of the Schedule 1 to the Airport Environs Overlay (AEO1).
  - Remove the ‘Strategic Open Space Links’

    As part of Amendment C200, a new map was created titled Open Space Framework Plan, at Clause 02.04 and contains the “Strategic open space links”.

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- Remove the 'Sites of identified Environmental Significance'

  The Environment, Wetlands and Waterways Framework Plan at Clause 02.04 already includes "open spaces of environmental significance".

The Amendment also seeks to update the Framework Plan to be in high resolution to improve the quality and legibility of the content.

Amendment to Overlay Schedules

- Amend Schedule 1 to Clause 37.08 Activity Centre Zone to exclude the application of Clause 55 to apartment developments, as this conflicts with the requirements of the header provision of Clause 37.08 and Clause 58.
- Amend Schedule 2 to Clause 37.08 Activity Centre Zone to exclude the application of Clause 55 to apartment developments, as this conflicts with the requirements of the header provision of Clause 37.08 and Clause 58.
- Amend Schedule 3 to Clause 37.08 Activity Centre Zone to exclude the application of Clause 55 to apartment developments, as this conflicts with the requirements of the header provision of Clause 37.08 and Clause 58.

  Both Clause 58 and the header provision for the ACZ specify that Clause 58 applies to all apartment development in the Activity Centre Zone, regardless of the height of the building. Pursuant to the ACZ: "*An apartment development must meet the requirements of Clause 58.*"
- Amend Schedule 3 to Clause 42.01 Environmental Significance Overlay (ESO3) to remove the reference to 3 Swan Walk, Chelsea under the property address of significant tree.

  ESO3 was previously applies to 3 Swan Walk, Chelsea and related to two corymbia ficifolia referred in the schedule as T21 and T22. Amendment C149king previously removed ESO3 from the subject site. However, references to these two trees erroneously remain in ESO3.
- Amend Schedule 3 to Clause 42.01 Environmental Significance Overlay (ESO3) to delete reference to 3 Salmon Street, Mentone under the property address of significant tree.

  ESO3 applies to land at 1/5 to 10/5 Salmon Street, Mentone (previously known as 3 Salmon Street, Mentone) and to part of the Railway Reserve. The ESO previously related to a eucalyptus cladocalyx referred in the schedule as T66. The tree was damaged and later removed in 2016 as a result of a storm.
- Amend the Schedule to Clause 43.01 Heritage Overlay to remove references to HO2 and HO31 and make general corrections to the schedule including correction of grammar, formatting and include addresses where none have been provided.

  HO2 previously applied to the Cheltenham Station. The station was deconstructed and relocated as part of the level crossing removal project. HO31 previously applied to the Chelsea Station & Signal Box. The station and signal box were both demolished as part of the level crossing removal project.
- Amend the Schedule to Clause 45.12 Specific Controls Overlay to remove the reference to SCO4. SCO4 was removed from the Planning Scheme as part of Amendment C197king which was gazetted on 24 February 2022.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to correct zoning and overlay anomalies and errors that currently exist within the Kingston Planning Scheme.

In order to provide continuous improvement to the Kingston Planning Scheme, practical resolutions of the identified zoning and overlay inconsistencies is necessary.

All of the identified anomalies and errors do not affect the intent of policy or controls.

How does the amendment implement the objectives of planning in Victoria?

The amendment gives effect to the following objectives of planning in Victoria identified in Section 4(1) of the *Planning and Environment Act 1987*:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To protect public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the above objectives.
- To balance the present and future interests of all Victorians.

The amendment implements the objectives of planning in Victoria by improving the effectiveness and efficiency of the Kingston Planning Scheme. The amendment implements the objectives of providing '*for the fair, orderly, economic and sustainable use, and development of land*' in accordance with Section 4 of the *Planning and Environment Act* 1987, by ensuring the consistency and accuracy of the Planning Scheme.

How does the amendment address any environmental, social and economic effects?

The amendment will have a positive net community impact by enhancing the effectiveness and efficiency of the Kingston Planning Scheme by appropriately zoning sites and ensure consistency. The amendment will also provide certainty for landowners.

Does the amendment address relevant bushfire risk?

The subject land is not subject to a Bushfire Management Overlay (BMO) and is not located on land designated as a 'Bushfire Prone Area' under the Victorian Planning Provisions.

As such, there is no bushfire risk identified for the subject land.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the *Planning and Environment Act 1987*.

The amendment is consistent with Ministerial Direction No. 9 Metropolitan Strategy which requires amendments to have regard to Plan Melbourne: Metropolitan Planning Strategy.

The amendment also meets the requirements of Ministerial Direction No. 11 Strategic Assessments of Amendments and Ministerial Direction No.15 – The Planning Scheme Amendment Process.

The amendment will ensure that the Kingston Planning Scheme remains consistent with the State Planning Policy Framework, which seeks to support the objectives of planning in Victoria.

Specifically, the amendment will assist in the implementation of the objectives of Plan Melbourne: Metropolitan Planning Strategy and ensure that the Kingston Planning Scheme remains consistent with the State Planning Policy Framework, which seeks to support the objectives of planning in Victoria, as it will resolve anomalies and errors in the Kingston Planning Scheme.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The correction of anomalies in the Kingston Planning Scheme is considered to improve the implementation of the Planning Policy Framework (PPF). In particular, the amendment implements Clause 01 – Purposes of this Planning Scheme as indicated below:

- *"To provide a clear and consistent framework within which decisions about the use and development of land can be made";*
- *"To express state, regional, local and community expectations for areas and land uses"; and*

- *"To provide for the implementation of State, regional and local policies affecting land use and development".*

The purpose of the PPF is to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The amendment supports the Planning Policy Framework (PPF) and in particular:

- Clause 15 Built Environment and Heritage which seeks to "*Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context".*
- Clause 15.03-1S Heritage conservation which seeks to "*to ensure the conservation of places of heritage significance".*
- Clause 16.01-1S Housing Supply objective which seeks "*to facilitate well-located, integrated and diverse housing that meets community needs."*
- Clause 19.02-6S Open Space which seeks to "*establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community".*
- Clause 19.02-6R Open space Metropolitan Melbourne which seeks to "*strengthen the integrated metropolitan open space network".*

The amendment:

- Is consistent with these objectives as it ensures that the planning controls which apply to land within the municipality are accurate, appropriate and consistent with the PPF.
- Supports implementation of the Planning Policy Framework by removing errors and inconsistencies within local schedules that may hinder their effectiveness.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the MPS of the Kingston Planning Scheme. The amendment ensures that the planning controls are consistent with:

- Clause 02.02 (Vision) which identifies the key relevant strategic land use principles:
  - *"An urban settlement pattern that accommodates sustainable growth commensurate with constraints of established areas"; and*
  - *"Places of heritage significance are identified and conserved for future generations".*
- Clause 02.03-1 (Settlement) which seeks to:
  - *"Manage urban development to minimise the impact on rivers, wetlands, reserves and foreshore".*
- Clause 02.03-5 (Heritage) which seeks to:
  - *"Conserve built form elements that are valued by the community while accommodating change".*
- Clause 02.03-6 (Housing) which seeks to:
  - *Support residential change consistent with the preferred housing outcomes identified in Table 1.*

The amendment will also support the Municipal Planning Strategy as it is considered to improve its implementation through the correction of anomalies and redundant provisions in the Planning Scheme. The amendment will ensure the operational effectiveness of the administration of the Kingston Planning Scheme.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment seeks to resolve anomalies and errors in the Kingston Planning Scheme. All proposed changes to the Kingston Planning Scheme are consistent with the Victorian Planning Provisions.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the exhibition of the amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not have a significant impact on the transport system, as defined by section 3 of the *Transport Integration Act 2010*.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have a positive impact on the resource and administrative costs for Council by improving the operation and administration of the Kingston Planning Scheme.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Kingston's website: https://www.kingston.vic.gov.au/property/planning-and-building/planning-scheme-amendments#section-4
- Kingston City Council, Ground Floor, 1230 Nepean Highway, Cheltenham

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **Friday 26 May 2023**.

A submission can be made:

- via email at: strategic.planning@kingston.vic.gov.au
- post: Attention Strategic Planning, City of Kingston, PO Box 1000, Mentone 3194

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **14 August 2023**
- panel hearing: **11 September 2023**

APPENDIX A - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Aspendale	1 Station Street, Aspendale	Kingston C206king 008d-hoMap07 Exhibition
	1A Foster Street	Kingston C206king 017znMap07 Exhibition
	51 Larnook Crescent	Kingston C206king 021znMap07 Exhibition
Carrum	607A Nepean Highway	Kingston C206king 006d-hoMap09 Exhibition Kingston C206king 027hoMap09 Exhibition
Chelsea	Station Street (Chelsea Station & Signal Box)	Kingston C206king 012d-hoMap09 Exhibition
	318 Station Street	Kingston C206king 022hoMap09 Exhibition
	84-130 Thames Promenade	Kingston C206king 004d-hoMap08 Exhibition Kingston C206king 034hoMap08 Exhibition
Cheltenham	Charman Road, (Cheltenham Station)	Kingston C206king 010d-hoMap04 Exhibition
	289 Centre Dandenong Road	Kingston C206king 005d-hoMap05 Exhibition Kingston C206king 029hoMap05 Exhibition
Clayton South	56 Kallay Street	Kingston C206king 019znMap03 Exhibition

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	3 Enngonia Crescent	Kingston C206king 019znMap03 Exhibition
Edithvale	The Esplanade	Kingston C206king 020znMap07 Exhibition
	12A Lochiel Avenue	Kingston C206king 014d-hoMap07 Exhibition
	12B Lochiel Avenue	Kingston C206king 014d-hoMap07 Exhibition
	2 Clydebank Road	Kingston C206king 014d-hoMap07 Exhibition
	1/2 Clydebank Road	Kingston C206king 014d-hoMap07 Exhibition
	2/2 Clydebank Road	Kingston C206king 014d-hoMap07 Exhibition
	3/2 Clydebank Road	Kingston C206king 014d-hoMap07 Exhibition
	4/2 Clydebank Road	Kingston C206king 014d-hoMap07 Exhibition
Heatherton	198 Old Dandenong Road	Kingston C206king 009d-hoMap02 Exhibition
Heatherton	32-54 Ross Street	Kingston C206king 003d-hoMap05 Exhibition Kingston C206king 033hoMap05 Exhibition
Mentone	46 Bay Trail	Kingston C206king 041d-hoMap04 Exhibition Kingston C206king 042hoMap04 Exhibition
	34 Brindisi Street	Kingston C206king 007d-hoMap04 Exhibition Kingston C206king 028hoMap04 Exhibition
	96-114 Como Parade	Kingston C206king 011d-hoMap05 Exhibition Kingston C206king 025hoMap05 Exhibition
	86 Naples Road	Kingston C206king 023hoMap05 Exhibition
	5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	1/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	2/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	3/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition

	4/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	5/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	6/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	7/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	8/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	9/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
	10/5 Salmon Street	Kingston C206king 036d-esoMap04 Exhibition
Moorabbin	979 Nepean Highway	Kingston C206king 002d-hoMap01 Exhibition Kingston C206king 030hoMap01 Exhibition
Mordialloc	11 Hall Mark Road	Kingston C206king 001d-hoMap05 Exhibition Kingston C206king 024hoMap05 Exhibition
	71-79 Albert Street	Kingston C206king 013d-hoMap07 Exhibition Kingston C206king 026hoMap07 Exhibition
	Corner Albert Street & Bear Street, Mordialloc (Mordialloc Railway Station)	Kingston C206king 013d-hoMap07 Exhibition Kingston C206king 026hoMap07 Exhibition
Oakleigh South	Lot 1 Centre Road	Kingston C206king 032hoMap02 Exhibition
Patterson Lakes	15-29 Legana Court	Kingston C206king 018znMap10 Exhibition
	1-19 Learmonth Road	Kingston C206king 018znMap10 Exhibition
	21-59 Learmonth Road	Kingston C206king 018znMap10 Exhibition
	187-189 Gladesville Boulevard	Kingston C206king 018znMap10 Exhibition
	35 Terrigal Drive	Kingston C206king 018znMap10 Exhibition
	2 Clematis Court	Kingston C206king 37d-ddoMap10 Exhibition
	222 Gladesville Boulevard	Kingston C206king 37d-ddoMap10 Exhibition

	224 Gladesville Boulevard	Kingston C206king 37d-ddoMap10 Exhibition
	226 Gladesville Boulevard	Kingston C206king 37d-ddoMap10 Exhibition
	234 Gladesville Boulevard	Kingston C206king 37d-ddoMap10 Exhibition
	236 Gladesville Boulevard	Kingston C206king 37d-ddoMap10 Exhibition
	238 Gladesville Boulevard	Kingston C206king 37d-ddoMap10 Exhibition
	1 Gull Court	Kingston C206king 37d-ddoMap10 Exhibition
	34 Curlew Point Drive	Kingston C206king 37d-ddoMap10 Exhibition
	32 Curlew Point Drive	Kingston C206king 37d-ddoMap10 Exhibition
	1/75-93 Gladesville Boulevard	Kingston C206king 38d-ddoMap10 Exhibition
	1/197-199 McLeod Road	Kingston C206king 38d-ddoMap10 Exhibition
Parkdale	149 Bay Trail,	Kingston C206king 039d-hoMap05 Exhibition Kingston C206king 040hoMap05 Exhibition
	Como Parade West, (Railway Electricity Substation)	Kingston C206king 011d-hoMap05 Exhibition Kingston C206king 025hoMap05 Exhibition

From:

Cc: Mathieu Maugueret
Subject: Dept of Education response to Amendment C206king
Date: Tuesday, 30 May 2023 5:44:01 PM
Attachments: image001.png

Dear Mr Marsden,

Thank you for your notification for Amendment C206king, and providing DE with an opportunity to comment on the implications of the amendment. We have reviewed this and have no objection to the amendment as it relates to Mordialloc Beach Primary School (the only school site included in the Amendment).

I note from my phone conversation with Mr Maugueret that Council will using the opportunity of this amendment to correct the name of the school and the affected property, as follows:

- The column headed 'Heritage Place' relating to PS map reference HO90, in the Schedule to Clause 42.01 (Heritage Overlay), relating to HO90, be updated to refer to Mordialloc Beach Primary School (rather than Mordialloc Primary School)
- The column with the address of 71-79 Albert Street, Mordialloc (deleting the reference to 59 Barkly Street).

We appreciate you addressing these matters.

If you have any queries regarding this response, please contact me via the details below.

Kind regards,

Senior Planner| School Provision and Establishment Division (SPED)
Department of Education

T:
E:
W: www.education.vic.gov.au

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Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Mr Mathieu Maugueret
Strategic Planning Unit
Kingston City Council
PO Box 1000
MENTONE VIC 3194

(Via email: strategicplanning@kingston.vic.gov.au)

Dear Mr Maugueret

PROPOSED AMENDMENT C206KING – KINGSTON PLANNING SCHEME

I refer to your letter to VicRoads (now The Department of Transport and Planning) dated 27 April 2023, inviting comments regarding proposed Amendment C206KING.

It is noted that the Amendment C206KING is required for administrative purposes to correct several errors within zones and overlays of the Kingston Planning Scheme. Consequently, The Department of Transport and Planning has no objection to Amendment C206KING to the Kingston Planning Scheme, generally in accordance with the details and plans as advertised.

Should you have any enquiries regarding this matter, please contact me via email at

Yours sincerely

Transport Planner

2 / 06 / 2023

VICTORIA State Government

Our Ref: CSM 75075

12 May 2023

Mr Mathieu Maugueret
Kingston City Council
PO BOX 1000
MENTONE VIC 3194

Emailed to: info@kingston.vic.gov.au
Mathieu.maugueret@kingston.vic.gov.au

Dear Sir/Madam

Kingston Planning Scheme Amendment C206king

We refer to Council's correspondence dated 27 April 2023 notifying VicTrack of Amendment C206king to the Kingston Planning Scheme.

We understand that the amendment proposes to implement various corrections to the mapping of zones and overlays, in order to resolve errors in the Kingston Planning Scheme. These include mapping errors, redundant overlay provisions, land affected by multiple zones and land where the zone is inconsistent with its use.

We have reviewed the amendment documentation in the context of the site and the rail corridor. VicTrack wishes to advise that the proposed rezoning does not impact on the VicTrack land, existing rail operations or future network development.

On this basis, VicTrack has no objection to the amendment.

Should you have any queries, please contact me on or
.

Yours sincerely

Planning Manager

VicTrack
Level 8, 1010 La Trobe St Docklands VIC 3008
GPO Box 1681 Melbourne VIC 3001
T 1300 VICTRACK (1300 842 872)
victrack.com.au

VicTrack

Make a submission

SURVEY RESPONSE REPORT
16 January 2017 - 31 May 2023

PROJECT NAME:
Amendment C206king

BANG THE TABLE engagementHQ

SURVEY QUESTIONS

Make a submission : Survey Report for **16 January 2017** to **31 May 2023**

Q1 Please let us know your feedback

4/27/2023 05:48 PM	I support the proposed changes as identified in the appropriate material, however, I note that an error in the Explanatory Report, specifically under the Mentone subsection, of the Corrections section, an error relates to the wording of the proposed deletion of Schedule 3 to the Environmental Significance Overlay (ESO3) from 1/5-10/5 Salmon Street, Mentone, where in which it incorrectly states the “Environment Significance Over” instead of the correct Environmental Significance Overlay. Aside from this technical amendment document error, I support the changes as proposed.
5/02/2023 10:43 AM	we welcome the council decision to remove the overlay easement related to DDO2 from all 8 properties that are adjacent to the Melbourne Water access laneways located between Clematis Court and Gull Court. The affected properties are 2 Clematis Ct, 1 Gull Ct and 222, 224, 226, 234, 236, and 238 Gladesville Boulevard, Paterson Lakes. Looks like the laneways were classified as waterfront by error when the overlay had been introduced.
5/03/2023 03:04 PM	What is amendment C206king
5/05/2023 10:45 AM	Hi i rge Sipos from 3-Stephens St. Carrum, cannot see the proposed rectification please email me drawings so that we can comment and give feedback as needed. Thanks in advance.
5/07/2023 12:39 PM	The documentation is poorly written. I cannot comment on the Amendmant, as I have no idea what the amendment actually says. I have have visited both websites noted on the three pieces of paper I received, and am none the wiser. In speaking to eight of my neighbours, it appears that some received two copies of the same letter, some received two copies of the same letter on letterhead plus another not on letter head mentioning 63 properties. Others got one copy of the letterhead letter. NONE of us understand what is being proposed. These documents are as bad as the ones from Council advising residents of Gladesville Boulevard Patterson Lakes of road works at Gladesville Rd Carrum (which doesn't exist).

Optional question (5 response(s), 1 skipped)
Question type: Essay Question

Melbourne Water

04 July 2023

Paul Marsden
Kingston Council
PO Box 1000
Mentone VIC 3194

Dear Paul,

Proposal: Planning scheme amendments
Site location: Various sites within the municipality as set out in the explanatory report.

Melbourne Water reference: MWA-1290096
Council reference: C206KING
Date referred: 02/05/2023

Thank you for the opportunity to provide comment on planning scheme amendment C206king.

Melbourne Water apologises for the long delay in responding.

Melbourne Water has reviewed the proposed planning scheme amendment and has no objection to the
amendment in its current form.

For general development enquiries contact our Customer Service Centre on 131 722.

Regards,

Urban and Regional Strategic Planning

Melbourne Water ABN 81 945 386 953
990 La Trobe Street Docklands VIC 3008
PO Box 4342 Melbourne VIC 3001 Australia
T 131 722 F +61 3 9679 7099
melbournewater.com.au

Department of Environment, Land, Water and Planning

8 Nicholson Street
East Melbourne, Victoria 3002
PO Box 500
East Melbourne, Victoria 8002

Mr Peter Bean
Chief Executive Officer
Kingston City Council
Email address: mathieu.maugueret@kingston.vic.gov.au

Dear Mr Bean

PROPOSED KINGSTON PLANNING SCHEME AMENDMENT C206KING

I refer to your council's application for authorisation to prepare an amendment to the Kingston Planning Scheme. The amendment proposes resolve anomalies and errors in the Kingston Planning Scheme.

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act) I authorise your council as planning authority to prepare the amendment, subject to the following conditions:

- Identify the existing Foreshore/Residential Environs Area on the proposed Residential Land Use Framework Plan at Clause 16.
- Correct the extent of mapping for HO74, Beach Road, Mentone, to align with the extent of the significant structure.
- Correct the heritage overlay mapping for HO103, as discussed with council officers.

On 20 September 2022, in response to a request by the department for further information, council officers submitted revised amendment documentation which included administrative changes and corrections. This revised amendment documentation should be used when preparing amendment C206king.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that Ministerial Direction No. 15 sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and
  before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report (Practice Note 77: Pre-setting panel hearing dates provides information about this step).

The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process.

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VICTORIA State Government

OFFICIAL

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Che Dungey, Department of Environment, Land, Water and Planning, by email che.dungey@delwp.vic.gov.au.

Yours sincerely,

Peita Tapper
Manager, State Planning Services

29 November 2022

OFFICIAL

19 May 2023

City of KINGSTON

Re: Proposed rectification of planning control errors (Amendment C206king)

Dear

As outlined in the previous letter dated 27 April 2023, Council is currently seeking to rectify a planning error which applies to 1A Foster Street, Aspendale as part of Planning Scheme Amendment C206king.

Council has recently been made aware of an error in the map at page 17 of the document titled 'Kingston C206king Maps_combined' which is currently on exhibition on Council's Your Kingston Your Say website. This map incorrectly showed part of 1A Foster Street, Aspendale being rezoned to a Public Use Zone. Please be assured that this is not the case.

1A Foster Street, Aspendale currently has two zones which apply to it, being the General Residential Zone (GRZ2) and Commercial 1 Zone (C1Z). The Commercial 1 Zone only applies to a small section of the site along the eastern boundary. Council is currently seeking to rezone the commercial part of the site so that the entire land is zoned residential.

The correct map has been attached for your information.

How can I find out more about the Amendment? Enclosed is a copy of the Notice of the Preparation of an Amendment to a Planning Scheme. Further information is also available at **yourkingstonyoursay.com.au/**

How can I make a submission on the Amendment? The community can make submissions online at **yourkingstonyoursay.com.au/c206king**

The closing date for submissions is COB **Friday, 26 May 2023**. Submissions can also be submitted via:

Post: Kingston City Council,
Strategic Planning Unit
Attention: Mathieu Maugueret
PO Box 1000
Mentone VIC 3194
or via email at: strategicplanning@kingston.vic.gov.au

Please note: Submissions and objections are not confidential and the names and addresses of any submitter or objector are available to the public and may be viewed by any person.

Should you need more information please contact Mathieu Maugueret, Senior Strategic Planner on (03) 9581 4617 or via email at Mathieu.Maugueret@kingston.vic.gov.au

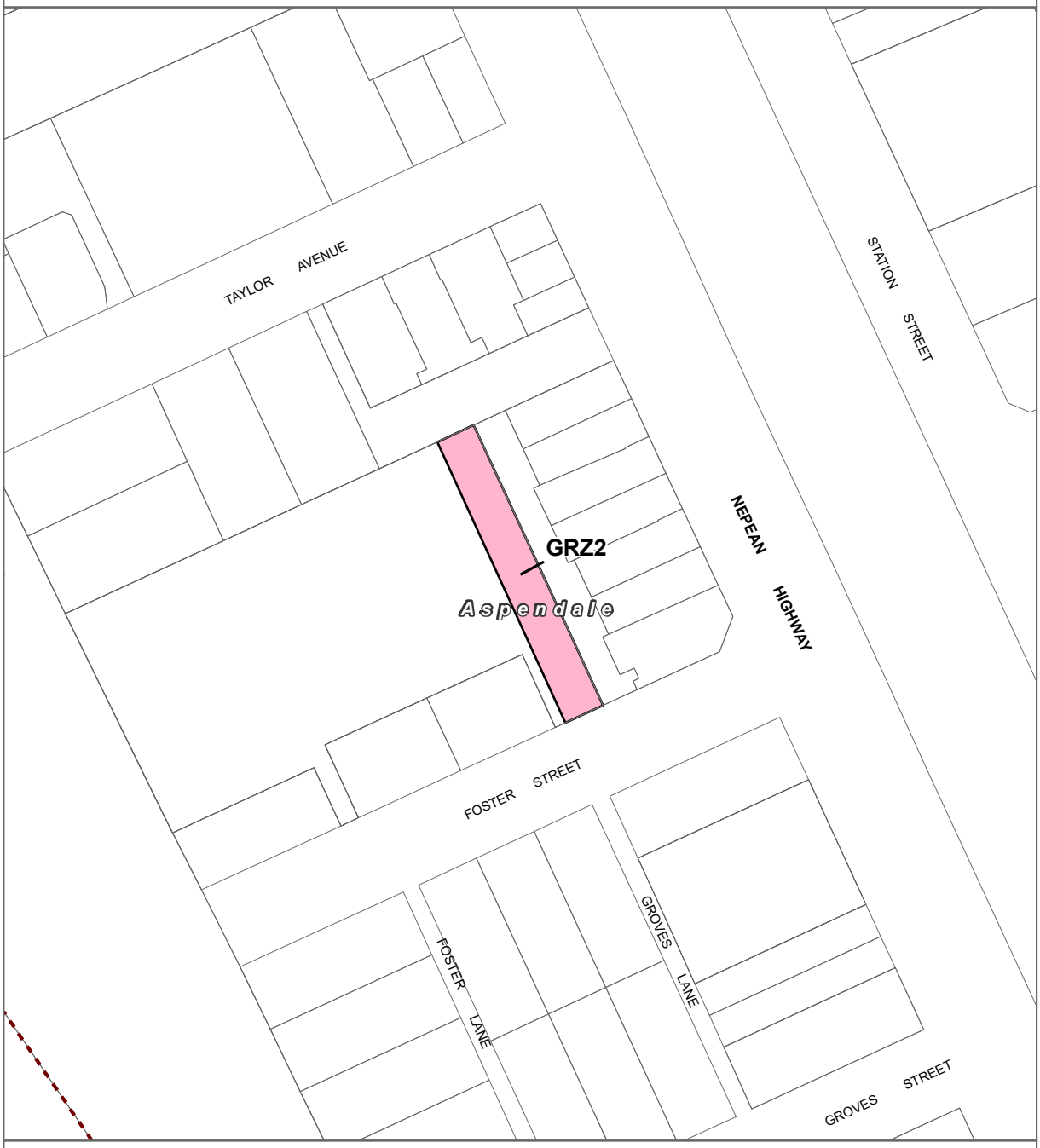
Yours sincerely

Paul Marsden

MANAGER CITY STRATEGY, CITY OF KINGSTON

KINGSTON PLANNING SCHEME - LOCAL PROVISION

AMENDMENT C206king



LEGEND

GRZ - General Residential Zone

Local Government Area

Part of Planning Scheme Map 7

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Planning Group
Print Date: 8/04/2022
Amendment Version: 1

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VICTORIA State Government | Environment, Land, Water and Planning

017

Ordinary Council Meeting

24 July 2023

Agenda Item No: 8.5

AMENDMENT C215KING - 86 MENTONE PARADE, MENTONE CONSIDERATION OF SUBMISSIONS

Contact Officer: Amber Swales, Strategic Planner

Purpose of Report

This report provides Council with a summary of submissions received during exhibition of Amendment C215king and recommends that Council request the Minister for Planning appoint a Planning Panel to consider the submissions and report on Amendment C215king.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Receive and consider the submissions lodged in relation to Amendment C215king (Appendix 2);
2. Request that the Minister for Planning appoint a Planning Panel under Part 8 of the *Planning and Environment Act 1987* to consider submissions and report on Amendment C215king; and
3. Receive a further report at the conclusion of the Planning Panel process on Amendment C215king.

1. Executive Summary

Planning Scheme Amendment C215king seeks to apply a Heritage Overlay to 86 Mentone Parade on a permanent basis.

86 Mentone Parade, Mentone is identified as a potential place of significance within the preliminary heritage review currently being undertaken for the municipality.

On 20 December 2022 Council received a 29A request for the demolition of the dwelling at 86 Mentone Parade, Mentone. In response Council requested an urgent assessment from a heritage advisor who concluded that the site meets the threshold for local heritage significance and recommended a Heritage Overlay for the site on the grounds that it demonstrates:

- A tangible link to the initial settlement and development of Mentone as a suburb in the 1880s.

- Associations with Sir Matthew Davies, an important and influential local figure who played a pivotal role in the establishment and development of the suburb of Mentone and is referred to as the 'founder' of Mentone.
- Associations with the Brigidine nuns and the nearby Kilbreda Convent Collage and played a role in the private education and religious life of Mentone during the property's phase as an important Novitiate House.
- Two important phases of Mentone's development in its original Victorian built form with Italianate style elements, evidencing the initial development of Mentone in the 1880s, as well as its interwar characteristics with Mediterranean style influences, which were added when the area gained greater popularity as a seaside suburb.

A copy of the Heritage Citation is provided at Appendix 1.

Council's resolution made on 22 June 2020 authorises the General Manager Planning and Development or Manager City Strategy to utilise delegation to commence a Planning Scheme Amendment where the features on the subject land have been assessed by a heritage advisor to be of potential significance and warrant inclusion in the Kingston Planning Scheme and an immediate threat exists to the place.

Two planning Scheme Amendments were submitted to the Department of Transport and Planning under delegation in January 2023, one seeking interim controls and the other seeking permanent controls for the subject dwelling. Amendment C214, a 20(2) Amendment was approved in April 2023 and applies a Heritage Overlay to the site on an interim basis until 31 March 2024. The Amendment was exempt from the requirements relating to giving notice it ensures the protection of the heritage values of the site whilst an Amendment for permanent controls is progressed.

Exhibition of Amendment C215king was undertaken from 25 May – 26 June 2023 and eleven submissions were received. A copy of the submissions is provided at Appendix 2. Seven submissions were in support of the Amendment, three were in opposition and one had no objection. A variety of issues have been raised in submissions which provide comments that can broadly be categorised as supportive or objecting.

The key issues and topics discussed in submissions include:

- Support for the Amendment and protecting heritage generally.
- The financial implications of changed redevelopment considerations.
- Perceived depreciation in property value.
- The structural integrity of the house.

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

Pursuant to Section 23 of the Planning and Environment Act 1987, Council has three options at this stage of the planning scheme amendment process:

(1) After considering a submission which requests a change to the amendment, the planning authority must –

(a) change the amendment in the manner requested; or
(b) refer the submission to a panel appointed under Part 8; or
(c) abandon the amendment or part of the amendment.

Given the diametrically opposed substance of submissions, it is considered that the submissions are unable to be resolved. In accordance with the requirements of Section 23 of the Planning and Environment Act 1987 it is appropriate to now refer all submissions to a Planning Panel to allow submitters to have their submissions considered by an independent panel.

Dates have been pre-set for a Planning Panel directions hearing in the week of 28 August 2023 and a full hearing commencing in the week of 25 September 2023.

2. Background

Council Resolutions
At its Ordinary Meeting on 9 December 2019 Council resolved to undertake a review of the Kingston Heritage Study 2000.

'I move that Council receive a report to the February 2020 meeting cycle into reviewing our heritage overlay considering the following points:

1. *Whether there are places or features in Kingston that warrant heritage listing that were not previously identified;*
2. *The condition of existing heritage-listed places and whether Council could take any measures to enable better maintenance of those places that are in a poor state of repair, such as:*
   - *providing an enhanced rate rebate for heritage-listed properties;*
   - *other measures that officers, consultants or councillors may recommend*
3. *Consideration of a panel of one or more different heritage consultants with different specialities be appointed to undertake this review to ensure:*
   - *that it serves as a peer review of the earlier review;*
   - *that various heritage values are taken into account, for instance industrial buildings and cultural heritage may require a different perspective and speciality from the standards adopted some years ago for our current heritage overlay;*
4. *That the project begin by initiating community consultation for this review and by inviting citizens to nominate buildings and other features to be placed on watchlist pending assessment, so that any development applications trigger urgent assessments.*
5. *That the community consultation make available a list of the buildings and features covered by the present heritage overlay, with a brief description of each and with links to enable citizens to access the detailed Statements of Significance.*
6. *That the report include whether this outcome can be achieved with existing staff, in which case whether the CEO would consider designating a heritage planner from the existing staff, or whether extra resources would be required.*
7. *That the report include recommendations regarding how best these objectives may be implemented, and costings, and that in the meantime work on the community consultation proceeds to the value of $25,000.*

At its Ordinary Meeting on 24 February 2020, Council considered the officer's response and resolved to:

1. *Commence community consultation to contribute to the development of a list of potentially significant heritage places as part of Stage 1.*
2. *Engage a suitably qualified consultancy to undertake a preliminary review of Kingston's heritage places (Stage 1) through a public tender process.*
3. *Receive a report at the conclusion of the preliminary review of Kingston's heritage places (Stage 1) with recommendations on how to proceed.*

4. *Note it currently provides a reduction in annual rates for privately owned residential heritage places with further measures to be investigated as part of the scope of works undertaken by a heritage consultant as part of Stage 1 and reported back to Council.*

At its Ordinary Meeting on 22 June 2020, Council resolved the following in relation to a process for places flagged as being potentially significant that become subject to development applications:

That Council:

1. *Note the update in relation to Council resolutions as part of Item 8.8 of the 24th February, 2020 and Item 8.8 of the 27th April, 2020 Ordinary Council Meetings.*
2. *Authorise the General Manager Planning and Development or Manager City Strategy to utilise delegation to commence a Planning Scheme Amendment to seek to apply an 'Interim' control over a property, precinct or tree in the following circumstances:*
    - 2.1. *When the features on the subject land have been assessed by a Heritage Advisor or Arborist to be of potential significance and warrant inclusion in the Kingston Planning Scheme; and*
    - 2.2. *An immediate threat exists that as a consequence of a submitted Planning Application and / or a request made to Council under Section 29A of the Building Act by a Building Surveyor whereby the identified features of potential significance on the subject land may be demolished or undermined; and*
3. *Upon exercising the delegation identified in Pt 2. of this resolution, Officers:*
    - 3.1. *Notify the land owner and as appropriate Building Surveyor after the Planning Scheme Amendment request has been lodged with the Minister for Planning.*
    - 3.2. *Outline to the land owner the options available on the basis an 'Interim' Planning Scheme Amendment is approved.*
4. *On the basis the Planning Minister approves a request made under Part 2. of this recommendation, Officers promptly progress the exhibition of the Permanent Planning Scheme Amendment to provide for submissions and consideration if required by an Independent Planning Panel.*
5. *Receive a report upon completion of the assessment of all community nominations of potential heritage places and potential significant trees outlining all the submissions received and those which are recommended to be incorporated into the Kingston Planning Scheme.*
6. *Write to all members of the community who have made submissions to the recent consultation process thanking them for the submissions and providing an update on the next stage of the assessment of the nominations.*

The above steps were followed when a demolition permit request for 86 Mentone Parade, Mentone was received on 20 December 2023.

Amendment C215king

On 10 January 2023, Amendment C214king was lodged with the Minister for Planning, which requested that they prepare, adopt, and approve an interim heritage overlay under S.20(4) of the *Planning and Environment Act 1984* (the Act) due to an application to demolish the site.

A decision to suspend the consideration of an application to demolish the house pursuant to Section 29B of the *Building Act 1993* was made on the same day.

On 19 January 2023, Council officers lodged a request to the Minister for Planning requesting Authorisation to commence the permanent planning control Amendment C215king.

Authorisation subject to conditions, was provided on 5 April 2023. The conditions of authorisation covered a range of matters that were broadly administrative in nature.

Amendment C214king was approved on 12 April 2023, which applied an interim Heritage Overlay to the site until 31 March 2024.

3. Discussion

3.1 Heritage Significance

A heritage advisor has identified that the site meets the threshold for local heritage significance and warrants formal heritage protection through the application of a Heritage Overlay. The subject site has been assessed against the model criteria in PPN01 Applying the Heritage Overlay. It has been assessed as meeting Criteria A (historical significance) and D (representativeness).

86 Mentone Parade, Mentone is a single storey brick residence which was built c1899 and is one of the suburb's few remaining Victorian buildings. It is also featured on Kingston's walking trail of historic sites in Mentone, marked with a metal plaque on the footpath in front of the property, the house was called ‘Mabernoul’. The Heritage advisor found the site to be warranting formal heritage protection through application of a Heritage Overlay on the grounds that it demonstrates:

- A tangible link to the initial settlement and development of Mentone as a suburb in the 1880s.
- Associations with Sir Matthew Davies, an important and influential local figure who played a pivotal role in the establishment and development of the suburb of Mentone and is referred to as the 'founder' of Mentone.
- Associations with the Brigidine nuns and the nearby Kilbreda Convent Collage and played a role in the private education and religious life of Mentone during the property's phase as an important Novitiate House.
- Two important phases of Mentone’s development in its original Victorian built form with Italianate style elements, evidencing the initial development of Mentone in the 1880s, as well as its interwar characteristics with Mediterranean style influences, which were added when the area gained greater popularity as a seaside suburb.

A copy of the Heritage Citation is provided at Appendix 1.

3.2 Submissions received

Exhibition of Amendment C215king was undertaken from 25 May – 26 June 2023 and eleven submissions were received. Seven submissions were in support of the Amendment, three were in opposition and one had no objection. A copy of the submissions is provided at Appendix 2.

The key issues and topics discussed in submissions include:

- Support for the Amendment and protecting heritage generally.
- The financial implications of changed redevelopment considerations.
- Perceived depreciation in property value.
- The structural integrity of the house.

3.3 Consideration of Submissions

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

In relation to the submissions received it is noted that a reputable heritage advisor has undertaken a comprehensive assessment of the subject place and concluded that the site meets the threshold for local significance, based on its meeting of Criteria A (historical significance) and D (representativeness).

Heritage values change over time and the process of identifying and protecting places of significance is continuous. Councils are encouraged by the State Government to ensure their Heritage Studies are reviewed and updated which Council is seeking to do. A Heritage Overlay does not prevent development but rather ensures that heritage matters are considered at the planning permit stage, so that the exiting heritage values of a place are maintained.

Property value impacts upon individual property values is not a consideration in determining whether to apply a Heritage Overlay. This is a principle that has been consistently upheld by numerous Independent Panels appointed to consider heritage amendments.

The structural condition of the building does not implicitly negate its heritage significance. The identification and protection of heritage places at the planning scheme amendment stage (i.e. while applying the heritage overlay) will allow the structural integrity or condition of buildings to be properly assessed against identified heritage values at the planning permit application stage. Council's Local Heritage Policy provides specific guidance related to the proposed demolition of a heritage places which may be supported where the building is structurally unsound. It is noted that advice has sought from Council's Building Department with regard to the structural integrity of the building. The Department undertook a review of the Structural Engineers Report submitted by the owner and believe that while there are significant concerns, they potentially do not pose an immediate threat to its overall stability and could be addressed through a combination of rectification works and continuous general maintenance.

3.4 Options

Pursuant to Section 23 of the *Planning and Environment Act* 1987, Council has three options at this stage of the Planning Scheme amendment process:

(1) After considering a submission which requests a change to the amendment, the planning authority must –
  (a) change the amendment in the manner requested; or
  (b) refer the submission to a panel appointed under Part 8; or
  (c) abandon the amendment or part of the amendment.
(2) A planning authority may refer to the panel submissions which do not require a change to the amendment.

Submissions have covered varying issues with competing perspectives that are therefore unable to be resolved. It is therefore appropriate that Council refer the Amendment to a Planning Panel in accordance with Section 23 of the *Planning and Environment Act* 1987. This would allow submitters to present their views to an independent panel and for the panel to then provide advice back to Council in relation to the relative merits of the Amendment.

It is not recommended that Council abandon the Amendment as advice from a heritage advisor recommends a heritage overlay be placed over the property.

4. Consultation

4.1 Internal Consultation:

On-going internal consultation has been undertaken with Council's Building Department.

4.2 Community Consultation:

Group	Method
Key Stakeholders	Letters were sent to the landowner and occupiers of the affected property as well as surrounding properties as part of the Amendment.
General community	A consultation page was used on Your Kingston Your Say to provide access to the Planning Scheme Amendment. This webpage received 137 visits from members of the public, and 44 document downloads.
Government Agencies	Letters were sent to prescribed Ministers, and referral authorities. A public notice was published in The Age and notice of the amendment was published in the Government Gazette.
Advisory Committees	N/A
Targeted groups	N/A

4.3 Results/Findings:

The findings of the community consultation are discussed in detail in Section 3.3 of this report.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Liveable - Our city will be a vibrant, enjoyable, and easy place to live.
Strategy: Preserve and enhance Kingston's character and heritage

The progression of the strategic work to update Councils Heritage Strategy is listed as an action in Council's Year Three Annual Action Plan adopted 27 June 2023.

5.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.

Principle (h) - regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Local governments are responsible for the protection heritage places through the Planning Scheme. Amendment C215 will ensure that this place of local significance has appropriate controls applied to facilitate its conservation on an on-going basis, for future generations.

The Planning Scheme Amendment process is a formal statutory process that is undertaken in accordance with the requirements set out in the Planning and Environment Act 1987. The Act specifies requirements that must be met by Council, including notification of affected parties, and sets the parameters for how people can engage in an Amendment process through making submissions.

5.3 Financial Considerations

Projected costings

There are costs associated with a Planning Panel this could be around $35,000 for panel costs and an expert witness if called such as a heritage advisor.

Budget

The funding for the Panel hearing will be covered in the existing operational budget allocated for Planning Panel hearings.

Funding for expert witnesses will be allocated from the Strategic Planning operational budget.

Staff Resources

The remainder of the administration associated with the Planning Scheme Amendment process can be delivered with existing resources and staff within the Strategic Planning Team.

5.4 Risk considerations

Progressing Planning Scheme Amendment C205king will further assist decision making when development applications are lodged in the future for Council consideration.

Appendices

Appendix 1 - 86 Mentone Parade Mentone Heritage Citation (Ref 23/176209)

Appendix 2 - Combined 215 Submissions (Redacted) (Ref 23/179190)

Author/s:	Amber Swales, Strategic Planner
Reviewed and Approved By:	Rita Astill, Team Leader Strategic Planning
	Jonathan Guttmann, General Manager Planning and Place

8.5

AMENDMENT C215KING - 86 MENTONE PARADE, MENTONE CONSIDERATION OF SUBMISSIONS

1 86 Mentone Parade Mentone Heritage Citation..... 153

2 Combined 215 Submissions (Redacted) 169

House

Prepared by: GML Heritage

Address: 86 Mentone Parade, Mentone

Name: House	**Survey Date:** January 2023
Place Type: Residential	**Architect:** unknown
Grading: Significant	**Builder:** unknown
Extent of Overlay: To title boundaries	**Construction Date:** c1884–89, additions c1931–40

Figure 1. 86 Mentone Parade, Mentone, viewed from street. (Source: GML January 2023)

Figure 2. View of the front elevation showing the porch and a replacement window added during the interwar period. (Source: GML January 2023)

1

Historical Context

This place is associated with the following historic themes taken from the *City of Kingston Thematic Environmental History Refresh* (2022):

3 *Establishing settlement*

3.3 Land speculation

7 *Shaping Kingston: from villages to suburbs*

7.1 Village and township development

7.2 Suburban development

Local history

In Mentone, a township was formed following the extension of the railway from Caulfield to Frankston in 1881–82. The station was initially named 'Balcombe Road' after an unmade track named after Alexander Balcombe's grazing land (Victorian Places 2015; Gamble 2014). Balcombe leased the swampy coastal land (formerly known as Dover Slopes) in the mid-nineteenth century as a resting place for his cattle halfway to Melbourne markets from his property near Mount Martha (Barnard 2008). The expansion of the railway line attracted land developers and buyers into the previously sparsely populated area between Brighton and Mordialloc, both well-established villages by that time.

In the late nineteenth century, the area experienced a small building boom following a number of speculative subdivisional sales including the 'Mentone Estate' (1883), 'Mentone Heights Estate' (1888), and 'Mentone Railway Reserve Estate' (1888).

The most influential subdivision was the 'Mentone Estate' undertaken by the National Land Company Limited, which acquired large tracts of Balcombe's land. The National Land Company went onto installing underground drains to dry out the swamp to create 300 villa and residential allotments on the 217-acre land in the Parish of Moorabbin. The estate was largely bound by Balcombe Road to the north, Moorabbin Road to the east, Beach Road (formerly 'Esplanade') to the south, and to the west by the rear property boundaries of the Milan Street allotments.

The National Land Company was a subsidiary of the Freehold Investment Company, formed by Matthew Davies and his brother Joseph Bartlett Davies, who were subsequently joined by other land speculators Percy Dobson, Charles James, George Taylor and John Moodie (Living Histories 2000:46).

Matthew Davies was chiefly responsible for laying out the estate, contributing the name Mentone Estate, which was named after an Italian Mediterranean resort, and the names of streets such as Venice, Brindisi, Milan, Naples, Florence and Como (Gamble 2003:27–28; Victorian Places 2015). The streets and allotments were laid under the supervision of engineer T B Munts (*Argus* 4 May 1883:2). Matthew Davies and his brother Joseph Bartlett Davies handled the land sales for the National Land Company (RBA 2022:23).

The National Land Company's advertisement described the estate as follows.

> *Mentone, the new watering place is situated 14 miles from Melbourne, on the Mordialloc line of railway, adjoining the station at present called Balcombe Road, and is the first spot*

> *on Port Phillip Bay that the train from Melbourne touches. It has been established in order to furnish a summer retreat, more retired and less thickly populated than Brighton, and at the same time more easily accessible from the city than Schnapper Point, Sorrento, or Queenscliff.*
>
> *The site chosen is one specially adapted for this purpose. It is, after Brighton, the nearest Beach connected by railway with the city, and is even more conveniently situated than this suburb for residents in Toorak, Malvern, Caulfield and parts of Prahran, South Yarra, Hawthorn and Kew.*
>
> *…*
>
> *Built entirely upon virgin soil, Mentone possesses, from a sanatory point of view, immense advantages over watering places which have for many years formed the sites of villages of the poorer classes, where dilapidated buildings and filthy back yards in close proximity to elegant villas still offend the eye, and to a large extent counteract the beneficial influence of the pure sea air (Argus* 4 May 1883:2*).*

The Mentone Estate was promoted as an up-market beach resort, provided with tree-lined streets, a hall and reading room for the residents, a finely designed coffee palace (1887), and a hotel (Mentone Hotel, 1889), and hot sea baths (c1883). Mentone Racecourse opened in 1888 was another local attraction. The residential development in Mentone did not amount to expectations even at the height of the 1880s land boom. However, Mentone had become a fashionable summer destination, attracting tourists and artists such as the Heidelberg School artists including Frederick McCubbin, Tom Roberts, Arthur Streeton and Louis Abrahams, who spent the summer of 1886–87 in Mentone (Barnard 2008).

The allotments in the Mentone Estate were slow to sell, and in 1888, unsold allotments fronting Mentone Parade, Como Parade and Venice Street comprising the subject site were re-subdivided to create smaller allotments. Commercial Road and Cremona Street, connecting Mentone Parade and Como Parade, as well as the right of way at the rear of Mentone Parade properties was formed by this subdivision (CT V1995 F976). The company responsible for this subdivision was the Colonial Investment and Agency Company Limited, under the presidency of Matthew Davies (*Argus* 18 June 1887:5).

Despite the tepid success of the Mentone Estate, Mentone had a sufficient population to open a state school in 1889. In 1893, Mentone was described as ‘a favourite summer resort’ and had a population of 617. With the collapse of the land companies during the 1890s depression, the residential development was halted until the early twentieth century (Victorian Places 2015).

In the period after the World War I, Mentone saw the construction of new houses, flats and apartments, attracting young married couples who were looking to buy houses in perimeter of Melbourne. Further land subdivisions were created on Nepean Highway and Harkin Avenue, and new houses were also built in the allotments of the former Mentone Estate (Living Histories 2000:50; RBA 2022:77).

Place history

86 Mentone Parade, Mentone was completed c1884–89 during the initial residential development period of Mentone that was largely driven by a number of speculators and land companies. The

house had alterations during the interwar period, most likely in the 1930s, when the area gained greater popularity as a seaside suburb.

The subject house is located on part of Crown Allotment 50E, Parish of Moorabbin granted by purchase on 12 September 1853 to F T Russell. The site was part of the 217-acre land subdivided by the National Land Company Limited in 1883. Land including the subject site was subsequently re-subdivided by the Colonial Investment and Agency Company Limited in 1888 to create smaller allotments (CT V1995 F976). Still unsold in 1889, the subject land and some other allotments of the Mentone Estate land were again transferred to the Royal Finance and Property Company Limited (CT V2175 F 921). All of the said speculative ventures were led by Sir Matthew Henry Davies, often referred to as the 'founder' of Mentone.

The subject house was erected between 1884 and 1889 at the latest. Like many houses in Mentone struggling to find tenants to fill them in, the house remained vacant for a number of years during the economic downturn of the early 1890s. From 1894 it was occupied by Selina Anne Davies, the older sister of Matthew Davies. Selina Davies lived in the house between 1894 and 1903. The 1899 Shire of Moorabbin rate book indicates the house was known as 'Alathia' during this period (S&Mc 1894, 1903; RB 1894, 1895, 1896).

The exact built date of the subject house has not been confirmed due to the complexities in landholding statuses of Mentone properties during Mentone's 1880s building boom. During this period, many early building works in Mentone were involved in some way with the Davies brothers (Matthew and his brother Joseph Bartlett Davies) and their speculative businesses (Gamble 2003:35).

It is likely the subject house had been completed as early as 1884. The promotion for the Mentone Estate published in May 1883 noted that there were '[e]leven handsome villas … are in course of erection, several of them nearly completed' (*Argus* 4 May 1883:2). This description was supported by the rate records of the following year, which registered three vacant houses in Mentone Parade owned by the National Land Company: two 'cottages' (with NAV of £40 each) and a 'house' (with NAV of £60) (RB 1884).

Selina Davies's residency at the subject house from 1894 coincides with the bankruptcy of Matthew Davies in 1894. In the same year, the ownership of the land was transferred to Arthur John Fuller, who was private accountant to Matthew Davies (CT V2540 F934; *Age* 10 October 1893:6). During Selina Davies's occupancy, the Net Annual Value (NAV) of the property was £30 in 1894 and was decreased to £22 in 1899 (RB 1894, 1899).

Between c1904 and 1908, the subject house was occupied by a number of short-term residents.

From 1908 to his death in 1912, Matthew Davies, his second wife Elizabeth Locke Davies and extended family including two married sons and four daughters lived at the subject house, which they named 'Mabe-muol' (S&Mc 1909–12; ER 1912). Between 1896 and 1915, the property was continually held by the Agency and Trusts Company Limited, a company in which Matthew Davies held shares (CT V2540 F934).

Figure 3. Extract from a local map of Mentone published by Sands & McDougall in 1905, included in *Mentone Through The Years*. The subject house is highlighted in red. Shops and the Mentone Police Station existed between the subject house and the Brigidine Convent. (Source: Gamble 2003:np)

Following the purchase in 1914 by the Brigidine Convent of the Sacred Heart, the ownership of the property was officially transferred in 1915 to three Brigidine Sisters Katherine Brennan, Alice O'Rourke and Johanna Barron (CT V2540 F934). The convent purchased the subject house, described as a 'fine brick villa residence' from Lady Davies, as an extension to their main convent and school further north in Mentone Parade (*Sandringham Southern Cross* 15 May 1915:5). The *Melbourne Punch* reported at the time:

> *The Brigidines have done amazingly well at Mentone. First they startled the neighbourhood by capturing a large edifice built for another purpose. Now, they have captured and taken the former sumptuous residence of Sir M. H. Davies for their headquarters. One class of person builds a house, and another lives in it* (*Melbourne Punch* 30 April 1914:3).

The house and grounds were converted into a house for the Mother Superior and as a novitiate for the training of aspirants to the Brigidine order. The novitiate was officially opened and blessed by Archbishop Sir Thomas Carr on May 1915 (*WA Record* 2 May 1914:8; *Sandringham Southern Cross* 15 May 1915:5). As a memorial to the late Reverend Mother Benedict Moore, the house was named:

'St Benedict's'. By this time, the convent held a large parcel of land at the corner of Mentone Parade and Commercial Road, measuring 384 feet (CT V3888 F539).

The use of the subject house as the novitiate short-lived, with the Brigidine Convent advertising the sale of 'two brick villas' 'formerly used as St Bridigine's Novitiate' in 1917. Priced at £3000 as a whole, the combined land amounted 1¼ acres, with a long frontage to Mentone Parade. The combined property at this time was described to include gardens and lawns, tennis court and pavilion (*Argus* 3 February 1917:15).

However, the nuns continued to own the land until 1919 when the land with 255-foot frontage including the subject house was acquired by Eliza Scullin, a married woman. From 1922 the property was owned by Elizabeth Ann Walshe, a widow (CT V4219 F755). During the tenancy of Walshe, the house was known as 'Brooklands'. Following E A Walshe's death in 1926, the property was auctioned in 1929, having advertised as comprising three vacant villa sites of 58 feet frontage each, and the land comprising Brooklands with a frontage of 80 feet (*Herald* 20 February 1929:13).

The land with a frontage of 80 feet was sold to Joseph Warn, investor, who rented out the property from 1929 until c1936. In 1936, grocer Jeremiah F Spillane became the owner (CT V5542 F367).

The extant interwar changes observed at 86 Mentone Parade were carried out around c1931–40 (Figure 4 and Figure 5).

The property was purchased by Lillian and Vincent McInerney in 1956, who also owned the neighbouring land at the corner of Mentone Parade and Commercial Road. The parcel at today's 86 Mentone Parade, with its frontage of 18 meters (approximately 60 feet), was formed in 1975, as a result of further subdivision of these allotments (CT V5542 F367). The property has changed hands several times since then.

The house is featured as a place in the 'Historical Walking Trail Mentone' for its association with Sir Matthew Davies, and is marked with a metal plaque on the footpath in front of the property.

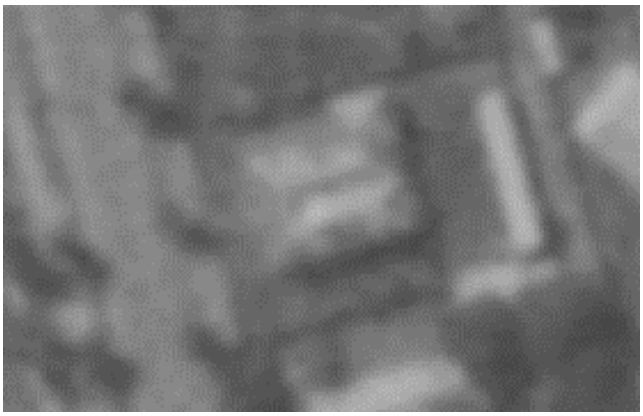


Figure 4. Aerial view of 86 Mentone Parade, Mentone in 1931, indicating the garage shown in the below figure was added after 1931. (Source: Central Plan Office 'Maldon Prison 1931' via LANDATA)

Figure 5. 86 Mentone Parade, Mentone in c1940s. (Source: Mordialloc & District Historical Society)

Associations

Sir Matthew Henry Davies

Sir Matthew Henry Davies has a strong association with the development of the suburb of Mentone, so much so that he has been referred to as the 'founder' of Mentone (Gamble 2018). The *City of Kingston Environmental History Refresh* (prepared by RBA Architects & Conservation Consultants, 2022) links Davies to the early establishment of the suburb of Mentone as follows:

> *In Mentone, areas of land were acquired by the National Land Company Limited in the early 1880s, which were transferred by Percy Dobson, a dubious land speculator. Matthew Davies, along with his brother Joseph Bartlett Davies, handled the land sales for the National Land Company, with Joseph also the principal of the Freehold Investment and Banking Company, another land bank. This land was subdivided and given the name 'Mentone', with settlers increasingly moving into the area, which had only been sparsely settled in the previous decades* (RBA 2022:23).

Matthew Davies was born in Geelong on 1 February 1850. After receiving his early education at Geelong, he relocated to Melbourne to commence studies at the University of Melbourne in 1869. Davies became a solicitor and did legal work for Charles Henry James. James held the reputation of being 'Melbourne's first land boomer'. James had acquired large parcels of land in the northern and northeastern suburbs of Melbourne and subdivided them heavily for a substantial profit. Davies was mentored by James and began to develop a keen interest in becoming a speculator (Freedman 1972).

In 1882, Davies had amassed enough wealth to tender for lavish law offices to be constructed in the legal precinct of Melbourne designed by Henderson and Smart.

In the early 1880s, land in the Mentone area was acquired by the National Land Company Limited. The land sales in Mentone were overseen by Davies along with his brother Joseph. The 1883 subdivision reflected Davies vision of an Italian style resort town, with curved streets named after Italian such as Florence, Naples and Venice (Gamble 2003:26–28).

In the same year, tender was put out for the construction of a large family mansion for Davies in Toorak, designed by William Ellerker and James Henry Fox, as well as a large holiday home in Mentone on the corner of Palermo Street and Mentone Parade also designed by Ellerker (Willingham 2018). His brother Joseph also constructed an impressive mansion in Mentone on the present-day site of St Bede's College, cementing the brothers' interest in the development of the area (Gamble 2003:29).

In 1887, Davies became one of the original ten shareholders of the Royal Coffee Palace Company who set out to establish a coffee palace in Mentone (Willingham 2018). The original coffee palace building remains as part of Kilbreda College (formerly the Brigidine Convent of the Sacred Heart). The development of the coffee palace was part of Davies vision to develop Mentone as a fashionable seaside resort accessible to Melbourne via the newly constructed railway line.

Davies's career as a solicitor, politician, philanthropist, and speculator continued to flourish in the 1880s. Records show that he was a key figure in at least thirty-four major companies. Throughout his career as a politician, he held several high ranking positions including Speaker of the Legislative Assembly in the Victorian Parliament. Davies monumental contribution to public life was acknowledged in 1890 with a knighthood (Freedman 1972). Ironically, the wealth and reputation Davies had built himself came crashing down during the financial collapse in the same year. Investors and shareholders who had trusted him with their assets lost everything. Almost every business venture Davies was associated with was liquidated by its directors during this time. Davies was forced to auction off his assets, including his Toorak mansion and other properties. After the financial crash of 1890, Davies resumed working as a solicitor, however he was never able to build back the fortune he had lost (Freedman 1972).

Davies maintained his connection with Mentone during this time, returning to live in the area in 1908. Matthew Davies died at his residence 'Mabe-muol' at 86 Mentone Parade, Mentone, on the 26 November 1912, at the age of 62 years (Freedman 1972).

Description

86 Mentone Parade, Mentone is a single-story rendered brick house completed c1884–89. Positioned on the east side of the street, the house overlooks Mentone Reserve.

Set behind a later low ti-tree fence, the built form and proportions of the original Victorian Italianate style house remain legible (Figure 1). The house has a slated M-profile hipped roof with bracketed eaves and the front elevation retains its original symmetrical composition. The house has two original chimneys with stepped corbels The chimneys appear slightly altered, with the top section above removed the corbels. The metal chimney cowls are later additions.

The front entry door is original and comprises a glazed timber door behind a later timber-framed screen door. This is flanked by panelled sidelights which incorporate decorative leadlight and a highlight window with an intricate geometric design.

Alterations and additions to the house have been made around c1931–40 (Figure 2 and Figure 5). The changes from this period include the replacement verandah and front porch demonstrating the Mediterranean style influences popular during the interwar period. The porch features bracketed eaves and exposed rafters. The offset entry is flanked by two brick piers topped with classical tapered Doric order columns, which serve to support its corrugated metal roof.

The front windows are symmetrically positioned to each side of main entry and likely date to the time of the interwar alterations. They consist of tri-bay sash windows with a projecting timber window frame, which is supported by brick corbels. The windows feature an arched transom and an angled hood.

Likely dating to the original construction of the building, the slate roof and chimney of a side (north) wing set back from the primary roof form is visible behind a freestanding rendered brick wall and arched entry. A garage added in the interwar period existed on this position (Figure 5) and has since been removed. The freestanding wall is likely in the position of the front wall of the interwar garage.

Other later changes include the addition to the southeastern corner of the building, which is not visible from the street.

A metal plaque is embedded in the pavement outside the front of the property, describing the dwelling as ‘Mabernoul’ (a misspelling of ‘Mabe-muol’), which was ‘the final residence of Sir Matthew Davies, founder of Mentone’.

Figure 4. Entry stained glass door, sidelight and highlight. (Source: GML January 2023)

Figure 6. Eaves brackets, chimney (with later chimney cowl) and slate roof. (Source: GML January 2023)

Figure 7. Metal plaque in the pavement outside the property. Note the name of the house was 'Mabe-muol' and was built in c1884–89. (Source: GML January 2023)

Integrity and Intactness

The building retains the legibility of is original plan form, scale and massing, including the roof form, bracketed eaves, chimneys and symmetrical façade. Later interwar alterations and additions including the brick porch featuring exposed rafters and tapered Doric columns and tri-bay sash windows with a projecting timber window frame supported by brick corbels do not detract from an understanding of the original house form and contribute to an understanding of the way in which Victorian residences in fashionable localities were updated in the interwar period.

Overall, it retains a good level of intactness and integrity, with the two clear phases of development remain legible.

86 Mentone Parade, constructed c1884–89 is one of the earliest remaining houses representing the first phase of residential development of the suburb of Mentone. The building reflects the style, form and symmetry of the original Victorian Italianate style house, with a layer of clearly distinct interwar alterations illustrating a second important phase of development.

Comparative Analysis

Following the 1883 'Mentone Estate' subdivision, Mentone experienced a small building boom in the 1880s. Marketed towards wealthier class, some of the early houses built in Mentone included 'tower houses', big homes with towers that gave bay views (Gamble 2003:35). Killara at 6 Harkin Avenue, Mentone (HO71), and the Mentone RSL building at 9 Palermo Street, Mentone (HO86) are the only surviving examples of about five tower houses built in Mentone during the land boom of the 1880s. Other Victorian period houses in Mentone represent more modest types of residential buildings built of timber or brick. Victorian residential examples in Mentone, like other examples in the broader Kingston City, generally display influences of the Italianate style architecture popular at that time.

Melbourne's financial crash in the early 1890s led to bankruptcy of many speculative ventures, which Mentone's early development relied upon. Development halted until Mentone began to gain popularity

in the period after the World War I as a seaside suburb in Melbourne's perimeter. Over the twentieth century, many early houses in Mentone became replaced by newer buildings or upgraded to accommodate modern needs, with many of these alterations occurring in the interwar period with the increase in Mentone's desirability. Some houses were extensively remodelled, with new facades or elements added designed in styles considered fashionable at that time.

The house at 86 Mentone Parade is a good example of a Victorian house representing the establishment of the suburb of Mentone. The house incorporates interwar alterations, which represent a phase of development aligning with a new phase of development as the suburb gained popularity. There is only a small number of Victorian houses listed in the City of Kingston Schedule to the Heritage Overlay. The following nineteenth century examples on the HO are comparable to the subject house, in terms of the age, historical background and degree of integrity and intactness. Like the subject site they all display some degree of alteration.

- 25 Milan Street, Mentone (HO70), built before 1887, is a two-storey house extensively remodelled in the 1920s. The rear of the building was left largely unchanged by the interwar works and the original rendered chimneys and face brickwork are still evident. It is of significance as an 'unusual and handsome redevelopment of an early dwelling within the Municipality.'

- 58 Warrigal Road, Mentone (HO100), built in c1880s, is a single-storey timber house with highly unusual 'eastern-flavoured' ornamentation including the bell-shaped profile roof bay windows with stained glass, four-pointed arches and extensive quoining. The house has had some changes including overpainting and joining of the rear with a later infill structure.

- 5 Cremona Street, Mentone (HO115), built in 1891, is a single-storey timber Italianate style house of a relatively moderate scale. The house largely retains its original character despite alterations and visible additions to the rear. The house retains a slate roof with original chimneys, original front elevation with decorative elements including the projecting canted bay, timber ashlar finish, concave profile verandah supported by turned timber posts and decorative frieze, eave brackets, arched sash windows, triple sash windows and glazed timber door with sidelights.

- 1 Eblana Avenue, Mentone (HO114), is a fine example of a single-storey rendered brick Italianate style house. The house has a projecting canted bay towards Naples Road (south) with a return verandah wrapping around the south and east elevations. The original formal frontage fronting south appears more intact with original rendered ornamentation and timber windows. The bullnose profile verandah with iron posts and decorative frieze also appears early. The east elevation fronting Ebalana Avenue displays changes including new openings and doors. Houses of this scale and elaboration are relatively rare in this area of the municipality albeit with modern additions.

The subject house is generally comparable to the above examples, as one of the houses built in the Victorian period. These houses represent a group of the relatively few Victorian houses remaining, and the phase of early development of the suburb, where aspirational land companies oversaw establishment of a new resort town on former swamplands.

Although grander in scale, 25 Milan Street, Mentone provides some scope of closer comparison with the subject house, exhibiting elements from the two phases of development in both the Victorian and interwar periods. Both the subject house and 25 Milan Street are largely intact to their interwar state.

Despite the interwar additions, the subject house's original elements such as the symmetrical primary hipped roof form, intact chimneys, and eave brackets clearly remain legible. The house also displays restrained but refined interwar characters. The brick porch featuring exposed rafters and tapered Doric columns demonstrate the Mediterranean style influences popular during the interwar period.

The subject house is an important example that clearly shows the two phases of development important to Mentone, and is a relatively intact surviving example illustrating the initial settlement and development of the suburb of Mentone in the 1880s.

The house is also notable for its direct association with Sir Matthew Henry Davies, being his final residence from 1908 to 1912. Popularly regarded as the 'founder' of Mentone, Davies had been involved in initial subdivision and development of Mentone, as well as building of many early houses. The subject house the only surviving residence of Matthew Davies in Mentone, with the other one being his seaside holiday house formerly located on the corner of Palermo Street and Mentone Parade.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay,* Department of Environment, Land, Water and Planning, August 2018, modified for the local context.

✓	**Criterion A** Importance to the course or pattern of our cultural or natural history (historical significance).
	Criterion B Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).
	Criterion C Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
✓	**Criterion D** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
	Criterion E Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
	Criterion F Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance)
	Criterion G Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to indigenous peoples as part of their continuing and developing cultural traditions (social significance).
	Criterion H Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Kingston Planning Scheme as an individually significant place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Kingston Planning Scheme:

External paint controls *Is a permit required to paint an already painted surface?*	No
Internal alteration controls *Is a permit required for internal alterations?*	No
Tree controls *Is a permit required to remove a tree?*	No
Outbuildings and fences exemptions *Are there outbuildings or fences which are not exempt from notice and review?*	No
Victorian Heritage Register *Is the place included on the Victorian Heritage Register?*	No
Prohibited uses may be permitted *Can a permit be granted to use the place for a use which would otherwise be prohibited?*	No
Aboriginal heritage place *Is the place an Aboriginal heritage place which is subject to the requirements of the* Aboriginal Heritage Act 2006*?*	No
Incorporated plan 86 Mentone Parade Mentone Statement of Significance (January 2023)	

Other:

It is recommended that the metal plaque in the pavement outside the front of the property is updated to provide correct information:

> *'Mabe-muol'*
>
> *Built c1884–89*
>
> *Final residence (from 1908 to 1912) of Sir Matthew Davies, founder of Mentone.*

Identified by:

Kingston City Council

References

Argus, as cited.

Barnard, Jill 2008, 'Mentone' via School of Historical & Philosophical 2008, *eMelbourne,* https://www.emelbourne.net.au/biogs/EM00961b.htm, accessed online 17 January 2023.

Brigidine Sisters 2023, 'Our Story', https://brigidine.org.au/about-us/our-story/, accessed online 6 January 2023.

Freedman, RD 1972, 'Davies, Sir Matthew Henry (1850-1912)', via Australian National University 2006, *Australian Dictionary of Biography,* https://adb.anu.edu.au/biography/davies-sir-matthew-henry-3879, accessed online 6 January 2023.

Gamble, Leo 2003, *Mentone through the years*, Mentone.

Gamble, Leo 2018, 'Mentone Mansions: Home of J.B. Davies', via *Kingston Local History* https://localhistory.kingston.vic.gov.au/articles/542, 5 January 2023 accessed online 6 January 2023.

Living Histories 2000, *Heritage Study Stage One Report*, prepared for the City of Kingston.

Punch Melbourne, as cited.

RBA Architects + Conservation Consultants 2022, *City of Kingston: Thematic Environmental History Refresh*, prepared for the City of Kingston.

Sandringham Southern Cross, as cited.

Victorian Places 2015, 'Mentone'. https://www.victorianplaces.com.au/mentone, accessed online 17 January 2023.

Willingham, Allan 2018, 'Matthew Henry Davies: Solicitor, Speculator, Politician and Philanthropist 1850-1912', via *Kingston Local History* https://localhistory.kingston.vic.gov.au/articles/314, accessed online 6 January 2023.

29 May 2023

Attention: Strategic Planning, Kingston City Council
Email: strategic.planning@kingston.vic.gov.au

Re: Submission for Kingston Planning Scheme Amendment C215king

Dear Strategic Planning,

I commend Council's attentiveness to identifying and protecting places of identified heritage significance, and I support the proposed Heritage Overlay protections as part of Kingston Planning Scheme Amendment C215king, to the dwelling at 86 Mentone Parade, Mentone, known as *Mabe-muol*.

Future work towards the progression of the identification and the protection of identified places of local heritage significance will ensure that the municipality is connecting to its historical past, and generating a sense of local community. Such work is imperative to the local identity of any municipality, and I hope that this is a demonstration of more heritage work to come from Council.

I have, however, after reading the provided documentation, I would recommend a number of changes to said documentation (as referenced below), to ensure consistency, and to make quality-of-life corrections, to ensure the documents work together in a more succinct manner, and to further ensure that the technical documentation that will form part of the Kingston Planning Scheme is factual and consistent.

The following are recommended changes to the provided material, as follows:

1. The *Explanatory Report* requires a number of updates to align with the *Citation* and the *Statement of Significance*, as there is a number of errors, all in the content under the **Why is the amendment required?** sub-title, as follows:

    a. First, the dwelling is incorrectly identified as "*Mabernoul*", where it is referenced as ***Mabe-muol*** in the *Citation* and the Schedule to Clause 43.01 (Heritage Overlay). The *Citation* does refer to the incorrect name, however, identifies "*Mabernoul*" is a misspelling, and indicates the ***Mabe-muol*** is indeed the correct name for the dwelling. A correction will ensure that the correct information is being used, and that there is consistency between the Explanatory Report and other documentation.

    b. Second, it is referenced that the dwelling was constructed in 1899, when, according to the *Citation* and the *Statement of Significance*, the dwelling was constructed between 1884 and 1889 (*Citation* page 3, *Statement of Significance*, page 1). A correction will ensure that the correct information is

being used, and that there is consistency between the Explanatory Report and other documentation.

2. In Schedule 2 to Clause 37.08 (Activity Centre Zone, ACZ2) requires additional updates to the Maps under ***Precinct 6 – Former Coffee Palace*** and ***Precinct 7 – Community Activity Precinct*** to reflect the proposed Heritage Overlay at *Mabe-muol*, 86 Mentone Parade, Mentone, in line with the changes made to other maps in the same schedule, and to ensure consistency throughout the entire schedule.

3. In the *Statement of Significance*, update the title of the document in line with *Planning Practice Note 1: Applying the Heritage Overlay*, to include the name of the identified heritage place, in this circumstance, ***Mabe-muol***. The title *may* read as "***Mabe-muol, 86 Mentone Parade, Mentone Statement of Significance***". If this change is made, the Schedule to Clause 43.01 (Heritage Overlay) and Schedule to Clause 72.04 (Incorporated Documents) would both need to be amended to reflect this change, and the Explanatory Report to this amendment would also need to be amended.

4. In the *Statement of Significance*, update the **Heritage Place** sub-title, where in which it presently reads as "*House, 86 Mentone Parade, Mentone*" to "***Mabe-muol, 86 Mentone Parade, Mentone***" to appropriately reference the identified name of the dwelling.

5. In the *Statement of Significance*, throughout the document, the dwelling is identified as "*House*". As the dwelling as an identified name, ***Mabe-muol***, this should be used throughout the document, to appropriately reflect the identified heritage values of the dwelling, and align the document with other material (such as the Schedule to Clause 43.01 (Heritage Overlay), where in which the name of the dwelling is used). This *may* read as "***Mabe-muol, 86 Mentone Parade, Mentone is significant as …***".

6. In the *Citation*, update the title of the document to include the identified name of the dwelling – ***Mabe-muol***. The title *may* read as "***Mabe-muol***". If this change is made, the Schedule to Clause 72.08 (Background Documents) would also need to be amended to reflect this change, and the Explanatory Report to this amendment would also need to be amended.

7. In the *Citation*, update the **Name** sub-title on Page 1, where in which it presently reads as "*House*" to "***Mabe-muol***" to appropriately reference the identified name of the dwelling.

Otherwise, I support the proposed protections for *Mabe-muol*, 86 Mentone Parade, Mentone.

If you wish to contact me further with regards to my submission, please feel free to do so.

Regards,

From: StrategicPlanning
To: Amber Swales
Subject: FW: Planning amendment C215king for 86 Mentone Parade
Date: Tuesday, 30 May 2023 9:09:25 AM
Attachments: ~WRD0002.jpg

From:
Sent: Monday, 29 May 2023 11:30 AM
To: StrategicPlanning <Strategic.Planning@kingston.vic.gov.au>; Jonathan Guttmann <Jonathan.Guttmann@kingston.vic.gov.au>
Subject: Planning amendment C215king for 86 Mentone Parade

Hi Amber and Jonathan

I wish to offer the full support of the Mordialloc & District Historical Society for council's pursuit of a Heritage Overlay for 86 Mentone Parade.
I began an online submission but I mistakenly hit Submit with almost nothing written. So the following is the Society's submission.

It is imperative that this 140-year-old house be retained due, as presented by the consultant, to the significant history of both the house and its one-time owner Sir Matthew Davies.
Even before any houses were built in Mentone, Davies and his land companies oversaw the establishment of a new resort town on former swamplands. They also created long-standing features of Mentone including the racecourse, gasworks, sea-baths, library, recreation reserve, coffee palace, etc. Davies and his wife donated land for the building of early churches in Mentone.
There are relatively few Victorian houses remaining in Mentone, as much of this phase of early development of the suburb has disappeared already. The house's age and location would probably be enough to justify its retention. However the subject house is also notable for its direct association with Davies, being his final residence from 1908 to 1912. While justifiably regarded as the 'founder' of Mentone, Davies and his name appear in almost every account of financial recklessness and government corruption occurring during the 1880s boom and raked over by the Victorian courts in the 1890s.
Davies was a member of Victorian Parliament who became the first Australian-born Speaker in the Parliament and who was knighted at a young

age. He was also secretary of the Law Institute and a pioneer land speculator. He was certainly prominent among prominent Victorians.
His eldest brother J M Davies was Victorian Minister of Justice, while a younger brother J B Davies was an accountant whom Matthew Davies installed as Managing Director of their "Freehold Investment & Banking Company" which did most of the early development work in Mentone.
Matthew Davies formed many banks and investment companies which played an important role in bringing on the "crash" of 1892.
The influence of these prominent men on the subsequent collapse of many banks and building societies, at that time unregulated by government guarantees, helped trigger the severe depression of the 1890s that had Australia-wide effects, with Victoria reputedly suffering the worst of all Australian states. Much of the property speculation was engineered and encouraged by Sir Matthew Davies and his investment banks. With major Melbourne figures involved in financing, promoting and developing the elite beachside resort of Mentone, the effects of the crash across Victoria heavily impacted Mentone. Davies' personal crash included being arrested and facing numerous fraud-related charges for his financial activities and deception. These and other powerful men of Victoria would no doubt have spent time within the walls of 86 Mentone Parade.
While somewhat infamous in the opinion of many, Davies few tangible links to Mentone must be preserved for future generations to learn from.

Regards

Mordialloc & District Historical Society

Virus-free.www.avg.com

From: StrategicPlanning
To: Amber Swales
Subject: FW: 86 Mentone ode Mentone Do not demolish this. Building!!!
Date: Thursday, 1 June 2023 10:11:09 AM

-----Original Message-----
From:
Sent: Wednesday, 31 May 2023 8:28 AM
To: StrategicPlanning <Strategic.Planning@kingston.vic.gov.au>
Subject: 86 Mentone ode Mentone Do not demolish this. Building!!!

Sent from my iPhone

From:	StrategicPlanning
To:	Amber Swales
Subject:	FW: 86 Mentone Pde
Date:	Thursday, 1 June 2023 10:11:21 AM

From:
Sent: Tuesday, 30 May 2023 5:30 PM
To: StrategicPlanning <Strategic.Planning@kingston.vic.gov.au>
Subject: 86 Mentone Pde

Dear Council,
I support a heritage overlay on this property. Too many if our lovely old homes have been lost to development. Bravo of your work on this project.
Kind regards

Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.transport.vic.gov.au

Ms Amber Swales
Strategic Planning Unit
Kingston City Council
PO Box 1000
MENTONE VIC 3194

(Via email: strategicplanning@kingston.vic.gov.au)

Dear Ms Swales

PROPOSED AMENDMENT C215KING – KINGSTON PLANNING SCHEME

I refer to your letter to VicRoads (now the Department of Transport and Planning) dated 22 May 2023, inviting comments regarding proposed Amendment C215KING.

It is noted that the Amendment C215KING is required to apply a Heritage Overlay to 86 Mentone Parade, Mentone on a permanent basis within the Kingston Planning Scheme. Consequently, the Department of Transport and Planning has no objection to Amendment C215KING to the Kingston Planning Scheme, generally in accordance with the details and plans as advertised.

Should you have any enquiries regarding this matter, please contact me via email at

Yours sincerely

Transport Planner

21 / 06 / 2023

VICTORIA State Government

22/06/2023

To Whom It May Concern,

Subject: Opposition to the Introduction of Heritage Overlay for 86 Mentone Parade, Mentone VIC 3194

Dear Sir/Madam,

I hope this letter finds you well. I am writing to express my strong opposition to the proposed introduction of a heritage overlay on a permanent basis for the property located at 86 Mentone Parade. As a concerned property owner, I firmly believe that implementing such a restriction would be unjust and detrimental to both my family and our community. I would like to present several compelling reasons that merit careful consideration before finalizing any decisions related to the heritage overlay.

First and foremost, when we purchased the property eight years ago, there was no indication or mention of any overlay on the property. I've also done my due diligence by visiting the planning department and spoke with a young gentleman from the Strategy in June/July 2015 to confirm the built form for redevelopment. It is only fair that we should be allowed to proceed with our planned development after responsibly holding the property for such a significant period. Imposing a heritage overlay at this stage would severely hinder our rights as property owners and create an undue burden on our family.

Furthermore, it is our belief that the council's motives behind the proposed heritage overlay are for two main reasons. One, stop irresponsible development in the area. While we appreciate the importance of responsible development, it is essential to note that our plans for the property have been thoroughly considered, taking into account safety, functionality, and community impact. It is unfair to impose a heritage overlay as a blanket solution without considering the unique circumstances that our family is facing. Second, to complete the storytelling of Mentone, as part of the so-called Mentone historical walking trail. While we appreciate the preservation of historical significance, it is essential to consider whether this particular property truly holds the level of character and heritage value that justifies such a restriction. There are numerous places in Mentone, 36 examples in 10 nearby streets, that possess more remarkable architectural features and historical significance, yet they do not bear the weight of a heritage overlay. In our view, 86 Mentone pde shares no similarity to 25 Milan st, Mentone as suggest in heritage citation. This leads us to question whether the council's motive truly lies in heritage preservation or in fulfilling a narrative for the Mentone historical walking trail.

It is worth noting that Sir Matthew Davies, although being referred as "Founder of Mentone", is a high-profile developer, as can be verified on the council's website and Wikipedia. How is it fair for one person being regarded as a "founder" because it developed many properties in a particular area and the other person may be an irresponsible developer who just want to knock down and rebuild for his family needs. One man's glorious past becomes another man's burden all of sudden, and because there weren't any other buildings (Toorak mansions and holiday house in Palermo st

Mentone) been preserved for a long-gone man? I am sure that Sir Mattew Davies will love to see the property at 86 Mentone pde redeveloped if he still lives.

Moreover, those advocating for the heritage overlay often fail to consider the practicality and consequences it would impose on the property owner. They overlook the critical question of whether the property is suitable and fit for purpose for the individuals residing within. The economic benefits that would be stripped away from the owner and the financial burden of maintaining a property under heritage restrictions are rarely taken into account. As a single-income, middle-class family, we would face significant financial hardship in maintaining a property that may no longer serve our needs and will impede our quality of life.

In addition to these concerns, the property is currently under heavy termite attack, which threatens its structural integrity. Multiple issues have been identified by a reputable structural engineering firm, raising serious safety concerns. Rising damp and widespread mould infestation throughout the property further contribute to the deterioration of our health and well-being. These critical issues must be taken into consideration before designating the property as heritage significant.

Furthermore, I would like to emphasize the importance of allowing my elderly parents, my pregnant wife, and our two children to live together under one roof. The current property conditions, including the structural issues, mould infestation, and termite damage, pose significant risks to their health and well-being. It is our utmost priority to provide a safe and comfortable environment for our entire family, where they can thrive and enjoy a sense of togetherness. Denying us the right to develop our property not only disrupts our family dynamics but also hampers the support system and care network that is vital for the well-being of our elderly parents and the proper upbringing of our children. We kindly request your understanding and support in enabling our family to live harmoniously and securely in a suitable and healthy home.

In light of these compelling arguments, I implore you to reconsider the proposed introduction of a heritage overlay for 86 Mentone Parade. It is essential to recognize the fairness and rights of property owners who have responsibly cared for their properties and to prioritize the well-being and needs of the individuals residing within these homes.

I kindly request a thorough review of the situation and a reconsideration of the proposed heritage overlay. I am confident that upon careful examination of the facts presented, you will recognize the merits of our concerns and take appropriate action.

Thank you for your attention to this matter. Should you require any additional information or clarification, please do not hesitate to contact me at or . I look forward to a prompt response that addresses these pressing concerns.

Yours sincerely,

RST Consulting Engineers PTY. LTD
Civil & Structural Engineers
Unit 11/134 Springvale Road,
SPRINGVALE, VIC 3171
ABN : 38 952 518 335
DB-U 372 58
Tel: 9540 3640 / 0402 452 824
E: admin@rstconsulting.com.au
WWW: RSTconsulting.com.au

Date : 23 Feb 2023
Job : 223054

Mob.
Email:

Re: Existing Structural Inspection
At 86 mentone Parade,
MENTONE VIC 3194.

Dear

Thank you for your request and allowing
to carry out an investigation of existing structures for the above property. The investigation was carried out on 20 February 2023 based on visual inspection. Our findings / observations are as follows:

1. **Objectives:**

The objectives are to find out if the existing structures are still structurally sound considering the age of the building almost 140 years old, the cracks within brick walls, water leakage through the chimney, timber floor got damaged due to termite attacks and among other things.

The writer of this report has also taken into consideration of the heritage report prepared by GML Heritage dated January 2023. The cultural significance that the above property has contributed to the society.

2. **Existing Conditions:**

- The house was built in "c1884-89" – (139 years old) with an addition "c1931-40"
- A single storey with double bricks around the perimeter walls and a single brick for internal wall
- Internal and external walls were coloured cement rendered
- Timber flooring supported by timber bearers and joists
- There are two large street trees at the front and a group of large trees at the rear
- The house is situated near Mentone beach on a flat land

3. **General Observations / Investigations**

From the outside it appears to be the building has nothing wrong with it. It is beautiful, unique and has a significant historical value. However, when we look closely, there are multiple struct ural problems ranging from soft flooring eaten up by termites, crack brick walls due to aging. Some areas show bricks are losing strength and almost falling down, and water leakage from the roof, surrounding trees that contribute to the cause of damage.

The report is described in the form of photographic evidence as a result of our investigations.

Photo 1 – Two large street trees viewing from Mentone Parade

Photo 2 – Some large group trees at the rear that could contribute the cause building damage.

Photo 3 – Brick cracks over the front porch wall

Photo 4 – Long crack line along brick wall at front porch

Photo 5 – The continuation of brick wall cracking at front porch wall

Photo 6 – The cement rendered on front porch brick wall losing strength

Photo 7 – South Eastern brick wall cracks

Photo 8 – Brick capping at front porch crack-losing strength for lateral stability

Photo 9- The return brick wall to building at front porch crack

Photo 10 – The brick pier holding post at the front porch crack becomes structural unsound. It is unstable.

Photo 11 – Similar to Photo 10, the brick pier holding post at the front porch crack becomes structural unsound.

Photo 12 – On the Western window, timber reveal is rotten beyond repair. Brick reveal is also cracked.

Photo 13 – The arch door way on the Western side crack.

Photo 14-Cement mortar can no longer bond to brickwork

Photo 15-Rendered cement drops since mortar can no longer bond to brickwork

Photo 16 – Crack on brick upper brick wall at front porch

Photo 17 – Concrete capping on front porch wall cracks, no longer bond to brickwork

Photo 18 – shows more cracking on brickwork

Photo 19 – shows horizontal cracking on Western wall

Photo 20 – show brick cracking around window

Photo 21 – shows Internal wall cracking

Photo 22 – shows Internal wall cracking similar to photo 21

Photo 23 shows ceiling plaster and wall cracking

Photos 24 – shows internal wall cracking and the crack pushed through the patching

Photo 25 – Diagonal crack on brick wall

Photo 26 – Major crack on brick wall. Repair work has been carried out but not possible.

Photo 27 – Diagonal crack through brick wall and spread to ceiling

Photo 28 – Crack right across the ceiling

Photo 29 – Major crack through ceiling. It appears the plaster is almost dropped down anytime.

Photo 30 – Crack through corniece

Photo 31 – More cracks at corner

Photo 32 – Long crack between ceiling and brick wall, also on ceiling

30

Photo 33 – Zigzag crack on brick wall under the window.

Photo 34 – Crack in ceiling around wall support

Photo 35 - Major crack on wall & ceiling

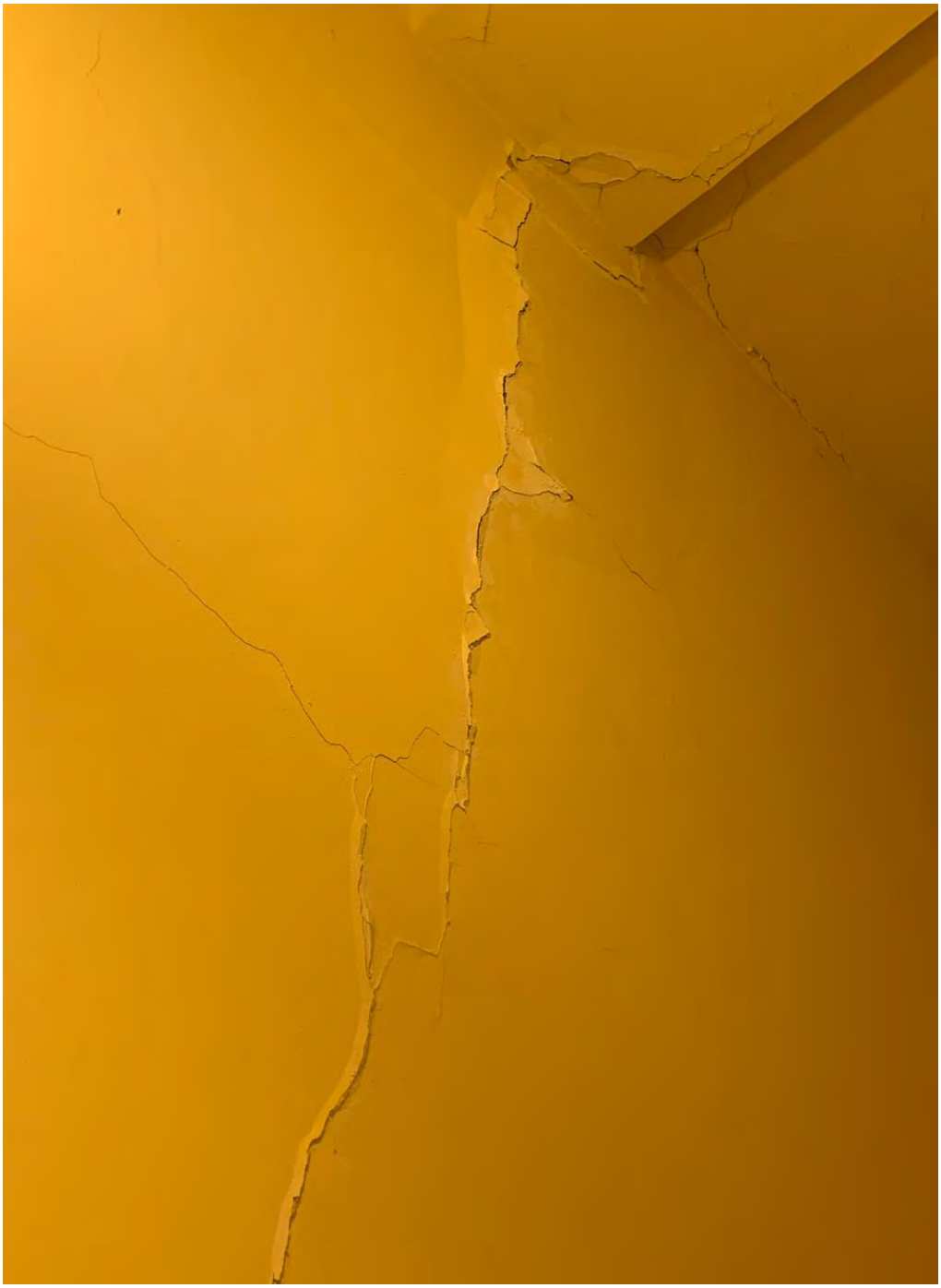


Photo 36 - Major crack on wall & ceiling

Photo 37 – Crack on wall & along corniecs

Photo 38 – Skirting board disjointed due to wall movement

Photo 39 – Mould growing due to dampness in brick wall

Photo 40 - Several cracks under window

Photo 40 - Timber floor broken along hall way

Photo 41 - Different location timber flooring damaged by termite

Photo 42 – Major floor damaged by termite

Photo 43 – Timber flooring becomes un-trafficable due to termite attack

Photo 44 – Timber flooring structurally un-sound. It can be peeled off by hand lifting

Photo 45 – This type of flooring it becomes health hazard. The resident can trip over and break the legs.

Photo 46 – Joist touching the ground, no air gap. It does not comply with BCA / NCC

Photo 47 – Bearer & Joist supporting timber floor

Photo 48 - Mould growing around chimney.

1. Technical Discussion

Based on the series of photos presented above, it is clear that the building is quite old, estimated to be around 140 years old. It has already surpassed its intended design life of 50 years. Remarkably, the building has held up well and has withstood almost three times its original intended lifespan. However, the question now is, how much longer can we expect the building to last?

Based on our structural assessment, it is evident that the building has reached the end of its life due to several structural issues, as shown in the photos. These include:

- Foundation movement,
- Abnormal moisture content in the soil,
- Tree growth causing cracking, major and minor wall and ceiling cracks,
- Ceiling cracking occurs almost in every room. In some area plaster is almost dropping,
- Soft, hazardous and not trafficable timber flooring,
- Mould growths due to water leaks through the chimney and roof,
- Loss of bonding in brick mortar and rendering,
- Loose bricks almost dropping over the doorway

Given these problems, the building is soon to become unhabitable and unsafe for residents, especially since the family has two teenagers living in the house, with a new born on the way. Urgent repair work should be undertaken to prevent any accidents from occurring. However, if the owner intends to renovate and preserve the building, to what extent should they begin since the building has experienced significant structural stress, as evidenced by the visible cracks?

2. Recommendations

If the owner wants to temporarily continue living in the house, our recommendations are as follows:

- Fix damaged floorboards temporarily to allow the family to walk safely.
- Prop up spalling brickwork over the doorway and remove any loose bricks, replacing them with new ones if it is safe to do so.
- Check the structural framing in the roof space to ensure no structures are overstressed, including cracked brick walls.
- Consult with a qualified structural engineer for all the above work.
- Note that these rectification works are temporary solutions and cannot be permanent since the damages are major and severe. The underlying issues need to be addressed.
- Termite damage to the timber is another major problem, which cannot be fully assessed at this stage. Consider vacating the building until the temporary fixes are completed.

If possible, demolish the building completely as it is not structurally sound and may cause health and safety hazards. If the building cannot be fully demolished, consider retaining only the front facade and attaching a new building for stability. However, it is uncertain if the existing brickwork can hold screws/bolts.

3. Conclusion

Despite the cultural and historical significance of this building in the city of Kingston, it is necessary to demolish it due to the major cracks and floor damage, which can cause health and safety hazards. If the front facade needed to be retained, extreme care must be taken in designing and building the new structure, given the age of the building and the brittleness and loss of strength in the brick and mortar.

Make a submission

SURVEY RESPONSE REPORT
16 January 2017 - 26 June 2023

PROJECT NAME:
Amendment C215king

SURVEY QUESTIONS

Make a submission : Survey Report for **16 January 2017** to **26 June 2023**

Q1 Please let us know your feedback

5/27/2023 02:46 PM	Really disagree with Kingston council of put Heritage on this property: 1. This property been Renovation/extension few time already, not been original design any more; 2. Put heritage overlay really reduce the value of property, is Kingston council pay back the difference? 3. Kingston council put heritage overlay on this property is that mean can potential put on anything else without consent from Owner? 4. Put heritage overlay on the property really hard for renovation/build new house/landscape etc.. 5. Why Kingston council put overlay now? not when this property build ? 6. This land in Activity Zone, been design for development , also the location so close to railway. Now put heritage overlay, not corporate with the original zoning purpose.
5/28/2023 07:40 PM	The Mordialloc & District Historical Society eagerly supports council's efforts in obtaining a permanent heritage overlay for 86 Mentone Parade.
6/02/2023 06:27 PM	Amendment C215. Good day. I was surprised to learn that no 86 Mentone Parade has been considered by a buyer as a house to be demolished. As I see it, from the road it is in sound condition and of a design that should be retained and fits the current original settler's area. The nearby houses also compliment the area and create a feel of earlier years, in quality. A nicely intact- slate roof compliments the well-kept building. I have heard it was the home of an earlier Mentone founder, entrepreneur and also a bit of a rogue. Kingston needs to protect the early development which appear to be in close proximity of the central city and usually within 500 meters of the railway stations and city centre. I submit my thoughts as my wife and I are owners of a heritage listed house, Coolullah 6 Bowman Street Aspendale Circa 1930/1. The listing at my time of purchase did not exist but followed within 2 years later. However, we had bought with an appreciation of design and significance and intended to maintain, restore, not trash it. Buyers should respect what they purchase. No 86 and others along this road have always been respected for the presence of the past they have conveyed over many years. In My case I lived at Plummer Rd, Florence Street corner 1958 for a few years. A mansion of a world-famous tennis player. Sadly, this classic house was demolished many years ago for what is now a set of flats of little significance. Please do not allow no 86 to be lost. No 86 should be retained. I believe 50 years older than my house. Wayne Imlach

Make a submission : Survey Report for **16 January 2017** to **26 June 2023**

6/08/2023 01:53 PM	Clearly this is a major important historical asset for Mentone. It would be a crime if it was allowed to be destroyed. The best option would be for the Council to purchase the house and make it a major historical tourist attraction. Alternatively if the house receives a permanent heritage overlay Council may consider assisting the owners to repair any structural and moisture issues.
6/21/2023 07:34 PM	I would like to see the historic heritage of Kingston, and Mentone in particular, protected and therefore support Council's plan to issue a Heritage Overlay on 86 Mentone Parade, Mentone. I own an adjacent property and the owners advise that they intend to demolish the current house and build a large modern structure which I feel would be out of character in this location. Mentone has a rich history and this property at no. 86 has played a significant part in the development of the immediate area. It would be a great shame if the Mentone community loses this historic building.
6/26/2023 02:46 PM	Re heritage overlay...if I had bought this house with the intention of demolition due to the huge expense required to renovate and then have this happen I would be suicidal.

Optional question (6 response(s), 3 skipped)
Question type: Essay Question

Ordinary Council Meeting

24 July 2023

Agenda Item No: 8.6

RESPONSE TO RESOLUTION - NOTICE OF MOTION 15/2023 - FENCED OFF-LEASH DOG PARKS

Contact Officer: Tim Gray, Acting Team Leader, Local Laws

Purpose of Report

The purpose of this report is to provide a response to Notice of Motion 15/2023 - Fenced Off Leash Dog Parks and presents the findings of the feasibility of introducing extra off leash dog parks.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Endorse The Dog Off Leash Area Guidelines;
2. Note the findings of the feasibility study which indicates Kingston has adequate, well distributed dog parks across the municipality;
3. Support the installation of dog litter dispensers at the following additional locations (in addition to the list of sites identified in 2020):
   - Le Page Reserve, Cheltenham
   - Dane Road Reserve, Moorabbin
   - Kerr Crescent Reserve, Aspendale Gardens
   - Browns Reserve, Aspendale
4. Note the improved fenced dog off leash facilities recently constructed at Chadwick Reserve, Dingley Village and Victory Road Reserve, Clayton South and the planned progression of additional facilities at Heatherton Park, Clayton South, Spring Road Reserve, Dingley Village and Snowdon Reserve, Cheltenham; and
5. Does not at this time progress the development of a greyhound only dog park, considering risks and the number of greyhounds registered in the municipality.

1. Executive Summary

In April 2023 Council resolved to receive a feasibility report considering the introduction of extra off leash dog parks across the municipality.

Utilising the Dog Off Leash Area Guidelines (Appendix 1) Council has assessed current location of dog off leash areas across the municipality. This has concluded that Kingston has an adequate distribution of dog off leash areas relative to dog registrations.

Investigations into the distribution of dog litter bag dispensers has identified four locations for possible installation. This would then mean that the majority of dog off leash areas have dog litter bag dispensers and no further installations would be supported, mindful of the order under Section 26 of the Domestic Animals Act 1994 which states that *dog owners must carry a removal device to clean up after their animal at all times*.

It is a legal requirement that all greyhounds are kept on leash and under effective control when away from their home property. This applies to any public area, including off-leash dog parks. There are seven greyhound-only facilities in Victoria where greyhounds can be legally exercised off-lead; payment is required to use these facilities. Of all registered dogs in Kingston only 2% are greyhounds. The establishment of a dedicated greyhound only off leash dog area is not supported at this time. .

Locating dog off leash areas within public open space, which has increasing, sometimes competing demands, is challenging; with a previous mentality for these areas to be located in the poorer quality open space. Especially when these areas are fenced, it creates significant maintenance issues for Council. With a number of capital improvements planned for dog off leash areas across the municipality, further expansion is not supported, but investment in upgrades and maintenance of existing facilities should occur.

2. Background

At its Ordinary Council Meeting on 26 April 2023 Council resolved that:

> *Officers provide a feasibility report for introduction of extra off leash dog parks across the municipality. The report is to consider but not limited to:*
>
> - *Fenced off leash dog parks*
> - *Options for fenced areas for smaller and larger dogs (like Tatterson Park, Keysborough)*
> - *Areas in proximity to the foreshore to provide options to Dog owners (particularly in Summer when dog off-leash complaints are high)*
> - *Consideration of a dedicated area for Greyhounds (currently under consideration by a number of Councils including the City of Moonee Valley)*
> - *Minimising impact on surrounding activities in local parks/areas*
> - *Introduction of dog poo bag dispensers near sporting fields that are often used as off leash areas.*

At its Ordinary Council Meeting on 25 May 2020 Council resolved that:

> *Council support the establishment of dog litter bag dispensers at the following: reserves:*
>
> - *Roy Dore Reserve,*
> - *Bicentennial Park,*
> - *Iluka Reserve,*
> - *Bonbeach Sports Reserve,*
> - *Glen Street Reserve,*
> - *Kevin Hayes Reserve,*
> - *Farm Road Reserve,*
> - *Kingston Heath Reserve,*
> - *Reg Marlow Park,*
> - *Spring Road Reserve,*
> - *Namatjira Park,*
> - *Moorabbin Reserve*

- *Bald Hill Park; and*
- *Mentone Dog off Leash Beach Area*
- *Highett Reserve (Turner Road)*
- *Walter Galt Reserve*
- *Chadwick Reserve*
- *Bricker Reserve*
- *Regents Park*
- *Bonbeach Recreation Reserve (near the Scout Hall)*
- *The Grange Reserve*

3. Discussion

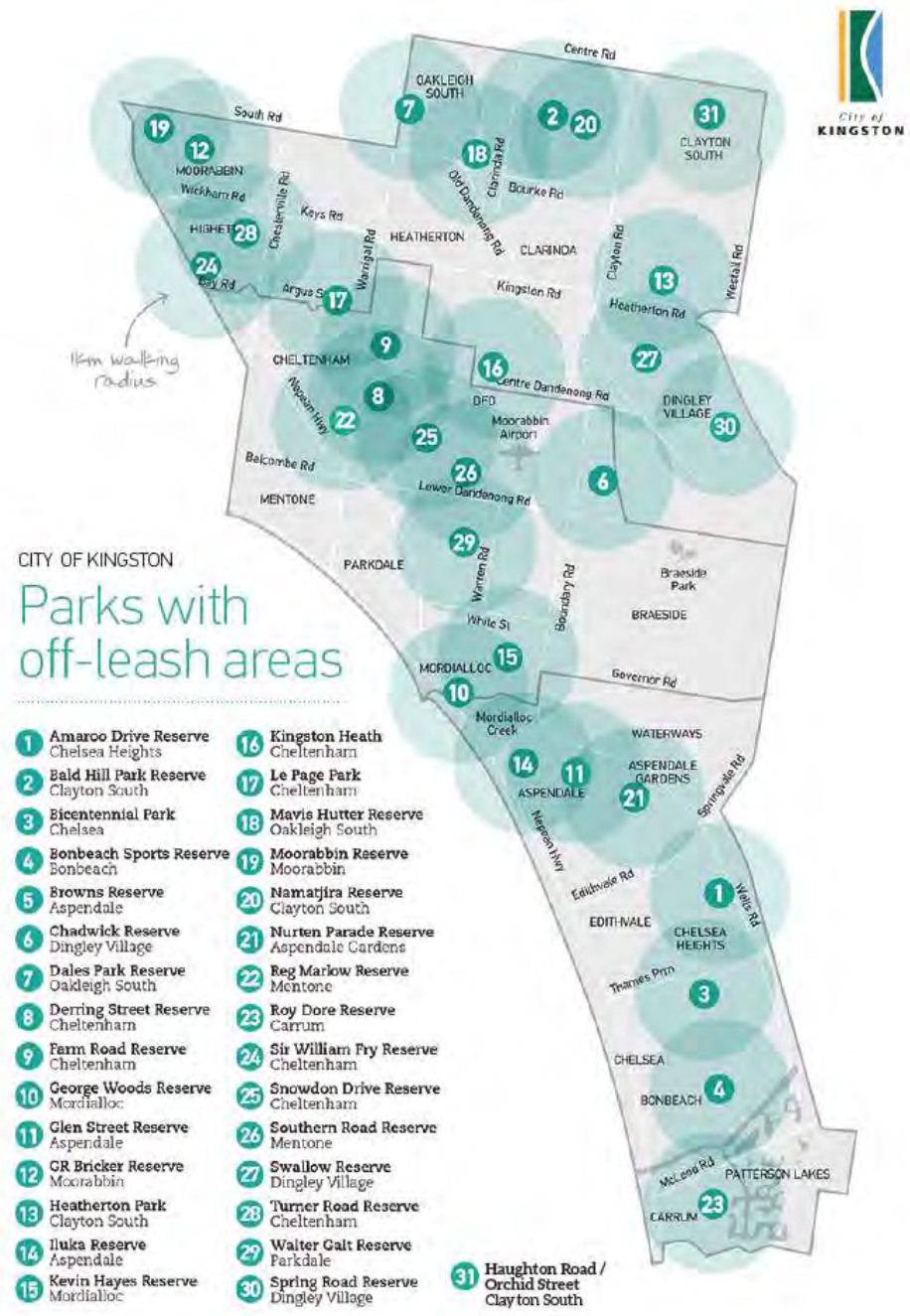
3.1 Current Dog Off Leash Areas

In recent years Council has proactively planned and developed fenced and unfenced off leash areas for dogs. These include newly constructed fenced areas at Chadwick Reserve and Victory Road Reserve, with recently completed fenced areas at Iluka Reserve, Aspendale and Roy Dore Reserve in Carrum.

There are currently 31 designated dog off-leash areas dispersed across the city. The reserves highlighted in bold type below are either fully fenced or have fenced off areas within the off-leash area.

1. Amaroo Drive Reserve Chelsea Heights
2. Bald Hill Park Clayton South
3. Bicentennial Park Chelsea
4. Bonbeach Sports Reserve Bonbeach
5. Browns Reserve Aspendale
6. **Chadwick Reserve Dingley Village**
7. Dales Park Reserve Oakleigh South
8. Derring Lane Cheltenham
9. Farm Road Reserve Cheltenham
10. George Woods Reserve Mordialloc
11. Glen Street Reserve Aspendale
12. GR Bricker Reserve Moorabbin
13. Heatherton Park Clayton South
14. **Haughton Road/Orchid Street, Clayton South**
15. **Iluka Reserve Aspendale**
16. **Kevin Hayes Reserve Mordialloc**
17. Kingston Heath Reserve Cheltenham
18. Le Page Park Cheltenham
19. Mavis Hutter Reserve Oakleigh South
20. Moorabbin Reserve Moorabbin
21. Namatjira Park Clayton South
22. Nurten Parade Reserve Aspendale Gardens
23. **Reg Marlow Reserve Mentone**
24. **Roy Dore Reserve Carrum**
25. Sir William Fry Reserve Cheltenham
26. **Snowden Drive Cheltenham**
27. Southern Road Reserve Mentone
28. **Spring Road Reserve, Dingley Village**
29. Swallow Reserve Dingley Village
30. Turner Road Reserve Highett
31. Walter Galt Reserve Parkdale

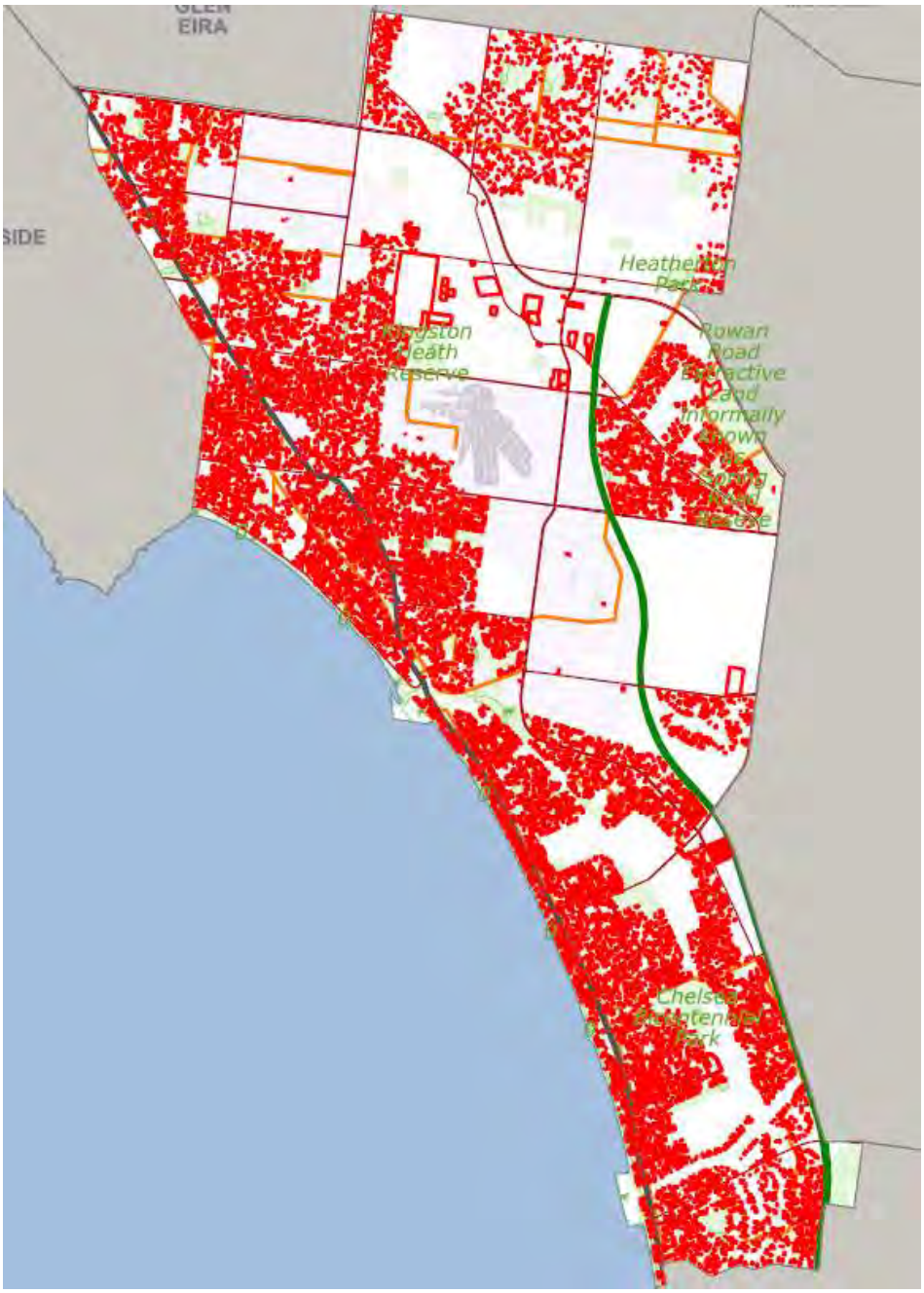
The map below illustrates the extent of Parks in Kingston with existing off leash areas.



In addition to the above, there are additional foreshore areas that allow dogs off-leash on the sand as outlined below

- 24-hour off-leash area on the sand at the foreshore in Mentone, between Charman Road and Plummer Road. T
- Time restricted off-leash areas at Parkdale, Aspendale, Edithvale, Chelsea, Bonbeach and Carrum.

There are currently 15,169 dogs registered within the City of Kingston. A map below shows the distribution of dog registrations across the city.



From the map above it can been seen that the distribution of dog parks correlates well with the distribution of dog registrations across the city.

A review of dog off-leash areas across surrounding Local Council areas has been undertaken and key information is outlined in the table below. City of Kingston has an adequate allocation of dog parks, noting that both City of Greater Dandenong and City of Frankston have fewer off leash areas available per dog.

	Number of off leash dog areas	Population	Dog Registrations	Dogs per dog park
Kingston	31 Dog Off leash areas (8 are fenced off leash areas)	167,228	15,000	484
Bayside	29 Dog Off leash areas (2 are fenced off leash areas)	107,516	12,500	431
Frankston	34 Dog Off leash areas (5 are fenced off leash areas)	143,281	21,000	617
Monash	31 Dog Off leash areas (moving to 45 off leash areas post 1 July 2023)	204,845	12,500	403 290 (Post 1 July 2023)
Glen Eira	29 Dog Off leash areas (1 is a is fenced off leash areas) (5 off-leash areas only available 6am to 9am)	158,149	13,000	448
Dandenong	16 Dog Off leash areas (5 are fenced off leash areas)	168,267	8,000	500

3.2 Planned new off-leash areas

Council is currently constructing a fenced off leash dog park at Chadwick Reserve in Dingley Village. This will be the first time Kingston Council has designed and constructed as a dog park with a segregated area for smaller, shy dogs. This has also been the approach taken at Victory Road Reserve, through the Cleanaway rehabilitation construction. This is likely to become the design precedent in fenced dog off leash parks where space allows and is being considered for Spring Road Reserve and Heatherton Park.

The Councils Capital Works Program has identified upgrades to Snowdon Drive along with some other minor off leash dog park upgrades.

3.3 Implementation of the Guidelines

Council receives numerous requests for new dog off leash areas (both fenced and unfenced). Through developing these guidelines Council now has a transparent assessment process in which to consider these requests which can be shared publicly.

Utilising these guidelines Council has assessed the distribution of dog off leash areas relative to dog registration and deem that Kingston currently has an adequate and equitable supply.

The objectives of the guidelines are as follows:

- Ensure that a sufficient number of dog off-leash areas and fenced dog exercise areas are provided to meet the needs of the community.
- Ensure that dog off-leash areas are distributed evenly across the Council area.
- Provide dog off-leash areas with adequate size to allow dogs to exercise, whilst balancing open space demands and wear and tear on the area.

- Embellish current dog off-leash areas with suitable infrastructure to meet user needs when required.
- Provide standards to inform decision making with respect to requests for new dog off-leash areas as well as reviewing existing dog off leash areas.
- Locate dog off-leash areas in suitable areas that minimises adverse safety and amenity impacts caused by dogs to park users.
- Provide a framework to determine the location of fenced dog exercise areas and minimum standards for them.
- Provide requirements to inform decision making with respect to the location of areas for the prohibition of animals in public places.
- Ensure the safety of the public and dogs in public open spaces.

Owners who express concern that their dog may run off and wish to rely on a fenced area are encouraged to participate in formal dog obedience training complemented by daily training exercises with their dog prior to utilising an off-leash area. Owners need to be confident that they can control their dog including having the dog return to them prior to utilising an off-leash area. In addition, it is a legal requirement for owner that have their dog under control at all times when excising in a designated dog off-leash area.

Fenced dog off-leash areas also often attract professional dog carers/walkers. This can result in overuse of the space, resulting in the loss of grass and poor amenity.

It is recommended that high use open space, such as fenced dog off-leash areas, be managed similar to other active grounds, such as sports grounds, but with a lower maintenance regime. Whilst the Open Space department currently closes fenced dog off leash parks twice a year for renovations, maintenance levels could be increased with additional funding.

3.4 Fenced off leash areas for smaller and larger dogs

When assessing new requests for new dog off leash areas, Council officers will consider if separate fenced areas for small dogs and larger dogs within the dog off-leash area is appropriate. This may depend on the size of the dog off leash area able to be supported with in the open space and other supporting infrastructure such as carparking. The Open Space Department recommends a minimum size area for smaller off lesh areas within a dog park being 1,200m2 to avoid maintenance issues. Data such as the number of dog registrations in the immediate area should also be considered.

3.5 Areas in proximity to the foreshore

Parks/reserves along the foreshore are small and not suitable for the consideration of dog off-leash areas.

Officers will promote to Kingston residents who have registered dogs, the significant existing number of off leash areas ahead of the busier summer period in the City to assist in managing any conflicts on the foreshore.

3.6 Dedicated area for Greyhounds

It is a legal requirement that all greyhounds are always kept on leash and under effective control when away from their home property. This applies to any public area, including off-leash dog parks.

Greyhounds are a gentle, loving and placid breed but, due to the fact that they are capable of running at speeds up to 70 km/h, it is both unsafe and currently illegal to allow them to run off-lead in public places.

There are six greyhound-only facilities in Victoria that are all slipping tracks. A slipping track is a long fully fenced dog run where greyhounds can be legally exercised off-lead and where greyhounds can "free gallop". Each of the following locations below require payment for greyhound owners to use.

- Melbourne Greyhounds, The Meadows
- Manningham Slipping Track, Stintons Reserve, Park Orchards
- Cranbourne Greyhound Racing Club (partially paid access)
- Ballarat Greyhounds
- Greyhound Racing Victoria Bendigo
- Warragul Greyhound Club

The Doggy Play Park, Dingley (formerly in Heatherton), also runs some greyhound-only sessions.

Council Officers are aware that in May 2023, Moonee Valley City Council approved the process for planning and consulting on a possible off-leash area specifically for greyhounds.

The City of Kingston currently has 283 greyhounds registered. This is 2% of the currently registered 15,169 dogs in the City of Kingston.

Noting the low numbers of registered greyhounds across the city as well as the greyhound only sessions available at the Doggy Play Park in Dingley, the investment in a dedicated greyhound only dog off-leash area is not recommended.

Should Council wish to proceed with the implementation of a greyhound only dog off-leash area then officers recommend that:

- Legal advice be obtained recognising the current advice from the State Government is as *"All greyhounds must be leashed at all times when in public — including council off-leash areas. Councils may authorise the use of certain spaces as greyhound-specific off-lead areas."*

- Consideration should be given to either creating a greyhound-only slipping track or greyhound-only off-leash park. This would be best informed by a detailed planning process as well as community consultation to inform the type and design of the off-leash park.

3.7 Dog litter bag dispensers near sporting fields

Council currently has an order under Section 26 of the *Domestic Animals Act 1994* which states that dog owners must carry a removal device to clean up after their animal at all times. Therefore, it is the responsibility of the person walking a dog to carry sufficient dog litter removal bags to be able to remove all dog litter each time a dog defecates. This requirement is in recognition that owners need to be prepared at all times upon leaving their residence to clean up after their dog in the event the dog defecates prior to reaching their destination where a dispenser may or may not be.

If a dog walker relied on using a litter removal bag from a dispenser and not carry a removal device or bags, they would be committing an offence from the time they left their place of residence until such time they obtained a dog litter removal bag from a dispenser.

Council currently provides free rolls of biodegradable dog litter bags at all Customer service centres and libraries. 31 dog litter bag dispensers have also been installed at 25 locations across Kingston parks and reserves as outlined below:

- Kevin Hayes Reserve, Mordialloc (2 dispensers)
- Namatjira Reserve, Clayton South (2 dispensers)
- Roy Dore Reserve, Carrum
- Spring Road Reserve, Dingley Village
- Bicentennial Park Reserve, Chelsea Heights (2 dispensers)
- Bonbeach Rec Reserve, Bonbeach
- Bonbeach Sports Reserve, Bonbeach
- Regents Park, Aspendale
- Iluka Reserve, Aspendale (2 dispensers)
- Glen Street Reserve, Aspendale
- Kingston Heath Reserve, Cheltenham
- Walter Galt Reserve, Parkdale
- Reg Marlow Park, Mentone
- Farm Road Reserve, Cheltenham (2 dispensers)
- Chadwick Reserve, Dingley Village
- The Grange Reserve, Clayton South
- Bald Hill Park, Clarinda
- Moorabbin Reserve, Moorabbin (2 dispensers)
- Bricker Reserve Moorabbin
- Turner Road Reserve, Highett
- Mundy Street OSCP (foreshore), Mentone
- Mentone Foreshore Path (opp. Charman Rd), Mentone
- Showers Avenue, Chelsea
- The Strand (Victory Park), Chelsea
- Beesen Reserve, Edithvale

Sporting reserves where dogs off leash are not permitted do not have dog litter bags provided. This action is deliberate to discourage the use of playing fields for active off leash activities which can often upset users of the ovals when dog faeces are left on playing services. It should also be noted that dog off leash activity on sportsgrounds that contain a turf wicket table is not encouraged due to the potential damage to natural turf wicket.

There are several sporting reserves where dogs off leash are permitted when the ground is not in use. Should Council wish to install additional dog litter bag dispensers, the following sporting reserve locations would be suitable candidates:

1. Oval 2, Le Page Reserve, Cheltenham
2. Dane Road Reserve, Moorabbin
3. Kerr Crescent Reserve, Aspendale Gardens
4. Browns Reserve, Aspendale

These Reserves are popular dog walking locations and have existing bin infrastructure to which the dispensers can be attached.

The cost per dispenser is currently $322 (excl GST) with additional costs to replenish the litter bags.

4. Consultation

4.1 Internal Consultation:
Consultation was undertaken with the Open Space Department.

4.2 Community Consultation:
No community consultation has been undertaken noting the intention of the Notice of Motion sought Officers bring a feasibility report back to Council.

5. Compliance Checklist

5.1 Council Plan Alignment
Strategic Direction: Safe - Our community will feel safe, and be safe, in all aspects of their lives.
Strategy: Foster caring attitudes and a safe environment for native wildlife and domestic animals

Pet ownership supports members of our community to lead healthy lifestyles which is aligned directly with this component of the Council Plan.

5.2 Governance Principles Alignment
Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Provision of dog off-leash areas should be consistent with the requirements set out in the *Domestic Animals Act 1994.*

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Current provision of dog off leash areas is considered adequate relative to dog registrations across Kingston. The guidelines will provide a decision-making framework for future requests.

5.3 Financial Considerations
Projected costings
The revised Masterplans for Spring Road Reserve will recommend the relocation of the fenced dog off leash area. The draft Heatherton Reserve masterplan currently includes a fenced dog off leash area, making provision for small and big dogs. These projects are currently unbudgeted.

Fenced dog off leash areas attract significantly higher usage than other open space. They are also known to be utilised by professional dog walkers from both within and outside the municipality. Additional ongoing maintenance for the areas also needs to be considered.

Budget

The Council's Capital Works Program identifies the following projects:

- Snowdon Drive – Dog Off Leash Park 23/24 – Notional Allocation of $500,000. This will involve general upgrades to the facilities, including the conversion of some areas of grass to granitic sand.
- An ongoing program of Dog Off Leash Park Upgrades has been forecast – 24/25 $500,000, 25/26 $500,000 and 26/27 $500,000

The above capital allocations are the subject of further consideration as part of Councils annual budgeting process but represent a significant and likely unprecedented investment in Dog Off Leash areas in Kingston.

Staff Resources
The resources required to complete this report and develop the Dog Off-Leash Guideline have been managed through existing operational budgets. Capital budget projects will also be absorbed within those budget allocations.

5.4 Risk considerations
The guidelines provide a clear and transparent decision-making framework for Council. Whilst it has been deemed adequate supply and distribution of dog off leash areas meets the needs of current dog registration numbers, this should continue to be assessed utilising the guidelines.

Appendices

Appendix 1 - Kingston Dog Off Leash Area Guidelines (Ref 23/164288[v2])

Author/s:	Tim Gray, Acting Team Leader, Local Laws
Reviewed and Approved By:	Marleen Mathias, Manager Compliance and Amenity
	Emily Boucher, Manager Open Space
	Jonathan Guttmann, General Manager Planning and Place

8.6

RESPONSE TO RESOLUTION - NOTICE OF MOTION 15/2023 - FENCED OFF-LEASH DOG PARKS

1 Kingston Dog Off Leash Area Guidelines 243

Dog Off Leash Area Guidelines

1 Document Control

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

RESPONSIBLE GENERAL MANAGER	General Manager Planning and Place
DOCUMENT OWNERS	Manager Compliance and Amenity Manager Open Space
APPROVED/ADOPTED BY	*Choose approver* on Select date
SIGNATURE	
APPROVAL DATE (In addition state effective if different)	Select date Select effective or n/a Select date
REVIEW DATE	Select date
CM REF AND VERSION	Enter CM Ref
VERSION HISTORY	This Policy Replaces Version Enter number
RELEVANT POLICY	

2 Purpose

The purpose of this guideline is to:

- Ensure that a sufficient number of dog off-leash areas and fenced dog exercise areas are provided to meet the needs of the community.
- Ensure that dog off-leash areas are distributed evenly across the municipality where suitable open space is accessible.
- Provide dog off-leash areas with adequate size to allow dogs to exercise.
- Enhance current fenced dog off-leash areas with suitable infrastructure to meet user needs
- Provide standards to inform decision making with respect to requests for new dog off-leash areas as well as reviewing existing dog off leash areas(design and maintenance principals are outlined within this policy)
- Locate dog off-leash areas in suitable areas that minimises safety risks and amenity impacts caused by dogs to park users.
- Provide a framework to determine the location of fenced dog exercise areas and minimum standards for them.
- Provide criteria to inform decision making with respect to the location of areas for the prohibition of animals in public places.
- Ensure the safety of the community and dogs in public open spaces.

3 Scope

The policy applies to all Council managed lands subject to a Council Resolution and Order under Section 26 (2) of the *Domestic Animals Act 1994.*

4 Background

The *Domestic Animals Act 1994* allows Councils to impose conditions on the restraint or control of dogs in public spaces, including designating certain areas as being designated dog off-leash areas.

In 1998 Council resolved to require all dogs in public spaces to be on-leash unless they are in a designated off-leash area.

The City of Kingston currently has an Order under the *Domestic Animals Act 1994* that requires all dogs in public places to be on leash, unless they are within a designated off-leash area. Dog off-leash areas only apply to a designated area and not necessarily to an entire reserve or park.

5 Guidelines

5.1 Requests For New Dog Off-Leash Areas

Requests for new dog off-leash areas may come from residents of Kingston via a petition to Councillors, Councillor Notices of Motion or consideration during the drafting of new master plans for reserves.

Any requests for new dog off-leash areas will be considered by a panel review consisting of Council Officers.

The panel members may consist of any the following Council Officers:

- Manager Compliance and Amenity
- Manager Open Space
- Team Leader Local Laws
- Team Leader Sportsgrounds & Reserves
- Team Leader Public Spaces
- Team Leader Bushland and Foreshore
- Team Leader or Manager Active Kingston

5.2 Criteria For the Creation of New Dog Off-Leash Areas

When assessing requests for new dog off-leash areas or planning for new dog off-leash areas in reserves, the following criteria will be applied:

- Balances the needs and wishes of dog owners with the needs of the community for accessible and safe parks.
- Results of community consultation to consider the views of the community.
- Equitable distribution of off leash areas across the municipality.
- Dog registration data – ensure that areas of high dog registration ownership are well served by dog off leash areas.
- Topography and natural features that will benefit an off-leash area.
- Location, size and configuration of the park and existing fencing and infrastructure within the park.
- Accessibility – easily accessible for local residents.

- Equity – considers how all park users interact with their surroundings
- Areas of conservation or environmental significance within or adjacent to the park.
- Consideration of Council park master plans and development
- Consideration of the impact off-leash dog activity would have on the proposed open space. If a sportsground is being considered, existing usage levels and standard of competition must be evaluated to ensure appropriateness.
- Consideration of the availability of external funding opportunities.

6 Responsibility

The areas or positions responsible for defined tasks in implementing, maintaining and approving these procedures / guidelines.

Position/Team	Responsibility
Team Leader Local Laws	
Team Leader Open Space	
Manager Compliance and Amenity	
Manager Open Space	

7 Related Documents and Resources

Legislation / External Documents

- *Domestic Animals Act 1994*
- *City of Kingston Domestic Animal Management Plan 2021-2025*
- *City of Kingston Community Local Law*
- *City of Kingston Open Space Strategy*
- *City of Kingston Biodiversity Strategy*

Internal Document

- City of Kingston Council Plan 2021-25
    - Strategic Direction: Healthy and Inclusive
        - We are progressive, inclusive and prioritise the wellbeing of all members of our community
    - Strategic Direction: Safe
        - Our community will feel safe, and be safe, in all aspects of their lives.

8 Definitions

	An authorised officer is a person, other than a Councillor, appointed by Council pursuant to section 224 of the *Local Government Act 1989* (Vic), to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.
Community Local Laws	A set of laws specific to a particular Municipal area and enforceable under the [Victorian] Local Government Act.
	Kingston City Council, being a body corporate constituted as a municipal Council under the Local Government Act
	The individuals holding the office of a member of Kingston City Council The Chief Executive Officer and staff of Council appointed by the Chief Executive Officer
Council Orders	An authoritative direction or instruction of Council. In the context of this document it relates to an instruction issued and enforceable under the *Domestic Animals Act 1994.*
Leash	A lead, piece or rope, chain, etc. affixed to an animal, especially to a dog at its collar when taking it for a walk.
Off-Leash Area	A designated area where dogs are allowed off-leash under full control of the owner. The site may be fenced, partially fenced or unfenced.
	A specialised area designed to enable activity and exercise for dogs that is fenced and is suitably embellished. Dogs are permitted off leash in these areas by a person that has effective control of the animal as stipulated by the relevant Council Order.
No Dog Area	Areas from which dogs are excluded for reasons of public health and/or safety. These areas are: school grounds; playgrounds; environmentally sensitive areas or any other area where dogs are specifically or indirectly prohibited by posted signs.
Owner	The person responsible for bringing the dog(s) into the public domain. This does not need to be the registered owner.
Public Place	As defined in the *Summary Offences Act 1966*

9 Appendices

Appendix 1 – Fenced Off-Leash Dog Park Design and Maintenance Principals
Appendix 2 – Dog Owner's Obligations
Appendix 3 – Dog Off Leash Areas
Appendix 4 – No Dog Areas
Appendix 5 - Commercial Activity in Off-Leash Areas

Appendix 1 - FENCED OFF-LEASH DOG PARK DESIGN AND MAINTENANCE PRINCIPALS

Size

The recommended minimum size for a fenced off leash dog park should be no less than 2000m^2

Advantages of larger sized dog parks include:
- Less wear and tear of ground surfaces
- Reduced overcrowding of dogs
- Less stressful for dogs
- Cater for more park usersProvides opportunities to create different activity zones within the dog park (eg- small dog section and large dog section)

Disadvantages of larger size dog parks include:
- Increased costs for core infrastructure (e.g. perimeter fencing, ground surfaces)
- Increased maintenance required
- High visitation
- Greater demands on parking
- Traffic issues in surrounding streets
- Generation of community resistance by using significant sections of open space.

Advantages of smaller sized dog parks include:
- Provide a local community focus
- Provide off-leash opportunities in urban environments
- Cost less to construct

Disadvantages of smaller sized dog parks include:
- Lead to overcrowding and potential dog to dog conflict
- Often overused, leading to deterioration of ground surfaces
- High input of maintenance required
- Inattentive owner behaviour

Fencing Off-Leash Areas

Council has created fully fenced off-leash areas since 2012.

- Fully fenced dog off-leash areas can be located within larger open dog off-leash areas or the off-leash area may be fully contained within the fenced off area.
- Fencing is to be of an adequate height to prevent dogs exiting the area without their owners.
- Dogs are contained within these fully fenced dog off-leash areas and are not able to interfere with any other park users.
- A minimum of two entry/exit points are to be constructed.
- Prominent highly visible signage consistent with current corporate standards and branding requirements is to be placed at each entry point.

Some common problems associated with fenced dog off-leash areas:

- Is visually intrusive and costly to install and maintain.
- High levels of maintenance required
- High levels of wear and tear to the asset due to overuse and digging

- Inability to regular maintain the asset due to negative feedback when the dog park is closed for maintenance
- Can cause unnecessary barriers to movement within a park.
- Effectively designates certain sections of parks as exclusively for use of one group (dog owners).
- Can lead to dog owners taking a more casual approach when supervising their dogs as they assume a dog does not need to be as well trained or closely supervised in an enclosed space.
- Can cause access issues if an incident is to occur inside the fenced area.

Surface Materials

- Surface material choice impacts on the appearance, quality and experience at the dog park.
- A combination of surface materials should be used to ensure wear tolerance while minimising maintenance .
- All surface materials must be 'dog friendly', asphalt, concrete and synthetic surfaces are not suitable.
- Mulch, granitic toppings, sand, grass and bare earth are all suitable materials to be used when constructing a dog park.
- Materials should be selected to deter dogs from moving too fast within the park
- When selecting a surface material for a dog park, the intensity of use should be considered along with drainage, topography and maintenance requirements.

Plants/ Vegetation

Plants and vegetation add to the amenity of the park, but it is important to ensure that plants are non-toxic and non-irritating to dogs.
There are many plants that have seeds, stems, leaves, fruits or flowers that are irritating and/or toxic to dogs, these plants should not be used either inside or adjacent to a dog park.

Essential Amenities

- Fencing
- Drinking water
- Natural shade
- Seating
- Waste disposal bins and litter bags
- Signage
- Parking

Signage

Prominent highly visible signage consistent with current corporate standards and branding requirements is to be placed at each entry point. The minimum information to be provided includes:

- Standard Off-Leash Area use rules.
- Site specific use rules where applicable.
- Hours of operation where applicable.

Additionally, the following should be considered where relevant:

- 'Entering/leaving Off-Leash Area' at points surrounding unfenced Off-Leash Areas.
- 'Pathways are always on-leash' on high traffic paths with a potential for conflict.
- Way finding signage at various points throughout the open space network.

Parking

Parking will be dependent on availability at the host site. No Off-Leash Area specific parking will be provided however an assessment should be carried out to determine the impact any additional parking demand may have on existing facilities and surrounding areas (such as adjacent residential streets). Guidelines for parking provisions within open space will be identified in Council's Open Space strategy.

Optional Amenities

- Small dog zone & large dog zone- secluded areas within park
- Path network
- Lighting
- Irrigation & drainage
- Dog equipment
- Picnic tables

Appendix 2 – Dog Owner's Obligations

A dog may be exercised off a chain, cord or leash in a designated off leash area provided the owner:

- Carries a chain, cord or leash, sufficient to bring the dog under effective control if the dog behaves in a manner which threatens any person or animal;
- Remains in effective voice or hand control of the dog and within constant sight of the dog to be able to promptly place the dog on a chain, cord or leash if that becomes necessary;
- Does not allow the dog to worry, cause a nuisance or threaten any person or animal; and
- If exercising a dog on a permitted sportsground, dogs must clear the space or be placed on a leash once formal training or games commence.

Dangerous dogs, restricted breeds and greyhounds (excluding Greyhound Adoption Program dogs) are not permitted in Off-Leash Areas.

To assist in the management of Council's off-leash areas, the following rules apply to dog walkers:

- Dogs must only be off-leash in areas designated by Council.
- Dogs must not be let off-leash prior to entering a designated area.
- Dogs can be exercised off-leash only within these designated areas and must be put back on leash when they leave the sign-posted area.
- Dogs must be under effective control by voice command or hand signal at all times.
- Dogs off-leash must not be within 20 metres of the arena or ground of an organised sporting or practice event while the sportsground is actively being used for recreational purposes
- Dogs off-leash must not be within 20 metres of a children's playground at any time.
- Dogs off-leash must not be within 20 metres of a principal location of an organised public meeting or event.
- Dogs must be wearing a current registration tag at all times when they are outside their owner's property.
- Any droppings left by a dog must be cleaned up and disposed of properly.

Appendix 3 – Current Dog Off-Leash Areas

City of Kingston currently has 31 dog off-leash areas dispersed across the city. The locations in bold have fenced dog off-leash areas.

1. Amaroo Drive Reserve Chelsea Heights
2. Bald Hill Park Clayton South
3. Bicentennial Park Chelsea
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5. Browns Reserve Aspendale
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27. Southern Road Reserve Mentone
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29. Swallow Reserve Dingley Village
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31. Walter Galt Reserve Parkdale

Appendix 4 – No Dog Zones

City of Kingston currently has 2 gazetted/official no dog zones located in Mordialloc and 19 Tarella Road Chelsea.

No Dog Zone in Mordialloc
Dogs are prohibited from the foreshore reserve and Peter Scullin Reserve in the designated 'No Dog Zone'. This area is well signed between Mordialloc Creek, Beach Road to the Bay Street off-street car park in Mordialloc.

Tarella Road Reserve No Dog Zone
To safeguard and protect the native vegetation found on this block of land an Order was created to prevent access to this park by dogs.

Appendix 5 – Commercial Activity in Off-Leash Areas

Obedience Training and Dog Sitting Businesses

- Registered Domestic Animal Businesses must seek formal approval from Council to conduct sessions in off-leash areas.
- Granting of approval will be recorded.
- Evidence of approval must be provided to Council Officers on request.
- No more than 4 dogs are permitted to be exercised at the one time by the same business, this ensures adequate control and supervision is provided and user experience for general community users is not impacted.

Mobile Vendors

- No sale of products is to be carried out within an off-leash area.

9. Community Strengthening Reports

Ordinary Council Meeting

24 July 2023

Agenda Item No: 9.1

COMMUNITY GRANTS PROGRAM - FUNDING RECOMMENDATIONS FOR ANNUAL GRANTS, PARTNERSHIP GRANTS AND CHILDREN'S WEEK GRANTS 2023/24

Contact Officer: Kathryn Scarpella, Community Grants and Networks Officer

Purpose of Report

The purpose of this report is to present Council with the recommended funding allocations for the following Community Grant streams for 2023/24:

- Annual Grants
- Partnership Grants
- Children's Week Grants

Disclosure of Officer / Contractor Conflict of Interest

Council's Annual Grants Assessment Panel member Brad Lewis (Team Leader Bushland & Foreshore) declared a conflict of interest and removed himself from the decision-making process pertaining to the Echo Community Church grant application.

Pursuant to Chapter 5 of the Governance Rules, I Brad Lewis, declare that I have a general Conflict of Interest and have disclosed the conflict of interest to the Chief Executive Officer.

RECOMMENDATION

That Council:

1. Approve the Partnership Grants and Annual Grants funding allocations as recommended in Appendices 1 and 2 and note those not recommended for funding, as presented in Appendix 3.
2. Approve the transfer of identified Annual Grants recipients to Partnership Agreements as recommended in Appendix 4.
3. Note the late applications, as presented in Appendix 6 and consider accepting for assessment, by the Annual Grants Assessment Panel, the Anglican Parish of Longbeach – Winter Warmers. Should the Panels' recommendation be to fund the application, allocate $8,000 of Annual Grants funding.
4. Approve the special request made by Women's Spirit Project for $35,000 for 2023/24, as presented in Appendix 8.
5. Approve the special request made by Emerge Support for $29,440 for 2023/24 as presented in Appendix 9.
6. Approve an increase to Council's Community Grants total budget for 2023/24 by $60,525 to cover the additional allocation as requested by Women's Spirit Project and Emerge as outlined in section 3.5 of this report.
7. Approve the Children's Week Grant funding allocations as recommended in Appendix 7.

1. Executive Summary

The 2023/24 Community Grants Program attracted 133 eligible Annual Grant applications, 18 Children's Week Grant applications and delivers on the third and final year of 86 Partnership Grant agreements.

This report proposes the 2023/24 Annual Grants will fund 117 groups representing 37,064 members, including 23,497 Kingston residents. The current Partnership Grants are distributed to 86 groups representing 596,305 members, including 132,745 Kingston residents.

The funding recommendations of the 2023/24 Annual Grants applications, and the third-year allocation of Partnership Grant funds, are provided in Appendices 1–3.

Two special requests are presented for Council's consideration in Appendices 8 and 9.

The recommended funding allocation for the Children's Week Grants is presented in Appendix 7.

1.1 Budget Summary

Annual and Partnership grants

Council's approved budget for the allocation of Annual and Partnership Grants in 2023/24 is outlined in the table below.

2023/2024 Approved Budget		**Approval of Recommendations 1 - 3**		**Approval of Recommendations 1 - 6**	
Community Grant Category	*2023/2024 Approved Budget*	*2023/2024 Recommended Allocation*	*Variances*	*2023/2024 Recommended Allocation*	*Variances*
Partnership Grant Totals	$1,233,517	$1,225,160	$8,357 unallocated	$1,289,546	$56,029 overspent
Annual Grant Totals	$315,100	$319,596	$4,496 overspent	$319,596	$4,496 overspent
Community Grant Totals	**$1,548,617**	**$1,536,756**	**$3,861 unallocated**	**$1,609,142**	**$60,525 overspent**

Children's Week Grants

Eighteen applications were received for the Children's Week Grants with 17 being recommended for full or partial funding, as presented in Appendix 7. The budget for the Children's Week Grants is $10,000 however the total amount of recommended funding to allocate is $10,968, an overspend of $968. This can be absorbed within the department's operational budget.

2. Background

Council offers a range of opportunities for groups and individuals that service the municipality to apply for financial assistance by way of a Community Grant. This report relates to Council's Partnership Grants (three-year agreements), Annual Grants and Children's Week Grants. In addition to these grant streams, Council also offers grants through Arts, Kingston Charitable Fund, Cultural Diversity Meals, Individual Development, Irregular, Quick Response, and Student Awards grants. Council is currently undergoing a review of its entire Grants program with recommendations to be presented at the Council Meeting in August.

A summary of applications received and the recommended grant allocations across all Council Grants' programs for 2023/24 is provided in Appendix 5.

Partnership Grants
Partnership Grants provide secure and longer-term (three-year) funding support to community centres, neighbourhood houses, emergency services, social welfare organisations, seniors and multicultural groups to address organisational operational requirements and includes festivals and events components.

The current Partnership Grant agreements commenced in 2021/22 and were endorsed at the Council Meeting on 26 July 2021. This is the third and final year of the current allocations.

In line with Council's 2021-2025 Community Grants Policy, Partnership Grants are subject to an annual adjustment of 3%. Based on the three-year agreements and 3% increase, Appendix 1 outlines the recommended funding allocation for 2023/24.

Annual Grants
Annual Grants are competitive grants, designed to provide funding for one-off activities that have municipal significance. The maximum funding available for an Annual Grant is $10,000 per application. A maximum limit of $2,000 per application is available for the purchase of equipment; a maximum of $5,000 per application is available for minor capital works. For minor capital works, groups are required to match the funds provided.

Children's Week Grants
Children's Week grants assist not-for-profit community groups and organisations to deliver a one-off activity or event that celebrates Children's Week in October each year. The maximum amount available per group is $1,000 with a $10,000 budget.

Funding Agreements & Acquittal Obligations
All successful grant recipients sign funding agreements that require them to submit budget acquittals by the end of the financial year. They are also required to submit a signed letter from their treasurer acknowledging funds spent in line with the funding agreement and a report outlining their delivered activities. Additionally, groups and organisations that receive larger funding amounts are required to submit milestone progress reports. Council will not release any further funding to any groups or organisations until the required reports and acquittals have been provided to Council.

2.1 Community Grant Promotion

Applications for the 2023/24 Community Grants program (Annual, Arts and Local Makers and Creative Businesses Grants and Children's Week) were open from 30 January until 30 March 2023.

The grants were promoted in numerous ways, including:

- Kingston Your City
- Council's website
- Social media including Council digital information notice boards at Libraries and hubs, and Facebook/Instagram advertising
- Emails to all groups who applied for grants from the previous three years
- Mail out to all organisations on Council's Inclusive Communities database
- Mail out to organisations who expressed a wish to be on a mailing list
- Media releases
- Public notices in local newspapers

- An Annual Grants information session was held for potential applicants in mid-February, which was attended by 25 people.

2.2 Annual Grant Process

Annual Grants applications can be made online or via hard copy, which is entered into the online system by Council officers. Council offers in-person and telephone assistance to those who have difficulties with the online application process. Details of support provided to Annual Grant applicants are listed below:

- 75 applicants contacted Council during the application process
- 33 were contacted after the applications closed to seek further information
- 14 groups received one-on-one support requiring Council to upload their application
- Additional onsite support was provided at network meetings

The 2023/24 Community Grants Program attracted 133 eligible Annual Grant applications. All applications were reviewed by Council officers to ensure eligibility against the funding guidelines.

Eligible grant applications were assessed by the internal Annual Grants Assessment Panel in late April 2023.

Priority is given to applications that respond to identified community needs and align with Council's strategic direction.

Annual Grants for seniors' and multicultural groups' social activities
Council recognises the differing needs of a large number of Kingston's seniors and multicultural groups, as well as the community benefit they provide. As such, Council offers non-competitive Annual Grants to these groups to support social inclusion initiatives.

To ensure equity of funding to seniors and multicultural groups, Council's approved funding formula as listed in the table below was applied to eligible applications. This formula is based on the number of Kingston residents participating in each of the multicultural/senior groups and provides a series of thresholds for grants.

Nos. of groups using the Funding Formula for seniors and multicultural groups

No. of Kingston residents	Funding level	Current No. of groups
0 - 50	$900	20
51 - 100	$1,200	10
101+	$1,500	12

2.3 Children's Week Grant Process

The 2023/24 Children's Week's Grants Program attracted 18 eligible Children's Week Grants applications. All applications were reviewed by Council officers to ensure eligibility against the funding guidelines.

Eligible grant applications were assessed by an internal Children's Week Assessment Panel in early June 2023.

Priority is given to applications that maximize community participation, celebrate children's ability to enjoy childhood and prioritise inclusive outcomes and innovation. Seventeen applications are being recommended for full or partial funding as presented in Appendix 7. One application is not recommended for funding as it was not for a one-off activity or event that celebrates Children's Week.

3. Annual Grants Discussion

3.1 Recommended for Funding

The 2023/24 Community Grants Program attracted 133 eligible Annual Grant applications. All applications were reviewed by Council officers to ensure eligibility against the funding guidelines.

Eligible grant applications were assessed by the internal Annual Grants Assessment Panel in late April 2023.

There are 117 applications recommended for funding, as presented in Appendix 2 and one late grant application that is awaiting assessment by the Assessment Panel, pending Council approval.

3.2 Not Recommended for Funding

Fifteen groups were assessed and not recommended for funding for a variety of reasons such as inadequate planning, organisations based outside of Kingston, adequate resources of their own, low level of community benefit, no quotes, insufficient information on finances and budgets, or the group received another grant such as the Kingston Charitable Fund for similar/same project (as presented at Appendix 3).

3.3 Transfer of Community Groups from Annual to Partnership Grants

Three multicultural and senior's groups qualify under the Community Grants Policy to transition to Partnership Grants as they have completed three years of consecutive Annual Grants. This would increase the Partnership Grant allocation by $2,700 (Appendix 4), which can be allocated within the surplus of the approved 2023/24 Partnerships Grants Program Budget.

3.4 Late applications

Council received requests from two community groups seeking extensions to submit their application after the closing date (as presented in Appendix 6). One application was received prior to the meeting of the Annual Grants Assessment Panel and was included in the review and recommendation process. The Panel did not recommend funding based on applicant history and lack of benefit to the broader Kingston community.

The second application was received after Panel deliberations. In line with Council's Community Grants Policy, late applications will not be considered unless Council approval has been granted.

Pending Council's approval to accept and consider the late application, it will be assessed by the Annual Grants Assessment Panel. If the Annual Grants Assessment Panel recommend funding, the grant can be funded within the approved 2023/24 Community Grants Program Total Budget (see the green section of 1.1 Budget Summary).

3.5 Special Requests

Current practice is that if out-of-cycle requests for funding are made, they are presented to Council for their consideration. Two special requests were made, as detailed below. If approved by Council and the Officer recommendation followed, the below special requests will result in an overspend of the Approved 2023/24 Community Grants Program total budget of $60,525. The budget implications of granting these requests are noted in the orange section of 1.1 Budget Summary.

3.5.1 Women's Spirit Project (WSP) proposal to receive Partnership Grant funding

WSP is requesting $70,000 over two years (2023/24 and 2024/25) to fund a portion of the cost of three integrated wellbeing programs for women in the community. The project proposes to work in partnership with Frankston, Mornington Peninsula and Kingston Councils to provide community engagement and support for women who are impacted by trauma. Within Kingston, the WSP is working closely with Patterson Lakes Recreation Club to increase participation in fitness, health and wellbeing activities. They work closely with women struggling with mental health, family violence, homelessness, self-harm and alcoholism, which is currently on the rise in Kingston. The proposal is presented in Appendix 8.

If Council resolve to support this funding request, given the current Partnership Grants conclude in June 2024, Officers propose partial funding of $35,000 for 2023/24. Pending the outcomes of the community grants review, they may have the opportunity to apply next year for further funding.

This request cannot be accommodated within the Community Grants Program's total budget. If approved, an increase to the Community Grants Program's total budget would also have to be approved.

3.5.2 Emerge proposal for Partnership Grant funding

Emerge received a three-year Partnership Grant from Council from 2018-2021 totalling $182,075 for the 'Little Sparkz to Bright Minds' program, which was approved at the Council Meeting in July 2018.

Emerge is now requesting $29,440 per annum to part fund 'Create and Relate: Healing from Family Violence Through Art, Play and Safe Relationships' consisting of their Scribble and Play and Create to Heal Women's Groups. The proposal is presented in Appendix 9.

If Council resolve to support this funding request, given the current partnership Grants concluded in June 2024, Officers propose one year of funding of $29,440 for 2023/24. Pending the outcomes of the community grants review, they may have the opportunity to apply next year for further funding.

This request cannot be accommodated within the Community Grants Program's total budget. If approved, an increase to the Community Grants Program's total budget would also have to be approved.

3.6 Community Grants Review

Council is in the process of reviewing its Community Grants program, to ensure the community grants program:

- is administered in an efficient and accountable way;

- manages risk to Council;
- ensures funding allocations are equitable for the community;
- meets Council's strategic objectives; and
- provides value to the community.

The outcomes of the review and proposed model will be presented to Council in August 2023. A further public comment period is then proposed with the final model presented for Council's consideration in October 2023.

4. Consultation

4.1 Internal Consultation:

Annual Grant Applications

An internal staff Annual Grant Assessment Panel was formed to assess the Annual Grant applications in accordance with Council's Community Grants Policy: The following departments were represented by the following staff:

- Gillian Turnbull, Coordinator Community Capacity, Inclusive Communities
- Kath Scarpella, Community Grants & Networks Officer, Inclusive Communities
- Kirsten Palfrey, Team Leader Community Hubs, Inclusive Communities
- Jane Yang, Volunteer Development Officer, Inclusive Communities
- Michael Major, Property Coordinator, Property Services
- Antoinette Cesario, Administration Officer, Property Services
- Cat Kimber, Children's Services Partnerships Coordinator, Youth & Children's Services
- Brad Lewis, Team Leader Bushland & Foreshore, Open Space
- Paul Rogasch, Sport & Recreation Liaison Officer, Active Kingston
- Hailey Ruland, Service Officer, Arts Events & Libraries
- Debbie Wilson, Administration Assistant, Strategic Planning, City Strategy

Children Week Grant Application

The Children's Week Grants were assessed by:

- Mark Patterson, Manager Family, Youth and Children's Services
- Donna Feore, Team Leaders Children's Services Partnerships
- Catherine Kimber, Children's Services Partnerships Coordinator
- Janet Young, Maternal & Child Health & Immunisation Coordinator
- Sarah Atkins, Team Leader Early Years & School Age Care

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.
Strategy: Support community education, lifelong learning and creativity

Council's Community Grants align with multiple Council Plan strategic directions by funding activities that promote social connection, contribute to community education and skills, provide crisis relief support, and more.

5.2 Governance Principles Alignment

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

This report provides transparency of Council decision-making processes for the allocation of Council's Community Grant funds.

5.3 Financial Considerations

Budget

The current Partnership Grant allocations commenced in 2021/22 and were determined at the Council Meeting on 26 July 2021. 2023/24 is the third and final year of the current allocations. In line with Council's 2021-2025 Community Grants Policy, Partnership Grants are subject to an annual adjustment of 3%. The 2023/24 Partnership Grant recommendations reflect the 3% increase in costs for 2023/24.

Recommendations 1 – 3 are within the approved 2023/24 Community Grants Program Total Budget.

Recommendations 4 – 6 relating to special requests from Women's Spirit Project and Emerge Women's Support Service (item 3.4), if approved, subsequent approval for an additional $60,525 is sought for 2023/24.

Recommendation 7 – are within the Children's Week Grant budget and overspend can be absorbed within the departmental operating budget.

2023/2024 Approved Budget		**Approval of Recommendations 1 - 3**		**Approval of Recommendations 1 - 6**	
Community Grant Category	*2023/2024 Approved Budget*	*2023/2024 Recommended Allocation*	*Variances*	*2023/2024 Recommended Allocation*	*Variances*
Partnership Grant Totals	$1,233,517	$1,225,160	$8,357 unallocated	$1,289,546	$56,029 overspent
Annual Grant Totals	$315,100	$319,596	$4,496 overspent	$319,596	$4,496 overspent
Community Grant Totals	**$1,548,617**	**$1,536,756**	**$3,861 unallocated**	**$1,609,142**	**$60,525 overspent**

Staff Resources

Council's Annual and Partnership Grant program and the Children's Week Grants are administered within existing staff resources.

5.4 Risk considerations

Council's Community Grants and Networks Officer has reviewed all Annual Grant applications and Partnership Grant special requests against the eligibility requirements set out in Council's Community Grants Policy. Additionally, the Annual Grants Assessment Panel has assessed all the Annual Grant applications against the assessment criteria stated in the Community Grants Policy. These processes aim to reduce any associated risk to Council in administering Community Grants.

Council is currently undertaking a review of all Council Grants streams which will identify any further risks associated with Council's administration of grants and make recommendations to mitigate them.

Appendices

Appendix 1 - Partnership Grant - Recommended Funding (Ref 23/7695)
Appendix 2 - Annual Grants - Recommended Funding Allocations (Ref 23/125620)
Appendix 3 - Annual Grants - Not Recommended (Ref 23/126113)
Appendix 4 - Transfers from Annual to Partnership Grant (Ref 23/126334)
Appendix 5 - All Grant Applications (Ref 23/138566)
Appendix 6 - Annual Grants - Late Applications (Ref 23/138608)
Appendix 7 - Children's Week Grants - Recommended Funding (Ref 23/171271)
Appendix 8 - Women's Spirit Project - Proposal for Partnership Funding (Ref 23/126218)
Appendix 9 - Emerge - Proposal for Partnership Funding (Ref 23/138624)

Author/s:	Kathryn Scarpella, Community Grants and Networks Officer
Reviewed and Approved By:	Gillian Turnbull, Coordinator Community Capacity
	Claire Tietze, Acting Team Leader Community Capacity and Partnerships
	Kate Waters, Acting General Manager Community Strengthening
	Sally Jones, General Manager Community Strengthening

9.1

COMMUNITY GRANTS PROGRAM - FUNDING RECOMMENDATIONS FOR ANNUAL GRANTS, PARTNERSHIP GRANTS AND CHILDREN'S WEEK GRANTS 2023/24

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Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Community Centres and Neighbourhood Houses					
Aspendale Gardens Community Service Inc.	Operational support	$68,563.77	$70,620.68	$72,739.30	
Chelsea Heights Community Centre	Operational support	$68,563.77	$70,620.68	$72,739.30	
Cheltenham Community Centre	Operational support	$92,444.81	$95,218.15	$98,074.69	
Dingley Village Neighbourhood Centre Inc.	Operational support	$68,563.77	$70,620.68	$72,739.30	
Longbeach Place Inc.	Operational support	$68,563.77	$70,620.68	$72,739.30	
Mordialloc Community Centre	Operational support	$68,563.77	$70,620.68	$72,739.30	
Mordialloc Neighbourhood House	Operational support	$68,563.77	$70,620.68	$72,739.30	
Sub-Total Community Centres and Neighbourhood Houses		$503,827.43	$518,942.23	$534,510.49	
Festivals and Events					
Hellenic Community of Moorabbin	Annual Greek Carnival	$11,592.74	$11,592.74	$11,592.74	No CPI added to Festivals and Events
Mordialloc Brass Band Inc. (MOJO)	Big Band Sunset Festival	$13,644.74	$13,644.74	$13,644.74	No CPI added to Festivals and Events

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Parkdale Gift (Beachside Gift)	Parkale Gift & Beachside Gift		$20,000.00	$20,000.00	Approved in Grants Council report 2022/23 No CPI added to Festivals and Events
Sub-Total Events		$25,237.48	$45,237.48	$45,237.48	
Community Welfare Service Organisations					
Bayside Community Information and Support Services (BayCISS)	Operational support	$33,823.95	$34,838.67	$35,883.83	
Chelsea Community Support Services Inc.	Operational support	$99,320.07	$102,299.67	$105,368.66	
Churches of Christ Community Care	Operational support		$10,000.00	$10,300.00	
Family Life Ltd	Operational support	$56,722.12	$58,423.78	$60,176.49	
Make A Difference Dingley Village Inc.	Operational support	$30,251.87	$31,159.43	$32,094.21	
Mentone Community Assistance & Information Bureau Inc.	Operational support	$36,302.18	$53,304.76	$54,903.90	Additional funding of $15,000 approved in 2020-2021

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Pantry 5000	Operational support	$25,148.59	$36,203.05	$37,289.14	Additional funding of $10,000 approved from $15,000 in 2021-2022 & additional $10,000 NOM +3% approved 2022/23
Peninsula Community Legal Centre	Operational support	$40,839.92	$42,065.12	$43,327.07	
South East Community Links	Operational support	$18,150.93	$18,695.46	$19,256.32	
St Vincent de Paul Society - Aspendale Conference	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - Clayton South Conference	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - East Parkdale Conference	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - Mentone	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - Moorabbin/Bentleigh Conference	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - Mordialloc	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - Our Lady of the Assumption Conference, Cheltenham	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
St Vincent de Paul Society - St Joseph's Chelsea Conference	To provide financial assistance to disadvantaged residents	$930.25	$958.16	$986.90	
Sub-total Community Welfare Service Organisations		$348,001.63	$394,655.22	$406,494.82	

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Community Interest Organisations					
Australian Wildlife Assistance and Rescue Education (AWARE)	Operational Support	$3,376.53	$3,477.83	$3,582.16	
Chelsea Historical Society	Operational support	$3,278.18	$3,376.53	$3,477.83	
Dingley Village Historical Society	Operational Support	$3,278.18	$3,376.53	$3,477.83	
Eisteddfod by the Bay	Operational support	$25,412.08	$26,174.44	$26,959.67	
Golden Days Radio	Operational support	$5,000.00	$5,150.00	$5,304.50	Special report to Council Feb 2022
Mordialloc Historical Society	Operational support	$3,278.18	$3,376.53	$3,477.93	
South Oakleigh Wildlife Shelter	Operational support	$3,376.53	$3,477.83	$3,582.16	
Southern Community Broadcasters Inc	Operational support		$5,000.00	$5,150.00	Request for PG August 2022 approved Council report 2022/23 FY
Vital Volunteers	Operational support	$3,376.53	$3,477.83	$3,582.16	
Sub-total Community Interest Organisations		$50,376.21	$56,887.52	$58,594.24	

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Brass Bands					
Chelsea Concert Band	Program costs	$10,039.82	$10,341.02	$10,651.25	
Mordialloc Brass Band Inc.	Program costs	$10,039.82	$10,341.02	$10,651.25	
Southern Area Concert Band Inc.	Program costs	$10,039.82	$10,341.02	$10,651.25	
Sub-total Brass Bands		$30,119.46	$31,023.06	$31,953.75	
VicSES					
Victoria State Emergency Service - Chelsea Unit	24 hour emergency service to the City of Kingston	$50,853.26	$52,378.86	$53,950.23	
Victoria State Emergency Service - Moorabbin Unit	24 hour emergency service to the City of Kingston	$25,714.01	$26,485.43	$27,279.99	
Sub-total VicSES		$76,567.27	$78,864.29	$81,230.22	
Multicultural and Seniors Groups					
Anglo-Indian Australasian Association of Vic. Inc.	Senior Citizens Social Support	$1,639.09	$1,688.26	$1,738.91	

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Archangel Michael Senior Social Club Oakleigh	Senior Citizens Social Support	Annual Grant	$900.00	$927.00	Transfer from Annual Grant 2022/23 to PG
Argos and District Australian Greek Seniors Citizen Club of Kastoria	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Associazione Pensionati Laziali di Monash Inc	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Australia Greek Elderly Citizens Club of Mentone	Senior Citizens Social Support	$900.00	$927.00	$954.81	
Avellino Circolo Pensioners of Springvale Inc.	Senior Citizens Social Support	$1,043.34	$1,074.64	$1,106.88	
Carrum Community Activity Centre Inc.	Senior Citizens Social Support	$5,304.50	$5,463.64	$5,627.55	
Chu Chu Vietmanese Elderly Group	Senior Citizens Social Support	Annual Grant	$900.00	$927.00	Transferred from Annual Grant 2022/23 to PG
Circolo Pensionati Campani Italiano Di Clayton	Senior Citizens Social Support	$1,043.34	$1,074.64	$1,106.88	
Circolo Pensionati Italiani Di Bentleigh Inc.	Senior Citizens Social Support	$1,688.26	$1,738.91	$1,791.08	
Circolo Pensionati Italiani di Oakleigh e Clayton Inc.	Senior Citizens Social Support	$983.45	$1,012.95	$1,043.34	
Clarinda & District Greek Senior Citizens Club	Senior Citizens Social Support	Annual Grant	$900.00	$927.00	Transfer from Annual Grant 2022/23 to PG
Clarinda Senior Social Club	Senior Citizens Social Support	$1,500.00	$1,545.00	$1,591.35	
Cosenza Seniors Citizens of Kingston Inc.	Senior Citizens Social Support	$1,200.00	$1,236.00	$1,273.08	Transfer from Annual Grant 2021/22 to PG

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Croatian Senior Citizens Group of Keysborough	Senior Citizens Social Support	$1,311.27	$1,350.61	$1,391.13	
Ethnic Discussion Club	Senior Citizens Social Support	$1,043.34	$1,074.64	$1,106.88	
Greek Elderly Citizens of Clayton and Districts Inc.	Senior Citizens Social Support	$1,432.86	$1,475.85	$1,520.13	
Greek Orthodox Community of Monash and Districts	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Greek Senior Citizens Group of Moorabbin	Senior Citizens Social Support	$1,432.86	$1,475.85	$1,520.13	
Greek Senior Citizens of Southern Eastern Regions and Districts	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Greek Seniors and Pensioners Association of Clayton and District Inc.	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Greek Women's Senior Citizens Club of McKinnon "Rhea"	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Hellenic Community of the City of Moorabbin	Senior Citizens Social Support	$1,791.09	$1,844.82	$1,900.16	
Independent Hellenic Seniors Citizens Association of Clayton and Districts	Senior Citizens Social Support	$1,432.86	$1,475.85	$1,520.13	
Italian Senior Citizens Group of Moorabbin Inc	Senior Citizens Social Support	$1,350.61	$1,391.13	$1,432.86	
Italian Social Club of Moorabbin	Senior Citizens Social Support	Annual Grant	$1,200.00	$1,236.00	Transfer from Annual Grant 2022/23 to PG
Kingston Chinese Senior Citizens Club Inc.	Senior Citizens Social Support	$1,791.09	$1,844.82	$1,900.16	

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Kondia Limnos Senior Citizens Club	Senior Citizens Social Support	$1,074.64	$1,106.88	$1,140.09	
Ladies Probus Club of Cheltenham	Senior Citizens Social Support	Annual Grant	$900.00	$927.00	Transfer from Annual Grant 2022/23 to PG
Ladies Probus Club of Kingston Heath	Senior Citizens Social Support	Annual Grant	$900.00	$927.00	Transfer from Annual Grant 2022/23 to PG
Lemnian Community of Victoria Limited	Senior Citizens Social Support	$1,432.86	$1,475.85	$1,520.13	
Maltese La Vallette Association Inc	Senior Citizens Social Support	$1,012.95			Disbanded 2022
Melbourne Shwetamber Jain Sangh Inc	Senior Citizens Social Support	$1,500.00	$1,545.00	$1,591.35	Transfer from Annual Grant 2021/22 to PG
Multicultural Natures Guide	Senior Citizens Social Support	$1,125.51	$1,159.28	$1,194.06	
MultiCultural Senior Citizens Group of Kingston & Surrounds Region	Senior Citizens Social Support	$1,500.00	$1,545.00	$1,591.35	
Mythri Social and Cultural Association Inc.	Senior Citizens Social Support	$1,639.09	$1,688.26	$1,738.91	
Pilipino Elderly Association of South East Region	Senior Citizens Social Support	$1,791.09	$1,844.82	$1,900.16	
Probus Club of Dingley Central	Senior Citizens Social Support	Annual Grant	$1,500.00	$1,545.00	Transfer from Annual Grant 2022/23 to PG
Ryan Group (Not paid 2022/23 as no invoice/or acquittal provided from 2021/22)	Senior Citizens Social Support	$1,639.09	$0.00	$1,738.91	Not paid 2022/23 as no invoice or acquittal provided
Senior Citizens Freccia Azzurra Inc	Senior Citizens Social Support	$1,688.26	$1,738.91	$1,791.08	

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Shalom Association	Senior Citizens Social Support	$1,391.13	$1,432.86	$1,475.85	
Spanish Speaking Senior Club Of Clayton	Senior Citizens Social Support	$1,043.34	$1,074.64	$1,106.88	
St. Andrew's Parish Friendship Group.	Senior Citizens Social Support	$1,043.34	$1,074.64	$1,106.88	
United Filipino Elderly Association Inc (UFEA)	Senior Citizens Social Support	$1,200.00	$1,236.00	$1,273.08	Transfer from Annual Grant 2021/22 to PG
Victoria Malayalee Seniors Association Inc.	Vishu celebration; Onam celebration (Festival of Kerala) seniors week celebration	$1,391.13	$1,432.86	$1,475.85	
Victorian Association of World War 2 Veterans from ex- Soviet Union	Senior Citizens Social Support	$954.81	$983.45	$1,012.95	
Sub-Total Multicultural and Seniors Group		$54,763.04	$60,874.34	$64,439.53	
Sub-Total Community Centres and Neighbourhood Houses		$503,827.43	$518,942.23	$534,510.49	
Sub-Total Festivals and Events		$25,237.48	$45,237.48	$45,237.48	
Sub-total Community Welfare Service Organisations		$348,001.63	$394,655.22	$406,494.82	
Sub-total Community Interest Organisations		$57,876.21	$64,387.52	$58,594.24	
Sub-total Brass Bands		$30,119.46	$31,023.06	$31,953.75	

Appendix 1 - Partnerships Grants Funding recommendations 2023-2024				HPE CM 23/7695	
Organisation for Partnership Grants	**Activity Description**	**Amount Approved 2021-2022**	**Amount Approved 2022-2023**	**Amount Recommended 2023-2024**	**Comments**
Sub-total VicSES		$76,567.27	$78,864.29	$81,230.22	
Sub-Total Multicultural and Seniors Group		$50,863.04	$55,362.60	$64,439.53	
Partnerships Grants Total		$1,092,492.52	$1,188,472.40	$1,222,460.53	

Transfer from Annual Grant

Disbanded Club

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024	HPE 23/125620		
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
1st Chelsea Heights Scout Group	Scout Hall Equipment	$2,000.00	$0.00
4th Mordialloc Sea Scouts	Sailing Dinghy's & Trailer	$10,000.00	$2,000.00
Acacia Avenue Preschool	Playground Equipment	$2,000.00	$2,000.00
Aspendale Beach Patrol	Beach Patrol Promotional Materials	$1,996.00	$1,996.00
Aspendale Gardens Community Service	Playground Equipment	$1,917.00	$1,917.00
Aspendale Lifesaving Swimming & Youth Club	Advanced Competition Training for Nippers	$3,000.00	$1,650.00
Aspendale Playgroups	Fencing	$2,782.00	$2,782.00
Aspendale Seniors Citizens Inc	New Chairs	$2,000.00	$2,000.00
Aspendale Soccer Club	Storage Shelves & Balls	$2,000.00	$2,000.00
Australian Skateboarding Federation	Kingston Learn to Skate	$4,200.00	$2,000.00
Bayside United FC	Playing Equipment	$2,000.00	$2,000.00
BBQ Boys Care Group	Regular Social Activities	$900.00	$900.00
Bentleigh Calisthenics College Inc	Fit out new studio	$5,000.00	$3,000.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024 HPE 23/125620			
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Better Place Australia	Ageing Safely	$9,700.66	$4,400.00
Bonbeach Cricket Club	Sportsperson Evening	$10,000.00	$5,000.00
Bonbeach Football Netball Club	Reconciliation Round celebration/equipment	$3,600.00	$2,000.00
Bonbeach Sports Club	Defibrillator & Course	$5,950.00	$2,000.00
Breath Circle (auspiced by Fitzroy Learning)	Mindful Breath & Movement Program for Mental Health Support	$10,000.00	$0.00
C Care Inc	10 Months Food Security	$10,000.00	$5,000.00
Carrum Patterson Lakes Junior Football Club	First Aid Training for Safer Participation	$3,000.00	$3,000.00
Carrum Surf Life Saving Club	Expand Admin Capacity (Laptop)	$1,517.00	$1,517.00
Chabad House of Dingley	Chanukah - Festival of Light	$7,500.00	$7,500.00
Chelsea & District Historical Society	Publication 2 History Books	$3,000.00	$0.00
Chelsea & District Inter-Church Council	Community Christmas Carols	$500.00	$500.00
Chelsea Calisthenics Club	100th Year Anniversary Booklet	$1,500.00	$750.00
Chelsea FC (Soccer) Football Club	Additional Training Equipment	$2,000.00	$2,000.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024	HPE 23/125620		
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Chelsea Football Club	Purchase of POS Terminal for Canteen	$1,500.00	$1,500.00
Chelsea Heights Community Centre	Centre Equipment	$2,000.00	$2,000.00
Chelsea Occasional Child Care Centre (COCC)	Room Dividers with Storage & Equipment	$2,000.00	$0.00
Chelsea Probus Club	Regular Social Activities	$900.00	$900.00
Cheltenham Community Centre	Air Conditioners for community	$4,850.00	$4,850.00
Cheltenham Junior Football Club	Replace Old Uniforms	$10,000.00	$2,000.00
Cheltenham Panthers Netball Club	Uniforms & Equipment	$2,000.00	$2,000.00
Chinese International Cheongsam Association of Australia Inc	Mid Autumn Moon Festival	$5,000.00	$1,500.00
Christian Resource Care	Emergency Relief Provisions	$9,000.00	$9,000.00
Clarinda Tennis Club	Pedestrian Carpark Safety Barrier	$1,650.00	$1,650.00
Country Women's Association of Mentone	Equipment Cooking/Craft/Gardening	$1,500.00	$1,500.00
Cyprian Community of Southern Suburbs of Melbourne Senior Citizens Club	Regular Social Activities	$1,200.00	$1,200.00
Dingley Kindergartens	Blinds Around the Sandpit	$2,015.00	$2,015.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024 HPE 23/125620			
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Dingley Village Men's Shed	Shed Music in Braeside Park	$2,000.00	$2,000.00
Dingley Village Senior Citizens Club Inc	Regular Social Activities	$900.00	$900.00
Echo Community	Hamper & Support Program	$10,000.00	$0.00
Edithvale Aspendale Junior Football Club	Top up Footballs	$2,000.00	$2,000.00
Edithvale Aspendale Netball Club	New Equipment for Training & Games	$1,988.00	$1,988.00
Edithvale Life Saving Club	Training Equipment	$2,000.00	$2,000.00
El Hokamma Senior Citizens Group	Regular Social Activities	$900.00	$900.00
Elonera Preschool Association	Install new 13kw Solar Power	$5,000.00	$5,000.00
Farm Road Preschool	Yarning Circle	$2,552.00	$2,552.00
Filipino Australian Seniors Association	Regular Social Activities	$2,000.00	$1,200.00
Friendship Australian Egyptian Association	Regular Social Activities	$5,000.00	$1,500.00
Guruji ka Darbar	Equipment and Works	$13,000.00	$0.00
H Shipston Senior Citizens Club	Regular Social Activities	$900.00	$900.00
Heatherton Cricket Club	Cricket Balls	$2,000.00	$1,000.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024	HPE 23/125620		
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Heatherton Football Netball Club	New Playing Jumpers	$2,000.00	$1,000.00
Henan Province Hometown Association of Australia	Mid Autumn Moon Festival	$8,500.00	$1,500.00
Highett Football Netball Club - Juniors	Hosting Free Community Football	$2,000.00	$1,000.00
Inclusion Melbourne	Community Inclusion for Non NDIS eligible people with cognitive disability	$10,000.00	$0.00
Kingston Hawthorn Cricket Club	Cabinet to display historical items	$4,050.00	$4,050.00
Kingston Indian Senior Citizens Association	Plates & Cutlery Purchase	$1,300.00	$1,300.00
Kingston Toy Library	Replacement of Old Toys	$2,000.00	$1,500.00
Kingston University of the Third Age	Choir & Musical Activities	$699.00	$699.00
Kingston Billiards Senior Citizens Inc	Regular Social Activities	$2,000.00	$900.00
L'Chaim Chabad Inc	Chanukah at the Foreshore	$10,000.00	$8,000.00
Laneway Learning	Queer Social Moorabbin	$9,750.00	$9,750.00
Lighthouse Foundation	Preventing Youth Homelessness	$10,000.00	$0.00
Lions Club of Mordialloc Mentone	Lions Op Shop Security Upgrade	$5,000.00	$5,000.00
Livingston Kindergarten	Social and Wellbeing Gathering	$1,590.00	$750.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024	HPE 23/125620		
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Longbeach Place Inc	Women's Health & Wellbeing Event	$9,510.00	$7,610.00
Make A Difference Dingley Village Inc	First Port of Call for Help	$10,000.00	$5,000.00
Marine Mammal Foundation	Marine Litter Project	$5,040.00	$5,040.00
Matt's Place Community Care	Matt's Place Community Meal Program	$8,000.00	$8,000.00
Mentone & St Bedes OC AFC	Sports Equipment	$2,000.00	$2,000.00
Mentone Community Assistance & Information Bureau	Christmas Assistance Program	$6,000.00	$6,000.00
Mentone Community Garden Club Inc	New Fence and Entrance Gate	$5,000.00	$5,000.00
Mentone Life Saving Club Inc	Provision of Public Accessible AED	$1,985.00	$0.00
Mentone Mustangs Basketball Club	Junior Basketball Equipment Kits	$1,850.00	$1,850.00
Mentone Pre-School	ICT Equipment	$2,000.00	$2,000.00
Mentone Public Library	Writer Support Programs	$10,000.00	$3,500.00
Mentone Soccer Club	Juniors equipment - uniforms & balls	$2,000.00	$2,000.00
MLOC Productions Inc	Musical Theatre Productions	$10,000.00	$6,300.00
Moorabbin Area Toy Library	Active Play Toys	$2,000.00	$1,000.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024	HPE 23/125620		
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Moorabbin Dandenong Lutheran Church	AED Defibrillator	$2,000.00	$2,000.00
Mordialloc Bowls Club Inc	Rookie Roller Kids & Roller Backpacks & Laptop Computer	$2,000.00	$1,116.00
Mordialloc College Alumni Association Inc (MCAA)	Mordialloc College Centenary History Publication	$5,000.00	$1,500.00
Mordialloc Community Centre Inc	Active All Abilities Kids Program	$10,000.00	$5,000.00
Mordialloc Lapidary Club Inc	New Ceiling & Electrical	$5,000.00	$5,000.00
Mordialloc Men's Shed Inc.	Chair Yoga Program	$3,200.00	$3,200.00
Mordialloc Motor Yacht Club	Outdoor Umbrellas	$2,000.00	$2,000.00
Mordialloc Sailing Club Inc	Rowing Boat Trailer	$1,800.00	$1,600.00
Mordialloc Trader Association	Main Street Market & Fiesta	$9,033.00	$9,033.00
Mosaic Community Choir	Singing for Kingston	$2,000.00	$2,000.00
Music & The Brain Foundation Ltd	Establishment of Aphasia/Stroke Recovery Chair	$6,939.00	$6,939.00
NTTF Alumni Association of Victoria	Catchup 2024	$2,000.00	$1,500.00
Oakleigh Coptic Senior Social Club	Regular Social Activities	$900.00	$900.00
Omega Cricket Club	Marquee and Shade Cover	$2,000.00	$2,000.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024	HPE 23/125620		
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Open Russian Educational Hub (OREH SE)	Regular Social Activities	$1,000.00	$900.00
Parkdale Preschool Association	Wooden Blocks - equipment	$2,000.00	$2,000.00
Parkdale United Cricket Club	Junior Sporting Equipment	$1,589.00	$1,060.00
Parkdale Vultures Amateur Football Club	Uniforms	$2,000.00	$1,500.00
Parkdale Yacht Club	Training boat	$2,000.00	$2,000.00
Parkmore Pirates Cricket Club	Cricket Balls for 2023/24 season	$2,000.00	$0.00
Patterson Lakes Combined Probus Club	Bus Trip	$1,000.00	$1,000.00
Patterson Lakes Kindergarten	Toilet Cubicle Doors	$1,500.00	$750.00
Peninsula Dragonfly's Dragon Boat Club	Safety Coaching Boat	$2,000.00	$2,000.00
Peninsula Jazz Club	Regular Social Activities	$2,000.00	$1,200.00
Probus Club of Edithvale	Regular Social Activities	$1,200.00	$1,200.00
Probus Club of Parktone Inc	Regular Social Activities	$1,500.00	$1,200.00
Red Chamber Chinese Art Group Inc	Chinese Yue Opera Show "The Splendour of May"	$5,000.00	$0.00
Rotary Club of Mordialloc Inc	Gnome & Fairy Festival	$5,000.00	$5,000.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024 HPE 23/125620			
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Senior Citizens of Kingston La Baracca	Regular Social Activities	$2,000.00	$1,200.00
SKGA Incorporated	2023 SHMFA Spirit Harmony Multicultural Festival Australia	$9,975.00	$8,500.00
Smile Theatre Company Inc	Community Theatre Production	$3,000.00	$3,000.00
South East Community Links	Youth Leadership Program Year 6 Students Transition to Secondary Education - Westall	$10,000.00	$0.00
South Oakleigh Wildlife Shelter	A Walk on the Wildside	$7,000.00	$0.00
Southern Suburbs Orchid Society Inc	Promotion Items and Materials	$1,000.00	$300.00
Special Olympics Melbourne Southern Club	Tennis Venue Hire	$1,000.00	$1,000.00
Springvale Lions Baseball Club	Youth Baseball Program	$2,000.00	$880.00
St David's Parkdale Uniting Church	Chairs for Participants group events/funerals/meetings	$2,000.00	$1,809.00
St Kilda Football Club	SaintsPlay Centre - Moorabbin	$10,000.00	$2,000.00
St Bede's Hockey Club	Goalie Kit & Face Masks - equipment	$2,000.00	$2,000.00
St Josephs Care and Concern Group	Christmas Lunch	$1,000.00	$867.00
St Mary of the Cross Justice Action Group Mordialloc & Aspendale	Celebrating Diversity Picnic Day	$1,976.00	$1,976.00
STEM Incubators Inc	Community Stewardship for Young Australians	$8,000.00	$0.00

Appendix 2 - Annual Grants - Funding Recommendations 2023-2024		HPE 23/125620	
Group/organisation name	**Activity title**	**Amount Requested**	**Amount Recommended**
Team Sports 4 All	Help Kingston Kids Play Sport	$10,000.00	$0.00
The One Box Group Limited	Circle of Change - food boxes	$15,000.00	$9,650.00
The Trustee for the NCJW (Vic) Social Support Trust	Caring Mums (support)	$10,000.00	$2,500.00
Theatrical Incorporated	Community Workshops - Production Elements for Community Theatre	$10,000.00	$2,000.00
Valguarnera Italian Social Club	Regular Social Activities	$1,500.00	$1,500.00
Waterways Community Garden Inc	Garden Box and Equipment Replacement	$10,000.00	$2,000.00
Waterways Residents Association Inc	Waterways Community Festival 2023	$10,000.00	$1,800.00
Westall Social Tennis Club Inc	Tennis Equipment for Injury Prevention	$2,000.00	$2,000.00
Zee Cheng Khor Moral Uplifting Society Inc.	Open Door, Open Mind, Open Heart Program	$5,000.00	$5,000.00
Total		$477,827.66	$314,296.00

Withdrawn application

Appendix 3 - Community Grants Program - Annual Grants - 2023-2024 - Not Recommended HPE CM 23/126113			
Group/organisation name	Activity title	Amount requested	Amount recommended
1st Chelsea Heights Scout Group	Cooking Equipment for Scout Hall	$2,000.00	$0.00
Breath Circle	Mindful Breath & Movement for Mental Health	$10,000.00	$0.00
Chelsea & District Historical Society	Publication of Two History Books	$3,000.00	$0.00
Chelsea Occasional Child Care Centre	Room Dividers with Storage & Outdoor Play Equipment	$2,000.00	$0.00
Echo Community	Hamper and Support Program	$10,000.00	$0.00
Guruji ka Darbar	Works & Equipment	$13,000.00	$0.00
Inclusion Melbourne Inc	Connections for non-NDIS eligible people with cognitive disability	$10,000.00	$0.00
Lighthouse Foundation	Research Study in Preventing Youth Homelessness	$10,000.00	$0.00
Mentone Life Saving Club Inc	Public Accessible AED (Defibrillator)	$1,985.00	$0.00
Parkmore Pirates Cricket Club	Cricket Balls for 2023/24 Season	$2,000.00	$0.00
Red Chamber Chinese Art Group Inc	Splendor of May - Chinese Yue Opera Show	$5,000.00	$0.00
South East Community Links	Youth Leadership for Year 6 students Transition to Secondary School	$10,000.00	$0.00
South Oakleigh Wildlife Shelter	A Walk on Wildside - Education/Events	$7,000.00	$0.00
STEM Incubators Inc	Community Stewardship for Young Australians	$8,000.00	$0.00

Team Sports 4 All	Help Kingston Kids Play Sport for One Year	$10,000.00	$0.00
Totals		$103,985.00	$0.00

Appendix 4 - Organisations proposed to transfer from Annual Grants to Partnership Grants
HPE CM 23/126334

Organisation	Activity	Amount Granted 2020-2021	Amount Granted 2021-2022	Amount Granted 2022-2023	Amount Recommended 2023-2024
BBQ Boys Carer's Group	Regular Social Activities	$900.00	$900.00	$900.00	$900.00
Chelsea Probus Club Inc	Regular Social Activities	$1,200.00	$1,200.00	$1,200.00	$900.00
Kingston Billiards Senior Citizens Club	Regular Social Activities	$900.00	$900.00	$900.00	$900.00
Total					$2,700.00

Appendix 5 - Community Grants Program 2023-2024 - All Grant Applications & Allocations
HPE 23/138566

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
1st Chelsea Heights Scout Group			$0.00						$0.00
4th Mordialloc Sea Scouts			$2,000.00						$2,000.00
Acacia Avenue Preschool			$2,000.00						$2,000.00
Amputee Golf Victoria							$1,500.00		$1,500.00
Anglican Parish of Longbeach			$8,000.00						$8,000.00
Anglo-Indian Australasian Association of Vic. Inc.	$1,738.91								$1,738.91
Aspendale Beach Patrol			$1,996.00						$1,996.00
Aspendale Gardens Community Service	$72,739.30		$1,917.00		$883.00				$75,539.30
Aspendale Lifesaving Swimming & Youth Club			$1,650.00						$1,650.00
Aspendale Playgroups			$2,782.00						$2,782.00
Aspendale Seniors Citizens Inc			$2,000.00				$1,500.00		$3,500.00
Aspendale Soccer Club			$2,000.00						$2,000.00
Archangel Michael Senior Social Club Oakleigh	$927.00								$927.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Argos and District Australian Greek Seniors Citizen Club of Kastoria	$1,140.09							$1,000.00	$2,140.09
Associazione Pensionati Laziali di Monash Inc	$1,140.09							$750.00	$1,890.09
Australia Greek Elderly Citizens Club of Mentone	$954.81							$3,000.00	$3,954.81
Australian Skateboarding Federation			$2,000.00						$2,000.00
Australian Wildlife Assistance and Rescue Education (AWARE)	$3,582.16								$3,582.16
Autism Spectrum Australia (Aspect)						$7,592.00			$7,592.00
Avellino Circolo Pensioners of Springvale Inc.	$1,106.88							$500.00	$1,606.88
Bayside Community Information and Support Services (BayCISS)	$35,883.83					$7,250.00			$43,133.83
Bayside United FC			$2,000.00						$2,000.00
BBQ Boys Care Group			$900.00						$900.00
Beach Patrol Australia Inc							$1,500.00		$1,500.00
Bentleigh Calisthenics College Inc			$3,000.00						$3,000.00
Better Place Australia			$4,400.00						$4,400.00
Bolton Clarke							$500.00		$500.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Bonbeach Cricket Club			$5,000.00				$1,500.00		$6,500.00
Bonbeach Football Netball Club			$2,000.00						$2,000.00
Bonbeach Sports Club			$2,000.00						$2,000.00
Bonbeach YCW Junior Football Club							$1,500.00		$1,500.00
Brainwave Australia						$9,250.00			$9,250.00
Breath Circle (auspiced by Fitzroy Learning)			$0.00						$0.00
Bruthen Street Kindergarten					$600.00				$600.00
C Care Inc			$5,000.00						$5,000.00
Cancer Patients Foundation						$7,500.00			$7,500.00
Carrum Community Activity Centre Inc.	$5,627.55								$5,627.55
Carrum Patterson Lakes Junior Football Club			$3,000.00						$3,000.00
Carrum Surf Life Saving Club			$1,517.00						$1,517.00
Chabad House of Dingley			$7,500.00						$7,500.00
Chelsea & District Historical Society			$0.00						$0.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Chelsea & District Inter-Church Council			$500.00						$500.00
Chelsea Calisthenics Club			$750.00						$750.00
Chelsea Community Support Services Inc.	$105,368.66					$5,000.00			$110,368.66
Chelsea Concert Band	$10,651.25						$1,500.00		$12,151.25
Chelsea FC (Soccer) Football Club			$2,000.00						$2,000.00
Chelsea Football Club			$1,500.00				$1,500.00		$3,000.00
Chelsea Heights Community Centre	$72,739.30		$2,000.00		$500.00		$1,500.00		$76,739.30
Chelsea Heights Kindergarten					$550.00		$1,500.00		$2,050.00
Chelsea Historical Society	$3,477.83								$3,477.83
Chelsea Occasional Child Care Centre (COCC)			$0.00						$0.00
Chelsea Pony Club							$1,500.00		$1,500.00
Chelsea Probus Club			$900.00						$900.00
Cheltenham Community Centre	$98,074.69		$4,850.00		$1,000.00				$103,924.69
Cheltenham Junior Football Club			$2,000.00				$1,500.00		$3,500.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Cheltenham Panthers Netball Club			$2,000.00						$2,000.00
Chinese International Cheongsam Association of Australia Inc			$1,500.00				$1,500.00		$3,000.00
Christian Resource Care			$9,000.00			$6,500.00			$15,500.00
Chu Chu Vietmanese Elderly Group	$927.00								$927.00
Churches of Christ Community Care	$10,300.00								$10,300.00
Circolo Pensionati Campani Italiano Di Clayton	$1,106.88							$2,000.00	$3,106.88
Circolo Pensionati 'Don Bosco' Inc								$500.00	$500.00
Circolo Pensionati Italiani Di Bentleigh Inc.	$1,791.08							$2,000.00	$3,791.08
Circolo Pensionati Italiani di Oakleigh e Clayton Inc.	$1,043.34						$1,500.00	$3,000.00	$5,543.34
Clarinda & District Greek Senior Citizens Club	$927.00							$3,000.00	$3,927.00
Clarinda Senior Social Club	$1,591.35						$1,500.00	$3,000.00	$6,091.35
Clarinda Tennis Club			$1,650.00						$1,650.00
Cosenza Seniors Citizens of Kingston Inc.	$1,273.08							$3,000.00	$4,273.08
Country Women's Association of Mentone			$1,500.00						$1,500.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Croatian Senior Citizens Group of Keysborough	$1,391.13							$2,000.00	$3,391.13
Cyprian Community of Southern Suburbs of Melbourne Senior Citizens Club			$1,200.00					$3,000.00	$4,200.00
Dingley Baseball & Softball Club							$1,500.00		$1,500.00
Dingley Kindergartens			$2,015.00						$2,015.00
Dingley Village Historical Society	$3,477.83								$3,477.83
Dingley Village Men's Shed			$2,000.00						$2,000.00
Dingley Village Neighbourhood Centre Inc.	$72,739.30				$605.00				$73,344.30
Dingley Village Senior Citizens Club Inc			$900.00						$900.00
Echo Community			$0.00						$0.00
Edithvale Aspendale Junior Football Club			$2,000.00						$2,000.00
Edithvale Aspendale Football Netball Club							$1,500.00		$1,500.00
Edithvale Aspendale Netball Club			$1,988.00						$1,988.00
Edithvale Life Saving Club			$2,000.00				$1,500.00		$3,500.00
Eisteddfod by the Bay	$26,959.67								$26,959.67

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
El Hokamma Senior Citizens Group			$900.00						$900.00
Elonera Preschool Association			$5,000.00		$590.00		$1,500.00		$7,090.00
Ethnic Discussion Club	$1,106.88								$1,106.88
Evesham Road Kindergarten					$150.00				$150.00
Family Life Ltd	$60,176.49								$60,176.49
Fareshare Australia						$3,251.00			$3,251.00
Farm Road Preschool			$2,552.00		$1,000.00				$3,552.00
Filipino Austrlaian Seniors Association			$1,200.00						$1,200.00
Friends of Mentone Station & Gardens Inc							$950.00		$950.00
Friendship Australian Egyptian Association			$1,500.00						$1,500.00
Glen Aspendale North Kindergarten					$1,000.00				$1,000.00
Golden Days Radio	$5,304.50								$5,304.50
Greek Elderly Citizens of Clayton and Districts Inc.	$1,520.13							$3,000.00	$4,520.13
Greek Orthodox Community of Clayton								$3,000.00	$3,000.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Greek Orthodox Community of Monash and Districts	$1,140.09								$1,140.09
Greek Senior Citizens Group of Moorabbin	$1,520.13							$3,000.00	$4,520.13
Greek Senior Citizens of Southern Eastern Regions and Districts	$1,140.09							$3,000.00	$4,140.09
Greek Seniors and Pensioners Association of Clayton and District Inc.	$1,140.09							$3,000.00	$4,140.09
Greek Women's Senior Citizens Club of McKinnon "Rhea"	$1,140.09							$3,000.00	$4,140.09
Guruji ka Darbar			$0.00						$0.00
H Shipston Senior Citizens Club			$900.00						$900.00
Heather McConnell				$3,000.00					$3,000.00
Heatherton Cricket Club			$1,000.00						$1,000.00
Heatherton Football Netball Club			$1,000.00						$1,000.00
Heatherton RAID							$1,500.00		$1,500.00
Hellenic Community of Moorabbin		$11,592.74					$1,500.00		$13,092.74
Hellenic Community of the City of Moorabbin (Seniors)	$1,900.16							$3,000.00	$4,900.16

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Henan Province Hometown Association of Australia			$1,500.00				$1,450.00		$2,950.00
Highett Football Netball Club - Juniors			$1,000.00						$1,000.00
Inclusion Melbourne			$0.00						$0.00
Independent Hellenic Seniors Citizens Association of Clayton and Districts	$1,520.13							$3,000.00	$4,520.13
Italian Senior Citizens Group of Moorabbin Inc	$1,432.86							$750.00	$2,182.86
Italian Social Club of Moorabbin	$1,236.00							$3,000.00	$4,236.00
Judith Dodsworth				$5,000.00					$5,000.00
Kingston Chinese Senior Citizens Club Inc.	$1,900.16							$2,000.00	$3,900.16
Kingston Hawthorn Cricket Club			$4,050.00						$4,050.00
Kingston Indian Senior Citizens Association			$1,300.00				$1,500.00		$2,800.00
Kingston Toy Library			$1,500.00		$0.00				$1,500.00
Kingston University of the Third Age			$699.00						$699.00
Kingston Billiards Senior Citizens Inc			$900.00						$900.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Kondia Limnos Senior Citizens Club	$1,140.09							$3,000.00	$4,140.09
Ladies Probus Club of Cheltenham	$927.00								$927.00
Ladies Probus Club of Kingston Heath	$927.00								$927.00
Laneway Learning			$9,750.00						$9,750.00
L'Chaim Chabad Inc			$8,000.00		$450.00				$8,450.00
Lemnian Community of Victoria Limited	$1,520.13							$3,000.00	$4,520.13
Lesley Ivers				$3,500.00					$3,500.00
Lighthouse Foundation			$0.00						$0.00
Lions Club of Mordialloc Mentone			$5,000.00						$5,000.00
Livingston Kindergarten			$750.00						$750.00
Longbeach Place Inc	$72,739.30		$7,610.00						$80,349.30
Make A Difference Dingley Village Inc.	$32,094.21		$5,000.00			$7,250.00			$44,344.21
Marine Mammal Foundation			$5,040.00						$5,040.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Matt's Place Community Care			$8,000.00						$8,000.00
Melbourne Shwetamber Jain Sangh Inc	$1,591.35								$1,591.35
Mentone & St Bedes OC AFC			$2,000.00				$1,500.00		$3,500.00
Mentone Community Assistance & Information Bureau	$54,903.90		$6,000.00						$60,903.90
Mentone Community Garden Club Inc			$5,000.00						$5,000.00
Mentone Life Saving Club Inc			$0.00						$0.00
Mentone Little Athletics Centre x 2 QR grants							$1,500.00		$1,500.00
Mentone Mustangs Basketball Club			$1,850.00						$1,850.00
Mentone Pre-School			$2,000.00		$295.00				$2,295.00
Mentone Public Library			$3,500.00						$3,500.00
Mentone Soccer Club			$2,000.00						$2,000.00
MiCare Ltd x 2 QR grants							$2,000.00		$2,000.00
MLOC Productions Inc			$6,300.00						$6,300.00
Moorabbin Area Toy Library			$1,000.00		$550.00				$1,550.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Moorabbin & District Radio Club Inc							$1,500.00		$1,500.00
Moorabbin Dandenong Lutheran Church			$2,000.00						$2,000.00
Moorabbin NG Wishart Seniors Club							$900.00		$900.00
Mordialloc Bowls Club Inc			$1,116.00						$1,116.00
Mordialloc Brass Band Inc.	$10,651.25								$10,651.25
Mordialloc Brass Band Inc. (MOJO)		$13,644.74							$13,644.74
Mordialloc College Alumni Association Inc (MCAA)			$1,500.00						$1,500.00
Mordialloc Community Centre Inc			$5,000.00						$5,000.00
Mordialloc Historical Society	$3,477.93								$3,477.93
Mordialloc Lapidary Club Inc			$5,000.00				$1,500.00		$6,500.00
Mordialloc Men's Shed Inc.			$3,200.00						$3,200.00
Mordialloc Motor Yacht Club			$2,000.00						$2,000.00
Mordialloc Community Centre	$72,739.30								$72,739.30
Mordialloc Sailing Club Inc			$1,600.00						$1,600.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Mordialloc Sporting Club							$1,500.00		$1,500.00
Mordialloc Neighbourhood House	$72,739.30								$72,739.30
Mordialloc Trader Association			$9,033.00						$9,033.00
Mosaic Community Choir			$2,000.00						$2,000.00
Multicultural Natures Guide	$1,194.06						$1,500.00		$2,694.06
MultiCultural Senior Citizens Group of Kingston & Surrounds Region	$1,591.35							$3,000.00	$4,591.35
Multicultural Women Victoria					$1,000.00				$1,000.00
Music & The Brain Foundation Ltd			$6,939.00						$6,939.00
Mythri Social and Cultural Association Inc.	$1,738.91								$1,738.91
Nola Barber Kindergarten							$1,000.00		$1,000.00
NTTF Alumni Association of Victoria			$1,500.00						$1,500.00
Oakleigh Coptic Senior Social Club			$900.00					$1,000.00	$1,900.00
Omega Cricket Club			$2,000.00						$2,000.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Open Russian Educational Hub (OREH SE)			$900.00						$900.00
Our Lady of the Assumption Parish Primary School							$1,500.00		$1,500.00
Pantry 5000	$37,289.14					$5,000.00			$42,289.14
Parkdale Preschool Association			$2,000.00		$1,000.00				$3,000.00
Parkdale United Cricket Club			$1,060.00						$1,060.00
Parkdale Vultures Amateur Football Club			$1,500.00						$1,500.00
Parkdale Yacht Club			$2,000.00				$1,500.00		$3,500.00
Parkmore Pirates Cricket Club			$0.00						$0.00
Parkdale Gift (Beachside Gift)		$20,000.00							$20,000.00
Patterson Lakes Combined Probus Club			$1,000.00						$1,000.00
Patterson Lakes Kindergarten			$750.00		$300.00				$1,050.00
Peninsula Dragonflys Dragon Boat Club			$2,000.00						$2,000.00
Peninsula Jazz Club			$1,200.00						$1,200.00
Peninsula Community Legal Centre	$43,327.07								$43,327.07

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Pilipino Elderly Association of South East Region	$1,900.16							$2,000.00	$3,900.16
Probus Club of Dingley Central	$1,545.00								$1,545.00
Probus Club of Edithvale			$1,200.00						$1,200.00
Probus Club of Parktone Inc			$1,200.00						$1,200.00
Red Chamber Chinese Art Group Inc			$0.00				$1,500.00	$750.00	$2,250.00
Rotary Club of Mordialloc Inc			$5,000.00						$5,000.00
Ryan Group (Not paid 2022/23 as no invoice/or acquittal provided from 2021/22)	$1,738.91								$0.00
Scott Goodings				$4,500.00					$4,500.00
Senior Citizens Freccia Azzurra Inc	$1,791.08							$3,000.00	$4,791.08
Senior Citizens of Kingston La Baracca			$1,200.00					$3,000.00	$4,200.00
Senior Citizen Russian Club Friendship Bayside								$2,000.00	$2,000.00
Shalom Association	$1,475.85								$1,475.85
SKGA Incorporated			$8,500.00						$8,500.00

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Smile Theatre Company Inc			$3,000.00						$3,000.00
South East Community Links	$19,256.32		$0.00						$19,256.32
South Oakleigh Wildlife Shelter	$3,582.16		$0.00						$3,582.16
Southern Area Concert Band Inc.	$10,651.25								$10,651.25
Southern Community Broadcasters Inc	$5,150.00								$5,150.00
Southern Football Netball League (SFNL)							$1,500.00		$1,500.00
Southern Suburbs Orchid Society Inc			$300.00						$300.00
Spanish Speaking Senior Club Of Clayton	$1,106.88							$1,500.00	$2,606.88
Special Olympics Melbourne Southern Club			$1,000.00			$1,987.00			$2,987.00
Springvale & District Netball Association								$1,500.00	$1,500.00
Springvale Lions Baseball Club			$880.00						$880.00
St Andrew's Calisthenics							$1,500.00		$1,500.00
St Andrew's Parish							$1,500.00		$1,500.00
St. Andrew's Parish Friendship Group.	$1,106.88								$1,106.88

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
St Bede's Hockey Club			$2,000.00						$2,000.00
St David's Parkdale Uniting Church			$1,809.00						$1,809.00
St Kilda Football Club			$2,000.00						$2,000.00
St Josephs Care and Concern Group			$867.00						$867.00
St Louis de Montfortt Primary School							$1,500.00		$1,500.00
St Mary of the Cross Justice Action Group Mordialloc & Aspendale			$1,976.00						$1,976.00
St Vincent de Paul Society - Aspendale Conference	$986.90								$986.90
St Vincent de Paul Society - Clayton South Conference	$986.90					$5,000.00			$5,986.90
St Vincent de Paul Society - East Parkdale Conference	$986.90								$986.90
St Vincent de Paul Society - Mentone	$986.90								$986.90
St Vincent de Paul Society - Moorabbin/Bentleigh Conference	$986.90								$986.90
St Vincent de Paul Society - Mordialloc	$986.90								$986.90
St Vincent de Paul Society - Our Lady of the Assumption Conference, Cheltenham	$986.90								$986.90

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
St Vincent de Paul Society - St Joseph's Chelsea Conference	$986.90								$986.90
STEM Incubators Inc			$0.00						$0.00
Sundowner Kindergarten					$495.00				$495.00
Team Sports 4 All			$0.00			$10,000.00			$10,000.00
The One Box Group Limited			$9,650.00						$9,650.00
The Three Hierarchs Greek Elderly Group								$3,000.00	$3,000.00
The Trustee for the NCJW (Vic) Social Support Trust			$2,500.00						$2,500.00
Theatrical Incorporated			$2,000.00						$2,000.00
United Filipino Elderly Association Inc (UFEA)	$1,273.08						$1,500.00		$2,773.08
Valguarnera Italian Social Club			$1,500.00						$1,500.00
Victoria Malayalee Seniors Association Inc.	$1,475.85								$1,475.85
Victoria State Emergency Service - Chelsea Unit	$53,950.23								$53,950.23
Victoria State Emergency Service - Moorabbin Unit	$27,279.99								$27,279.99
Victorian Association of World War 2 Veterans from ex-Soviet Union	$1,012.95								$1,012.95

Organisation	Partnership Grants	Festivals & Events	Annual Grants	Arts Grants	Children's Week Grants	Kingston Charitable Fund 2023	Quick Response Grants 2022-2023	Cultural Diversity Meals Grants Allocated 2022-2023	Total
Vital Volunteers	$3,582.16								$3,582.16
Waterways Community Garden Inc			$2,000.00						$2,000.00
Waterways Residents Association Inc			$1,800.00						$1,800.00
Westall Social Tennis Club Inc			$2,000.00						$2,000.00
Yarrabah School				$4,000.00			$1,500.00		$5,500.00
Zee Cheng Khor Moral Uplifting Society Inc.			$5,000.00				$1,500.00		$6,500.00
TOTALS	$1,177,223.05	$45,237.48	$322,296.00	$20,000.00	$10,968.00	$75,580.00	$62,300.00	$83,250.00	$1,795,115.62
Festival and Events funding is a component of the Partnership grants									

Groups receiving grants from multiple grant streams
Funds already received this financial year
Group not active therefore no further funding

Appendix 6 - Community Grants Program - Annual Grants - 2023-2024 - Late Applications			HPE CM 23/138608
Group/organisation name	Activity title	Amount requested	Amount recommended
Anglican Parish of Longbeach	Winter Warmers	$8,000.00	$8,000.00
Echo Community	Echo Community Hamper & Support Program	$10,000.00	$0.00
Totals		$18,000.00	$8,000.00

Appendix 7 - Community Grants Program - Children's Week Grants - 2023-2024 - Recommended Funding HPE /171271			
Group/organisation name	Activity title	Amount requested	Amount recommended
Aspendale Gardens Community Service Inc	Children's Week Activity	$1,000.00	$883.00
Bruthen Street Kindergarten	Wild Action Kindergarten Incursions	$1,000.00	$600.00
Chelsea Heights Community Centre	French Circus Workshop	$816.00	$500.00
Chelsea Heights Kindergarten	Aboriginal Cultural Experience	$1,000.00	$550.00
Cheltenham Community Centre	Children's Week Activities	$1,000.00	$1,000.00
Dingely Village Neighbourhood Centre Inc	Chillax & Explore Our New Environment	$1,000.00	$605.00
Elonera Pre School Association	Starry Story Night 2023	$1,000.00	$590.00
Evesham Road Kindergarten	Dance Around the World	$750.00	$150.00
Farm Road Preschool Inc	Children's Week Family Fun & Open Day	$1,000.00	$1,000.00
Glen Aspendale North Kindergarten	Day at Myuna Farm	$1,000.00	$1,000.00
Kingston Toy Library	Free Play Morning at Toy Library	$1,000.00	$0.00
L'Chaim Chabad Inc	Kids Challah Bake	$1,000.00	$450.00
Mentone Preschool	Wiggerly Worm Dance Co	$885.00	$295.00
Moorabbin Area Toy Library	Stay & Play Event - Worlds of Wonder	$1,000.00	$550.00

Multicultural Women Victoria	Children's Day	$1,000.00	$1,000.00
Parkdale Preschool Association	Parkdale Cardboard City	$1,000.00	$1,000.00
Patterson Lakes Kindergarten	Rhythm Fun Workshop	$900.00	$300.00
Sundowner Kindergarten	Sundowner Kindergarten Cultural Week	$1,000.00	$495.00
Totals		$17,351.00	$10,968.00

PROGRAM PROPOSAL 2023 - 2025

Kingston City Council

Spirit of Transformation | Catch Up & Connect Walks | Women's Circle Events

A community initiative: Inspiring Women, Empowering Women, Transforming Lives, One Step at A Time.

1. Introducing the Women's Spirit Project

1.1 Women's Spirit Project Vision & Purpose

The Women's Spirit Project (WSP) is a grass roots community initiative established in early 2018 by Founder Jodie Belyea. It was initially supported by a group of 11 volunteers, motivated professional women from the Frankston Mornington Peninsula region with expertise drawn from the corporate, community, education, fitness, and health sectors.

The vision of the WSP is to inspire and empower vulnerable women from the Frankston, Kingston and Mornington Peninsula region to transform their lives through participation in fitness, health, and wellbeing activities. The WSP's flagship programs include: the Spirit of Transformation, Catchup and Connect Walks, Women's Circle and Leadership events and the annual three-day 60km walking challenge from Frankston to Cape Schanck.

WSP programs are designed for women and by women with lived experience to ensure those impacted by risk factors including abuse, domestic or family violence, addiction, mental health barriers, loneliness, isolation, under/unemployment and poverty can recover from trauma and gain a sense of agency over their lives.

We provide a safe and supportive environment, guidance and opportunities for women to recover from trauma by participating in strengths-based activities that build resilience, self-esteem, physical and mental fitness and connections to other women and community supports. Our fitness, health and wellbeing programs complement case management and counselling support delivered by community organisations, and are accessible to vulnerable women who would otherwise not have the finances or confidence to participate.

1.2 Our Why: Evidence-based need and prevention model

National, state and local factors underpinning the need for WSP programs:

Australia

- **1 in 2 Australian women are currently experiencing a mental health issue.** More than half of Australian women surveyed say mental health is one of the top four issues facing Australians. [1]

Victoria

- Across Victoria **family violence rates have increased by a staggering 300%**[1] since the start of the pandemic, reflecting a trend across Australia with women reporting an increase in partner violence and many women experiencing violence for the first time[2].
- The Women's Health Atlas highlights that **45% of women experienced anxiety** and depression compared to 24% of men, that **females attempt suicide two to three times more** often than men, and that vulnerable women experience a range of barriers that prevent them from participating in a variety of physical activities and sports.

Kingston and Frankston

The Women's Health Atlas data also demonstrates the mental health of women in Kingston and Frankston LGA's is of high concern.

Snapshot -- Disadvantage across Frankston and Kingston:

Marker (women only)	Frankston females	Kingston females	VIC female average
Self-harm (# of self-harm hospital admissions)	175 (51.5 men)	88 women (43 men)	51.5 women (27.5 men)
Female-headed households	5940	4986	2447
Homelessness	1,745	751	803
Rate of social disadvantage	48%	65%	40.7%

Kingston's rate of self-harm and social disadvantage is of particular concern. Kingston is also characterised by a high number of female-headed households, significantly above the Victorian State average.

Women in this community experience high levels of attempted self-harm, anxiety, depression and alcoholism (*Source: Victorian Women's Health Atlas, SEMPHN suicide prevention data).*

There are many women in the community struggling to make ends meet, suffering low-self-esteem and marginalisation due to one or more risk factors including mental health challenges, limited income, and under-employment. Many vulnerable women are impacted by family violence, poor housing, social isolation, and limited social networks. WSP 2022 Research revealed 40% of participants experience financial hardship; 40% experienced family or domestic violence; 50% had a mental health diagnosis; and 43% experienced social isolation. Program participants reported feeling increasingly isolated since COVID.

[1] *The Liptember Foundation: The Mental Health Gender Gap, July 2022.*

Evidence: WSP programs support prevention and recovery

WSP research:

The design of WSP Programs is informed by data on the needs of women with lived experience. WSP research includes pre- and post-program evaluation supported by Monash University and South East Metropolitan Primary Health Network (SEMPHN). Research indicates that WSP programs:

- **Change lives:** Many participants of the 'Spirit of Transformation' program report that the program has 'transformed or even saved their lives' and their families.
- **Improve self-esteem, connectedness, self-determination, physical and mental wellbeing and the outlook on life!**
- **Connect participants to a supportive community,** a safe space of women where they collectively learn new skills and strategies to apply in their lives including connection to services and supports!
- **Provide access** to activities that vulnerable women would otherwise not be able to participate in due to financial pressures and increasing cost of living expenses.

External research:

- A study in 2018 of 34,000 adults highlights that **12% of cases of depression could have been prevented by just one hour of exercise a week.**
- 'Better Health Victoria' research acknowledges that **physical activity is an effective part of treatment** alongside standard care and can help protect against depression.
- **Exercise is important for people with mental illness – it not only boosts our mood, concentration and alertness,** but improves our cardiovascular and overall physical health.
- Exercise doesn't have to be strenuous, structured or take a long time to have benefits.

Alignment with Government priorities

- The WSP is strongly aligned with the objectives of the **Victorian Government's 'Safe and Strong' Gender Equality Strategy and the Victorian Royal Commission into Mental Health** which has identified a gap and the need in the deliver of wellbeing programs in the community
- **The WSP was included as a Case Study and example of a best practice model in the Victorian Mental Health Royal Commission (2020).**

Local, place-based and complimentary

The abovementioned factors make it clear that there is a pressing need to offer prevention, recovery and healing programs to women experiencing disadvantage -- to build skills, resilience and connectedness.

Currently, no other programs like the Women's Spirit Project exists.

WSP is local, place-based and works in partnership with community organisations to deliver strengths-based trauma informed and accessible fitness, health and wellbeing for vulnerable women who would otherwise lack the means or confidence to access support. As a relatively new 'start up' organisation, adequate funding for WSP programs is limited. Currently the WSP has insufficient funds to deliver programs in the Frankston & Kingston regions during the 2023/25 and 2024/25 financial years.

2. Proposed Program Delivery

2.1 Overview

Following the 'Spirit of Transformation #2' pilot from March-June 2023 across the Frankston and Kingston LGAs, the WSP propose to expand the delivery of this program alongside several complementary program elements over the next 2 years. This proposal outlines the key elements.

Proposed Program Delivery City of Kingston || 2023-2024 & 2025-2026

- **Spirit of Transformation (SOT) Program:** Two 12-week programs: SOT#4 2023-2024 March to June & SOT#6 in 2025-2026 March to June;
- **Women's Circle Winter Solstice Events**: Years 2024 & 2025; four per annum delivered across Frankston, Kingston and Mornington Peninsula and as part of the Frank to Schanck Walk
- **Catchup and Connect Walks**: four Sunday walks delivered in the City of Kingston as part of a 12-walk series from April to October across Frankston, Kingston and the Mornington Peninsula.

2.2 Primary Program – Spirit of Transformation #4 & #6 || 2023 – 2024 & 2025- 2026

The WSP seeks to secure sufficient funding to deliver two 12-week programs for 30 women experiencing vulnerability and/or disadvantage in the Kingston LGA. These women will be supported by 15 mentors and a team of 3 staff and 3 volunteers.

Participants of the program will be:

- Impacted by and/or recovering from one or more of the following: social isolation, mental health issues, domestic, family or sexual violence, long term unemployment and/or low educational attainment or poverty
- Commit to making personal change for themselves and their families.
- Supported to participate in a 12-week life and personal development program.

The program content and activities will enable the women to build their confidence, self-worth, and physical competence. The program will equip participants to take emotional, physical, and intellectual risks in a safe and supportive environment.

The SOT curriculum consists of 4 hourly sessions each week, incorporating a range of program elements from yoga, group fitness, goal setting, problem-solving, boundary setting, emotional regulation and meditation, healthy eating, community resources, along with supported referrals and more. Women build social connections and community and are supported by a group of mentors and specialist facilitators.

Mentors: apply to the program and are selected through a comprehensive interview process. Once recruited, mentors undertake two-days of mentor training with specialist facilitators, equipping mentors with additional skills and essential program knowledge required to support participants and program delivery.

2.3 Complementary Programs:

Key to the success of the women who participate in the SOT program and go on to complete the Frank to Schanck Walk is the delivery of regular activities. The value of these activities has been highlighted over the past nine months following the completion of the SOT program in 2023.

2.3.1 Catch Up & Connect Walks: Run in conjunction with the SOT program are open to all women in the community and culminate in the annual Frank to Schanck 60-km walk/retreat in November supporting SOT participants each year to strengthen their fitness, wellbeing and social connections (*please note, Frank 2 Schanck 2024 & 2025 are pending funding confirmation via other sources).*

The CUC Walks are free to join and held over 2 hours every second Sunday in various locations across the Frankston, Mornington Peninsula and will be extended to be delivered in the City of Kingston. The Catch Up & Connect walks are a proven way for women to grow their sense of belonging, walk and talk, seek support and referrals to agencies and continue to head outdoors for exercise even in colder months and work towards the Frank to Schanck event.

2.3.2 Women's Spirit Circle Events: The Women's Spirit Project team is proposing to deliver four Women's Circle Events designed to offer a range of wellbeing modalities that *connect* women with themselves, others and the natural environment in a nurturing space.

Four events will be hosted on or near the solstice with the end of year event being held on the Saturday night of the Frank to Schanck event.

The series will embrace the change in seasons from summer to winter and reflect the different seasonal energies via targeted program elements. Fitness and wellbeing activities will include meditation, reflection, goal setting, singing and yoga. The Women's Spirit Circles will be free of charge for SOT participants and open to women in the wider community for a fee to co-fund event costs. It is anticipated two women's circle events would be held in the City of Kingston, if possible at the Derrimut Weelam Gathering Place in Mordialloc.

2.4 Target Group

The target audience for the Spirit of Transformation Program are women aged 25 plus years of age who have experienced and are recovering from one or more risk factors including anxiety, depression, low self-esteem, domestic, family or sexual violence, low educational attainment, poverty, and substance abuse.

In addition to program participants, the target audience for SOT also includes pro bono mentors – local women with relevant experience help guide the transformational journey of SOT participants.

A thorough promotional, recruitment and interview process is undertaken in the lead up to the program. It involves the distribution of promotional materials and content; meetings with (referring) community organisations; interviewing and selection of 30 participants and 15 mentors to join the 12-week program.

Program promotion and recruitment occurs through distribution of information via WSP partners and referring community agencies, including:

Anglicare Victoria	Nairm Marr Djambana Gathering Place
Central Bayside Community Health Centre	Oz Child
Community Centres	Orange Door
Child-care centres	Peninsula Health
Derrimut Weelam gathering Place	Peninsula Legal Aid
Family Life	Sporting & Health Clubs
Good Shepherd	RAW Travel

We leverage these networks to recruit women via promotion on social media platforms, distribution of flyers and postcards, newsletters and poster placement in prominent public locations frequented by women. We also work closely with partnering Council's communication teams to distribute information via Council channels, including libraries, Council facilities and social media.

2.5 Program Participants, Mentors, Volunteers and Staff/Contractors

The Spirit of Transformation and complementary programs are delivered by the following team:

- Governance: WSP Board (voluntary)
- 1 Part-Time Program Manager (2 days) 2 Part-Time Program Staff (total of 2.5 days)
- 15 mentors / coaches (voluntary)
- 5 volunteers (voluntary)
- 3-5 staff and contractors (paid hourly)
- 3 guest speakers (paid hourly)
- Catchup & Connect Walks (voluntary)

3. Objectives & Outcomes

3.1 Program Objectives:

The 12-week Spirit of Transformation program will comprise of:

- Weekly life and personal development skills sessions; including fitness, health and wellbeing activities delivered professionals.
- Goal setting sessions, including the development of a Personal Blueprint (personal action plan);
- Coaching and mentoring offered by women with skills and expertise in the community, fitness, health, wellbeing and business sectors;
- The opportunity to participate in the Frank to Schanck long distance walk, in November 2024 and 2025 (funding permitting)

The complementary programs, Catch-up and Connect Walks and the Women's Circle Events, will further support the above-mentioned objectives with a focus on community building, strengthening physical and mental wellbeing that comes with preparing for a long-distance walking adventure. Participating women will be able to hold each other accountable, support each other and work together to achieve new goals.

3.2 Audience Engagement

The Spirit of Transformation Programs, Women's Circle Events and Catch up and connect Walks that are part of this two-year funding proposal will engage the following number of women over two years:

PROGRAM:	Kingston Participants	Volunteer Mentors	Volunteers	WSP Community	TOTAL
SOT #4 - March to June 2024	25	7	3	NA	**35**
SOT#6 – March to June 2025	15	7	3	NA	**25**
Circle Events 2024 x 2 Kingston Events per annum	30	0	3	100	**133**
Circle Events 2025 x 2 Kingston events per annum	30	0	3	100	**133**
Catchup Connect Walks 2024 x 4 in Kingston	60	7	3	60	**130**
Catchup Connect Walks 2025 x 4 in Kingston	60	7	3	60	**130**
TOTAL	**220**	**28**	**18**	**320**	**586**

It is anticipated that this program will engage 550 plus members from the City of Kingston, through direct participation, event attendance and social media engagement.

3.3 Outcomes – What will be achieved.

Each of the 12-week SOT programs will be completed by 45 women (30 vulnerable women and 15 female mentors/coaches). These women will experience increases in protective factors including:

Short-term

- Improved wellbeing and mental health; increased resilience, emotional self-regulation & self-reliance
- Problem solving skills including tools to support mental health and wellbeing.
- Improved boundaries
- Improved nutrition and self-care strategies
- Increased participation in fitness activities
- Improved help-seeking skills (incl. suicide prevention) and engagement with support services.
- Improved parenting and relationship skills
- Increased social and community connection and participation with mentors supporting the engagement/retention of women in the program and facilitates referrals to community services.

Medium-term:

- Reduction in risk factors through new skills plus a support network of friends.
- Sense of community belonging reducing isolation and loneliness
- Sustained mental & physical fitness and resilience through ongoing participation in Catch-up & Connect Walks and completion of Frank to Schanck walk.
- Continued growth of help-seeking skills and engagement with community services
- Commitment to, and engagement with further education, training and employment opportunities

Longer-term:

Increased protective factors and improved connections and linkages to community and other supports leading to securing and sustaining employment and economic participation, women volunteering back into the program (or other community organisations).

**Note: Completion of resilience, social connectedness surveys and individual support plans by each participant to monitor progress and development at the beginning and conclusion of all activities provide evidence of the impact and value of the program on the mental and physical wellbeing of participants including all volunteers and opportunities to improve the program for participants.*

3.5 Expected Inputs

- ✓ WSP volunteers will volunteer 200 hours to support the development and execution of the 12-week programs – this includes promotion and marketing, distribution of marketing materials, design and development of program content, delivery of the mentor training and SOT program.
- ✓ It is anticipated that 50 participants of the SOT#4 and SOT#6 programs will participate in the Frank to Schanck three day walk events (pending funding confirmation via other sources).

Actually,
you can.

4. Theory of Change – 2022-2023

Problem to solve: women who are vulnerable and isolated face multiple barriers to reducing risks of addiction, homelessness, physical and mental ill health, financial insecurity and loneliness and isolation.
Hypothesis: If we bring diverse women together into a health and wellbeing evidence-based program and activities, they will support each other to grow skills, motivation and strategies to recover, prevent problems escalating, and thrive together.
Target Group: Women living with risk factors such as addiction, disability, mental health barriers, domestic/family violence, loneliness, isolation, poverty, unemployment
Inputs ● Evidence base for improving physical and mental health, trauma informed, culturally safe. ● Place based engagement of isolated and vulnerable women ● Place based enrolment of volunteer women mentors ● Program Leader and administrative support ● Local community venue, parks, outdoor facilities ● Knowledge of, and referrals from, local professional universal and specialist services ● Funding $95,000 per program ● Sponsors - local businesses **Activities** ● Engage, Enrol, encourage women referred to commit to themselves and the program

- Spirit of Transformation 12-week activity and coaching program: curriculum teaches women self-regulation techniques and strategies to be able to address trauma, stress and post-traumatic stress disorders (PTSD); activities include walking and talking, yoga, art, mindfulness and journaling
- Catchup and Connect Walks every weekday on a Friday and every Sunday Fortnight
- Annual milestone event - e.g., Frank to Schanck Annual 60km Walk event delivered over 3 days in November to 150 women including 40 women from SOT and Friends of the WSP.
- Peer support group development between participants and mentors.

Outputs:

- 25 participants and 15 volunteer mentors per place-based program
- 40 women complete Spirit of Transformation Program 13-week fitness, health and wellbeing program
- Mentoring training program (two days) and ongoing peer support group formed
- Women's Community Leadership Program (three days) delivered to WSP volunteers and SOT mentors
- Local print and social media raising awareness about women's inequality and vulnerabilities and empowering action to improve wellbeing, physical and mental health.

Immediate / Short Term Outcomes: - reduce risks and increase protective factors.

- Women report increased self-esteem and confidence to seek help.
- Women report improved physical and mental health.
- Women report reduced isolation with access to friends and a support group.
- Women report increased knowledge of and ability to use services.

Medium to Long Term Outcomes

- Enduring stable and nurturing relationships
- Resilience to meet life challenges.
- Sense of belonging and participation in a community
- Commit to further education and training.
- Capacity to secure, sustain employment and housing and financial security.
- Commit to volunteering with WSP and other community organisations.

IMPACT MAP				
WE SUPPORT	**TO**	**BY**	**LEADING TO**	**RESULTING IN**
Women who are isolated and vulnerable with risk factors for addition homelessness, poverty, social isolation and suicide.	Overcome barriers to help seeking and services and empower their recovery and wellbeing	Delivering best practice, placed based, trauma informed holistic - fitness, health and wellbeing programs, activities, skills and referrals, supported by women for women.	• Increased self-esteem and confidence • Skills to seek help. • Knowing where to get help to address issues as they arise. • Skills and knowledge to keep themselves and their families safe and well • Reducing risk factors and associated problems • Commitment to more intense therapy to deal with trauma and PTSD to recover. • Commence further education or study • Secure of employment	• Enduring support network • Reduction in impact of trauma /PTSD • Resilience and skills to navigate life's challenges more successfully • Increased protective factors for thriving

- Participants and mentors are referred to community services to obtain support with issues such as: Orange Door, Legal Services, Neighbourhood Houses, Food Relief organisations, suicide prevention and recovery services, disability support services, and employment and training services.

5. Annual Project Implementation Plan:

5.1 Spirit of Transformation, Catchup & Connect Walks and Women's Circle Events Schedule

November to February	
SOT Promotion & Participant recruitment	Advertise and recruit participants. Expressions of Interest completed by interested applicants
February	
Selection Process	Volunteers support the recruitment of participants and mentors over 4 days
Mentor Training	Friday & Saturday over two days
March	
S1 9.30am to 2.30pm	Introduction & Induction Session –Overview of Program, Group Code & Contract, Personal Values, Finding My Why
S2 9.30am to 2.30pm	Fitness session, Group Introduction – Starting New Chapter - Personal Values, My Why & Letter to self
S3 9.30am to 2.30pm	Fitness activity – Wheel of Wellbeing - Goal Setting Personal Blueprint #1
Women's Spirit Circle	Derrimut Willum - City of Kingston
April	
S4 9.30am to 2.30pm	Fitness activity – Boundary Setting
Catchup & Connect Walk #1	City of Kingston area – Mordialloc Beach
S5 9.30am to 2.30pm	Fitness activity – Health and Nutrition Overview of Fitness Program,
S6 9.30am to 2.30pm	Fitness activity – Self Help Strategies meditation and yoga
Catchup & Connect Walk #2	City of Frankston – Frankston Foreshore
S7 9.30am to 2.30pm	Fitness activity – Problem Solving & Body Art
May	
S8 9.30am to 2.30pm	Fitness activity – Goal Setting Personal Blueprint #3 – Mandala Creation
Catchup & Connect Walk #3	Mornington Peninsula Shire – Devil's Bend Reserve
S9 9.30am to 2.30pm	Fitness activity - Community supports and resources
June	
S10 9.30am to 2.30pm	Fitness Activity – Wayapa & Preparation for Celebration Lunch
Catchup & Connect Walk #4	City of Kingston – Bayside Park
S11 11am to 2pm	End of Program Celebration Lunch

S12 9.30 to 12.30pm	Group Yarning Circle and Participant Survey with Monash University
Catchup & Connect Walk #5	City of Frankston – Frankston Reservoir
July	
Spirit of Transformation Project #5	**Mornington Peninsula Shire**
Women's Spirit Circle	City of Kingston
Catchup & Connect Walk #6	Mornington Peninsula Shire – Moorooduc Quarry
Catchup & Connect Walk #7	City of Kingston
August	
Catchup & Connect Walk #8	City of Frankston
Catchup & Connect Walk #9	Mornington Peninsula Shire
September	
Women's Spirit Circle	Frankston Yacht Club, Frankston Foreshore
Catchup & Connect Walk #10	City of Kingston
Catchup & Connect Walk #11	Mornington Peninsula Shire
October	
Catchup & Connect Walk #12	City of Frankston
Catchup & Connect Walk #13	Mornington Peninsula Shire – Point Nepean
November	
Frankston to Cape Schanck Walk	Frank to Schanck – three day walk event (pending funding via other sources)
Women's Spirit Circle	November Circle, final circle for the year.M

6. Budget: Spirit of Transformation

The Women's Spirit Program is requesting $70,000 over 2 years (2023/24 and 2024/25) to fund a portion of the cost of three integrated wellbeing programs for women in the community.

Annual Budget:

INCOME		Annual Budget
Items	**Description**	**Projected per annum**
Frankston Council	Recurring grant	$25,000
Frankston Council	Women's Circle and Catchup & Connect Walk Grant	$10,000
Kingston Council	Recurring Annual Contribution - Request	$35,000
VicHealth	Program Monitoring & Evaluation	$25,000
	TOTAL	**$95,000**

EXPENSES		Annual Budget
Items	**Description**	**Projected**
Salaries	Program Manager 22 weeks @	$ 15,675
	Program Administration	$ 6,000
	Co-Facilitator .2eft @ 18 weeks x $100 x 7 (Fitness, heath and wellbeing trainer)	$ 12,600
	Specialist health and wellbeing professionals ($250 x 6 Weeks)	$ 3,000
	Practice Lead SOT #2 (7 x $100 x 15)	$ -
	SOT Co-Fitness Facilitator weeks $75 x 70 hours	$ 5,250
Volunteers subsidies/ allowances	Misc. Volunteers (13 vol x12 weeks at 3.5 hours)	$ 500
Marketing Materials	Printing: participant manuals, invites and training manuals	$ 1,000
	Facebook boosts - recruitment and Promotion	$ 250
	Marketing & Design	$ 1,500
Evaluation		$ 15,000
Transport	Bus Hire/Taxis/Petrol	$ 500
Food & Provisions	Catering for sessions	$ 1,000
Venue Hire	Weekly sessions $200 x 12	$ 2,400
Insurance	Appx based on 2022 (50%)	$ 3,500
Miscellaneous	Mentor subsidies	$ 500
Stationery	Whiteboard markers, flip charts, textas pencil,	$ 1,000
Merchandise	Tees only for 50 @ $40	$ 2,000
Licences	Zoom, SharePoint, MYOB	$ 600

Catchup & Connect Walks	Four walks over 12 months for appx 40 women each month	$ 8,427
Women's Circle Event	Women's Circle event at Derrimut Willum Gathering Place	$ 6,630
F2S 2023 Subsidies	30 women x $250 (participants only	$ 7,500
WWW Celebration Event	100 @$15 per head (WSP) Budget paid by PRP	$ -
Bystander Training	100 women including 40 participants of the 16-week project (WSP)	$ -
	TOTAL	**$ 94,832**

7. Fundraising Strategy

To be able to deliver the Spirit of Transformation, Catchup & Connect Walks, the Women's Circle Events and Frank to Schanck across the Frankton, Kingston and Mornington Peninsula Shire from 2023-2025, the WSP staff and the Board are working diligently with all three councils, South East Melbourne Primary Health Network (SEMPHN) and a range of funders.

To be able to deliver these programs in the communities for women, the WSP requires $130,000 / year to fund three part-time contract staff who work a total of four days / week to administer programs and operate the organisation. Some costs associated with operating and administering these programs we are seeking funding for and are included in the budget. To meet the shortfall of about $100,000 the WSP is hosting a Documentary Launch and Fundraising event on 2nd June 2023 and is engaging with a number of philanthropic and corporate funders to cover operational overheads.

The WSP are also requesting a grant amount of $50,000 from VicHealth towards the evaluation of two programs a year. (see Table 1).

8. Evaluation Strategy

Each year since inception the WSP have been evaluated activities and programs to understand the impact and outcomes and ensure continuous improvement.

Monash University Peninsula Campus have been a consistent and committed partner, producing a comprehensive report on the 2018-2019 Pilot Project[2].

They have also been engaged to evaluate the current 2023 SOT#2 Program. Across 2020-2021 Dr Lisa hunter and Assoc Prof. Ruth Jeanes, developed and administered a range of tools to evaluate the activities including the Walk For Wellbeing 2020 Virtual Event and the 2021 Frankston to Cape Schanck Challenge Event. This work completed in 2021 was in-kind.

SEMPHN completed the evaluation of the SOT#1 program and Monash University have been engaged to undertake he SOT#2 Program evaluation. The WSP is working to engage funding support from Vichealth for the four programs that we aim to deliver across Frankston, Kingston and Mornington Peninsula from 2023-2025.

[2] See attached Monash University WSP Evaluation Executive Summary.

By continuing to evaluate the SOT program evidence of the impact and outcomes can be used to inform the funding of programs of a similar nature for both women and men on a recovery journey.

9. Publicity Campaign

The following strategies are part of our publicity campaign to promote the program and recruit participants and mentors and to raise the necessary funds to deliver the program.

WSP promotional items	• Print and electronic materials – invitations to events, information sheets, flyers etc (see Attachment 1.) • T-shirts
Social media	• Women's Spirit Project Facebook public page • Women's Spirit Walk 4 Wellbeing Facebook closed group • Women's Spirit Project Instagram page • WSP LinkedIn page • Social Media via partner pages
Press releases for Local Newspapers and magazines	• Leader Paper and other print media
Affiliate marketing	• Social Media via partner pages • Program promotion via partner newsletters
Presentations on WSP to potential funders	• Rotary • VicHealth • Women in Super • 2nd June 2023 I Am Enough, documentary launch
WSP Website	• Acknowledgement of Sponsors • Inclusion of articles and press release

10. Staffing & Facilitators

Staff, contractors and consortium members on this program are qualified in Management, Social Work, Education, Mental Health, Project Management and recruitment processes.

WSP Founder, Managing Director Jodie Belyea, (.4eft paid and .6eft voluntary) has a Masters in Leadership and brings 30+ years' experience designing and delivering programs for youth at risk; young Aboriginal people, men and women involving fitness, outdoor activities in Australia overseas. She is a qualified trainer and seasoned facilitator and presenter.

Birte Moliere, Business Development & Partnership Manager (.2eft), will support program promotion and the recruitment/engagement of women and stakeholders.

Catherine Baird, HR Specialist (pro bono) and Board Member, will support Spirit of Transformation program delivery and governance.

Juanita Sanger - Fitness Health and Wellbeing Lead (.2eft) is a health, nutritionist sports coach with 25 years in the industry educating and inspiring adolescents and women, with expertise in working with women with complex issues.

Melissa Flores – Administration Officer (.2eft) supporting administrative function associated with collecting data, information and ensuring all the logistics and program requirements are in place.

Proposed guest facilitators:

Christina Sawaya	Co-Fitness Facilitator
Karan Kent	Wayapa Aboriginal Dance workshop
Jo Pascoe	Mindfulness, Tapping and Meditation
Karen Scott	Mandala Workshop Facilitator

11. Referees

Peta Murphy, Federal MP for Dunkley

Kit McMahon, CEO of Women's Health in the Southeast (WHISE)

Julian Pocock, Common Goodness Foundation

12. Attachments and Links

1. WSP 2021-2022 Impact and Outcomes Report,
2. WSP Website link https://womensspiritproject.org/
3. WSP 2018-2019 Pilot Project documentary link https://womensspiritproject.org/
4. WSP Public Facebook page link https://www.facebook.com/TheWomensSpiritProject
5. WSP Sponsors https://womensspiritproject.org/meet-our-sponsors/

13. Contact Details

For more information on the WSP and this proposal, please contact:

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Facebook: Women's Spirit Project

Website: womensspiritproject.org

Background Information

Emerge Women and Children's Support Network (Emerge) has worked with and been supported by the Kingston City Council over many years. During this time Emerge has been successful in delivering therapeutic mental health services in the Kingston Municipality. Of most note was the 'Little Sparkz' program that delivered therapeutic art services to children victim survivors of family and domestic violence aged 7 – 14 years utilising emerging and existing technologies. As per our acquittal submitted to Kingston City Council earlier this year, the program returned an SROI (Social Return on Investment) to the Council of $4.95. i.e. for every $1 invested by the Kingston City Council it returned in community/social benefits $4.95 in value.

Emerge has noted the increasing need for therapeutic services for families who have experienced family violence, both during and post Covid. Evaluations from the KCC and Emerge Little Sparkz program, combined with anecdotal evidence gathered through working closely with families in the Kingston local area, has substantiated the need to develop services that focus on supporting and strengthening relationships – the attachment relationships between Mother/caregiver and children and also the relationship and sense of connection and community between Women/Mothers.

Emerge has developed a new project **Create and Relate: Healing from Family Violence Through Art, Play and Safe Relationships** consisting of our ***Scribble and Play*** and ***Create to Heal Women's Groups*.** This new project links in and aligns with the KCC Goals/ outcomes Number 3: Connected inclusive healthy and learning community, supporting Dyads (mother and child) and women victim survivors to strengthen and support relationships after family violence.

Emerge is writing to Kingston City Council to request assistance via financial contribution, to deliver this new project consisting of ***Scribble and Play*** and our ***Create to Heal Women's Group***. Scribble and Play offers a therapeutic art service to 3-5 year old children and their mother/caregiver (dyads), while Create to Heal offers a therapeutic art service to women and mothers in the local community.

We are requesting support with art supplies, evaluation (to once again apply the SROI as well as pre and post evaluations) transport and compliance costs across these programs. Wages and salaries will be covered by donations and sponsorship made possible partly due to the previous success of the KCC and Emerge Little Sparkz Programs.

Proposed Project: Create and Relate: Healing from Family Violence through Art, Play and Safe Relationships

Two programs:

1. ***Scribble and Play*** *is an arts and play based group for Mothers/Caregivers and preschool aged children (3-5 years old) who have experienced family violence. The group is recovery focused and supports the attachment relationship and bond between mother and child, which is often significantly impacted by family violence. The group also provides a space for connection and a sense of community to be developed among participants.*

   The group explores themes such as safety, boundaries, emotional literacy and emotional regulation and working together.

2. ***Create to Heal Women's Group*** *is a recovery focused arts therapy group for women who have experienced family violence. It is a space for women to foster relationships, develop connection with other women and create community, supporting each other through challenging experiences such as applying for Family Violence Intervention Orders or family court.*

Women are able to engage creatively, reflect on their experiences and explore themes such as emotional regulation, sense of self and identity, parenting, values, goals and intentions for the future as well as receive helpful psycho-education about family violence and trauma.

	Scribble and Play (mother and child 3-5 years/ dyad)	**Create to Heal (women/mothers)**
Sessions:	1.5hours per week	2 hours per week
No. weeks per group:	8	8
Deliveries per year:	4	4
No of Episodes of care	32	32
No of individuals	40 (5x dyads - mother and child - per term)	32 women (8x women per term)
No of hours delivered	48	64

Expertise and Skills:

The Emerge Therapeutic Team consists of six highly qualified and experienced therapists, including Art Therapists and Counsellors with a combined 42 years of experience, six masters degrees as well as additional training in play therapy and dyadic therapy.

Budget: For project delivery over a 12-month period.

Expenditure	**Cost**
Art materials and supplies (over 12 months)	19,800
Art equipment – hire equipment, replace repair etc.	2,250
Transport	480
Vouchers and food.	720
Evaluation of Programs pre and post plus SROI to show KCC return on investment.	3,520
Compliance cost 10% external MHS supervisor	2,670
Funding Requested from KCC Ex GST.	**$29,440**
Other costs of running the program will be funded from donations and in-kind expenditure from Emerge. Total cost of running the programs including wages and salaries development, and O/heads	60,380
TOTAL COST Program Delivery	$89,820

Funding Request: Kingston City Council makes an ongoing contribution of $29,440 per 12 months for Emerge to deliver both the *Scribble and Play* and *Create to Heal Women's Groups* to the community.

It is hoped that KCC will look favourably on Emerges' request for a financial contribution toward this initiative within the Municipality. This proposal will benefit 72 mothers and children per year, from various culturally and linguistically diverse backgrounds.

Ordinary Council Meeting

24 July 2023

Agenda Item No: 9.2

ARTS GRANTS PROGRAM - FUNDING RECOMMENDATIONS FOR 2023/24

Contact Officer: **Hailey Ruhland, Arts Project Officer**

Francesca Valmorbida, Head Arts & Cultural Development

Purpose of Report

This purpose of this report is to present the recommended funding allocations for the 2023/24 Arts Grants Program, which consists of the Arts Projects and Local Makers and Creative Businesses categories.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council

1. Approve the Arts Grants, Arts Projects category, funding allocations as recommended in Appendix 1.
2. Note the Arts Grants, Arts Projects category, applications not recommended for funding in Appendix 2.
3. Note that no eligible applications were received for the Arts Grants, Local Makers and Creative Businesses category.

1. Executive Summary

A total of $24,000 is allocated to Council's 2023/24 Arts Grants Program, with the aim to support the arts community in line with the Council Plan 2021-25 and Arts and Culture Strategy.

The 2023/24 Arts Grants Program consists of the following categories:

- Arts Projects
- Local Makers and Creative Businesses

The Arts Projects category offer up to $5,000 from a total budget of $20,000. The Local Makers and Creative Businesses have a total budget of $4,000.

The 2023/24 Arts Grants Program applications opened on 30 January 2023 and closed on 30 March 2023. Fourteen (14) eligible applications were received; however, one withdrew after the assessment process.

Each application was initially reviewed for eligibility and then eligible applications were assessed by an internal assessment panel in line with the Community Grants Policy and Arts Grants Program Guidelines 2023-24 (Appendix 3). Recommendations were then presented to the Arts and Cultural Advisory Committee for feedback.

The recommended funding allocations for the Arts Projects category are presented in Appendices 1 and 2.

The applications received for the Local Makers and Creative Businesses category did not meet the eligibility requirements of that category.

2. Background

2.1 2023/24 Arts Grants Applications

In 2012, Council approved an annual grant stream for the arts to reinforce its commitment to supporting artists and arts organisations to contribute to Kingston's cultural sector.

In 2019, the Arts Grants Program categories were consolidated, and the application process was streamlined. In 2022 the Mentorship and Residencies category was replaced with the Local Makers and Creative Businesses category, and in 2023, the Community-Based Art Project category was removed due to low application numbers leaving two grant streams in the Arts Grants Program.

The Local Makers and Creative Businesses category is supported by Kingston Business and was introduced to support small business owners who live or work in Kingston.

Each grant category reflects an important focus for the arts in the City of Kingston and supports the development of creative, innovative and original art projects in line with the objectives of Council's Arts and Culture Strategy.

Guidelines for the Arts Grants Program were developed in consultation with the Arts and Cultural Advisory Committee (ACAC) (Appendix 3).

2.2 Arts Grants Promotion

The 2023/24 Arts Grants Program was promoted through:

- Kingston Your City
- Council website
- Kingston Arts website, e-news, and City of Kingston social media, e.g. Instagram, Facebook, etc.
- Emails to all groups that applied for grants in the previous three years
- Mail out to all organisations that expressed a wish to be on a mailing list
- Media releases
- Public notices in local newspapers
- Artscape
- Direct email to Kingston Arts visual and performing arts databases

An online Arts Grants Program information session was scheduled on Wednesday 1 March 2023. The session was aimed to provide information about the guidelines and application process, as well as provide artists with the opportunity to ask questions.

The Information Session was cancelled on Tuesday 28 February due to lack of interest. One-on-one phone consultations were subsequently offered to interested artists through the first week of March 2023 with a few conversations held.

2.3 The role of Arts Grants in the recovery of the creative sector

Whilst the long-term effect of COVID-19 on Australia's creative sector is not yet fully clear, the lockdowns as a result of the pandemic have had a devastating impact on Melbourne's arts community.

The timing of Kingston's annual Arts Grant Program provides an opportunity for Council to support its local creative sector and contribute to its recovery post-lockdown, as well as stimulate the creative industries.

3. Discussion

3.1 Arts Grants Program

The 2023/24 Arts Grants Program categories are:

1. Arts Projects (Up to $5,000 each – from a pool of $20,000):

   The purpose of this grant is to fund the creation of art projects that extend the artist's practice. This grant is open to emerging and established artists and their groups. Applicants may live outside the City of Kingston. Project outcomes must be presented within the municipality.

2. Local Makers and Creative Businesses (from a pool of $4,000):

   This grant supports Kingston based makers and creative business owners. The purpose of this grant is to provide funding and business mentoring to support applicants to showcase and market a product to the public within a creative or professional business space. The applicant must live or work within the municipality.

All 2023/24 Arts Grants Program submissions were assessed for eligibility and the eligible applications assessed and ranked against the following criteria:

- Creativity, innovation and originality
- Capacity to deliver the concept
- Community engagement
- High quality outcomes
- Capacity to engage target audience
- Strong support materials

The 2023/24 Arts Grants Program applications opened on 30 January 2023 and closed on 30 March 2023.

Fourteen (14) eligible applications were received, however one withdrew after the assessment process. Four applications are recommended for funding under the Arts Projects category. These recommendations are within the grant category budget of $20,000.

The recommended funding allocations for the Arts Projects category are presented in Appendices 1 and 2. These recommendations are listed in sequential order.

The applications received for the Local Makers and Creative Businesses category did not meet the eligibility requirements of that category and as such there are no funding recommendations.

3.2 Options

Option 1 (Officer recommendation)

The Council:

1. Approve the Arts Grants, Arts Projects category, funding allocations as recommended in Appendix 1.
2. Note the Arts Grants, Arts Projects category, applications not recommended for funding in Appendix 2.
3. Note that no eligible applications were received for the Arts Grants, Local Makers and Creative Businesses category.

Option 2

That Council:

1. Resolve to increase the Arts Grants, Arts Projects category budget by $13,550 and fund applications 1 to 8, as listed in Appendix 1 (applications 1-4) and Appendix 2 (applicants 5-8).
2. Note the Arts Grants, Arts Projects category, applications 9-14, not recommended for funding in Appendix 2
3. Note that no eligible applications were received for the Arts Grants, Local Makers and Creative Businesses category.

3.3 Environmental Implications

It is recommended that artists delivering projects outdoors are to provide Council with a Job Safety Analysis (JSA). Council staff trained in OHS and First Aid will also support projects on-site to ensure they are safely delivered with minimal environmental impact.

Promotional material will include maps showing the location of projects, the nearest public transport and parking.

3.4 Social Implications

The funding provided to successful applicants demonstrates Council's commitment to supporting individual artists and arts organisations to present events, projects, services and/or initiatives that are of benefit to the community that is not being delivered by Council.

4. Consultation

4.1 Internal Consultation:

Applications were submitted to Council online via the Smarty Grants portal.

Applications were assessed by an internal assessment panel on Tuesday 2 May 2023. The panel consisted of:

- Jennifer O'Connor, Coordinator CRM & Ticketing
- Hailey Ruhland, Arts Project Officer
- Erin McMahon, Head of Programming
- Titian Brady, Library Information Technology Coordinator
- Francesca Valmorbida, Head of Arts & Cultural Development
- Gary Scott, Retail Liaison Officer
- Matt Nelson, Team Leader Kingston Business

4.2 Community Consultation:

Confidential Assessment Panel recommendations including abridged versions of the applications were sent to the Arts and Cultural Advisory Committee for review before the required Special Meeting planned for Thursday 11 May 2023.

Due to lack of member response, the meeting was cancelled, and the Arts and Cultural Advisory Committee members were encouraged to submit recommendations via email by 9am on Monday 15 May 2023.

As part of this consultation, Council Officers provided an overview of Council's Conflict of Interest process and transparency requirements, with no conflicts of interest stated.

4.3 Results/Findings:

The assessment panel recommended five submissions to receive funding. The online Arts and Cultural Advisory Committee grant assessment process attracted feedback from one member who submitted recommendations at 9:28pm on Monday 15 May 2023. This feedback broadly supported the majority of the recommendations proposed by the initial assessment panel.

The Assessment Panel in consultation with Kingston Business, determined that the applications for the Local Makers and Creative businesses grant did not meet the objectives of the grant which is to support the development of business skills, and marketing and retail opportunities from a retail setting in the municipality.

On Monday 12 June 2023, an applicant withdrew their application for personal reasons.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Liveable - Our city will be a vibrant, enjoyable, and easy place to live.
Strategy: Foster a thriving and innovative arts and culture scene, which is both diverse and inclusive

5.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.

Principle (e) - innovation and continuous improvement is to be pursued.

5.3 Financial Considerations

See funding allocation recommendations for 2023/24 Arts Grants Program are detailed in Appendix 1 and 2.

5.4 Budget

The current funding budget for 2023/24 Arts Grants Program totals $24,000 with only $20,000 recommended for allocation.

5.5 Staff Resources

The Arts Grants Program is administered through existing resources within the Arts and Culture Team.

5.6 Risk considerations

If applicable to the project, successful applicants will be required to attain and present a copy of their Public Liability Insurance before receiving funding and requested to hold Intellectual Property.

Appendices

Appendix 1 - 2023-24 Arts Grants Funding Allocation Recommended (Ref 23/181560)

Appendix 2 - 2023-24 Arts Grants Council 10 July 2023 Appendix - Not Recommended (Ref 23/181067)

Appendix 3 - 2023-24 Arts Grant Guidelines (Ref 23/136744)

Author/s:	Hailey Ruhland, Arts Project Officer
	Francesca Valmorbida, Head Arts & Cultural Development
Reviewed and Approved By:	Simon Doyle, Manager Arts, Events and Libraries
	Sally Jones, General Manager Community Strengthening

9.2

ARTS GRANTS PROGRAM - FUNDING RECOMMENDATIONS FOR 2023/24

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2 2023-24 Arts Grants Council 10 July 2023 Appendix - Not Recommended..... 351
3 2023-24 Arts Grant Guidelines 353

RECOMMENDED				
No.	**Artist/Organisation**	**Activity Title**	**Requested**	**Officer Recommendation**
Arts Project (up to $5,000)				
1	Judith Dodsworth	Multi-media performance/ installation - The Unknown Swimmer Edithvale Lifesaving Club	$ 5,000	$ 5,000
2	Scott Goodings	Podcast - Kingston in Australian television	$ 5,000	$ 5,000
3	Kimberley Taylor	Public Art - Yarrabah and Kilbreda Mosaic	$ 5,000	$ 5,000
4	Heather McConnell	Exhibition/Workshop - 16 Sculptures	$ 5,000	$ 5,000
TOTAL			**$ 20,000**	**$ 20,000**

NOT RECOMMENDED				
No.	**Artist/Organisation**	**Activity Title**	**Amount Requested**	**Officer Recommendation**
Arts Project (up to $5,000)				
5	Alex Moffet	Public workshop for new musical performance	$4,600	$0.00
6	Nicole Marschall	Symphany in a day performance	$1,500	$0.00
7	John Quinn	Gallery exhibition of current collection	$2,450	$0.00
8	Deb McNaughton	Public art mural at Main St. Mordialloc	5,000	$0.00
9	John Barrie Dyke	Autobiographical theatre performance	$5,000	$0.00
10	Magda Miranda	Large scale sculpture to be installed at Moorabbin	$4,130	$0.00
11	Chris Johnson	Creation and publication of creative non-fiction novel	$4,900	$0.00
12	Cassandra O'Leary	Creation and publication of a fiction novel	$5,000	$0.00
13	Sophie McKemmish	Write, illustrate and publish Children book	$5,000	$0.00

CITY OF KINGSTON GUIDELINES

ARTS GRANTS 2023-24

The City of Kingston invites artists, community arts groups and local makers and creative businesses to make an application to the Arts Grants Program for activities taking place between July 2023 and June 2024.

Multilingual services are also available:

Council Contacts:			
Main switchboard 9581 4567 Facsimile 9581 4500 TTY (for hearing impaired) 9581 4506	Arabic - عربي 9679 9881 Croatian - Hrvatski 9679 9884 Vietnamese - Việt-ngữ 9679 9886 Italian - Italiano 9679 9865	Cambodian - ខ្មែរ 9679 9882 Greek - Ελληνικά 9679 9885 Cantonese - 粵語 9679 9883	All other languages 9679 9887 Including: Turkish - Türkçe Spanish - Español Mandarin - 國語 Polish - Polski Somali - Soomaali Sinhalese - සිංහල

APPLICATIONS OPEN Monday 30 January 2023 – 9am
APPLICATIONS CLOSE Thursday 30 March 2023 – midnight

Monday 30 January 2023	Applications open at 9am
Wednesday 1 March 2023	Arts Grants Information Session (Online) 6pm – 7pm A virtual information session will take place via Teams. Bookings essential: Register here to attend or call (03) 9556 4440
Thursday 30 March 2023	Applications close at midnight
April-May 2023	Assessment of applications
July 2023	Council meeting to approve funding
July 2023	Funding announcements made
August 2023	Processing of grant payments
August 2023– June 2024	Projects take place. Acquit your project within 3 months of completion

INTRODUCTION

The City of Kingston is proud of what it offers in terms of arts, entertainment, and cultural opportunities for those living in and visiting the City. There is a vibrant arts and cultural scene in Kingston, hosting a variety of arts spaces; arts, historical and cultural organisations and services; professional and non-professional artists; creative industries and arts workers and practitioners, writers and performers. Many people, histories, environments, cultures, iconic places, and spaces form the unique identity of Kingston.

The City presents an impressive calendar of performing, visual arts and public art events and activities across its three primary arts spaces; Kingston Arts Centre, Kingston City Hall and Shirley Burke Theatre and across the municipality. Council recognises the role arts and culture plays in our creative communities and local economy and accordingly have allocated funding for specific arts grants, above and beyond the funding that can be received through the general Community Grants.

The City of Kingston provides Arts Grants for local artists, not-for-profit art groups and organisations to plan and create arts activities and projects.

Please visit kingstonarts.com.au/grants for more information.

ABOUT THESE GUIDELINES AND GRANTS

These Guidelines refer to funding opportunities open to individual artists and creative teams, not for profit community arts groups and local makers and creative businesses under the Arts Grants stream.

INFORMATION FOR APPLICANTS

Who can apply?

- If you are applying as an individual, group or business, you must be an Australian citizen or permanent resident.
- You may not apply for a grant if you received a grant, or administered a grant, from the City of Kingston in the past and that grant has not been satisfactorily acquitted.
- Applications must meet the eligibility criteria requested within the application form.

Grant categories

In 2023, there will be two grant categories. Please select the grant that best suits your project:

1. Arts Projects (up to $5000)

The purpose of this grant is to fund the creation of art projects that extend the artist's practice. This grant is open to emerging and established artists and their groups. Applicants may live outside the City of Kingston. Project outcomes must be presented within the municipality of Kingston.

2. Local Makers & Creative Businesses (up to $4000)

This grant supports Kingston based makers and creative business owners. The purpose of this grant is to provide funding and business mentoring to support applicants to showcase and market a product to the public within a creative or professional business space. The applicant must live or work within the municipality of Kingston.

Grant application form

Can be found at kingstonarts.com.au/grants

Select the grant that best suits your project, then click the link to your application form.

BEFORE YOU BEGIN

Before reading the Guidelines, it's important that you have asked yourself the following questions:

Am I eligible to apply to the program?

General eligibility requirements include:

- Applicants are eligible to apply for only one Arts Grant per funding round
- Have public liability insurance and health and safety policies in accordance with the funding agreement
- Arts Grants are available for Australian citizens and permanent residents only
- Have no outstanding grant acquittals or debts owing to Council
- Propose an activity that does not seek to influence a person's political or non-religious ideology (this does not include community celebrations of cultural festivals).
- Propose an activity which is not primarily for fundraising purposes
- Be able to supply financial information requested
- Be able to meet conditions associated with receiving a grant

Local Makers & Creative Businesses:
This category refers local makers or creative businesses within Kingston who have created a product and operate a small creative business or have a creative business idea and are looking for an opportunity to present and sell their product to the public.

To be eligible for this category you must:

- Supply an active ABN
- Live or work within the municipality of Kingston
- Have a product that you wish to showcase or sell to the public
- Use the allocated venue of G3 Artspace, Parkdale for the presentation of the product
- Grant funds must be allocated to services directly relevant to the project ie: venue hire, business planning, marketing, promotion etc.
- Please note – applicants DO NOT need to be registered for GST to apply

Am I applying through the right funding program?

- These Guidelines contain a complete list of each funding category available under the Arts Grants stream. Make sure you read through each funding category carefully to ensure you are applying to the right one.

Specific eligibility requirements for each grant category can be found at kingstonarts.com.au/grants

Click on the link next to your grant category to open the application form. The Eligibility Checklist is the first item on the application form.

Have I developed my idea?

Applying for a grant is a very competitive process. Your application will be assessed by a Committee with relevant expertise, so to ensure the best chance of success make sure your project idea is clear and that it has significant, achievable outcomes. To ensure the best chance of success:

Please endeavour to attend one of the information sessions listed above. If you can't attend and you have questions you can contact an Arts Officer:

- For general advice or other queries, please email vinaya.marriott@kingston.vic.gov.au

- Be sure you have supplied all necessary information and can tick YES to every item on the Eligibility Checklist on your grant application form
- Answer all parts of every question
- Be clear and concise

Am I familiar with the assessment criteria and other important information?

These Guidelines set out the assessment criteria and the process that is used to assess applications. It also provides information on putting together support material and information about how to submit applications, what happens after submission and other important and relevant Council Strategies and Policies. The City of Kingston Arts and Cultural Advisory Committee will assess your application.

Arts Grants will be assessed on the following criteria:

1. Creative, innovative, original concept
2. Capacity to deliver the project
3. Community engagement
4. High quality outcomes
5. Capacity to engage target audience
6. Strong support material

When creating community-based art projects, the following priorities are also relevant:

- The proposed activity considers community needs and maximises community benefit
- The proposed service or activity meets any specifically identified Council priorities that may be nominated from year to year and responds to emerging community needs

PUBLIC ART

If you are applying to deliver a project that is related to public art, we encourage you to contact an Arts Officer prior to starting your grant application. Please note the following conditions:

Arts Grant funding is suitable for projects that must be delivered between July 2022 and June 2023. Therefore, this funding is not suitable for long term public art projects where the project will continue for longer than the above-mentioned period and where ongoing and/or long-term maintenance is required.
If your project involves installing a permanent public artwork at a Council owned property please instead complete an Application for Public Art on our website here. Applications will be assessed by the Arts & Cultural Advisory Committee and applicants will be notified of the outcome once assessment has taken place.

- All applications for public art must include a predetermined site/s.
- If you wish to install public art at a privately owned/residential site, you must obtain written approval from the landowner prior to submitting your application. This documentation should be included in your submission. Work cannot commence without written consent from the relevant property owner.
- Kingston City Council accepts no responsibility for the removal of the artworks, graffiti coating, maintenance of the artwork or the condition of the site once it is removed. While the artworks remain onsite, it is the responsibility of the applicant and/or landowner.
- Public art project maintenance and/or removal of the artwork is the sole responsibility of the applicant and/or the landowner.

- It is the applicant's responsibility to remove the work from the site and make good the site within the allocated grant delivery timeframe. If the landowners request the works to be removed prior to this date, the applicant must comply with their wishes.
- If the landowner decides they would like to maintain the work beyond the delivery timeframe of the grant, it is the applicant's responsibility to manage this process and manage a written agreement and maintenance schedule between the parties. The agreement is between the applicant and the landowner.
- It is recommended that applicants organise graffiti coating to protect public artworks.
- We recommend that the applicant undertake community consultation with any relevant stakeholders before work commences. For example: Local residents, schools, businesses etc. Community consultation is an important aspect of any public art project and enables members of the public with a connection to the site the opportunity to actively be involved in the design process and to ultimately feel more connected to the finished artwork.
- A rendering or concept design of the final artwork must be presented to Arts Officers before installation can commence. No work can commence before the design has been approved by the relevant Arts Officers.

NOW YOU ARE READY TO:

o Prepare your application;

o Assemble your support material; and,

o Submit your application.

These Guidelines will assist you with these final steps.

Notes on Completing the Application Form

Many applications are unsuccessful due to poor planning and lack of details, so make sure you:

o Answer all parts of every question, regardless of the type or level of assistance you are requesting.

o Use plain English and be clear and concise; and,

o Answer the questions within the limits on the form.

When drafting your application remember that your application will be assessed against the assessment criteria for your funding category, as set out in these Guidelines. It is important that you assume that the Committee does not have any prior knowledge of you or your project.

Help!

If you require advice on developing your project or with completing the application form, please visit kingstonarts.com.au/grants for the relevant Council Officer's contact details.

Guide to completing Application form

Section One – Applicants Details

*****Please note this is not the Application Form*****

Please read this section thoroughly before starting your application. The information below will assist you to complete the Arts Grants Application Form, including preparation of your budget and support material. It also has essential information regarding submission requirements.

Your Details

o The applicant name (or auspicing organisation name) must be the same as the legal name or trading name registered with the ABN (Australian Business Number) supplied

o In order to be eligible for support applicants must provide an ABN or evidence that the Australian Taxation Office has determined you are ineligible for an ABN with a 'Statement by a Supplier' form which is available from any post office or at www.ato.gov.au. You can download the form here.

For Organisations Only

For your legal status you must choose from one of the following:

o Company limited

o Statuary body

o Incorporated association

o Other (please specify)

For Individuals
For applicants applying for funding categories 1 and 2 you don't have to live in Kingston, but the project must be delivered within Kingston. For category 3, the applicant must be Kingston based and the project must be delivered at the allocated venue.

Funding Category
What funding category program are you applying to? Please answer with the title of the program, as it is listed in these Guidelines e.g. Arts Project, Community based art project etc.

Discipline

In which discipline is your application primarily focussed? Please nominate one of the following:
 Dance
 Writing
 Visual Arts and Craft
 Theatre
 Music
 Digital Art
 Public Art
 Multi-Disciplinary Arts
 Community Cultural Development (CCD)/Community Arts

Section Two: Your Project

It is important that you clearly and concisely summarise the nature and purpose of your application. This may be used for promotional purposes by Kingston.

Ensure that the start date you list is not before the allowable start date for the funding round otherwise your application will be deemed ineligible.

Ensure that the amounts written as the 'Total Cost of Project' and 'Amount of Your Request to Kingston' match the amounts in your budget in Section Four.

Ensure you obtain Intellectual Property (IP). IP most commonly refers to copyright and designs. It is your responsibility to ensure you have acquired all relevant permissions to use any work involved in your project. This includes images you may have had taken of a work, performances, or event for promotional purposes. You must also pay particular attention to all aspects of IP arising from your proposed project.

You need to ensure that everyone involved is correctly acknowledged, consulted and has given appropriate written permission for you to use or reproduce their work. In preparing your budget you may need to consider including costs for license fees for the use of any images, music or IP that is not your own.

Project Details

Answering Question 1

(Criteria 1: Creative, innovative, original concept)

Describe the project, the project's concept and why you want to deliver it

What is the project you are proposing to undertake? Clearly and concisely describe what you plan to do and the creative rationale for your project.

Answering Question 2

(Criteria 2: Capacity to deliver the project)

How will you deliver it? (describe how your project will be developed or made, and how and where you will present it)

State a clear purpose with well-defined objectives and a realistic plan. Note that your answer to this question should not be a timeline but should demonstrate how you will effectively plan the project and ensure its outcomes are

achieved.

Answering Question 3

(Criteria 5: Capacity to engage target audience)

What is the community benefit or community outcome of your project? Who is your target audience and how will you engage them?

Clearly and concisely describe the desired outcome of your project for the Kingston community. Who does your project benefit? (E.g. Young people aged 16-25, live music audiences etc). Specifically, how does your project benefit this audience? What steps will you take to ensure you engage with your target audience during the project?

Answering Question 4

(Criteria 4: High quality outcomes)

What are the 3 main outcomes you want your project to achieve?

In dot point form, clearly and concisely describe the desired outcomes of the project. (E.g. What do you hope people will say about your project or learn or experience by participating in it?

Answering Question 5

(Criteria 2: Capacity to deliver the project)
(Criteria 3: Community engagement)

Who are the key creative and administrative personnel associated with this project and what is their role? List any partners and their role.

List the key personnel for your project, remembering to include yourself. You will need to indicate whether their commitment to the project has been confirmed. Written confirmation of any other individuals or organisations participating in the project should be included in your support material. Don't forget to attach CVs or biographies for all relevant personnel as well as for yourself.

*If you plan to undertake community consultation or work with members of the community, please indicate that here.

All listed people must not have overdue acquittals for previous grants received from the City of Kingston.

Answering Question 6

(Criteria 4: High quality outcomes)

How will you measure and record the outcomes of your project?

How will you gather feedback from your audiences and people directly involved in the project? Please explain ways you will gather feedback from your audiences and/or participants. Eg. Surveys, interviews, etc

Section 3: Support Materials

Support material is essential to the success of your application and must be submitted. Inadequate support material will reduce the Committee's ability to assess your application properly and is likely to result in an unsuccessful application.

It is your responsibility to ensure that all support material required as part of your application is submitted. Kingston staff will, on receipt, check off these items but will not follow up on any listed material that is not with the application and takes no responsibility for missing material.

Support Materials Checklist:

- Biographies and confirmation letters (letters must show that key artists, collaborators, groups or partners are available and willing to work on your project)

- Confirmation letter(s) from the venue(s) where your work will be presented (Please note: Written approval is not required for your application if you are intending to use G1/G2 or G3 galleries. However, availability of gallery spaces is not guaranteed and will be negotiated with Kingston Arts). Please familiarise yourself with the gallery spaces here.)
- Project timeline (show when each stage of your project will happen)
- Relevant support materials ie: examples of previous work (3-10 images, video links, up to 3 pages of writing), media clippings
- Public liability insurance certificate. Applicants must upload a current public liability insurance certificate.

What is the timeline/s for your proposed project?

Please provide a timeline or schedule for the various aspects of the project, including what you will be doing, dates, and where relevant, location (e.g. site, venue, etc.)
It is essential that your proposed project falls within the relevant timeframes set out in these Guidelines. Kingston does not provide retrospective financial support.

It is important that you provide written confirmation from the venue managers that they are able to host your project at the time stated in the application should your application be successful.

Section 4: Budget

Preparing Your Budget

Complete the summary of anticipated expenditure and income in Section Four of the Application Form as accurately as you can. Your final calculations should show a balance between anticipated expenditure and income. **This will be the amount you request from the Arts Grants funding.**

In the table, you need to identify which costs you would like Kingston to fund, e.g. research and development phase, professional fees, cost of promotion, commissioning of the new work etc.

Expenditure
Expenditure items can vary widely from one project to the next. Anything that is a legitimate expenditure item for the purpose of successfully undertaking your project can be included in your budget.

Salaries, Fees and Living Allowances

For salaries, fees and living allowances please include the relevant names of all principal personnel. Separate stages or components should be itemised in the budget.

Kingston supports appropriate rates of pay for artists and administrative staff involved in any application to the Arts Grants funding stream. Please refer to the following organisations for information on industry standard payment rates:

o National Association for Visual Arts – www.visualarts.net.au
o Media, Entertainment & Arts Alliance – www.alliance.org.au
o The Australian Society of Authors – www.asauthors.org
o The Australian Writer's Guild – www.awg.com.au
o Museums Australia – www.museumsaustralia.org.au

If these standards do not apply, please indicate how reasonable rates have been calculated.

Income

- **Earned**

It is important to show all forms of anticipated earned income applicable to your project.

- **In-Kind**

The term 'in-kind' refers to goods and services that have been contributed for free or at a reduced rate and can include borrowed equipment, the use of a rehearsal space, donated goods, discounted goods or services (the

discount is regarded as an in-kind contribution) or volunteer labour – including your own. Contributions should be valued on the basis of what is agreed between you and your sponsor or participant. If the contribution is an unconditional donation, the value is what these services, facilities or equipment would cost within the marketplace normally. It is important to include in-kind costs as they contribute to the total cost of your project.
Remember that there must always be a corresponding expense of equal or greater value in the expenditure column for each item of in-kind income.

- **Grants and Sponsorship**

All grants and sponsorship being sought, including for the City of Kingston and other sources must be listed (e.g. from Local Government, the Australia Council, other State and Australian Government departments or other funding institutions). You need to indicate whether this support has been confirmed.

Example Budget

Don't forget in-kind support	**$**	**Expenditure Description**	**$**
Income Description			
City of Kingston Arts Grant	$5,000	Set design / build	$5,000
Lighting / sound equipment – in-kind from artist / group	$2,000	Lighting / sound equipment - in-kind from artist / group	$2,000
Performer's fees – in-kind from artist / group	$2,000	Performer's fees – in-kind from artist / group	$2,000
Auspice fee – in-kind from artist / group	$450.00	Auspice fee - in-kind from artist / group	$450.00
Total:	$9,450	**Total:**	$9,450

Previous Council Support

Please list funding support received from Kingston from the previous three years and/or any funding received from other funding bodies listed.

Feedback

Please note this section is optional. Applicants are not required to complete this section for their submission to be considered.

Declaration

If you require more information or clarification with any item on these forms before you sign, please do not hesitate to contact us.

Checklist and Submission

Before submitting your application see the checklist in the Application Form to make sure you have remembered everything.

Applications must be submitted on or before the relevant closing date by visiting Smarty Grants at http://kingston.smartygrants.com.au

For any enquiries about your application please visit our website to contact the relevant Arts Officer.

For enquiries regarding the online application process via Smarty Grants, please contact Council's Community Grants and Network Officer on 9581 4676 or Kathryn.scarpella@kingston.vic.gov.au

Other Important Points

Start Date and Promotion of Your Project

You should not plan to start the activities for which you seek funding before the nominated start date of the funding program. Further, you must not begin public promotion of your project before the start date. Applicants intending to undertake marketing and promotion of their project should ensure they apply with adequate lead time.

If your project will be included in a company season or subscription brochure that will be publicly released before funding is secured, you must notify the Kingston Arts Officers in advance. They will require a written statement outlining the rationale for early promotion.

Other Important Information

- Council's funding decisions are final
- Successful applicants will need to enter into a Funding Agreement, which outlines the conditions under which the grant will be made available
- Funding is released once Council receives the signed Funding Agreement with a tax invoice
- Funding will not be released if a group owes Council money or a report on a previous grant
- Successful applicants will need to acknowledge Council's support
- Council may make funding conditional on other specific conditions being met
- Applicants must not spend money on the proposed activity before funding decisions are announced. This is considered retrospective funding, which is not eligible for support
- Funding is not automatic on application. All requests are subject to consideration on their individual merits each year and in no way can be seen as recurrent.
- Grants Committees may also discuss applications and / or seek further information from an applicant. Funding decisions are then communicated to applicants and communicated via the Kingston Arts website and social media.
- Once the project is completed, successful applicants will need to report on the spending of the funding received (acquittal). An email will be sent to you to remind you of the deadline to complete the acquittal process. It is your responsibility to keep accurate records and receipts of any related expenses. To successfully acquit your grant, you will be asked to provide evidence of project expenses, eg. receipts etc. This is a vital part of the grant process and all projects must be fully acquitted.

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Important Notes to Making an Application

 Council will acknowledge the receipt of all applications

 Incomplete or late applications will not be considered

 If a group or organisation happens to lodge more than one application, Council will ask them to choose one application for assessment. Multiple applications will not be assessed.

Help and Advice

In addition to these Guidelines, Council has further assistance available to help with preparing an application. Council also has a Language Line available for those experiencing language difficulties (see Page 1 of these Guidelines for details).

kingstonarts
www.kingstonarts.com.au

Ordinary Council Meeting

24 July 2023

Agenda Item No: 9.3

RESPONSE TO RESOLUTION - NOTICE OF MOTION NO. 13/2021 - PUBLIC ART REVIEW

Contact Officer: **Francesca Valmorbida, Head Arts & Cultural Development**
Vinaya Marriott, Acting Arts Development Lead

Purpose of Report

This report is in response to the October 2022 Notice of Motion relating to the development of a revised Public Art Policy, Public Art Strategic Placement Plan and Public Art Curatorial and Commissioning Guidelines to be returned to Council for endorsement at the July 2023 Ordinary Meeting of Council.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council endorse the Public Art Policy (Appendix 1), Public Art Placement Plan (Appendix 2) and Public Art Guidelines (Appendix 3)

1. Executive Summary

In response to the Notice of Motion from the October 2022 Council meeting, Council commenced a comprehensive and layered analysis of stakeholder and community priorities to develop a Public Art Consultation Report.

The outcomes of this feedback informed Kingston's Public Art Policy, Public Art Placement Plan, and for internal use Public Art Guidelines. Together, these documents provide Council and its stakeholders with a robust framework for the successful implementation and management of the City's Public Art program. The Public Art Policy, Public Art Placement Plan and Public Art Consultation Report were presented to the community for further feedback in June 2023.

2. Background

At the Council Meeting held on 10 of November 2021, Council endorsed the following:

That Council:

1. *Acknowledge that 2% of the Kingston capital budget for open space and building projects over $1,000,000 in value, provides a base level of funding for public art over the coming 5 years that may require further supplementation; and that this funding be considered in the 2022-23 budget and future capital program:*

2. *Endorse the staged delivery of a series of new interconnected public art trails across Kingston commencing at the Patterson River with up to 11 artworks, with 50% of those artworks to be commissioned following detailed planning, being undertaken prior to work commencing on other areas of the trails, subject to approved funding in the 2022/23 budget and forward capital program.*
3. *Endorse Option 1 guiding a mixed approach for commissions, with latitude provided to make the Patterson River sculpture trail iconic and responsive to its unique environment, including at least three (3) commissioned, major pieces and three (3) leased sculptures with the support of cultural organisations such as McClelland Gallery and Sculpture Park;*
4. *Endorse that officers initiate a cultural partnership with McClelland Gallery and Sculpture Park to develop a proposal and costings for Option 1 and exceptions as described above to the Patterson River sculpture trail;*
5. *Receive a report in 2022 on the costings and options for installation, including proposed funding in Council's budget to provide for at least one (1) sculpture to be installed at Patterson River by December 2022; and*
6. *Receive a report in 2022 that considers the development and adoption of a Public Art Strategy, and ongoing annual budget for public art across the municipality with scoping including sculpture, projection and visual art.*

In response to items 2,3,4,5 & 6 of the 10 November 2021 Notice of Motion (10.3), Council Officers undertook early investigation work with key stakeholders regarding the installation of public art throughout the City and specifically tested the Patterson River location. Through this process it became apparent that Council was not well-positioned to deliver outcomes commensurate with the Council's investment.

As a result, Officers recommended that Council improve its strategic capability by renewing the existing Public Art Policy; developing a Public Art Strategic Placement Plan; and co-designing Public Art Curatorial and Commissioning Guidelines for internal use to promote best practice outcomes across the Public Art Program.

At the Ordinary Council Meeting in October 2022, it was resolved:

That Council note that the following documents will be presented for adoption by the July 2023 Ordinary Council Meeting:

1. *A revised Public Art Policy.*
2. *A Public Art Strategic Placement Plan, highlighting the Patterson River Art Trail as a priority with consideration of the following:*

   a) Provision of a series of interconnected art trails (including Patterson River)

   b) Identification of high priority and high stature public art zones across the municipality (including Patterson River)

   c) Provision of forecasted financial commitments for public art investment into identified public art zones; and

3. *Public art curatorial and commissioning guidelines to inform the acquisition and collection management process for public art assets.*

3. Discussion

3.1 Public Art Policy

In March 2023, Council facilitated community and industry consultation through provision of several engagement opportunities. Feedback to questions around the planning and delivery of public art within the municipality is reflected in the Public Art Consultation Report and was used to develop the Public Art Policy. The purpose of the Public Art Policy is to provide a roadmap for Council and stakeholder investment in public art. This framework is complemented by guidance to promote a high-calibre and long-standing Public Art program for the City of Kingston.

3.2 Public Art Placement Plan

The Public Art Placement Plan was driven by a people-centred approach to planning with community and Council staff playing a key role in developing an implementation strategy. Feedback that included advice and observations from more than 200 community and internal stakeholders identified locations for public art across the city and shaped the guiding principles. The purpose of the Public Art Placement Plan is to provide strategic direction for public art investment in site specific locations across the city.

3.3 Public Art Guidelines

The Public Art Guidelines were developed in consultation with Council stakeholders including City of Melbourne and are based on industry best practice outlined by industry organisations such as the National Association for Visual Arts and the Arts Law Centre of Australia. This document aims to guide the commissioning, acquisition, management, deaccessioning and maintenance of public art across the City of Kingston and encourage an integrated and cooperative approach to planning and implementation. The purpose of the Public Art Guidelines is to provide a framework for key Council departments and non-Council (private and community) commissioners.

3.4 Patterson River Art Trail

As per the October 2022 Notice of Motion and in line with the outcomes of the community consultation process, the Patterson River has been identified as a priority project area for Council led public art projects in the Public Art Placement Plan (**Appendix 2**, item 3.4).

4. Consultation

4.1 Internal Consultation:

The below were consulted as part of the development of the Public Art Policy, Public Art Placement Plan and Public Art Guidelines:

- Arts, Events and Libraries
- Infrastructure
- Active Kingston
- City Strategy
- Open Space
- Economy and Innovation
- Environment Planning
- Councillors

4.2 Community Consultation:

First Round – 27 February- 27 March 2023

Group	Method
Key Stakeholders	Online Surveys 2 x targeted 2 hour facilitated workshops held at Kingston Civic Centre Have Your Say TV Screens displayed in Council buildings, Hubs and Libraries Social media (Facebook, Instagram) 3 interactive pop-up feedback boards installed at Cheltenham, Chelsea, and Parkdale Libraries for 1 week where staff promoted community interaction to capture feedback Media release to local and industry stakeholders Kingston Newsletter Kingston Arts E-newsletter Industry media platforms including ArtsHub
City of Kingston's Arts and Cultural Advisory Committee	1 x targeted 2-hour workshops held at Kingston Civic Centre (later combined with community session) Survey and email communications encouraged
Bunurong Land Council	Council facilitated a meeting to distribute community engagement plan developed for the Public Art Policy and Public Art Strategic Placement across Bunurong networks. Further engagement planned during the second consultation phase.

Second Round – 7 June - 28 June 2023

Group	Method
Key Stakeholders (Internal)	Presentations were made to: City, Economy and Innovation City Strategy Open Space Infrastructure City Works Property Services
General Community	Online Survey Have Your Say TV Screens displayed in Council buildings, Hubs and Libraries

	Social media (Facebook, Instagram) Kingston Newsletter Kingston Arts E-newsletter Industry media platforms including ArtsHub
Bunurong Land Council	Provided with a copy of the draft documents for feedback

4.3 Results/Findings:

First Round – 27 February- 27 March 2023

The following key findings have supported the development of the revised Public Art Policy and helped to identify priority locations for public art reflected in the five-year Public Art Placement Plan. More detailed information is available in the Public Art Consultation Report (**Appendix 4**):

- Public art is important to the vitality of Kingston and stakeholders have a strong connection to specific artworks
- Only a small number of respondents (8.6%) say public art is not important at all and would rather Council prioritised other services
- The quality and diversity of Kingston's public art collection is reasonably good, but not great and some suggest it's poor
- The ability of Kingston's current public art collection to promote the character, reputation and identity is not particularly strong
- Enhancing the visual amenity of the city, beautifying public infrastructure, and strengthening pride in the city are important to stakeholders
- Kingston's Public Art Program has some gaps and stakeholders suggest improvement in First Nations representation, curatorial direction, presentation, and promotion as well as more diversity of artwork
- The most highly rated locations for public art are high activity areas where people reside and congregate for walking, shopping, and recreation as well as areas in need of activation and rejuvenation
- In general, people want to see more public art in Kingston - murals and street art, integrated artworks like footpath treatments, functional artworks such as seating and shade structures, landmark and iconic sculptures that make a statement, as well as interactive and play friendly artworks.

Second Round – 7 June - 28 June 2023

Across the various platforms, 22 engaged participants completed the survey regarding the Draft Public Art Policy and Draft Public Art Placement Plan.

A detailed report is available (**Appendix 5**), 90.9% supported the adoption of Kingston's Draft Public Art Policy and 81.8% supported the adoption of Kingston's Draft Public Art Placement Plan.

Second Round Key Stakeholder Findings

Consultation and feedback from internal and external stakeholders have seen the following inclusions in the revised Public Art Policy, Public Art Placement Plan and Public Art Guidelines:

- Public Artwork Application Form: added to the Guidelines so that the residential, business and creative communities can suggest a public artwork and/or desire for a public artwork for Council to consider
- Public Artwork Commission Checklist: a 'cheat sheet' for Private Developers and Project Stakeholders to improve project delivery for all parties
- Mural: a segment in the Guidelines dedicated to this increasingly popular public art form to address the unique development, delivery and maintenance requirements associated with these projects
- Libraries: stakeholder identified location in the Public Art Placement Plan for artworks displayed or made in public libraries
- Integrated: a segment in the Guidelines dedicated to this public art form where artworks are incorporated into the surfaces of a building, streetscapes or utilities

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Liveable - Our city will be a vibrant, enjoyable, and easy place to live.
Strategy: Provide accessible, quality public open spaces for passive and active recreation

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.

5.3 Financial Considerations

Projected costings

2022/23	2023/24	2024/25	2025/26	2026/27	Y6	Y7	Y8	Y9	Y10	Total 10 Yr
$200k (Patterson River Art Trail) $460k (2% for Public Art)	$200k (Patterson River Art Trail) $842k (2% for Public Art)	$103k (2% for Public Art)	$1.172M (2% for Public Art)	$TBA (2% for Public Art)						

Budget

Council allocated $200,000 in the 22/23 & 23/24 Financial Year budgets for installation of public artworks along the Patterson River.

As per the 10 November 2021 Notice of Motion, 2% of the City of Kingston Capital Works budget for Open Space and Building Projects over the value of $1,000,000 has provided a $460,000 allocation for the 22/23 Financial Year. Funds from the 2% for public art allocation will be placed in a Cultural Asset Reserve.

Future percent approval for Public Art allocations have been forecasted in the above table, these are subject to change.

According to the November 2021 Notice of Motion this percent for art allocation process will be in place for 5 years.

It is recommended that the allocation percentage amount and budget contributed be reviewed in 2026 to measure its impact against priority projects identified through the Placement Plan.

Staff Resources

5.4 Risk considerations

Utilisation of the Public Art Policy, Public Art Placement Plan and Public Art Guidelines will support public art outcomes that are in line with Council and community expectations and that are undertaken through a best practise approach that considers high and compliant reputational and safety standards.

Appendices

Appendix 1 - Public Art Policy (Ref 23/191726)
Appendix 2 - Public Art Placement Plan (Ref 23/191728)
Appendix 3 - Public Art Guidelines (Ref 23/191729)
Appendix 4 - First Round Public Art Consultation Report 27 February - 27 March 2023 (Ref 23/191710)
Appendix 5 - Second Round Public Art Consultation Report 7 June - 28 June 2023 (Ref 23/189888)

Author/s:	Francesca Valmorbida, Head Arts & Cultural Development
	Vinaya Marriott, Acting Arts Development Lead
Reviewed and Approved By:	Sally Jones, General Manager Community Strengthening
	Simon Doyle, Manager Arts, Events and Libraries

9.3

RESPONSE TO RESOLUTION - NOTICE OF MOTION NO. 13/2021 - PUBLIC ART REVIEW

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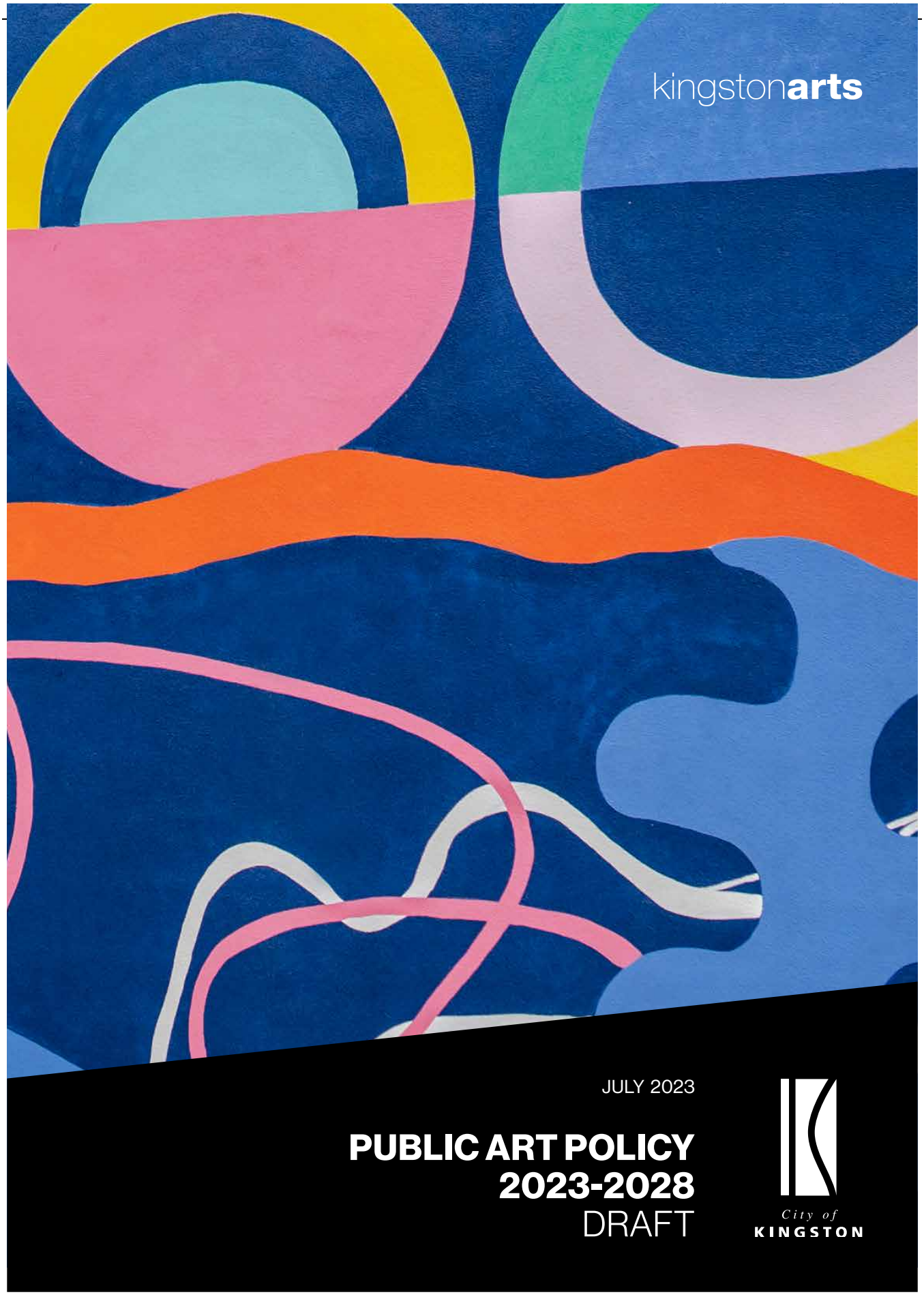

JULY 2023

PUBLIC ART POLICY 2023-2028
DRAFT

City of KINGSTON

Acknowledgment of Country

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past, present and emerging.

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, song lines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Elders who have guided, and continue to guide the work we do.

1. Purpose

The purpose of the Public Art Policy is to provide direction for Council's investment in public art and a framework and guidance for the ongoing provision of public art within the City of Kingston.

The policy is underpinned by the following core objectives:

- To encourage best-practice and a high-quality public art collection
- To guide the strategic integration of site-specific public art into Council's urban design and infrastructure projects
- To develop community connection through public art that is relevant and meaningful
- To create opportunities for artists to contribute to the City's liveability.

The Public Art Policy is accompanied and reinforced by strategic documents, which include:

1) The Public Art Placement Plan provides guidance for investment and identifies priority locations until 2028.
2) The Public Art Guidelines outlines the procedure associated with the commission, acquisition and collection of public artworks.

These documents should be referred to in conjunction with the policy.

2. Policy Scope

This policy applies to all public art commissioned, purchased and maintained by Council.

The policy applies to:

- a new permanent or temporary public art project
- key capital works on land owned or managed by Council
- major infrastructure projects (including private and public sector development projects)
- the development of public art as part of major event and festival programs
- asset maintenance and infrastructure renewal
- creating or reviewing relevant policy / planning documents or strategies.

The focus of this policy is on the public domain including sporting reserves, parks and gardens, pedestrian zones, foreshores, retail shopping precincts, suburban streets, and outdoor and indoor public facilities. The policy also applies to public art programs that activate the cultural life of the city, such as creative placemaking activities.

The policy is relevant to:

- Councillors
- Council officers
- Developers
- Consultants, contractors, artistic advisors engaged by Council and/or advisory groups convened by Council
- Artists, art groups, business owners, residents and community groups
- Government agencies and funding bodies.

3. Policy Statement

3.1 Defining Public Art

For the purpose of this policy, public art is defined as artworks or creative activities commissioned for public spaces or buildings, and includes the conceptual contribution of artists to the design of public spaces and facilities.

Public art refers to art in any medium that has been planned and executed with the specific intention of being sited, performed or staged in the public domain. It may be a commissioned work by professional artist/s or a community-inspired collaboration between artist/s, multi-disciplinary teams and members of a community.

The work may be of a permanent, temporary or ephemeral nature and can include sculpture, mosaics, murals, paintings, new media, landscape art and functional art such as street furniture.

Public art does not include:

- business logos and advertising
- directional elements such as supergraphics and signage
- mass-produced and off-the-shelf objects of art

For an asset to be considered Public Art in the City of Kingston it is required to be developed and managed through the processes outlined in the Public Art Guidelines.

4. Policy Guidelines

The following policy guidelines are further reinforced by the procedures specified in the Public Art Guidelines, as well as the strategic priorities identified in the Public Art Placement Plan. These documents should be referred to in conjunction with this policy. In general, the following considerations will be applied.

4.1 Policy Principles

In order to maintain a whole-of-council and strategically planned approach to the delivery of the city's public art program, the policy encourages public art to be:

- Integrated into the initial planning stage of new developments where possible and public spaces, and involves the conceptual contribution of artists at the earliest stage of design
- Responsive to the intended site or facility design and sympathetic to the surrounding built and natural environment as well as to the location's cultural and social history
- Reflective of a diverse range of creative expression and practice, while incorporating excellence, quality and innovation
- Enhancing the visual amenity of the city, beautifying public infrastructure and strengthening pride
- Accessible to Kingston's diverse community, irrespective of age, ability, social or cultural background.
- Cultivating appropriate engagement with the Traditional Custodians, the Bunurong peoples.
- A catalyst for collaboration co-operation and cross-sector partnerships and alliances with artists, communities, industry professionals and the private sector.
- Managed through the process outlined in the Public Art Guidelines.

4.2 Acquisition and Commissioning of Public Art

The acquisition and commission of public artworks will be achieved in compliance with Council's Procurement Policy and in accordance with the objectives and principles of this policy. Procedures for the delivery of equitable and transparent processes for public artworks including murals, are further detailed in the Public Art Guidelines.

4.2.1 Acquisition Models

In general, there are three pathways for acquiring public art in Kingston:

- By direct resolution of the Council
- Via the Public Art Commissioning process outlined in the Guidelines
- Via the Arts Grants program and recommendations resolved by Council.

4. Policy Guidelines

4.2.2 Commissioning Models

In general, the following commissioning methods will be applied:

- **Open Competition** – artists respond to an advertised expression of interest to provide a conceptual response to a project brief
- **Limited Competition** – specific artists or artistic teams are invited to submit proposals in response to a project brief or take part in concept development
- **Direct Commission** - a specific artist or artistic team is commissioned to create artwork for a project
- **Direct Purchase** – the artwork or design element is purchased directly from the artist or their agent.

4.2.3 Contract Management

All public artworks commissioned by Council will be delivered through an artist's contract which outlines the specific terms, conditions and payment schedule of the commission. Further details on this process are outlined in the Public Art Guidelines.

4.3 Expert Advice

The Arts & Cultural Development Team will lead and facilitate a public art working group, comprising representatives from Council branches as well as from key stakeholders and consultants.

As business requires, a selection of qualified practitioners will be called upon to oversee the selection of new artworks and provide specialised advice and feedback to Council through the Arts & Cultural Development Team.

Co-opted representatives may be invited to participate when specialised skills and knowledge are required, and to contribute from their field of expertise. These may include:

- Representatives of Bunurong Land Council Aboriginal Corporation for First Nations advice
- Recognised external artistic advisors from different artistic fields such as professional artists, curators, architects or designers
- Council Officers
- Community members.

4. Policy Guidelines

4.4 Assessment Criteria

Criteria for assessing and selecting artist/s and artwork acquired or commissioned by Council will be based on the principles outlined in 4.1 of this policy. Detailed Assessment Criteria, including fixed weightings are further outlined in the Public Art Guidelines and are included in the Artistic Brief.

4.5 Applications to Produce Public Art on Council Owned or Controlled Land

Applications to produce public artworks which are not being submitted as part of the Arts Grants program or as an Expression of Interest for a Council-initiated project must be submitted to the Kingston Arts website at kingstonarts.com.au. Applications must include:

- Statement of Intent and/or Business Case relevant to the principles, objectives and assessment criteria outlined in this policy
- Representation of the proposed work including location, drawings, site plan, technical information etc
- Details of artist/s and other creative personnel including Curriculum Vitae and images of past work.

4.6 Proposals to Gift, Donate or Transfer Public Art to Council

The donor body must submit a formal written proposal to Kingston Arts website at kingstonarts.com.au.

Proposals must address the objectives, principles and assessment criteria outlined in this policy.

4.7 Council Investment in Public Art on Private Land

Council funds will only support public art projects on private land if:

- The intended site is facing public land
- The proposed artwork improves public amenity
- The proposed artwork increases potential for broad economic uplift and enhancement of Council's city strategy
- The proposed artwork complies with the objectives, principles and assessment criteria outlined in this policy and the Public Art Guidelines.

4. Policy Guidelines

4.8 First Nations

The City of Kingston's Reconciliation Action Plan 2022-24 outlines Council's commitment to improving relationships between non-Indigenous Australians and Kingston's First Nations communities. Specific actions relating to this policy include:

- Ensuring and maximising opportunities for Aboriginal and Torres Strait Islander artists
- Implementing Acknowledgment of Country on public artworks.

To initiate effective and collaborative procedures for public art projects, programs or commissions that concern cultural knowledge and artistic expression of Aboriginal and Torres Strait Islander people, the following conditions apply:

- Indigenous Cultural Intellectual Property (ICIP) applies to artwork by an Aboriginal or Torres Strait Islander artist or the artwork, or components thereof, or incorporates, is sourced from, or refers to, Indigenous objects, knowledge or works
- Traditional Custodians and/or relevant Aboriginal or Torres Strait Islander representative bodies will be consulted prior to commissioning, accessioning, removing, or relocating Indigenous artworks.

5. Funding

5.1 Cultural Asset Reserve

Council's adopted annual financial contribution to public art allocates 2% of the Kingston capital budget for open space and building projects over $1,000,000 in value. This provides a base level of funding for public art over the coming five years. These funds are allocated to a Cultural Asset Reserve for the commissioning of new public art within infrastructure and new developments. The Reserve allocations for the commission of public art includes:

- Project management fee
- Fabrication
- Concept development fees for shortlisted artists/creative team
- Site preparation
- Commission fee for selected artists/creative team
- Transportation
- Materials
- Lighting
- Engineering
- Acknowledgement plaque
- Promotion

5.2 Capital Works

Council will encourage all capital works and urban design projects to consider the inclusion of public art to enhance the project, with budget considerations commensurate with the public profile of the site and/or project. This includes masterplans and precinct developments, major street upgrades, parks and landscaping developments, urban renewal, as well as maintenance of public art and revitalisation and activation projects.

5.3 Annual Operational Funds

Council also allocates operational funds from its annual budget to resource public programs, projects and activities that generate community participation, skills development and presentation and promotion of the city's public art assets.

5.4 Maintenance and Renewal of Public Art

Procedures for the ongoing care and conservation of public art will be maintained in accordance with professional collection management standards and Kingston's Public Art Guidelines. In order to implement best practice maintenance and conservation, a secure, stipulated and sustainable budget will be factored into the commissioning of all new works.

5. Funding

5.4 Private Development Partnerships and Contributions

Council will continue to collaborate and work with developers, business owners and investors in the city to foster private development partnerships and voluntary contributions towards public art that support the objectives of this policy. Processes and procedures to ensure that partnerships deliver mutually beneficial outcomes are further detailed in the Public Art Guidelines.

5.5 Other Investment Opportunities

Council will actively pursue and encourage alternative opportunities for investment, including:

- State and Federal Government funding - either whole or part of project costs
- Partnership, sponsorship and donations - with artists, education sector, community groups and philanthropic organisations
- Developer-led commissions - encouraging private developers to incorporate public art in new residential and commercial developments
- Council's Arts Grants program - encouraging the creation of small-scale ephemeral, temporary and permanent public artworks initiated by the community and local artists.

6. Roles and Responsibilities

The Public Art Policy will be implemented and monitored by Council's Arts & Cultural Development Team, with support from other Council directorates.

Entity	Role
Council	• Provide advocacy, strategic direction and guidance for the overall public art program in accordance with the Public Art Policy, Public Art Guidelines and the Public Art Placement Plan. • Provide approval regarding the acquisition and commissioning of major permanent public artworks
CEO	• Make recommendations to Council on the allocation of funds and approval of public art projects
General Manager Community Strengthening	• Implementation, application and review of policy across the organisation and approval of public art projects under the tender threshold (where delegated)
Manager Arts, Events & Libraries	• Oversee the implementation of Public Art Programs • Provide advocacy and advice to executive management and approval of public art projects under the tender threshold (where delegated)
Council's Arts & Cultural Development Team	• Administration of Council's Cultural Asset Reserve towards the development, acquisition and commissioning of public art • Responsibility for the City of Kingston Public Art Program including the Management and or approval of all Council run public art projects • Facilitation of collection management and maintenance, including restoration and conservation
Across Council Staff	• Identify potential priority projects and partner, collaborate, facilitate and invest in the acquisition and commissioning of public art
Arts & Cultural Advisory Committee	• May provide advice and recommendations to Council through the Arts & Cultural Development Team on the acquisition and commissioning of public art.

7. Related Documents

- Our Roadmap - Council Plan 2021-25
- Public Art Guidelines
- Public Art Placement Plan
- Arts & Culture Strategic Plan
- City of Kingston Procurement Policy
- Arts & Cultural Advisory Committee Terms of Reference
- Outcomes of Public Art Community Engagement Report
- Public Health & Wellbeing Plan
- Reconciliation Action Plan
- Disability Action Plan
- Multicultural Action Plan
- Safe & Secure Action Plan
- Health & Wellbeing Action Plan
- Prosperous Kingston – A framework for Economic Sustainability.

8. Definitions

Term	Definition
Acquisition	A formal process of obtaining possession of public artwork by purchase, donation, transfer or bequest.
Commission	A process in which an artist/artistic team is engaged to create permanent or temporary artwork for the public domain and is contracted and paid for their service.
Indigenous Cultural Intellectual Property (ICIP)	ICIP refers to the rights that Indigenous people have to protect their traditional arts and culture. ICIP is based on the principle of self-determination.[1]
Integrated Public Art	An artwork that is incorporated into another structure, such as a building, streetscape or landscape. [2]
Permanent Public Art	Permanent public artworks, such as sculptures and statues that are intended to last a minimum of ten years. [2]
Public Art Collection	A portfolio of public artworks or assets that has artistic, cultural and civic significance.
Site Specific Public Art	A site-specific installation describes a situation where the artwork and the site are equally important and each informs the other. [2]
Stand-alone Public Art	Stand-alone artworks are defined as being three-dimensional and independent of other structures, such as a building. [2]
Temporary Public Art	Temporary public artwork has a predetermined lifetime that can range anywhere from a few hours to several years. [2]

1 Indigenous Cultural and Intellectual Property (ICIP) - Arts Law Centre of Australia www.artslaw.com.au/information-sheet/indigenous-cultural-intellectual-property-icip-aitb

2 Australian Centre for Contemporary Art (acca.melbourne)

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JULY 2023

PUBLIC ART STRATEGIC PLACEMENT PLAN 2023-2028

DRAFT

City of KINGSTON

Acknowledgment of Country

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past, present and emerging.

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, song lines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait elders who have guided, and continue to guide the work we do.

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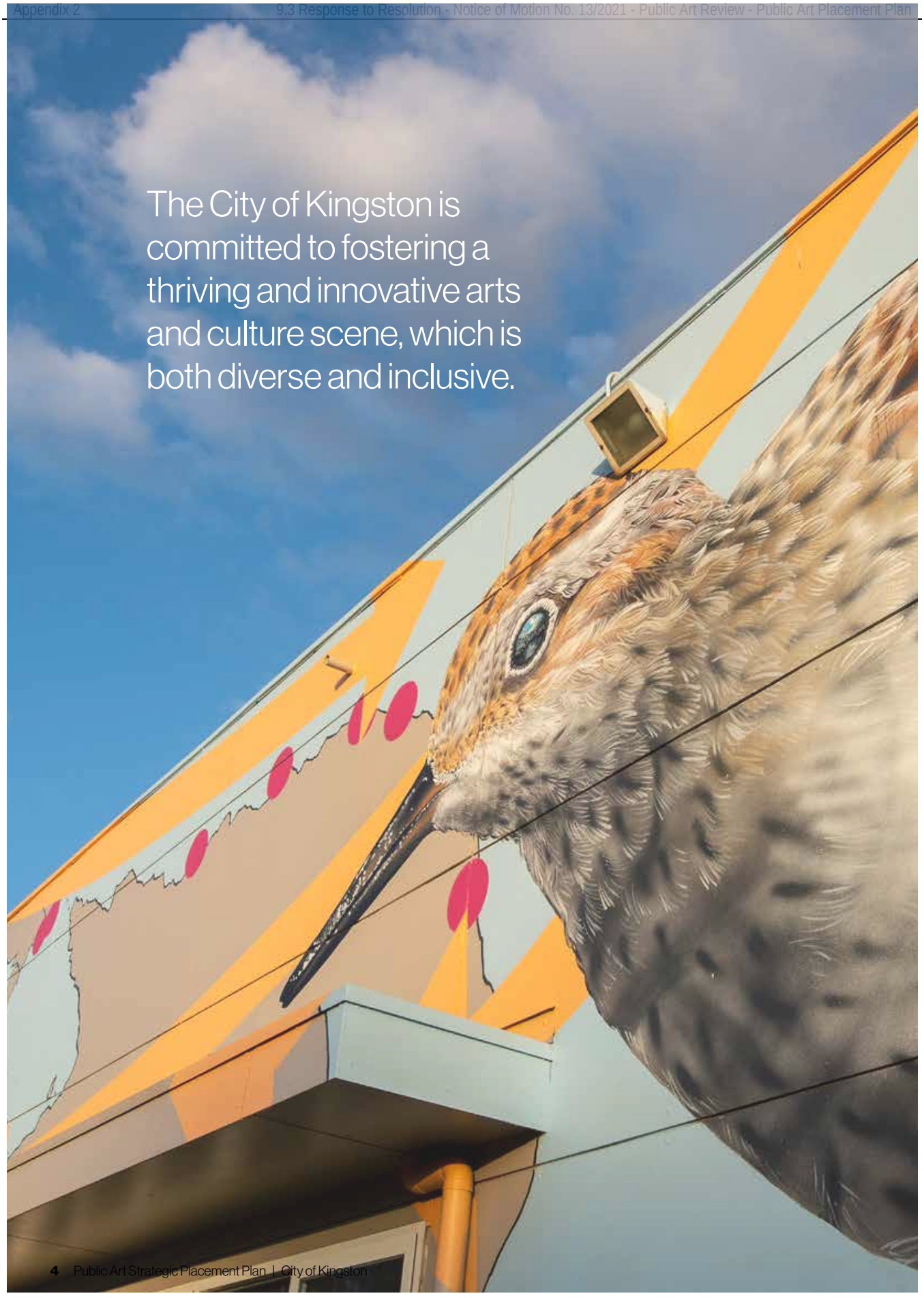


The City of Kingston is committed to fostering a thriving and innovative arts and culture scene, which is both diverse and inclusive.

Executive Summary

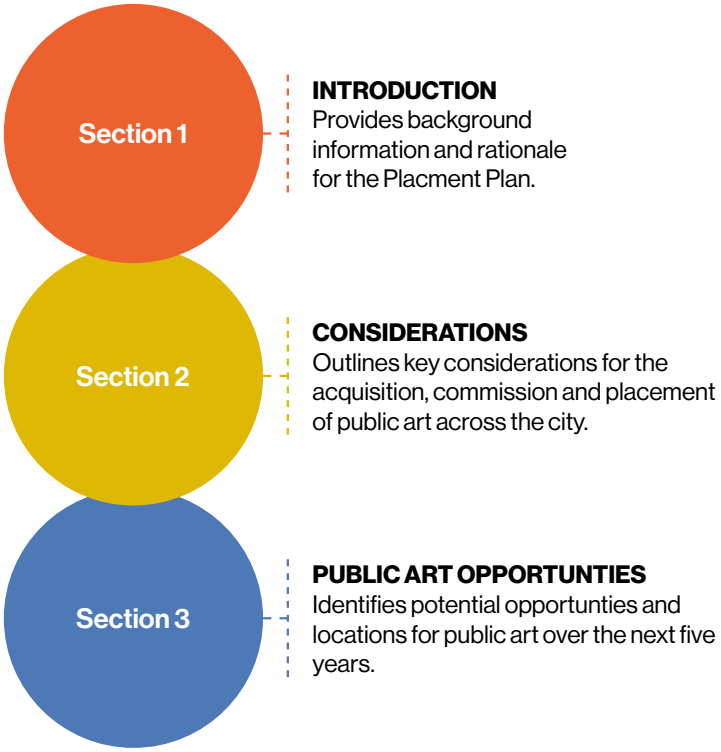
The City of Kingston is committed to fostering a thriving and innovative arts and culture scene, which is both diverse and inclusive. These vital elements are reinforced and reflected in Our Council Plan 2021-25, where liveability plays a central role in creating a vibrant, enjoyable and easy place to live.

Council acknowledges that Public Art is an important element in the city's cultural and creative vitality and seeks to build a public art collection that reflects and adds value to the distinctive character and lifestyle of the city.

To achieve this goal, Council contributes 2 per cent of the Kingston capital budget for open space and building projects over $1,000,000 in value to public art. These funds are allocated to a Cultural Asset Reserve for the commissioning of new public art within infrastructure and new developments.

The purpose of the Public Art Placement Plan is to contextualise the abundant opportunities that await and to provide direction for investment in the delivery of site specific, relevant and strategically planned public art across the city. Ongoing collaboration with community, business owners and developers will be important to achieving our goals.

The Public Art Placement Plan is compiled as follows:



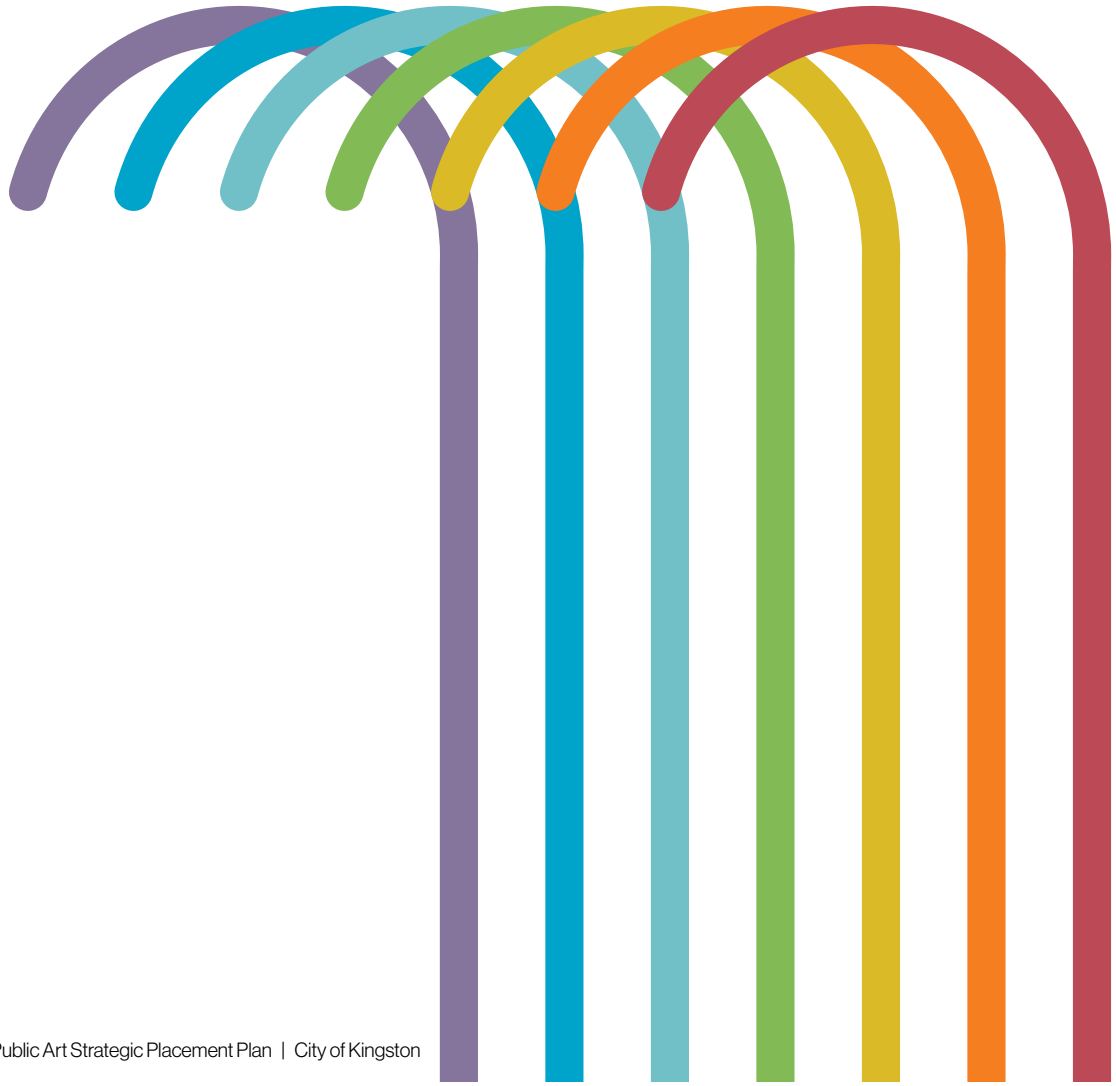
1. Introduction

Background & Rationale

In October 2022, Council resolved to review and revitalise its strategic framework for implementing and managing the city's Public Art Program, comprising:

- The renewal of Council's Public Art Policy
- The creation of a Strategic Placement Plan that considers interconnected Public Art Trails and high-profile and high-priority zones across the municipality
- The development of Public Art Guidelines.

The Resolution was initiated to strengthen the existing Public Art Program, and establish a plan that is in step with Council's broader corporate objectives, community expectations and the changing cultural landscape of the city.



Public Art Strategic Framework

The below suite of strategic documents provides a unified framework and guide for the delivery of public art.

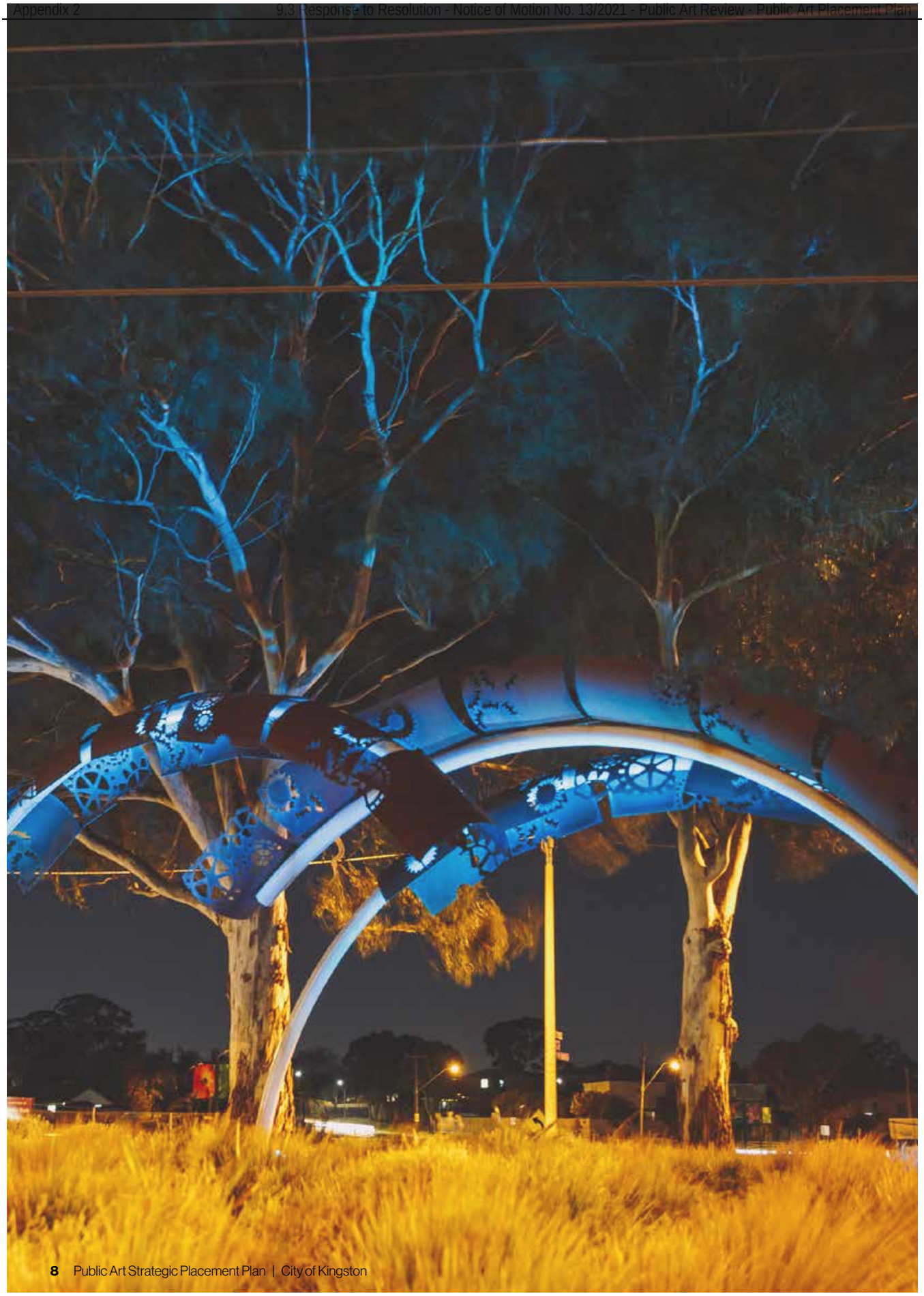
Together, they form the masterplan for the implementation and management of the city's public art program over the next five years, and should be utilised as a collective guide when:

- Planning for capital works and infrastructure projects (including private and public sector development)
- Scheduling for asset maintenance and infrastructure renewal
- Creating or reviewing relevant policy/planning documents or strategies
- Developing placemaking and public art events and activities.

The considerations and artwork opportunities contained in these documents will be utilised by the following to inform their public art projects:

- Council officers
- Property developers
- Consultants, contractors, artistic advisors engaged by Council and/or advisory groups convened by Council
- Artists, art groups, business owners, residents and community groups.
- Government agencies and funding bodies

Public Art Policy	Public Art Placement Plan	Public Art Guidelines
Provides a formalised and consistent framework to deliver the city's public art program.	Provides guidance for public art invesment and identifies locations for public art across priority areas, spaces and projects across the city.	Provides best practice procedures and process for acquisition, commission and collection management.



2. Considerations

This section of the Placement Plan outlines key considerations for the acquisition, commission and placement of public art across the city.

These underpinning factors are important to the overall delivery of a connected, cohesive and strategically planned program.

These considerations are intended to inform conceptual planning and development of public art and public art events led by Council, developers and community.

- The Role of Public Art in Kingston
- What's Important to Community?
- Public Art Budget and Typeologies
- Kingston's Existing Public Art Collection
- Guiding Principles
- Curatorial Themes and Narratives

The Role of Public Art in Kingston

Research tells us that cities with an active and dynamic cultural and creative scene are more attractive for people to visit, work or reside, and that public art can be a catalyst for establishing a city's unique creative and cultural reputation.

As well as its ability to generate visitation and cultural tourism, Council recognises that public art is an essential and fundamental part of our daily lives. It beautifies our city, celebrates our diversity and our history, and fosters community pride.

Our Council Plan 2021-25 emphasises Council's aspirations to create a city that is rich in arts, innovation and tourism. Council views public art as a vital tool to reaching the vision.

Investing in the public realm and incorporating public art into the city's urban design objectives is essential to establishing the City of Kingston as a creative, liveable and world-class city.

Public Art...

...talks to the narrative of place

...can provide the community with their first connection to our Indigenous culture

...gives our community pride in where they live

...shows the character of our community and our city

...creates a destination for the broader community to visit

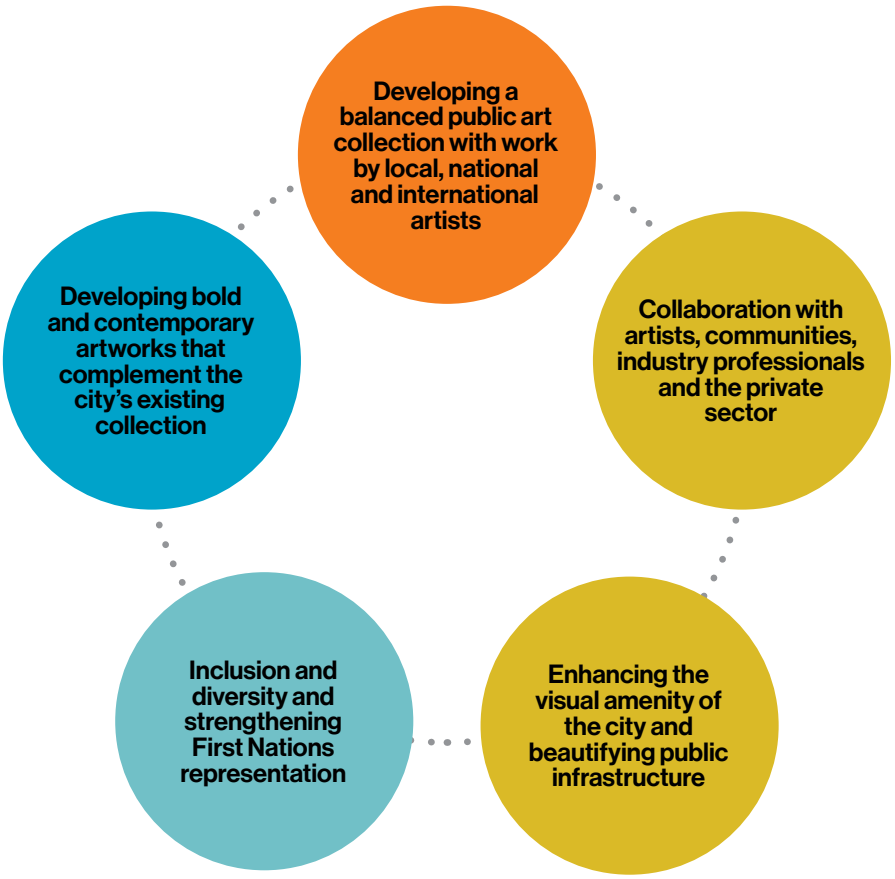
...goes to the heart of health and wellbeing

...beautifies an area, makes you smile and think

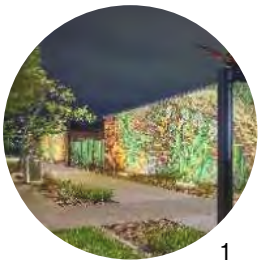
What's important to Community

The process for developing the Public Art Placement Plan has been driven by a people-centred approach to planning. Feedback, advice and observations have come from more than 200 community and internal stakeholders helping to shape the principles of the plan and identify locations for public art across the city.

Findings outlined in the Public Art Consultation Report highlights the intrinsic value of public art to the vitality of Kingston. This is a snapshot of what stakeholders told us was important.



Determining Scale, Type and Budget



1

Street Art and Murals such as 2D painted artworks on building facades, footpaths or public infrastructure.

2

Integrated Artworks such as landscape design, entry statements, wayfinding or footpath treatments.

3

Functional Artworks such as seating, shade structures, bike racks, or lighting.

4

Landmark Artworks such as large-scale, stand-alone sculptures.

5

Play-Friendly and Interactive Artworks such as slides and swings, waterplay, climbable or sensory artworks

6

New Media Artworks such as digital projections, soundscapes and light-based artworks

1 Butterfly Renewal & The Monarchs 2022 Mike Makatron and sculptures by Damian Vick through Artbox Horscroft Place Pocket Park Moorabbin

2 Untitled – Abbey Rich, Designer & Installer 2022 Karingal Hub Frankston

3 Cuttlefish Craig - Karen Carr 2022 Whyalla. Image Courtesy of Whyalla City Council

4 Pompei's Boat - Julie Squires 2010

5 Woven Fish – Brian Robinson Cairns Esplanade. Image Courtesy of Cairns Regional Council

6 Australian Birds – Julian Opie 2022 National Gallery of Victoria, City of Melbourne Collection

Artist fees vary between 20% and 40% of the project's overall budget, depending on the scope and scale of the artwork and the timeframes, technical nature, fabrication, materials, and level of assistance provided.

- National Association for Visual Arts (NAVA)

Identifying the scale, type and appropriate budget for the acquisition and commissioning of public artwork is a prerequisite in the early planning phase of the project. These considerations are often based on, and commensurate with, the specific site as well as the size and profile of the overall project or development. Case studies researched for this plan tell us that typically, public art projects range between $50,000 to $400,000 in value but there are also many major projects with far larger budgets.

Section 5.1 of the Public Art Policy details the range of services that may need to be considered when budgeting for the commission of public art. The Policy also encourages artworks to be responsive to the intended site and sympathetic to the surrounding built and natural environment as well as to the location's cultural and social history. The opposite examples of public art typologies are further referred to in the Public Art Guidelines.

Kingston's Existing Public Art Collection

The City of Kingston's current Public Art collection comprises around 20 documented artworks, including sculptures and a diverse range of murals produced by local, national and international artists.

The collection has been acquired over many years, primarily through Council's capital works, as well as via projects specifically designed to encourage community participation, urban revitalisation and social activities and events.

Community and stakeholder feedback suggests improvement in First Nations representation, as well as curatorial direction and the need for a broader diversity of artwork.

Stakeholders would also like to see a more balanced collection, with works by local, national and international artists, as well as the creation of bold and contemporary artworks that complement the city's existing collection.

The combined collection provides an important context for the Placement Plan. It is important that the location and theme of these public art assets is considered when planning new works.

Explore Public Art in Kingston

1
THE CENTAUR (1994)
By Wendy Reiss
Kingston Arts Centre,
Moorabbin

2
URBAN ANGELS (1994)
By Wendy Reiss
Kingston Arts Centre,
Moorabbin

3
RESTING PLACE (1999)
By Anne Ross
Westfield Southland

4
WATERWAYS (2008)
By Ken Blum
Bowen Park Bridge, Waterside Drive and Westbridge Board Walk, Waterways

5
EXCAVATOR (2008)
By Greg Johns
Waterside Drive
Waterways

6
ARGYLE (2007 - 2008)
By CPG Australia
Lake King Circle,
Waterways

7
BUNDLE OF STICKS (2008)
By Elizabeth Weissensteiner
Clarinda Community Centre,
Clarinda

8
HORSE (2009)
By Julie Squires
Beach Road, Mordialloc

9
POMPEI'S BOAT (2010)
By Julie Squires
Pompeis Landing,
Mordialloc

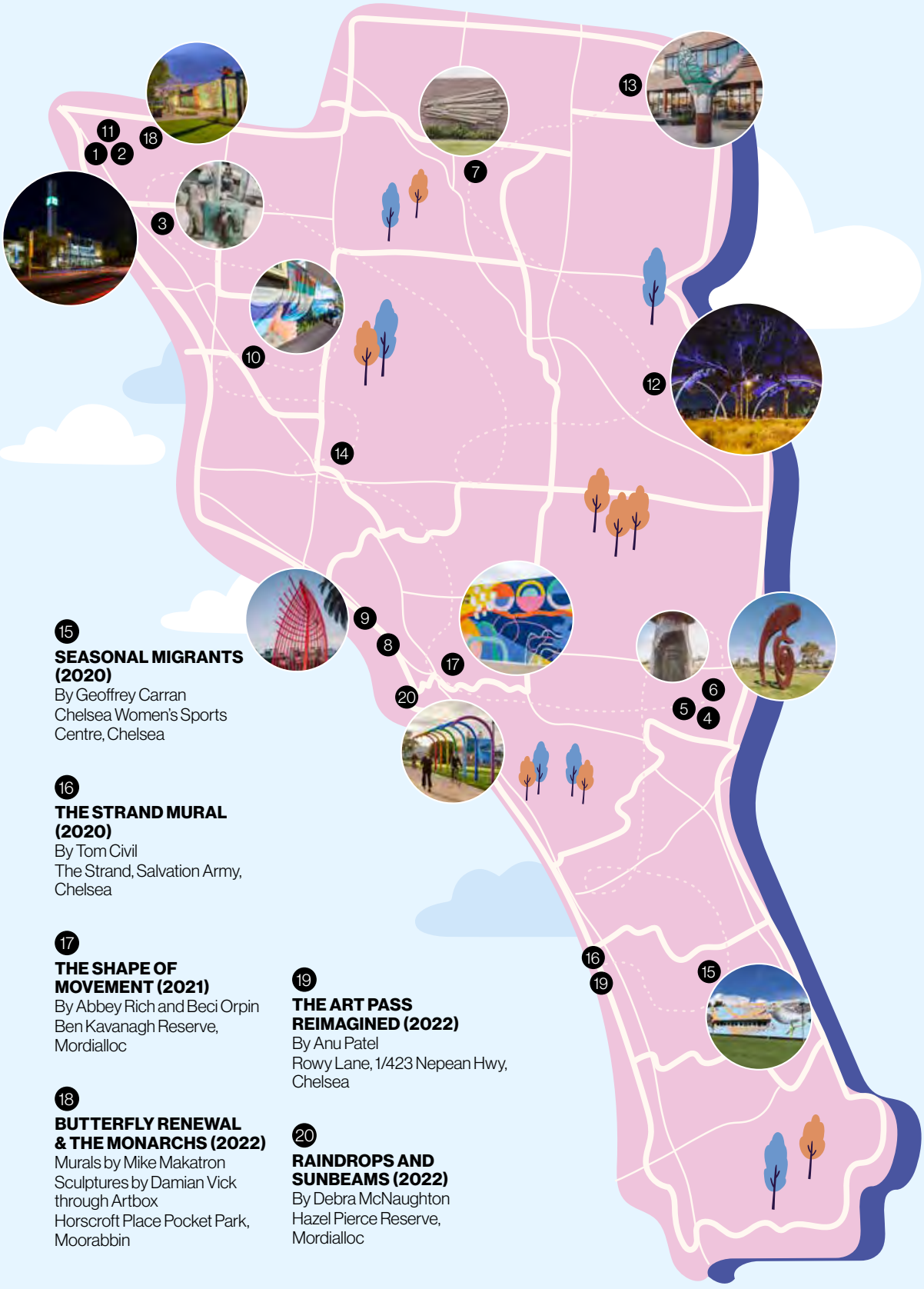
10
TWO ACRE VILLAGE (2012)
By James Beattie
& Andrew Bourke
The Fore Apartments,
Cheltenham

11
MOORABBIN JUNCTION (2014)
By James Beattie
Kingston City Hall
Moorabbin

12
TILLAGE (2014)
By Paul Johnson
Roundabout at the intersection of Old Dandenong Rd, Centre Dandenong Rd & Tootal Rd,
Dingley Village

13
UNUKOMUNO (2017)
By Ian Bracegirdle
Westall Community Hub
Fairbank Rd,
Clayton South

14
NEW RIVIERA (2019)
By Julie Shiels
Mentone Piazza,
Mentone



15
SEASONAL MIGRANTS (2020)
By Geoffrey Carran
Chelsea Women's Sports Centre, Chelsea

16
THE STRAND MURAL (2020)
By Tom Civil
The Strand, Salvation Army, Chelsea

17
THE SHAPE OF MOVEMENT (2021)
By Abbey Rich and Beci Orpin
Ben Kavanagh Reserve, Mordialloc

18
BUTTERFLY RENEWAL & THE MONARCHS (2022)
Murals by Mike Makatron
Sculptures by Damian Vick through Artbox
Horscroft Place Pocket Park, Moorabbin

19
THE ART PASS REIMAGINED (2022)
By Anu Patel
Rowy Lane, 1/423 Nepean Hwy, Chelsea

20
RAINDROPS AND SUNBEAMS (2022)
By Debra McNaughton
Hazel Pierce Reserve, Mordialloc

Guiding Principles

The city's annual public art program, along with the acquisition, commissioning and management of public art, will be guided by aspirations expressed and defined through our engagement with community and stakeholders.

These eight guiding principles and core values aim to ensure that relevant and strategically planned public art is achieved. They provide a compass to direct decision making, investment and future planning.

Integration into the initial planning stage of new developments and public spaces, and involving the conceptual contribution of artists at the earliest stage of design.

Responsive to the intended site and sympathetic to the surrounding built and natural environment as well as to the location's cultural and social history.

Reflective of a diverse range of creative expression and practice, while incorporating excellence, quality and innovation.

Enhancing the visual amenity of the city, beautifying public infrastructure and strengthening pride in the city.

Accessible to Kingston's diverse community, irrespective of age, ability, social or cultural background.

Cultivating appropriate engagement with the Traditional Custodians, the Bunurong peoples.

A catalyst for collaboration, co-operation and cross-sector partnerships and alliances with artists, communities, industry professionals and the private sector.

Managed through the processes outlined in the Public Art Policy and Public Art Guidelines.

Curatorial Themes

Identifying appropriate curatorial themes and narratives to guide the conceptual development of public art is crucial.

Ensuring relevant and meaningful themes that are responsive and sympathetic to a site's cultural and social history, its character or its stories will ensure greater appreciation by residents and visitors alike.

The determination of curatorial themes will require considered investigation and collaboration with the relevant stakeholders when planning for new works. These are a selection of fundamental subjects and ideas drawn from survey responses and discussions with stakeholders. They provide a starting point for further research and enquiry.

- First Nations Culture
- Health and Wellbeing
- Cultural Heritage
- Cultural Diversity
- Coastal Living and Lifestyle
- Creativity and Sustainability
- Environment - natural flora and fauna, water sources, wetlands and grasslands.

3. Public Art Opportunities

This section of the Placement Plan identifies potential public art opportunities identified by Council, along with stakeholders, as priority locations for public art in Kingston.

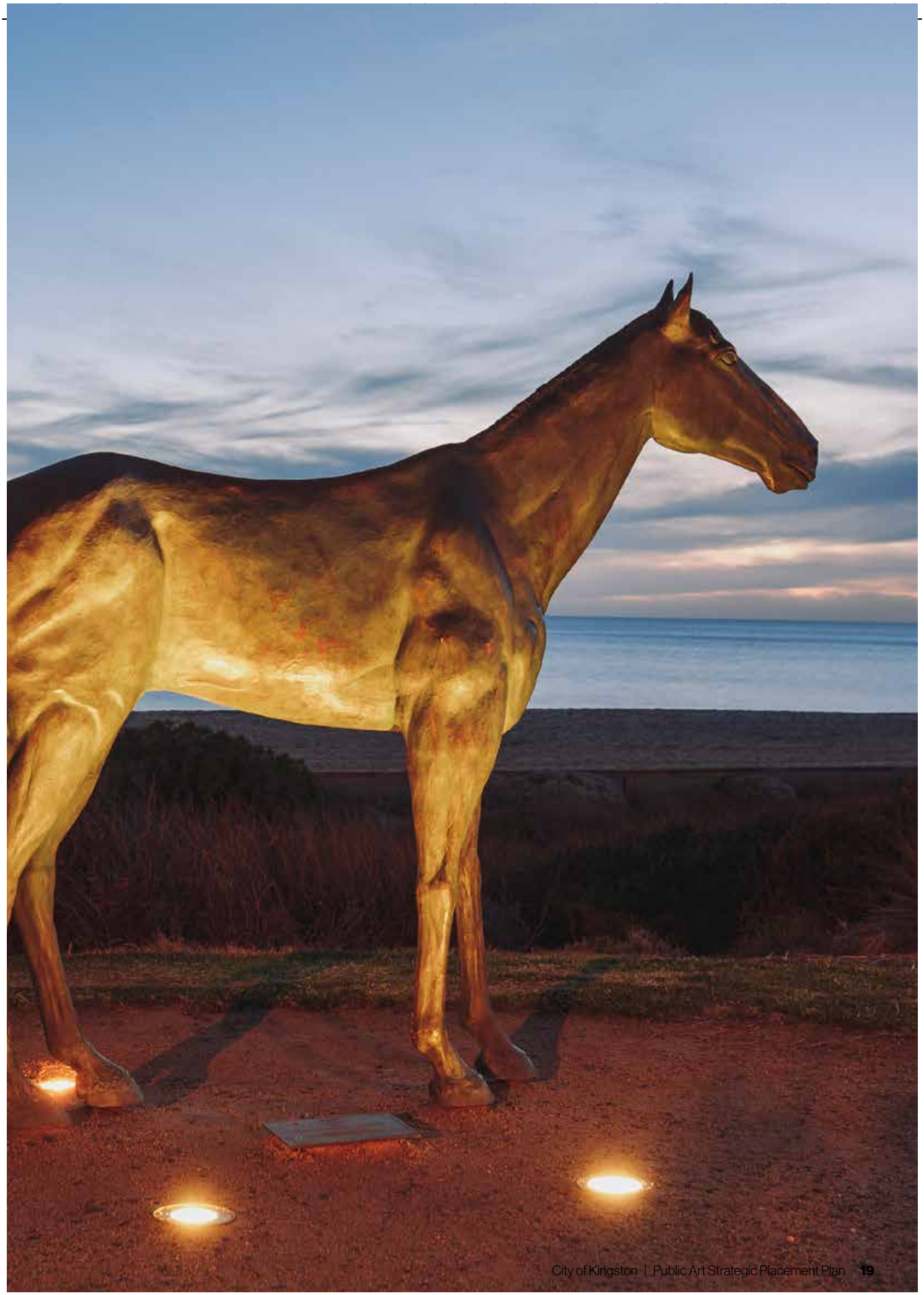
Projects listed here are by no means set in stone and will rely on available funding.

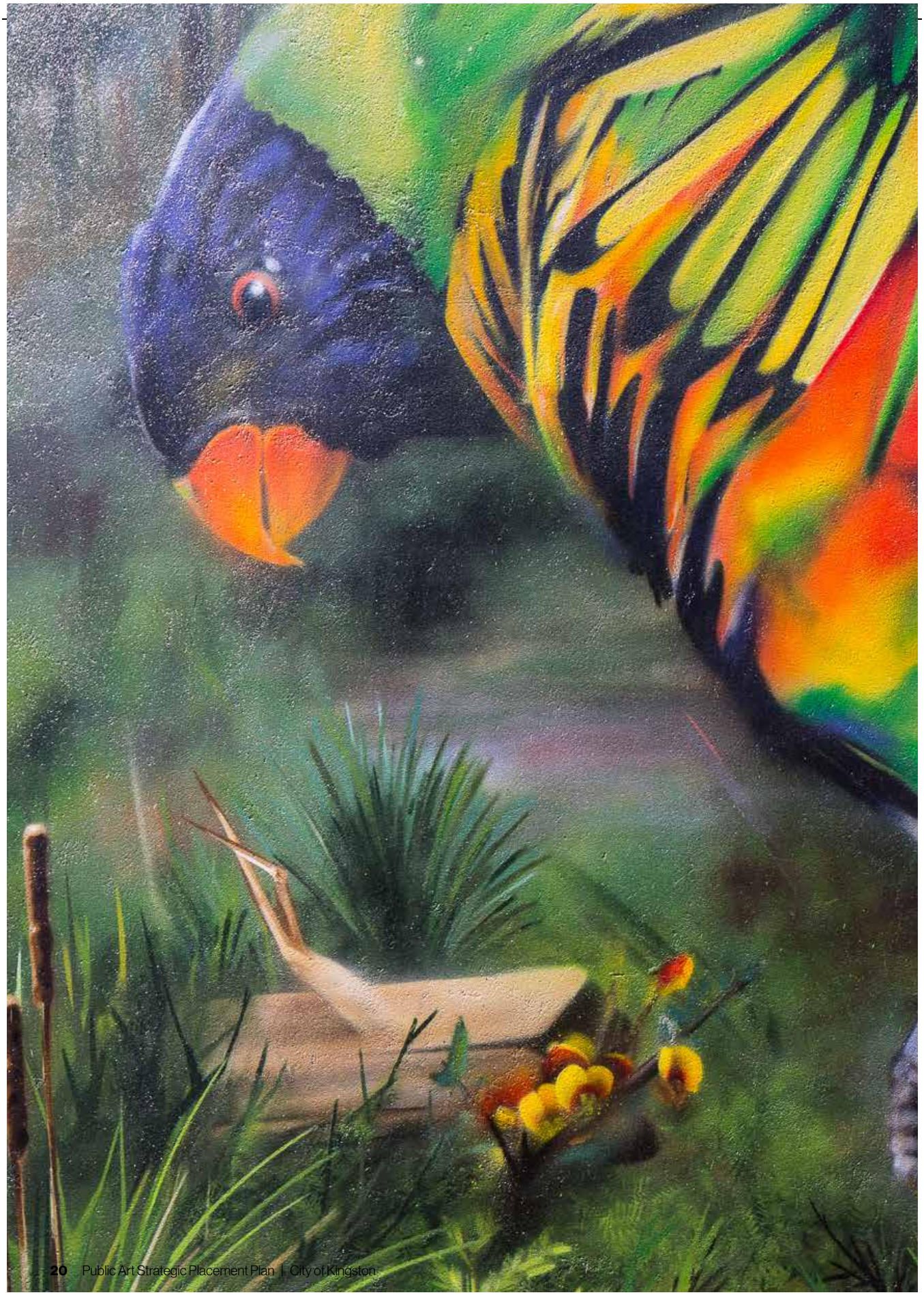
These abundant opportunities provide a landscape for the integration and commission of new works over the next five years.

The public art opportunities have been categorised under:

(a) Potential City of Kingston-led priority projects, with specific project themes: Major Developments; Gateways; Foreshores, Parks, Gardens and Playgrounds; Sports and Recreational Facilities; Accessibility Improvements; Activity Centres and Shopping Strip Revitalisations.

(b) Community and Stakeholder-identified priority locations and the type of artworks they would like to see.





3. Public Art Opportunities

Potential City of Kingston-led Priority Projects

1 Major Developments

1.1 New Aquatic Facility

2 Gateways

2.1 Nepean Highway / South Road
2.2 Lower Dandenong Road / Springvale Road
2.3 Governor Road / Springvale Road
2.4 Nepean Highway near Eel Race Road intersection
2.5 Gladesville Boulevard / Thompsons Road Roundabout

3 Foreshores, Parks, Gardens & Playgrounds

3.1 Chain of Parks
3.2 Longbeach Art Trail
3.3 Mordialloc Creek and the Foreshore
3.4 Patterson River Art Trail

4 Sports & Recreational Facilities

4.1 Namatjira Master Plan
4.2 Le Page Park Master Plan
4.3 Bonbeach Master Plan
4.4 Chelsea Longbeach LSC
4.5 Kingswood Golf Club

5 Accessibility Improvements

5.1 Parkdale Yacht Club
5.2 Antibes Accessible Ramp
5.3 Carrum Boardwalk Extension to Patterson River

6 Activity Centres

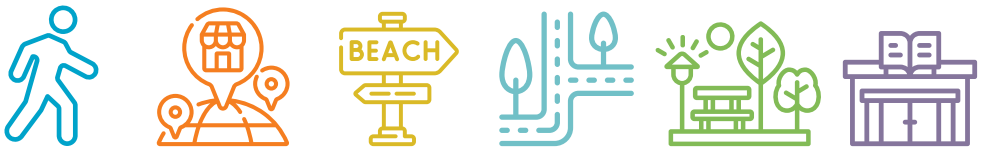
6.1 Mordialloc Industrial Estate - Mural Art
6.2 Moorabbin Arts Activation
6.3 Cheltenham Activity Centre
6.4 Mentone Activity Centre

Public Art Opportunities

Community & Stakeholder Identified Locations

1. Mordialloc/ Mordialloc Creek
2. Malaeuca Ave Clarinda Gateway Marker
3. Foreshore
4. Mentone Station Garders
5. Clarinda
6. Patterson River Trail
7. City Hall
8. New Aquatic Centre
9. Westall Road
10. Boundary Road
11. Charman Road
12. Corner Centre Dandenong Road & Nepean Hwy
13. Southland Bridge, Cheltenham

Where Stakeholders would like to see Public Art?



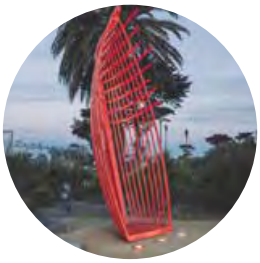
Pedestrian zones | **Retail and shopping precincts** | **Foreshores** | **Residential streets** | **Sporting reserves, parks and gardens** | **Public Libraries**

What type of Public Artworks do stakeholders want to see?

Street Art & Murals

Integrated artworks

Functional artworks



Landmark artworks

Play-friendly and interactive artworks

City of
KINGSTON

kingston.vic.gov.au

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Public Art Guidelines

City of KINGSTON

1. Introduction

The City of Kingston is committed to integrating public art across the urban and natural landscape by adopting a 'whole of Council' collaborative approach to planning, commissioning, acquiring and maintaining public art.

With a focus on developing a high quality, progressive and varied collection, Council will consider public artworks that explore different mediums, broad approaches and diverse geographical distribution. Where possible, Council will engage the expertise and/or involvement of local artists and art groups, curators, manufacturers and sculpture specialists.

The City of Kingston is dedicated to ensuring community connection and belonging, through the delivery of both temporal and permanent public artworks that are relevant to the community, complementary to the location, illustrates local stories, enhances the aesthetic value of the built and natural environment, and/or creates opportunity for increased visitation to the municipality.

Private developers are encouraged to engage professional artists to create site specific public artworks for new residential and commercial developments and may reference the Guidelines, Public Artwork Application Form and Public Artwork Commission Checklist to ensure quality outcomes that will benefit the community.

The Public Art Guidelines should be read in conjunction with the *Public Art Policy 2023-2028* and *Public Art Strategic Placement Plan 2023-2028.*

2. Guidelines Purpose

The purpose of the City of Kingston Public Art Guidelines is to provide a framework for key Council departments and non-Council (private and community) commissioners. This framework aims to guide the commissioning, acquisition, management and de-accessioning of public art across the Kingston municipality. The guidelines are based on industry best practice and refer to current industry standard practices, principles and guidelines.

3. Strategic Alignment

The following policies and strategies have been considered in the development of these Guidelines:

- *Public Art Policy 2023 – 2028*
- *Public Art Strategic Placement Plan 2023-2028*
- *Public Art Consultation Report March 2023*
- *Public Art Consultation Feedback Report July 2023*

3.1 Public Art Policy

The Public Art Policy provides direction for Council's investment in public art and a framework and guidance for the ongoing provision and maintenance of public art within the City of Kingston.

3.2 Public Art Strategic Placement Plan

The Public Art Strategic Placement Plan provides guidance for public art investment across priority areas, spaces and projects and direction for Council's percentage commitment for art funds for a five-year period to 2028.

4. Industry Standards

Industry organisations such as the National Association for Visual Arts and the Arts Law Centre of Australia provide industry standards of best practice in commissioning and managing public artworks. The City of Kingston Council will use these standards as a basis for public art commissions.

4.1 Signage

The City of Kingston is committed to the development of a rich and diverse public art program of ephemeral, temporary and permanent public artworks. The proposed *Kingston Open Spaces and Activity Centres Wayfinding Strategy* will support this commitment by adopting Australian industry approved standard signage norms that acknowledge the artist/s, Traditional Custodians and Elders of the land, funding bodies, and shares information about the artwork on the plaque or via a QR code.

4.2 Artist payments

City of Kingston follows best practice and will pay artists a fee to develop and present concept designs for an artwork following preliminary shortlisting. The fee will be consistent with the scope and allocated budget for each individual project and in accordance with the National Association for Visual Arts (NAVA). Identifying the scale, type and budget for a project is reinforced in the *Public Art Strategic Placement Plan 2023-2028.*

5. What is public art?

Public art includes temporary and permanent artworks made by artists located in the public domain in either indoor or outdoor public spaces or facilities and is visually or physically accessible to the public.

Public art refers to art led by a professional artist in any medium that has been planned and executed with the specific intention of being sited, performed or staged in the public domain.

Contemporary public art practice responds to site and is driven by a collaborative approach. It may be a commissioned work by professional artist/s or a community inspired collaboration between an artist/s, multi-disciplinary teams and members of a community. Some examples include sculpture, mosaics, murals, paintings, new media, land or earth art, kinetic works, and functional art such as street furniture.

5.1 Types of public art

The Guidelines refer to three types of public art:

Permanent: any artwork that is permanently sited in the public domain with examples including sculpture, sculptural memorials, streetscapes and furniture, wall works and standalone artworks.

Temporary: any work that has a limited life such as at a special event or less than five years with examples including immersive installations, murals and performances created for public space.

Ephemeral: any art form that is transitory, changing and exists for a brief time only in the public domain with examples including street art, construction hoardings, projections, or earth art made

with natural materials.

5.2. Definitions:

Public art disciplines include (but are not limited to):

5**.2.1 Landmark**

A landmark artwork is often determined within a key location. It may lend itself to a large-scale, stand-alone form and could be a unique and iconic place marker that encourages visitation and destination branding such as gateways and significant sites

5.2.2 Integrated

Artistic elements incorporated into the fabric of the built an/or natural environment such as foot paths, information and interpretive displays, a building façade, ground planes, window treatments, public facing walls, lighting features etc. An integrated approach requires artists to be commissioned at an early stage of a project so that collaboration with architects, landscape architects and planners can be fully realised, resulting in public art that can meaningfully contribute to transforming new streetscapes, buildings, foreshores and precincts.

5.2.3 Functional

Where the primary purpose of functional artworks is practical and utilitarian such as seating, bicycle racks, waste bins, shade structures, lighting, bollards, paving and drinking fountains.

5.2.4 Play Friendly

High level, tactile and sensory artworks particularly appealing to children. Public safety should also be considered in the choice of design to ensure current Australian Playground Standards are met (e.g. avoid entrapment hazards, sharp edges). Examples include seating, play-based sculptural elements, slides, swings, climbing frames, water play and can be driven with an educational outcome

5.2.5 New Media

Enlivening, energising and lighting spaces and places through new technology mediums. Digital public artworks can offer audience engagement through digital interactivity. These can include video projections, augmented reality, elements of light or sound and are located on/within significant buildings, facades or open space.

5.2.6 Community engaged

Developed as an artist-led initiatives, with a life-span from momentary to around five years.

5.2.7 Community driven (community arts)

Developed as community-led initiatives and driven by a professional community artist or where community participation is integral to the design and fabrication of the artwork.

6. What is a professional artist?

A professional artist is someone who:

- has specialised training and/or experience within the artistic field
- is recognised as a professional by their peers (artists and arts industry professionals)
- actively practices their art as their main profession or career even if it does not provide their main source of income or they have other employment.

7. Scope:

7.1 Inclusions:

- art in public places, funded by public or private money
- commissioned artwork by a professional artist
- art integrated into streetscapes and furniture on public land
- art on private development, located in or facing the public domain
- artist-led interpretive signage and wayfinding (Kingston Open Spaces and Activity Centres Wayfinding Strategy)

6.2 Exclusions:

The following are outside the scope of these guidelines:

- memorials and monuments
- advertising or commercially branded artworks
- non-artist commissioned street art, tagging and graffiti
- non-artist designed architectural features of a construction or landscape project
- privately owned artworks on private land

8. Guiding Principles

Kingston's public art program will be achieved through the implementation of a robust research and evaluation process to ensure high quality public art outcomes. A flexible approach will ensure that the needs of artists, internal and external stakeholders are met. The following principles reinforced by the *Public Art Policy 2023-2028* and *Public Art Strategic Placement Plan 2023-2028* will be used to guide the commissioning of public artworks:

- **Integration** into the initial planning stage of new developments and public spaces, and involving the conceptual contribution of artists at the earliest stage of design
- **Responsive** to the intended site or facility design and sympathetic to the surrounding built and natural environment, as well as to the location's cultural and social history
- **Reflective** of a diverse range of creative expression and practice, while incorporating excellence, quality and innovation
- **Enhancing** the visual amenity of the city, beautifying public infrastructure and strengthening civic pride
- **Accessible** to Kingston's diverse community, irrespective of age, ability, social or cultural background
- **Cultivating** appropriate engagement with the Traditional Custodians, the Bunurong peoples
- **A catalyst for collaboration**, co-operation and cross-sector partnerships and alliances with artists, communities, industry professionals, government bodies and the private sector.

9. Public Art Management:

9.1 The City of Kingston Council

Will be responsible for the City of Kingston's Public Art Program including the development, commissioning, acquisition, management, placement, care and/or endorsement of all Council run public art projects.

9.2 Public Art Reference Group

The Reference Group is a panel of public art experts co-opted on an as needs basis to provide professional advice to Council. These experts may be paid to assess submissions and make recommendations to Council by evaluating a making comment on EOIs, artist briefs, artworks submissions, proposed artworks for acquisitions, valuation and deaccession, methods of artwork installation and maintenance, and selection of artist, curator and/or consultants.

9.3 Arts and Cultural Advisory Committee

Committee members may provide advice and make recommendations to Council on the acquisition and commissioning of public art, or as co-opted members of a larger selection panel.

10. Commissioning

Public art commissions including murals can be approached in a variety of ways with the process determined by the project. A flexible process is necessary to ensure the selection and commissioning of artists for public artworks and activations remains site specific and fit-for-purpose. Further direction for investment in the delivery of site specific, relevant, and strategically planned public art across the city is outlined in *Public Art Strategic Placement Plan 2023-2028*.

10.1 Murals

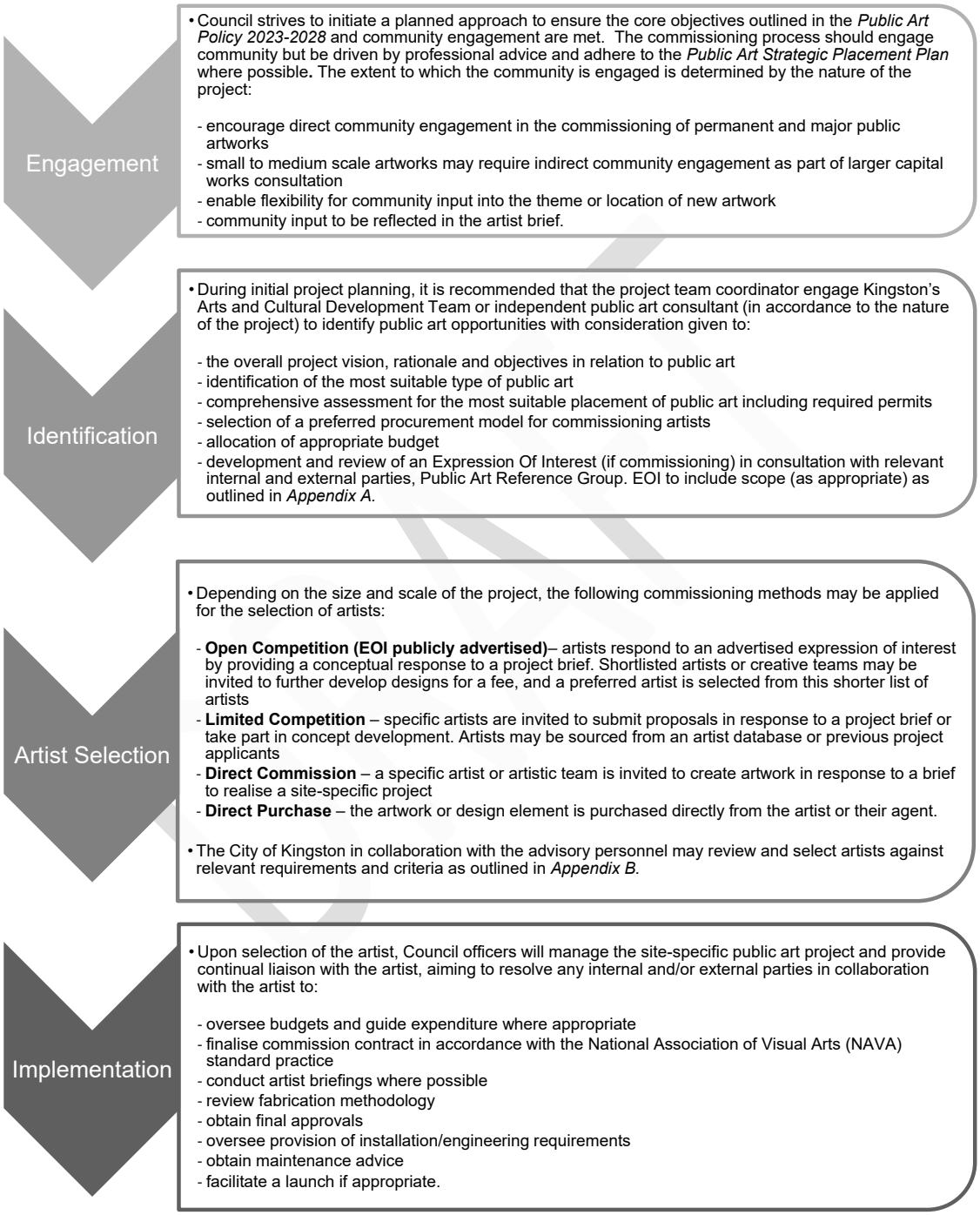
A mural can be defined as any 2D artwork applied directly to a publicly visible wall or urban surface where a professional artist has received permission from the property owner to install a mural artwork.

Murals are typically temporal in nature with an estimated lifespan of less than 5 years excluding exceptional circumstances. Due to the materials, exposure to external conditions such as pollution and the weather as well as the transient nature of street art, murals may have an even shorter lifespan.

Anti-graffiti coating can be applied to painted murals limiting the impact of unwanted tagging but does not prevent vandalism. The artist should be provided the first chance to repair any damage, or should have provided the commissioner a maintenance manual so the mural can be upkept according to the artists' instructions as much as is reasonably possible. Refer to *Maintenance.*

10.2 Key phases for commissioning

A collaborative approach will ensure high-quality integrated public art outcomes are realised under the following key phases:


Engagement
• Council strives to initiate a planned approach to ensure the core objectives outlined in the *Public Art Policy 2023-2028* and community engagement are met. The commissioning process should engage community but be driven by professional advice and adhere to the *Public Art Strategic Placement Plan* where possible. The extent to which the community is engaged is determined by the nature of the project:
- encourage direct community engagement in the commissioning of permanent and major public artworks
- small to medium scale artworks may require indirect community engagement as part of larger capital works consultation
- enable flexibility for community input into the theme or location of new artwork
- community input to be reflected in the artist brief.
Identification
• During initial project planning, it is recommended that the project team coordinator engage Kingston's Arts and Cultural Development Team or independent public art consultant (in accordance to the nature of the project) to identify public art opportunities with consideration given to:
- the overall project vision, rationale and objectives in relation to public art
- identification of the most suitable type of public art
- comprehensive assessment for the most suitable placement of public art including required permits
- selection of a preferred procurement model for commissioning artists
- allocation of appropriate budget
- development and review of an Expression Of Interest (if commissioning) in consultation with relevant internal and external parties, Public Art Reference Group. EOI to include scope (as appropriate) as outlined in *Appendix A*.
Artist Selection
• Depending on the size and scale of the project, the following commissioning methods may be applied for the selection of artists:
- **Open Competition (EOI publicly advertised)**– artists respond to an advertised expression of interest by providing a conceptual response to a project brief. Shortlisted artists or creative teams may be invited to further develop designs for a fee, and a preferred artist is selected from this shorter list of artists
- **Limited Competition** – specific artists are invited to submit proposals in response to a project brief or take part in concept development. Artists may be sourced from an artist database or previous project applicants
- **Direct Commission** – a specific artist or artistic team is invited to create artwork in response to a brief to realise a site-specific project
- **Direct Purchase** – the artwork or design element is purchased directly from the artist or their agent.
• The City of Kingston in collaboration with the advisory personnel may review and select artists against relevant requirements and criteria as outlined in *Appendix B.*
Implementation
• Upon selection of the artist, Council officers will manage the site-specific public art project and provide continual liaison with the artist, aiming to resolve any internal and/or external parties in collaboration with the artist to:
- oversee budgets and guide expenditure where appropriate
- finalise commission contract in accordance with the National Association of Visual Arts (NAVA) standard practice
- conduct artist briefings where possible
- review fabrication methodology
- obtain final approvals
- oversee provision of installation/engineering requirements
- obtain maintenance advice
- facilitate a launch if appropriate.

11. Contract Management

All public artworks commissioned by Council will be delivered through an artist's contract which outlines the specific terms and conditions of the commission. The agreement will address transport, installation, OH&S and risk management, permits, transfer of title, provenance, conservation, attribution, copyright, moral rights, deaccessioning, documentation, key milestones, budget and payment deadlines and other areas deliverables as deemed necessary. Council commits to pay artists for all aspects of work procured for public art commissions, including concept development by shortlisted artists, detailed design and fabrication.

12. Artist Copyright and Moral Rights

Artist Copyright and Moral Rights With amendments that came into force on 26 July 2007, Part IX of the Copyright Act 1968 provides for comprehensive moral rights protection in Australia for authors of literary, dramatic, musical and artistic works, film-makers (producers, directors and screenwriters) and also for performers. This legislation provides creators with three rights. They are:

- the right of attribution of authorship - to be named in connection with one's work, film or performance
- the right against false attribution of authorship of a work, film or performance
- the right of integrity of authorship - the right of an author or performer to object to treatment of a work, film or performance that demeans their reputation, and
- moral rights last for the same time as copyright in a work, the term of which is usually the creator's life plus 70 years. While it is not necessary for an artist or creator to expressly preserve their moral rights, contracts may include a clause to this effect. It should be noted that moral rights apply to people and not to corporations. Unlike copyright, moral rights are personal property and cannot be transferred. See Copyright Amendment Act 2006 (hyperlink).

The work will be labelled in accordance with museum standards in full view with the following information as a minimum requirement:

- artist's name,
- title of the artwork,
- date of the work,
- medium,
- Indigenous acknowledgement, and
- as appropriate, the name of the donor.

The label or plaque will be fabricated in a material appropriate for artwork medium/expected lifespan and monetary value of project and care should be taken to ensure it is not to be obscured or altered without written permission of the artist, and not be displayed if it is in disrepair.

13. Gifting or Donation by party other than Council

Gifting or donations of artworks to Council will be assessed against the Guiding Principles of the *Public Art Guidelines* by the Arts and Cultural Development Team for potential referral to external parties who may make a recommendation.

The donor body must provide a formal written proposal for the donation outlining the:

- information about the artist such as the artist's practice and CV
- statement about the work

- visual samples of the proposed work
- a Risk Assessment of the work for public display
- maintenance advice for the work.

14. Accessioning / recording of Public Artworks

Each public artwork will be catalogued, photographed and recorded, along with the assessment and maintenance schedule details to enable identification and management including conservation and care, valuation, lending etc.

15. Maintenance

All new public artworks installed within Kingston municipality must be supplied with maintenance advice from either the artist and/or fabricator. The maintenance advice must include:

- a description of the artwork
- artist/fabricator contact details
- maintenance schedule and instructions for cleaning and maintaining artwork
- expected lifespan of materials used
- installation techniques outlining methodology and information of any electrical/mechanical components used (if appropriate).

Artworks are to be inspected with a condition report and maintained in accordance with the provided maintenance manual to prevent damage and maintain the probity of the work. The maintenance costs will be facilitated through the Asset Maintenance Budget.

16. De-Accessioning

When de-accessioning, Council officers, in consultation with appropriate internal and external parties, will consider the following potential solutions:

- relocation of the artwork to a more appropriate site
- donation, transfer or sale to an institution where that item could have relevance
- donation or sale (if appropriate) to its donor or creator
- sale on the open market, or
- environmentally sustainable responsible destruction practices where no other option is suitable.

If a work is to be sold, donated, relocated, or destroyed all reasonable efforts to locate the artist must be made by the Council. If de-accessioning is approved, an agreed cooling off period may apply. All proceeds from sales will be used for Council's Public Art Program.

Arts and Cultural Development Team members can recommend to Council to de-accession a work if it:

- has ephemeral or limited life
- does not fall within the current guiding principles
- is in poor condition and is considered to have insufficient significance to warrant the allocation of resources for continuing conservation and/or storage
- serves no specific purpose, is unsuitable for and is not required for research
- duplicates another item and is of lesser significance than its duplicate or is found to be a fake
- is irreparably damaged, destroyed or stolen with no prospect of retrieval
- is a public safety risk or at high risk of vandalism, or
- has incurred significant changes in the use, character or design of the artwork site having impacted considerably on the suitability of the artwork remaining in its present location.

Appendices

Appendix A.

Developing and endorsing the Artist's Brief
The commission brief should outline the project vision and scope. Briefs should include relevant information whilst remaining broad to allow flexibility for artists to respond creatively.

The artist brief may include:
- cultural context and background information
- site plans
- material, scale, technical specifications
- council and/or arts and culture policies and statements
- medium of artwork
- artist and commissioner responsibilities including artist submission requirements at each stage
- commissioning process
- selection and assessment criteria
- budget and design fees if appropriate budget
- insurance and permit expectations
- timeline
- proposed maintenance considerations.

Appendix B.

Assessment criteria for shortlisted artists
In general, shortlisted artists may be required to submit the following (as appropriate):
- visualisations: two to three sketches, drawings and/or concept renders showing the form of the concept
- statement as to how the artwork achieves the aims of the project and/or policy
- proposed scale and materials to be used in the activation of the space, demonstrating understanding of durability and robustness of selected material
- timeline
- proposed installation methodology
- outline of proposed maintenance requirements
- detailed budget that may include: materials and fabrication, transportation, installation including hiring of necessary equipment, required permits, anti-graffiti coating/and or UV coating suitable for selected material, lighting, artist fee, 10% contingency, sub-consultant fees i.e. structural engineer
- proposed key personnel
- two business references
- evidence of current insurance cover including Professional Indemnity, Public Liability Insurance and Work Cover
- detailed engineering drawings should not be required at the shortlisting stage but as a contract milestone.

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Shortlisted artist assessment Criteria

Assessment for shortlisted artists may be based on the following criteria (as appropriate):

- relevant experience in delivering similar public art projects demonstrating strong technical skills or the ability to work with experienced public art experts
- strong concept that achieves the objectives of the commission brief
- the artistic merit of the proposed artwork
- appropriateness to site: contribution to local area and the experience for residents and visitors to the space
- ability to work within allocated budget and proposed timeline
- considerations of maintenance requirements and durability of materials
- consideration of health and safety issues in design and implementation.

Appendix C.

The following is intended to outline the City of Kingston's expectations when an artwork is proposed in a new or existing residential, commercial, or mixed use (commercial and residential combined) property interfacing with public space.

The Public Artwork Application Form aims to offer direction and support to the commissioner to ensure a quality outcome for the benefit of the community. The Form may be used for new private development planning applications and will form part of the documentation endorsed under the planning permit approval, or community proposals for business, residential or industrial areas.

Artists who wish to submit a general Public Art Expression of Interest can complete a submission via the Kingston Arts website here. The form will be processed by council officers through Smarty Grants.

DRAFT

Public Artwork Application Form

Please share with council a site and/or proposed artwork.

Address of artwork location……

Name of applicant……..

Applicant contact details……..

Name of Council Planner (if applicable)……

Name of Artist (if applicable)……

Artist contact details (if available)……

Anticipated artwork installation completion date…….....

Reasoning…….....

Attachments:

1. Description of proposed location or artwork including:
- Information about the site (including images and dimensions where possible)
- Rationale describing the site and why it is appropriate for a proposed artwork
  OR
- Information about the artist (1 page CV)
- Artist rationale describing the concept and why it is appropriate in the proposed location

2. Artwork Documentation:
- Concept render, drawings or visualisations showing proposed artwork in situ
- Dimensions, materials, installation and lifespan

3. Indication of maintenance required and details of ownership

4. Approximate artwork Budget including artist's fee

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Appendix D.

Public Art Checklist

- ☐ Address and add value to the public streetscape and encourage an activated interface
- ☐ Promote community identity and a sense of place through vibrant and iconic design
- ☐ Be undertaken by a professional artist/s and demonstrate high quality design and installation practice
- ☐ Consider the environmental impacts of materials and mediums especially risk to local waterways. Council encourages artwork that minimises the use of energy and resources, emissions, minimises waste generation and maximises the use of recycled materials, environmentally sustainable paints and mediums that reduce risk to local environs
- ☐ Consider artwork that minimises impacts to local wildlife through wildlife sensitive lighting and noise attenuation
- ☐ Be durable and not pose a risk to public safety
- ☐ Identity asset owner to maintain artwork after installation including the removal of any graffiti
- ☐ Not include any form of business identification signage, advertising or corporate colours.
- ☐ Be finished with an effective anti-graffiti coating
- ☐ Consider traffic management during installation
- ☐ Not be offensive
- ☐ Consideration of appropriate associated costs including artist fees, road/footpath occupation permits (i.e. Traffic/Pedestrian Management Plan, Asset Protection Permit), ongoing maintenance costs

17. Review

This document along with the Public Art Placement and Action Plans will be reviewed in June 2028.

18. Related Documents and Resources

- Public Art Policy 2023-2028
- Public Art Strategic Placement Plan 2023-2028
- Arts and Cultural Advisory Committee Terms of Reference
- City of Kingston Procurement Policy
- Kingston Open Spaces and Activity Centres Wayfinding Strategy
- NSW Government Public Art Toolkit
- Arts Law Centre of Australia: Public Art Guidelines for Artists and Commissioners
- National Association for Visual Arts (NAVA): Commissioning Art in Public Space
- Public Galleries Victoria Association website - https://pgav.org.au

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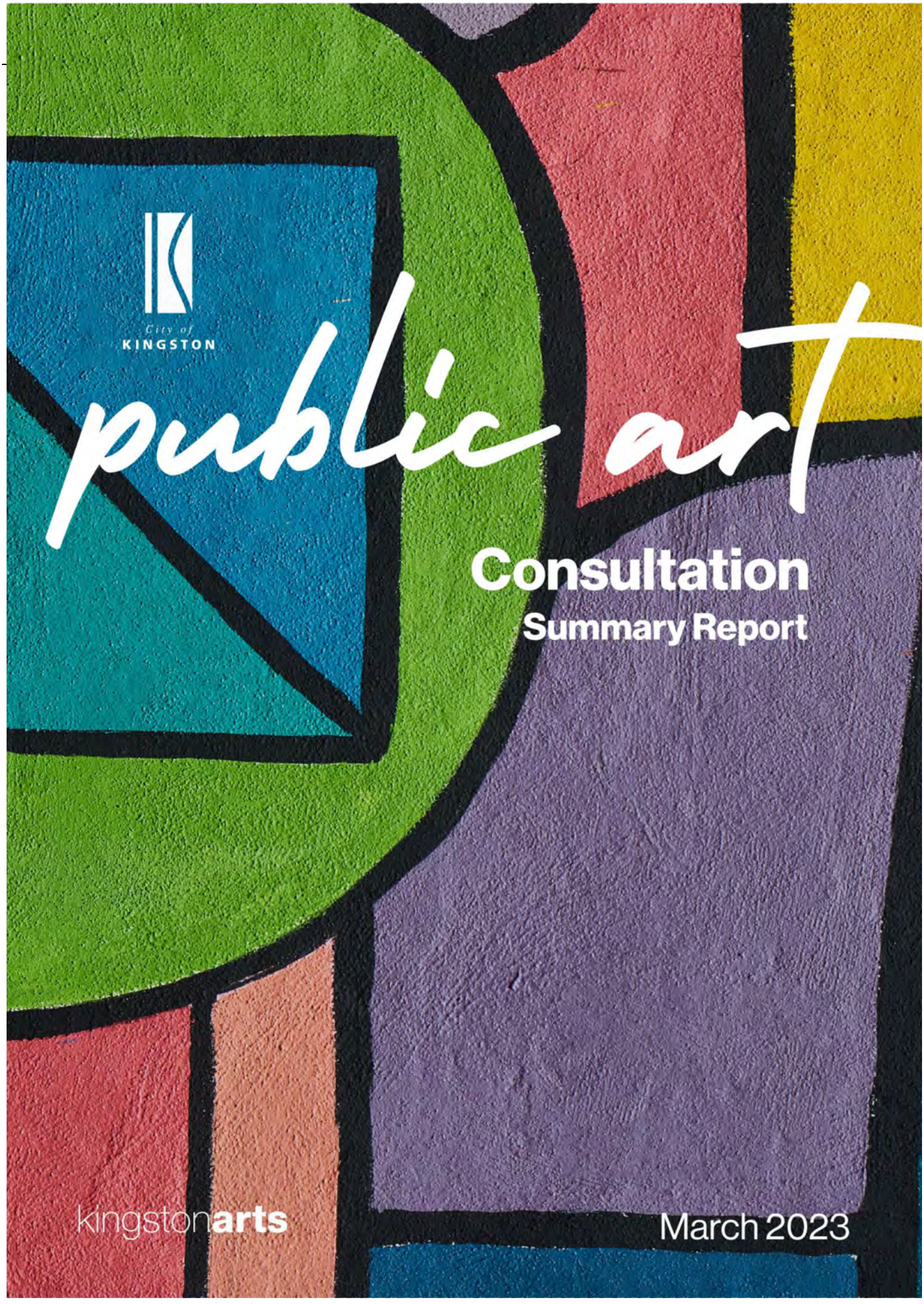

City of
KINGSTON
public art
Consultation
Summary Report
kingstonarts
March 2023

Introduction

Council recognises that public art provides an opportunity to celebrate the city's diverse history, cultures and character and reinforce Kingston's creative identity.

In October 2022 Council resolved to review its strategic framework for managing the city's Public Art Program.

As a first step, Council consulted with the community in March 2023.

The key findings outlined in this report will support the development of the revised Public Art Policy, as well as identifying priority locations for public art to be embedded in the five-year Public Art Placement Plan.

How People Participated

On Line Surveys
139 Completed

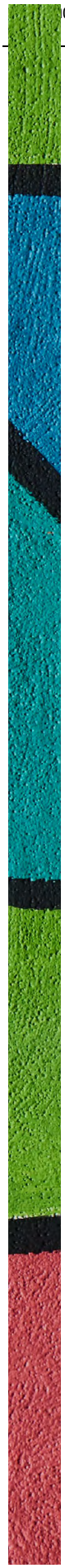
In-Person Workshops
21 people Attended

Have Your Say TV Screens
~50 people participated

How we told people

A communications strategy which included the following platforms was designed to encourage and support stakeholder engagement activities.

Platform	Details
Social Media	Facebook - 21,634 reach Instagram - 2,284 reach
Signage	12 x digital screens, displayed in Council buildings, Hubs and Libraries
Events	2 x targeted 2-hour workshops were held at Kingston Civic Centre.
Pop-Ups	3 x permanent interactive pop-ups located at Cheltenham, Chelsea & Parkdale Libraries to capture community input and feedback
Media Release	23 views
Kingston News	2,826 subscribers
Kingston Arts Enews	3,302 subscribers



Key Findings

Public art is important to the vitality of Kingston and stakeholders have a strong connection to specific artworks.

Only a **small number of respondents** (8.6%) say it's **not important at all** and would rather **Council prioritised other services.**

The quality and diversity of Kingston's public art collection is r**easonably good, but not great** and some suggest it's poor.

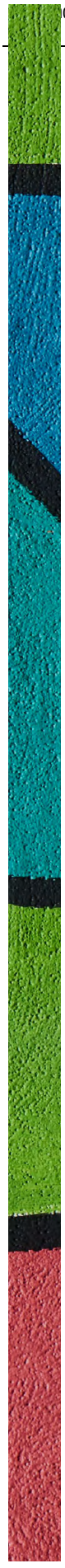
The ability of Kingston's **current public art collection** to promote the character, reputation and identity is **not particularly strong.**

Enhancing the visual amenity of the city, beautifying public infrastructure and strengthening pride in the city are **important to stakeholders.**

Kingston's **Public Art Program has some gaps** and stakeholders suggest **improvement in First Nations representation**, curatorial direction, presentation and promotion as well as **more diversity of artwork.**

The **most highly rated locations** for public art are **high activity areas** where people reside and congregate for walking, shopping and recreation as well as areas **in need of activation and rejuvenation**.

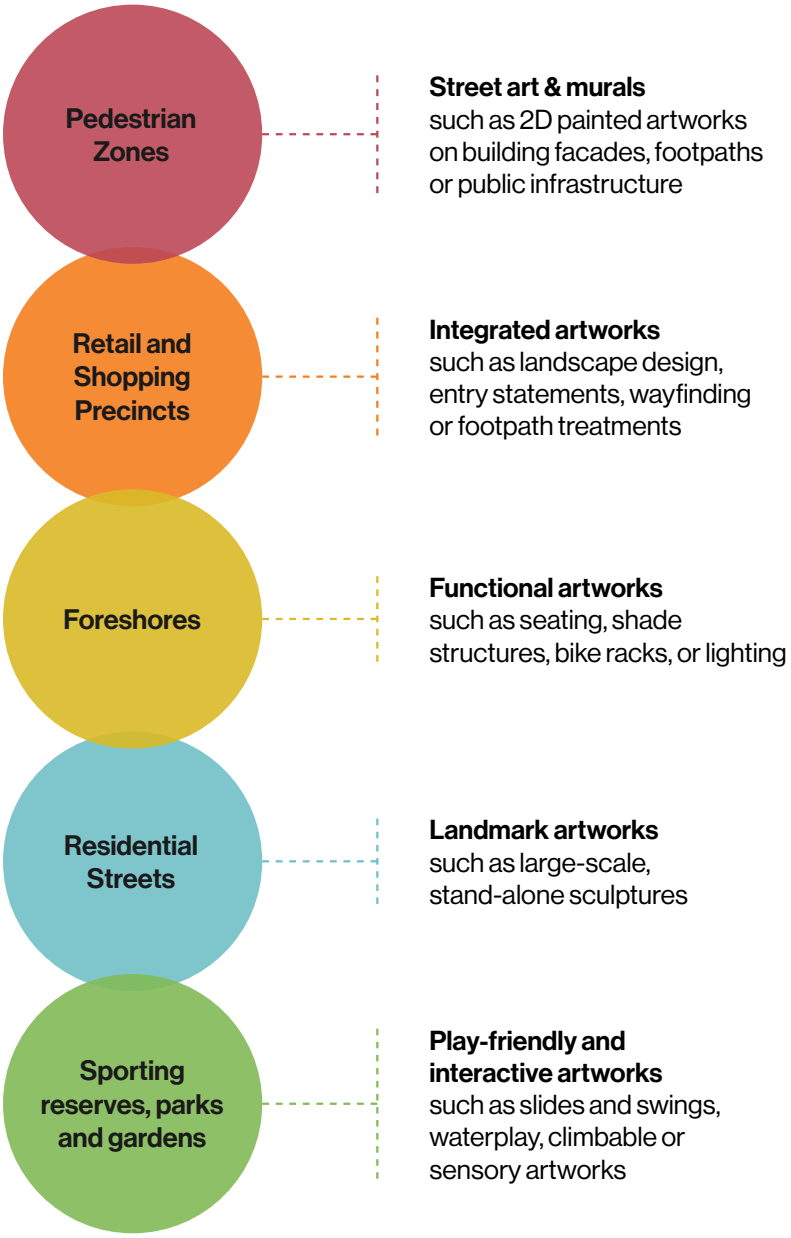
In general, **people want to see more public art in Kingston** - murals and street art, integrated artworks like footpath treatments, functional artworks such as seating and shade structures, landmark and iconic sculptures that make a statement, as well as interactive and play friendly artworks.

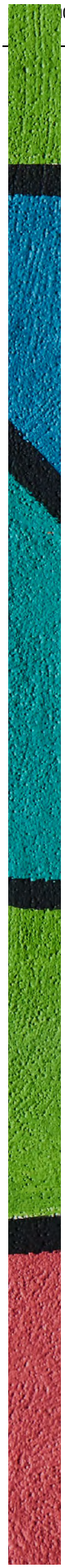


The **community's favourite artworks** are **Horse** by Julie Squires, **Pompei's Boat** by Julie Squires and **Raindrops and Sunbeams** by Debra McNaughton all located at Mordialloc, as well as the **Butterfly Renewal** and **The Monarchs** by Mike Makatron, Damian Vick at Moorabbin.

Key Findings

The five most highly rated locations for public art are high activity areas where people reside and congregate for walking, shopping and recreation.

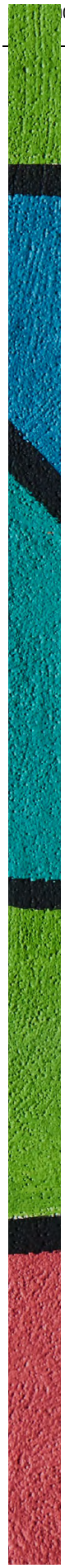




Response to Potential Locations

Focus groups identified and mapped a wide variety of locations for public art. In general, preferences were for high activity zones as well as areas in need of activation and rejuvenation. Discussions highlighted the need for sensitive and site-specific integration of artwork that is sympathetic to the surrounding landscape and compatible with the significance of the site and how it is used.

- Mordialloc/Mordialloc Creek
- Wetlands
- Melaleuca Ave Clarinda Gateway Marker
- Natural public art along the foreshore that doesn't compete with the natural environment
- Secret Garden incorporated in Mentone Station Gardens
- Large Developments
- Patterson River Trail
- Utility Boxes & Bins
- Clarinda
- Everyday Places for all People
- Art Trails – Accessible. Not Just on Freeways
- Artists Markets that Promote Community Engagement
- Industrial Areas
- Empty Buildings in Kingston - activated for public art making
- Boundary Road
- Parks and Reserves
- Westall Road
- New Aquatic Centre
- Town Hall
- Charman Road
- Cnr Dandenong Rd & Nepean Highway
- Southland Bridge
- Cheltenham
- Historical Sites



Summary of Data

139 Survey Respondents

Stakeholders who reside in Parkdale, Cheltenham, Aspendale, Swansea and Mentone comprised the highest proportion of survey respondents, and those between the ages of 46 and 65 were the largest demographic, with only 1% aged between 18 and 25.

1 person age **18 -25**

14 people age **26-35**

26 people age **35-45**

35 people age **46-55**

39 people age **56-65**

24 people age **65+**

Public art is important to the vitality of Kingston and stakeholders have a strong connection to specific artworks

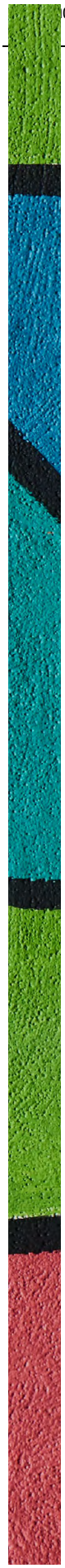
71% survey respondents & 100% of workshop participants agree that public art is important to the city's vitality

20% respondents say it's moderately important

79% respondents identified their favourite artwork and why they love it.

Only a small number of respondents say public art is not important and would rather Council prioritised other services.

12 survey respondents suggest that public art is not important



Summary of Data

The quality and diversity of Kingston's public art collection is reasonably good, but not great and some suggest it's poor.

14 survey respondents rated the collection as great

57 say it's good

37 say it's fair

15 say its poor

16 are unaware of the city's public art

Kingston's public art collection's ability to promote the character, reputation and identity of the city is not strong.

56 of survey respondents agree that our collection reflects all these attributes

43 respondents disagree with this opinion

40 respondents didn't comment

Enhancing the visual amenity of Kingston and beautifying public infrastructure is important to stakeholders.

85 survey respondents agree with this

59 suggest strengthening pride in the city is important

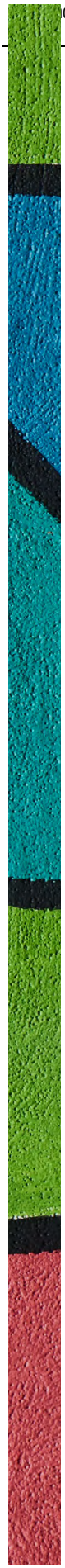
46 say it's about creating visual surprises for pedestrians

Summary of Data

Kingston's Public Art Program has some gaps and stakeholders suggest improvement, specifically:

- First Nation's representation
- Curatorial direction
- Presentation and promotion
- Higher standards
- Diversity of artworks

Image: *The Shape of Movement*, by Abbey Rich and Beci Orpin, Photography by Shuttermain



Summary of Data

Collaboration with artists, communities, industry professionals and the private sector is an important principle to steer the city's public art program.

95 respondents agree with this

90 suggest an integrated, curated and planned approach to placemaking is important

89 say opportunities for local artists is extremely important

89 indicate respect and acknowledgement of First Nations connection to the land is an important principle to observe

Workshop participants want Kingston to focus on inclusion, diversity, activation, integration best practice and the process

Key factors to consider include:

A balanced public art collection with work by local, national and international artists; bold and contemporary artworks that complement the city's existing collection; buying local to ensure representation from local artists.

Key objectives to consider include

Strengthening the identity and reputation of Kingston; inclusion and diversity; First Nations representation; activation, sustainability and best practice.

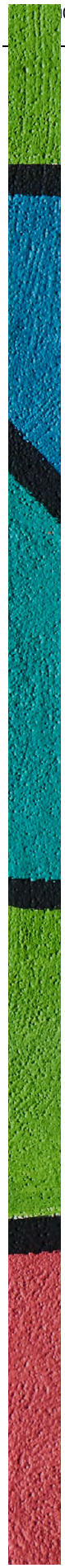
The most popular locations for public art are high activity areas where people reside and congregate for walking, shopping and recreation as well as areas in need of activation and rejuvenation.

92 say pedestrian zones

91 say retail shopping precincts

90 say foreshores

84 say sporting reserves parks and gardens



Summary of Data

In general, stakeholders want to see more public art in Kingston - murals and street art, integrated artworks like footpath treatments, functional artworks such as seating and shade structures, landmark and iconic sculptures that make a statement, as well as interactive and play friendly artworks.

107 want to see Street Art and Murals

100 want to see integrated artworks

93 want to see functional artworks

87 want to see landmark, large scale, stand-alone artwork

77 want to see interactive, play friendly artworks

In general, stakeholders agreed that the success of Kingston's public art can be measured by the artworks ability to spark imagination, stimulate ideas, evoke feelings and celebrate the city's shared heritage and rich cultural diversity.

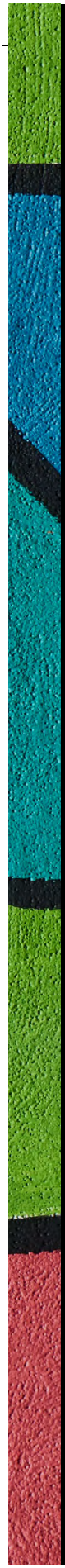
107 say the artwork *sparks creativity, imagination and curiosity*

100 say *stimulating knowledge & ideas*

93 say *evoking feelings such as beauty and awe*

87 say *creating a sense of belonging to a shared heritage*

77 say *celebrating cultural diversity*



Where to from here?

Council acknowledges the contribution of approximately 200 stakeholders to this report, and extends a thank you to all who participated.

The observations and insights which have been gathered will inform the development of the revised Public Art Policy, as well as identifying priority locations for public art to be included in the five-year Public Art Placement Plan.

These strategic documents will be developed in concert with Public Art Commissioning Guidelines which will formalise procedures for acquisition of new works and how the collections will be managed and maintained.

The below process is anticipated to be finalised in July 2023.

City of
KINGSTON
public art
Draft Public Art Policy
& Draft Public Art
Placement Plan
Consultation Feedback
kingstonarts
July 2023

Introduction and background

Community consultation has shown that public art is important to the vitality of Kingston, should promote the city's character and identity and celebrate Kingston's shared heritage and rich cultural diversity.

In March 2023, Council consulted with Kingston's creative, business and residential communities to help Council identify priority projects, locations and the types of public art Kingston should invest in.

The process was driven by a people centred approach to planning, with feedback, advice and observations from community and key stakeholders incorporated into a draft Public Art Policy and draft Public Art Placement Plan.

In June 2023 the draft Public Art Policy and draft Public Art Placement Plan were presented for a second round of consultation. The Public Art Policy and five-year Public Art Placement Plan establish a framework to deliver the city's public art program and provide guidance for public art investment across priority areas, spaces and projects.

How people participated

The following options were provided to the Kingston community and key stakeholders.

Online survey

An online survey was open for community comment from 7 June to 28 June 2023. There were a total of 66 visitors to the site with 22 of those people contributing to the survey and 32 visitors downloading the draft documents.

The survey contained two questions targeting two key enquiries:

- **Do you support the adoption of Kingston's *Draft Public Art Policy*?**
- **Do you support the adoption of Kingston's *Draft Public Art Placement Plan*?**

Participants were provided the opportunity to provide further feedback via an open-ended comment section.

In person presentations

These sessions were designed to gain in-depth feedback and input into the *Draft Public Art Policy and Placement Plan*.

Key stakeholders contributed their knowledge and expertise for the delivery and management of the city's public art program.

How we told people about the project

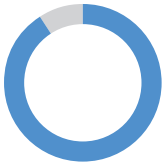
A communications strategy which included the following platforms was designed to encourage and support stakeholder feedback on the *Draft Public Art Policy and Draft Public Art Placement Plan*.

Platform	Details
Digital promotion	Kingston's consultation website and social media posts promoted the project and engagement opportunities.
Signage	Digital Signs were displayed in Council buildings, including Libraries and Hubs.
Presentations	Two targeted one-hour presentations to key stakeholders were held at Kingston Civic Centre.
Media	Kingston Civic Centre and Kingston Arts Facebook pages, ArtsHub, Your Kingston Your Say and Kingston Arts e-news articles featured information about the consultation.

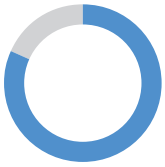
Digital Promotion Statistics

YOUR KINGSTON YOUR SAY	139	***Your Kingston Your Say*** **eNewsletter** to all previous project participants
	1,331	**Kingston Council Facebook** reach
ka	6,000	**Kingston Arts Facebook** reach
	702	**Kingston Council Instagram** reach
ka	2,528	**Kingston Arts Instagram** reach
	12	Signage – **number of digital screens**, displayed in Council buildings, Hubs and Libraries
	3,302	**Kingston Arts eNews** subscribers
	380,000	**Arts Hub promotion** – monthly page views

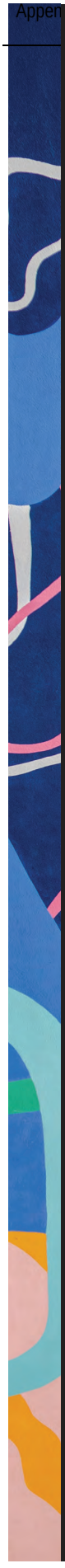
Summary of key findings



90.9% survey participants **supported** the adoption of Kingston's *Draft Public Art Policy*



81.8% respondents **supported** the adoption of Kingston's *Draft Public Art Placement Plan*



Council recommendation

Council acknowledges the contribution of approximately 230 stakeholders to the development of Kingston's *Public Art Policy* and five-year *Public Art Placement Plan*, and extends a thank you to all who participated.

Following community and stakeholder consultation, Kingston Council recommends the adoption of the *Public Art Policy* and *Public Art Placement Plan* in July 2023.

Ordinary Council Meeting

24 July 2023

Agenda Item No: 9.4

CITIZENSHIP POLICY 2023-26

Contact Officer: Morgan Henley, Team Leader, Festivals & Events

Purpose of Report

The purpose of this report is to present Council with the revised Citizenship Policy 2023-26 (Appendix 1) for adoption.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council adopt the Citizenship Policy to come into effect from 1 August 2023.

1. Executive Summary

The Citizenship Policy (this policy) has been reviewed and updated to ensure it aligns with the current Federal Government legislation and guidelines governing Australian Citizenship Ceremonies.

The review resulted in recommended changes of an administrative nature as well as the addition of guidance on elements of the ceremony previously omitted from this policy including items regarding the inclusion of a Welcome to Country, the Master of Ceremonies, and the Presentation of Certificates.

In keeping with the Policy Framework, this policy requires a resolution of Council to come into effect.

2. Background

The Citizenship Policy clarifies the elements of a City of Kingston Citizenship Ceremony that the Australian Citizenship Ceremonies Code does not cover or only partially covers and provides guidance for the planning and facilitation of ceremonies. This policy was originally adopted by Council in 2009 and updated in 2017.

The recent review sought to align this policy with the Australian Citizenship Ceremonies Code which was updated by the Federal Government in 2022 and to address elements of the ceremony that had previously been omitted from this policy.

3. Discussion

3.1 Key changes to the Citizenship Policy

3.1.1 Federal Government changes

Since the Citizenship Policy was last reviewed in 2017, the Federal Government updated the Australian Citizenship Ceremonies Code and the Instrument of Authorisation in 2022. The changes were captured in this policy with limited impact.

3.1.2 Welcome to Country

Acknowledgement of Traditional Owners was amended to align with the Reconciliation Action Plan and include an invitation to Local Traditional Owners to provide a Welcome to Country.

3.1.3 Master of Ceremonies

The role of Master of Ceremonies has been defined and a list of positions to fulfill the role set out in this policy. The positions are listed in order of precedence as:

i. The Chief Executive Officer
ii. The General Manager, Customer & Corporate Support
iii. A Member of the Executive Leadership Team
iv. A Member of the Senior Leadership Team

3.1.4 Kingston's Official Party

Opportunity has been provided for community representatives, such as Citizen of the Year, to be invited to join the Official Party at the discretion of the Mayor and in accordance with the Code.

The process for inviting members of the Official Party to a ceremony and the seating arrangements have been formalised in this policy.

3.1.5 Junior Mayor

The role of the Junior Mayor in proceedings has been defined in this policy to include:

i. Invitation to attend as a member of the Official Party
ii. Presentation of a gift to the candidate that makes an address
iii. Opportunity to participate in professional photographs with candidates

3.1.6 Certificate Presentation

The process for the presentation of certificates and the positions to fill the roles associated with this important element of a ceremony have been formalised in this policy.

The Officer recommendation is for the role of calling the names of candidates for presentation (the caller) to be allocated to a different position than the Master of Ceremonies. This recommendation has been made with a focus on the audience experience through; providing a different voice and enabling the caller of names the opportunity to focus their preparation on the correct pronunciation of names. The positions are listed in order of precedence as:

i. The Manager, Governance, Risk & Integrity
ii. A Member of the Senior Leadership Team

3.1.7 Live Streaming

Arrangements for ceremonies to be live streamed have been included in this policy in addition to photography. Consideration has been given to privacy regulations in the development of the process surrounding this element.

3.1.8 Entertainment and Gifts

Details concerning entertainment and gifts have been amended to remove specific songs and gift items.

3.1.9 Administrative

Review of this policy included amendments of an administrative nature such as positions and department titles to reflect the organisational realignment.

4. Consultation

4.1 Internal Consultation:

The review was conducted internally and adheres to the *Australian Citizenship Act 2007,* the Australian Citizenship Ceremonies Code, the Australian Citizenship Regulations 2016 and the Instrument of Authorisation 2022.

4.2 Community Consultation:

Informal benchmarking was undertaken with other Victorian Councils that facilitate ceremonies of a similar size to the City of Kingston. The intention of this process was to understand their approach to elements of the ceremony that are not prescribed by the Federal Government.

Broader community consultation was not relevant for this situation due to the prescriptive nature of the Federal Government legislation and guidelines, in particular the Australian Citizenship Ceremonies Code governing ceremonies. The process to update the Code in 2022 involved community consultation facilitated by the Department of Home Affairs. 4.3 Results/Findings:

Recent updates to the Australian Citizenship Ceremonies Code and the Instrument of Authorisation 2022 were minor and administrative in nature. This policy has been drafted with careful consideration of these documents to ensure consistency.

Benchmarking with other Victorian Councils highlighted that the approach to elements of the ceremony not prescribed by the Federal Government is wide and varied. This policy presents a more formal and considered approach to ceremonies with inclusion of elements omitted by other councils including the presentation of certificates, entertainment, and catering.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.
Strategy: Celebrate and learn from our diversity

5.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Principle (f) - collaboration with other Councils and Governments and statutory bodies is to be sought.

Principle (h) - regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

5.3.1 Budget

Citizenship Ceremonies will be delivered from existing operating budget allocation.

5.3.2 Staff Resources

The delivery of Citizenship Ceremonies as outlined in this policy will be managed within existing resources.

5.4 Risk considerations

Citizenship Ceremonies are delivered by Council on behalf of the Federal Government, fulfilling the final legal requirements in becoming an Australian Citizen. As such, it is of vital importance that the legislative requirements for ceremonies are met.

The ceremonies also provide the opportunity for Council to acknowledge and celebrate this auspicious occasion with residents and their guests who may otherwise have limited interaction with the City of Kingston. Failing to acknowledge the importance of the occasion would be a reputational risk to Council.

Appendices

Appendix 1 - Citizenship Policy 2023-26 (Ref 23/136880)

Author/s:	Morgan Henley, Team Leader, Festivals & Events
Reviewed and Approved By:	Simon Doyle, Manager Arts, Events and Libraries
	Sally Jones, General Manager Community Strengthening

9.4

CITIZENSHIP POLICY 2023-26

1 Citizenship Policy 2023-26..... 455

Citizenship Policy 2023-26

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VERSION NO / APPROVAL / DATE	**Version 1 – adopted by Council 26 October 2009** **Version 2 – adopted by Council 6 February 2017**
TRIM REF:	**TBC**
REVIEW	**July 2023**
RESPONSIBLE EXECUTIVE	**General Manager Community Strengthening**
POLICY OWNER	**Manager Arts Events & Libraries**

The electronic version of this document is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current.

1. Purpose of the Policy

This policy clarifies those elements of a Citizenship Ceremony that the Australian Citizenship Ceremonies Code does not cover or only partially covers.

2. Scope

This policy applies to all Citizenship Ceremonies to be conducted from August 2023.

3. Definitions

The Minister means the Australian Government minister(s) responsible for citizenship matters.

The Department means the Australian Government department responsible for citizenship matters.

Presiding Officer means a person who has been duly authorised to confer Australian Citizenship by the Australian Government Minister responsible for citizenship matters. Authorisation is given to Australian citizens only and is specific to a position or person and is outlined in the Instrument of Authorisation.

Candidate means persons who are attending the ceremony to gain Australian Citizenship.

Administrative Officer means a local government official(s) or other person(s) who assists the Presiding Officer in arranging and conducting the ceremony.

4. Responsible Executive

General Manager Community Strengthening

5. Policy owner

Manager Arts, Events & Libraries

6. Related Documents

Federal Legislation
Australian Citizenship Act 2007

Other documents
The Australian Citizenship Ceremonies Code
The Australian Citizenship Regulations 2016
Instrument of Authorisation 2022 under the Australian Citizenship Act 2007

7. Delegation Authority

Nil.

8. Policy Statement

Council acknowledges Citizenship Ceremonies as important public ceremonial occasions which fulfil legal requirements and provide an opportunity to welcome new citizens as full members of the Australian community.

Council also recognises that these events are non-commercial, apolitical, bipartisan and secular, and should be conducted with dignity, respect and ceremony.

9. Policy Details

1. The Australian Citizenship Code

1.1. The Australian Citizenship Ceremonies Code follows the Australian Citizenship Act 2007 and sets out the legal and other requirements for conducting citizenship ceremonies as well as the roles and responsibilities for those involved in citizenship ceremonies.

1.2. The Code identifies the three legal requirements when conducting a ceremony:

- An authorised presiding officer
- Reading the preamble
- The pledge of commitment

1.3. The Code provides guidance on planning and conducting ceremonies:
- Scheduling ceremonies
- Organising the ceremony
- Invitations
- Official guests
- Speeches
- National symbols
- Gifts and entertainment
- Media and photos

2. Venue and Scheduling

2.1. Citizenship Ceremonies will be held at a City of Kingston facility.

2.2. The Administrative Officer will liaise with the Department and the venue to schedule ceremonies in accordance with the Code.

2.3. Citizenship Ceremonies will be held on a weekday evening in:
- January
- March
- April
- May
- June
- July
- August
- September
- October
- November

2.4. The Administrative Officer may schedule additional ceremonies or cancel ceremonies in consultation with the Department as required by the number of candidates awaiting a ceremony.

3. Presiding Officer

3.1. The Presiding Officer takes the lead role in a ceremony, fulfilling the legal responsibilities of
- Reading the Preamble for Citizenship Ceremonies
- Administering the Pledge of Commitment

3.2. It is a legal requirement that the Presiding Officer is authorised by the Australian Government Minister responsible for citizenship matters.

3.3. In order of precedence, the Presiding Officer will be:
1. The Australian Government Minister(s) responsible for citizenship matters
2. The Mayor
3. The Deputy Mayor
4. Local Federal Member of Parliament
5. The Chief Executive Officer

3.4. After receiving all replies to invitations to attend a ceremony, the Administrative Officer will confirm who will be assuming the role of Presiding Officer.

4. Master of Ceremonies

4.1. In recognition of the formal nature of a ceremony a Master of Ceremonies will host the proceedings.

4.2. In order of precedence, the Master of Ceremonies will be;

1. The Chief Executive Officer
2. The General Manager, Customer & Corporate Support
3. A Member of the Executive Leadership Team
4. A Member of the Senior Leadership Team

4.3. After consulting the responses to invitations to a ceremony, the Administrative Officer will confirm who the Master of Ceremonies will be.

5. Kingston's Official Party

5.1. Kingston's Official Party will be made up of the Presiding Officer, elected representatives at all levels of government, the Junior Mayor and Chief Executive Officer

5.2. At the Mayor's discretion, and in accordance with the Code, community representatives may be invited join the Official Party.

5.3. The Administrative Officer will issue invitations to elected representatives as stipulated by the Code plus the Mayor, Councillors, Junior Mayor, Chief Executive Officer, Executive Leadership Team and community representatives identified by the Mayor, no less than three weeks prior to a ceremony.

5.4. The Official Party will be seated on stage for the duration of a ceremony. Seating arrangements will be in the following order from left to right:

1. The Master of Ceremonies
2. The Mayor
3. The Deputy Mayor
4. The Junior Mayor
5. Local Federal Member/s of Parliament
6. Local State Member/s of Parliament
7. Councillors
8. Community Representatives

5.5. The Administrative Officer will ensure that all seats for the Official Party have name plates.

5.6. Not all members of the Official Party will have an official role at a ceremony. Any official roles will be considered in accordance with the Code and items 8 and 10 below.

6. Welcome to / Acknowledgement of Country

6.1. Local Traditional Owners will be invited with sufficient notice to provide a Welcome to Country for each citizenship ceremony

6.2. Where a local Traditional Owner is not available to provide a Welcome to Country, an acknowledgment of the traditional owners of the land will be included in the Mayor's opening address.

7. The Minister's Message

7.1. The Minister's Message will be delivered at the Ceremony in accordance with the Code.

7.2. In order of precedence, the Minister's Message will be delivered by:

1. The Australian Government Minister(s) responsible for citizenship matters
2. Local Federal Member of Parliament
3. Local Senator
4. The Presiding Officer

7.3. After receiving all replies to invitations to attend a ceremony, the Administrative Officer will confirm who will deliver the Minister's Message.

8. Speeches

8.1. The Mayor will make a Welcome Address irrespective of whether they are the Presiding Officer. If the Mayor is absent from a ceremony, a welcome address will be delivered by the Deputy Mayor.

8.2. The Deputy Mayor will give a short address and introduce the Pledge of Commitment. If the Deputy Mayor is absent from a ceremony, this role will be filled by another Councillor or the Master of Ceremonies.

8.3. If a Federal Member of Parliament or a Senator is attending, they will be invited to make a speech in addition to delivering the Minister's Message. Where no Federal Members of Parliament or Senators are in attendance, a State Member of Parliament will be invited to speak.

8.4. Only one Federal Member of Parliament, Senator or State Member of Parliament will be invited to speak at a ceremony.

8.5. The Administrative Officer will keep a record of official party members and speakers and ensure responsibilities are rotated between elected representatives. Invitations to speak will be based on the duration of time since the representative last spoke at a ceremony.

8.6. The Administrative Officer will select one candidate who is participating in the ceremony to make an address on behalf of all candidates.

8.7. The order of speakers at a ceremony will be determined in accordance with the Code and confirmed by the Administrative Officer after receiving replies to invitations.

8.8. The Administrative Officer will advise all speakers that speeches must focus on welcoming new citizens and remain non-commercial, apolitical, bipartisan and secular.

9. Presentation of Certificates

9.1. Certificates will be individually presented to candidates by the Mayor. If the Mayor is absent from a ceremony, certificates will be presented by the Deputy Mayor.

9.2. Candidates will be called for presentation by name.

9.3. In order of precedence, the names will be called by:

1. The Manager, Governance, Risk & Integrity
2. A Member of the Senior Leadership Team

9.4. After consulting the responses to invitations to a ceremony, the Administrative Officer will confirm who will be calling the names for presentation.

10. Gifts to Candidates

10.1. Candidates will be presented with gifts to commemorate the occasion.

- A gift that suitably represents Australian Culture
- A native plant

- A photograph presented in a commemorative folder

10.2. The Junior Mayor will present an Australian native floral bouquet to the candidate that makes an address on behalf of all candidates. If the Junior Mayor is absent from a ceremony, the bouquet will be presented by a member of the Official Party.

11. Photography and Live Streaming

11.1. Candidates will have the opportunity for a professional photograph to be taken at the completion of a ceremony.

11.2. The Mayor will be included in photographs with candidates. When the Mayor is not in attendance, the Presiding Officer will participate in photographs. The Junior Mayor may also participate in photographs.

11.3. Photographs will be printed and gifted to candidates.

11.4. The ceremony will be lived streamed to a private link.

11.5. Candidates will be asked to opt-in to participate in live streaming. Candidates who do not wish to participate will be presented during an in-camera portion of a ceremony.

11.6. The Administrative Officer will ensure only those candidates who opt-in are part of the live stream and subsequent recording.

12. Entertainment

12.1. The Administrative Officer will engage suitable performers to provide live entertainment at a ceremony, and ensure the content is appropriate for a formal event.

12.2. Live entertainment will include at a minimum:

1. The Australian National Anthem
2. A song with a distinctly Australian spirit

13. Refreshments

The Administrative Officer will arrange for appropriate refreshments to be provided.

14. Decorations

The Administrative Officer will arrange for appropriate Australian native floral decorations.

10. Decision Guidelines

None

11. Transition/Translation arrangements

None

12. Review

This policy is to be reviewed every three years.

10. Infrastructure and Open Space Reports

Ordinary Council Meeting

24 July 2023

Agenda Item No: 10.1

WAYFINDING STRATEGY

Contact Officer: Emily Boucher, Manager Open Space

Purpose of Report

To present the Wayfinding Strategy to Council for endorsement, creating a unified approach to signage across Council's open spaces and activity centres, and for Council to note the Longbeach Trail educational and historical signage process.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council adopt the Wayfinding Strategy 2023.

1. Executive Summary

The term wayfinding encompasses the way we navigate and spatially orientate ourselves within spaces and from place to place. Wayfinding signage is designed specifically to assist in the process of orientating and navigating through the use of maps, directional and location information.

The Wayfinding Strategy guides the planning, design and implementation of open space and activity centre signs.

Through a Council resolution, a test case for educational and historical signs is being implemented along a short section of Longbeach Trail.

2. Background

At its 26 March 2018 Ordinary Meeting, Council resolved:

> ***12.1 Notice of Motion No 6/2018 – Signs for Parks***
>
> *That Officers prepare a report regarding placing information signs near entrances of all multi-use parks and reserves providing details of the various clubs and facilities and attractions on the reserve.*

Council manages over 370 parks and reserves and the previous ad hoc approach to signage upgrades, with no consistent design palate, has resulted in a plethora of different signage designs across Kingston's open spaces and activity centres.

In 2022 a leading consultant was engaged to develop a Wayfinding Strategy, based on the internationally recognised *Legible London*, to ensure a strategic approach to signage planning, design and installation across Kingston.

The draft Wayfinding Strategy was endorsed for community consultation in February 2023 with consultation running through until the end of May 2023.

The results of the consultation are presented in this report.

In October 2022, Council resolved:

> ***13.1 Notice of Motion No 24/2022 – Educational / Historical Signage along the Longbeach Trail***
>
> *That the designs of educational and historical signs will be finalised following community consultation on the draft Wayfinding Strategy and the endorsement by Council of the Wayfinding Strategy;*
>
> *The installation of education/historical signs along Longbeach Trail will be prioritised.*
>
> *Begin research and wording of the signs as soon as possible.*

Locations for the signs have been established, signage content drafted, and consultant engaged to design the signs. Endorsement from Melbourne Water and Friends of Edithvale Seaford Wetlands has also been provided.

3. Discussion

3.1 Implementation

The approach to signage implementation has been discussed and considered by Councillors. The first stage of implementation is an assessment of open spaces and activity centres, as this will document where signs are required, what style of sign and what they need to say. This will take a geographically concentrated approach where high profile areas would be chosen where all signage could be upgraded to maximise impact. Whereas other, less high-profile locations could be left until such time as other works occur and signage is updated at that time.

Due to large, city shaping projects such as level crossing removal and suburban rail loop, installation of signs at certain geographical areas should be avoided in the short term. This will ensure associated Wayfinding signage does not become redundant as assets are constructed, moved or demolished.

There will also be opportunities with these projects that Council can leverage for signage upgrades to be included in the works.

When signage upgrades and replacements occur, regardless of location, consultation and engagement will be undertaken. In addition to careful consideration of the location of the signs and generic content, stakeholders will also need to consider specific content. For example, in sporting precincts consideration needs to be given to what relevant information is to be provided on the signs to assist users. This will need to be in done in collaboration with the precinct tenants and may take some negotiation to ensure signage content is timeless (does not date) and remains relevant.

Due to land management arrangements in some areas, landowner consent and permits would possibly also be required.

3.2 Longbeach Trail Signage

Locations for the education and historical signs along a 900m section of Longbeach Trail has been identified. Signage content has been drafted and consultant engaged to design the signs. Endorsement from Melbourne Water and Friends of Edithvale Seaford Wetlands has also been provided.

4. Consultation

4.1 Internal Consultation:

A project control group was established to oversee the development of the Strategy, with representatives from Open Space, Active Kingston and Communications.

The draft Strategy was also widely circulated across the organisation for feedback.

4.2 Community Consultation:

Group	Method
Key Stakeholders Melbourne Water	Provided with a copy of the draft for feedback
General community	Your Kingston Your Say, social media, pop up consultation
Advisory Committees	Presentations were made to: Environment and Open Space Active Kingston Business and Economic Development Access and Equity Community Safety

4.3 Results/Findings:

Across the various platforms 92 submissions were made regarding the draft Wayfinding Strategy.

A detailed report is available in the Appendix 2. 87% rated the look of the signage as ‘good’ or ‘excellent’ and 73% agree the functionality of the signage seems good/excellent.

93% agreed that Council should adopt a consistent approach to Wayfinding signage.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Safe - Our community will feel safe, and be safe, in all aspects of their lives.

Wayfinding through our municipality aids significantly in residents and visitors’ enjoyment of our open spaces and activity centres.

Strategy: Design an environment and infrastructure that promotes better safety and accessibility

Wayfinding to facilities and amenities which support passive and active recreation is an important aspect of quality open spaces.

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Ensuring compliance to international best practice of wayfinding is important for all users of open space and activity centres. Creating a unified wayfinding system will ensure signs across Kingston are the correct scale, legibility, information hierarchy, regulatory and interpretive information to guide a consistent and coordinated approach to the design and placement signs.

Principle (e) – innovation and continuous improvement is to be pursued

Signage across Kingston has not been reviewed for decades and does not reflect international best practice of wayfinding.

5.3 Financial Considerations

Projected costings

Yr1	Yr2	Yr3	Yr4 onwards	Total 10 Yr Cost
$50,000 for design of the remainder of the signage templates $100,000 for the assessment of open spaces and activity centres for sign locations	Fabrication and installation costs – TBC following tender process	Fabrication and installation costs – TBC following tender process	Fabrication and installation costs – TBC following tender process Ongoing maintenance	Fabrication and installation costs – TBC following tender process Ongoing maintenance

Budget

$50,000 has been carried over from the 22/23 capital works program for signage template design.

$100,000 has been allocated in the 23/24 capital budget for the assessment of open spaces and activity centres which will document where signs are required, what style of sign and what they need to say. This will be used as the basis of a fabrication and installation tender (which would likely also include a maintenance regime).

Fabrication and installation funding and rollout program to be confirmed. Funding will be subject to Council's budget processes.

Staff Resources

Project and consultants can be managed within existing resources.

5.4 Risk considerations

Many of Council's existing signs contain outdated information. A major review of signage across open spaces and activity centres will ensure Council's compliance with scale, legibility and regulatory and interpretive information.

Appendices

Appendix 1 - FINAL Wayfinding Strategy - Low Res (Ref 23/175799)

Appendix 2 - Draft Wayfinding Stragegy Consultation Feedback Report (Ref 23/175506)

Author/s:	Emily Boucher, Manager Open Space
Reviewed and Approved By:	Samantha Krull, General Manager Infrastructure and Open Space

10.1

WAYFINDING STRATEGY

1 FINAL Wayfinding Strategy - Low Res 471

2 Draft Wayfinding Stragegy Consultation Feedback Report..... 575

Wayfinding Strategy

July 2023

City of KINGSTON

ASPECT Studios

Creating a unified wayfinding system for the City of Kingston's Open Spaces & Activity Centres

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ACKNOWLEDGEMENT OF COUNTRY

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past, present and emerging.

Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.

Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island elders who have guided and continue to guide the work we do.

Introduction

This Wayfinding Strategy aims to analyse the current practices for Council signage and guides the planning, design and implementation of future open space and activity centres' signage.

What is wayfinding signage?

All people wayfind in one way or another. The term wayfinding encompasses the way we navigate and spatially orientate ourselves within spaces and from place-to-place.

Wayfinding signage is therefore designed specifically to assist in the process of orientation and navigation through the use of map, directional and location information. Due to the specific nature of their role in the public realm, they should not be confused with interpretative and other types of signage.

However, in order to develop a comprehensive signage pallate for Kingston, some such signage is included in this document.

Background

Kingston offers extensive opportunities for both cycling and walking, with 13 kilometres of coastline, open space corridors, internationally recognised wetlands, parklands, good connectivity to the city, different character activity centres and a relatively flat municipality. Cycling and walking are popular activities within the municipality as modes of transport and recreational activities. Kingston also attracts a great number of cyclists from other municipalities who enjoy Beach Road, the coastal bike path, and inland cycling routes.

Kingston also offers activity centres with a diverse array of experiences for visitors to choose from. Starting with Southland offering a retail based experience with Westfield shopping centre at its heart, Moordialoc offering a coastal and touristic character and Mentone a more heritage environment as an example.

Kingston is preparing to upgrade their wayfinding and signage across its open spaces and activity centres. Currently there is a lack of pedestrian and cyclist directional signage and an inconsistent look and feel creating a fractured wayfinding experience among Council's open spaces and activity centres.

There are also a number of other land managers across the City of Kingston such as Melbourne Water, Parks Victoria, Department of Transport and Planning, Westfield, among others. Consideration should be given for how wayfinding through these land parcels compliments signage proposed in this strategy.

The development of wayfinding plans for each open space and major activity centres should be undertaken to analise navigation and decision points for all users (motorist, cyclist, pedestrians and limited mobility users).

The signage to be developed should support and improve pedestrian and cyclist networks to create a safe and understandable network to assist users moving around the open spaces and activity centres.

It is critical that there is an overarching style used for the signage that is applied across the whole municipality. This ensures that new and returning visitors can quickly identity that they are in the City of Kingston.

To support these upgrades in the signage system, current global trends and best practice principles in wayfinding signage are included along with benchmarking against other cities in Australia and overseas.

Objectives

— A Legible Precinct - Create a legible, cohesive, efficient and consistent wayfinding system and communication of information in the public domain which identifies, informs and directs users to their destination, allowing independent and safe navigation.

— A Sense of Identity - Build on a strong 'sense of identity' for the open spaces and activity centres through concepts that reflect the place, integrate signage components and are inspired by the brand.

— A Meaningful Place - Assist in facilitating a meaningful experience for users through the integration and adoption of interpretive signage within the wayfinding strategy.

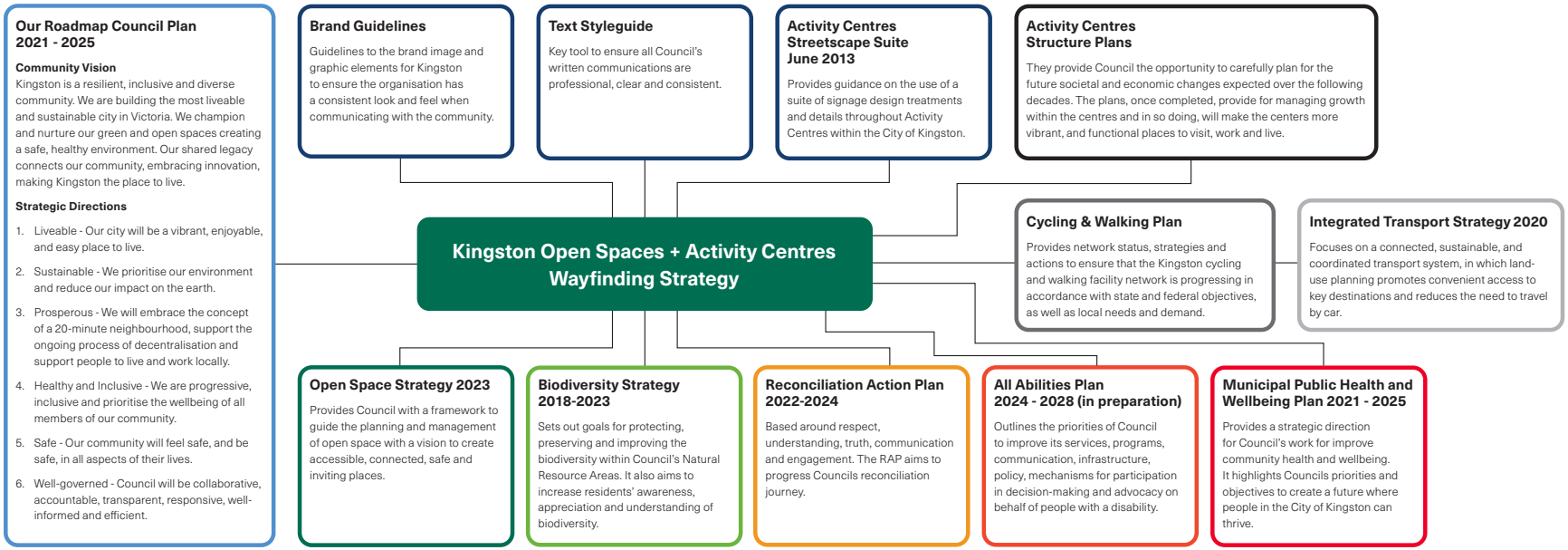
— Leveraging Open Spaces and Activity Centres' Amenity - Enhance the visual amenity of the built and natural environment through signage by assisting in connections to and around the sites to better promote and embellish the locations.

— Wayfinding for Everyone - To deliver a system that is logical, legible, functional, economical to execute and is easy to understand for people of all abilities, age and language.

— A Coherent Guide - Balance quality, resources and maintenance requirements for a sustainable sign management system and guide the Council in the efficient implementation and management of the signs.

— Best Practice - Utilise best practice principles and benchmarks in wayfinding to support upgrades to the signage system.

This project is a significant contributor to the broader work being undertaken by the Council. It should be read in conjunction with other City of Kingston's guidelines and strategies.



Section 1

General Best Practice Wayfinding Principles

Types of Wayfinding

Users find their way in an environment by a combination of strategies: Passive wayfinding and Active wayfinding. Together, active and passive elements work to make a place understandable and accessible.

Passive Wayfinding

Passive wayfinding is the environment itself and the built-in cues that provide intuitive information.

It can be: self-evident entrances, logical pathways, predictable destination locations or architectural prompts in the built form. Environments and places with strong passive wayfinding need fewer directional signs.

Active Wayfinding

Active wayfinding elements (signage) are therefore designed specifically to assist in the process of orientation and successful navigation through the use of: Map directories, directional signs, surface graphics, digital devices, typography and color-coding systems.

They supplement the passive environment and should provide sufficient information at each stage of a user's journey from one place to another. Due to the specific nature of their role in the public realm, they should not be confused with interpretative and other types of signage.

Principles of Successful Wayfinding

Signage in successful wayfinding is to provide sufficient information at each stage of a user's journey to help them getting from A to B to C. Whether the user is entering the area from a bus or train station, signage should be positioned effectively with the correct information at that time. Its primary role is to direct and orient users, and as such is pragmatic in its intentions. However its character, form, use of symbols, colours and materials can be informed by a site's history and character.

Character

- Informative and useful but non intrusive design
- Seamless integration with the public realm through materiality, form and function.
- Strong, consistent, contemporary and timeless visual identity
- Encapsulates the overall branding of a site and help to reinforce the identity of the place
- 4-way ability to provide wayfinding information
- Information needs to be clearly and consistently structured
- Wayfinding must be inclusive

Branding

- Unique symbols developed for interpretation may appear on mapping for site orientation
- Set of pictograms based on internationally recognise symbols to simplify wayfinding
- Consistent use of typefaces throughout wayfinding and other media
- Consistent application of branding and logo
- Consistently realised use of colour, form and materiality
- Use of a colour palette that reinforces branding and identity

Signage Placement & Orientation

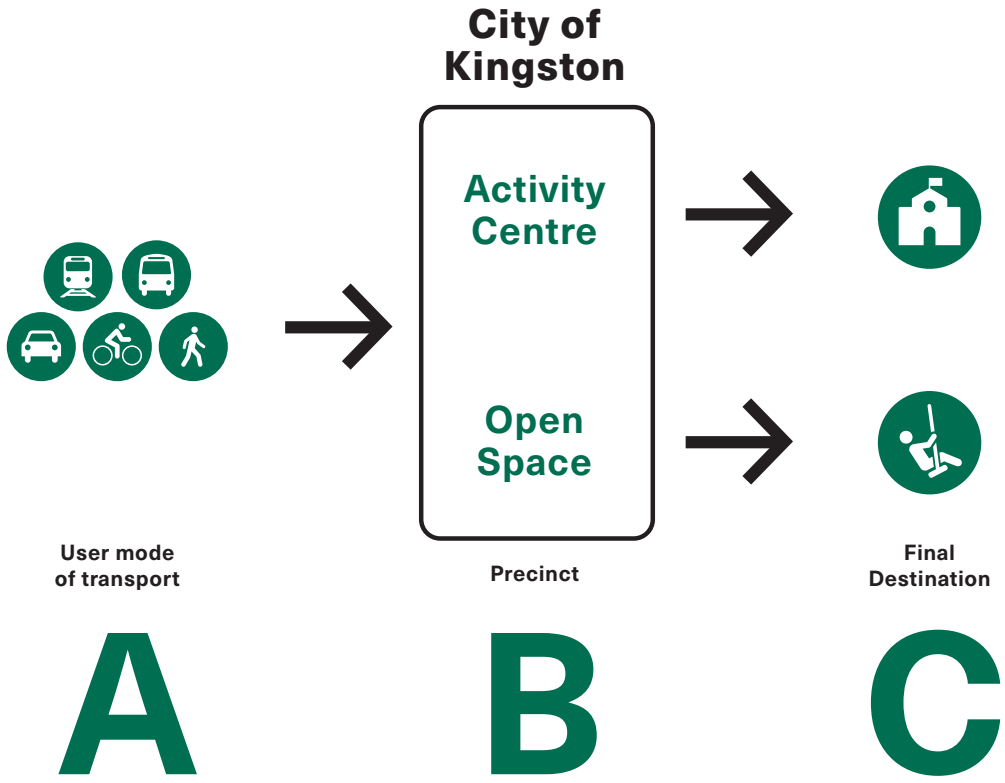
- Integrated signage with surface and furniture elements to reduce visual clutter
- Signs to guide users to public transport and major destinations
- Locations/signage placements should be evaluated and placed with an appropriate orientation considering the user's cone of vision
- Use of 'heads up' maps that corresponds to the direction the user is facing

Materiality

- Robust materiality
- Sophisticated integration of local materials which integrate with the public realm design

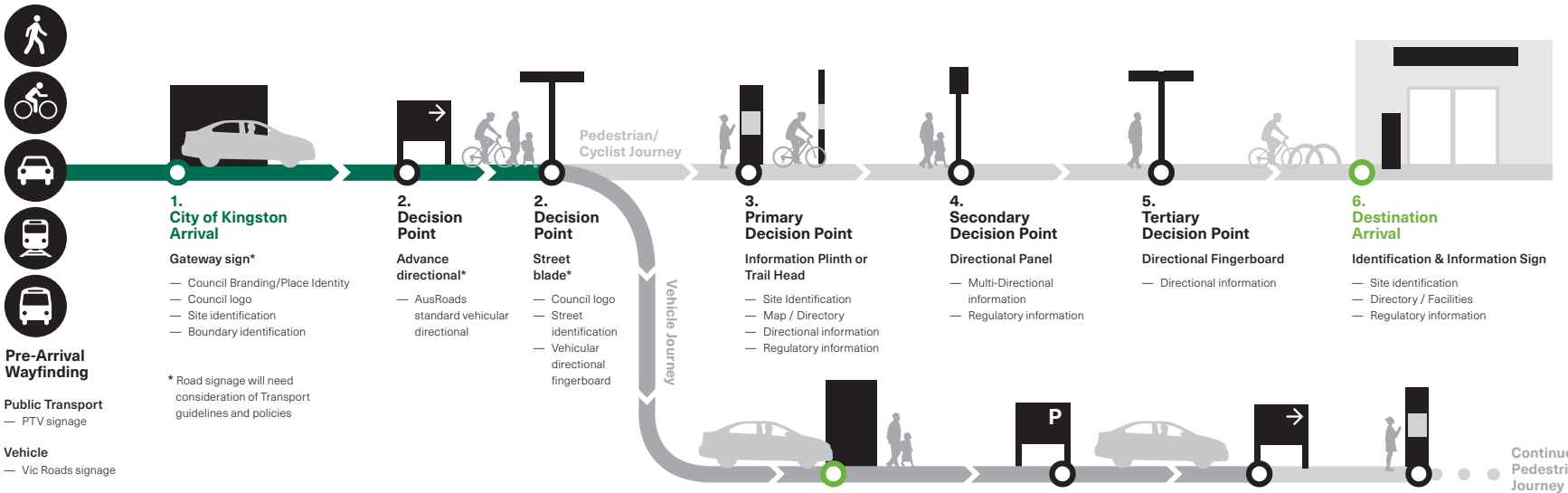
Maintenance

- Signage should be maintained and updated over time



User Journey Scenario from A to B

The Methodology of signage is to provide sufficient information at each stage of the user's journey. An understanding of all interactions between the user and the space is crucial to design a successful wayfinding system.



Pre-Arrival Wayfinding

Public Transport
— PTV signage

Vehicle
— Vic Roads signage

Cycling/Walking
— Surrounding Councils' signage

1. City of Kingston Arrival

Gateway sign*
— Council Branding/Place Identity
— Council logo
— Site identification
— Boundary identification

* Road signage will need consideration of Transport guidelines and policies

2. Decision Point

Advance directional*
— AusRoads standard vehicular directional

2. Decision Point

Street blade*
— Council logo
— Street identification
— Vehicular directional fingerboard

3. Primary Decision Point

Information Plinth or Trail Head
— Site Identification
— Map / Directory
— Directional information
— Regulatory information

4. Secondary Decision Point

Directional Panel
— Multi-Directional information
— Regulatory information

5. Tertiary Decision Point

Directional Fingerboard
— Directional information

6. Destination Arrival

Identification & Information Sign
— Site identification
— Directory / Facilities
— Regulatory information

3. Open Space or Activity Centre Arrival

Identification Sign
— Kerbside Site Identification

4. Car Park Arrival

Information Sign
— Directory / Facilities
— Car parking conditions of entry and regulations

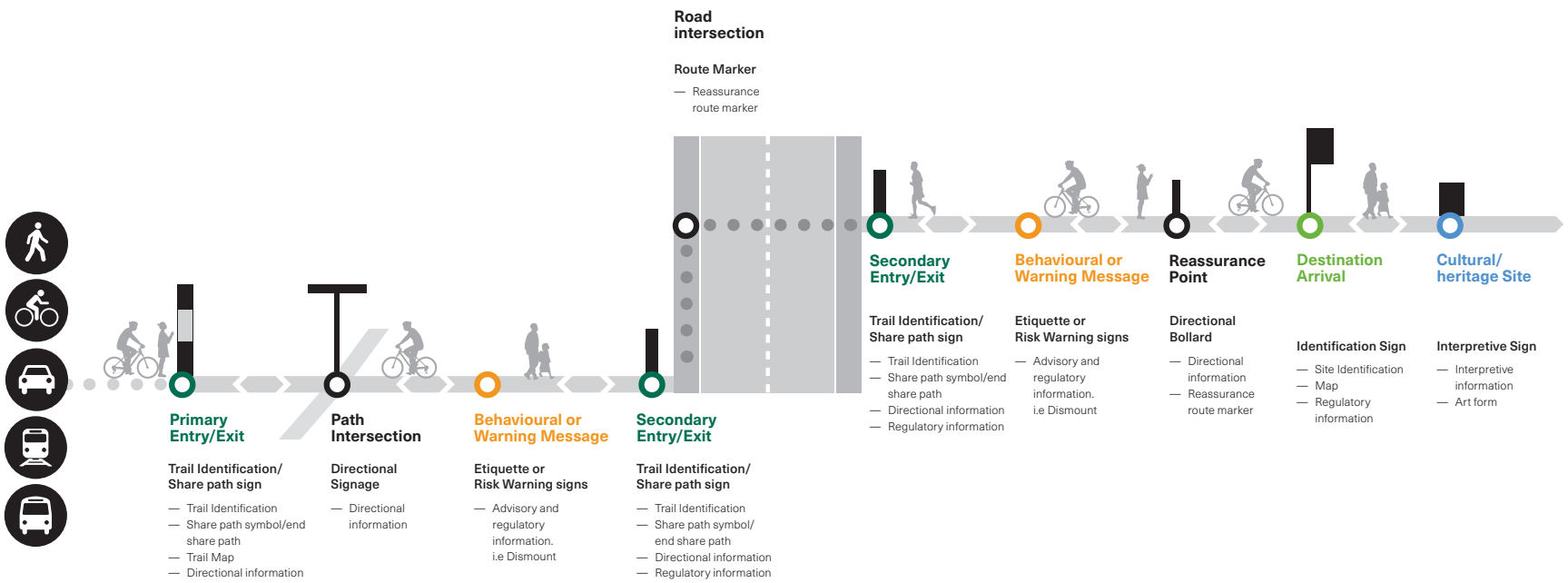
5. Decision Point

Intersection Directional
— Internal Roads Vehicular Directional

6. Car Park Interface

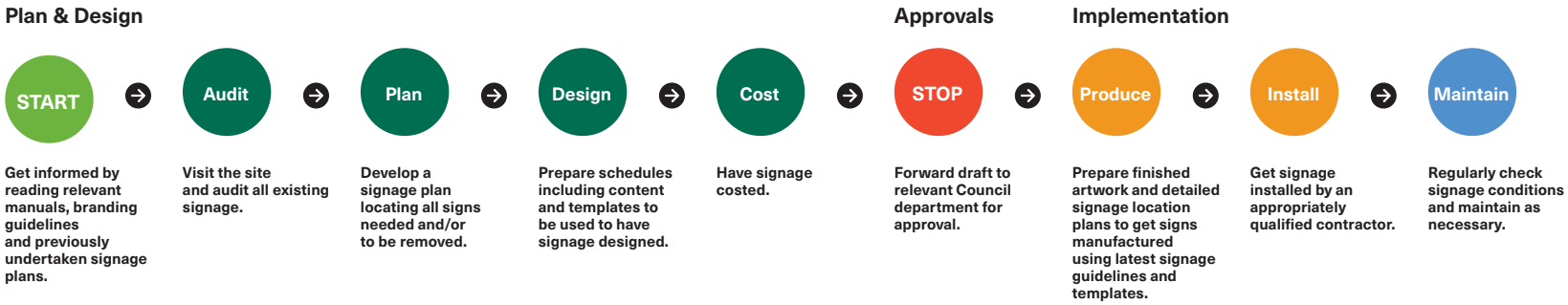
Information Plinth
— Site Identification
— Map / Directory
— Directional information
— Regulatory information

User Journey Scenario in a Bidirectional Trail



General Step Process for the Creation of Signage

The following diagram is a useful overview of the signage planning, design and implementation process. It outlines the key stages and approval points and should be used as a guide for those involved with signage.



All Inclusive & DDA Accessible Wayfinding

Wayfinding systems should carefully consider users of all abilities to improve their experience and navigability of a site. People with special needs require different instructions and wayfinding tools to be delivered, in a manner that they can understand and act upon.

Many different user groups go through a site making it imperative to consider all the varying user needs in the creation of a wayfinding strategy and a signage system.

It is important to identify critical users for whom the provision of information is necessary, as well as minority groups whose journeys may not be as critical.

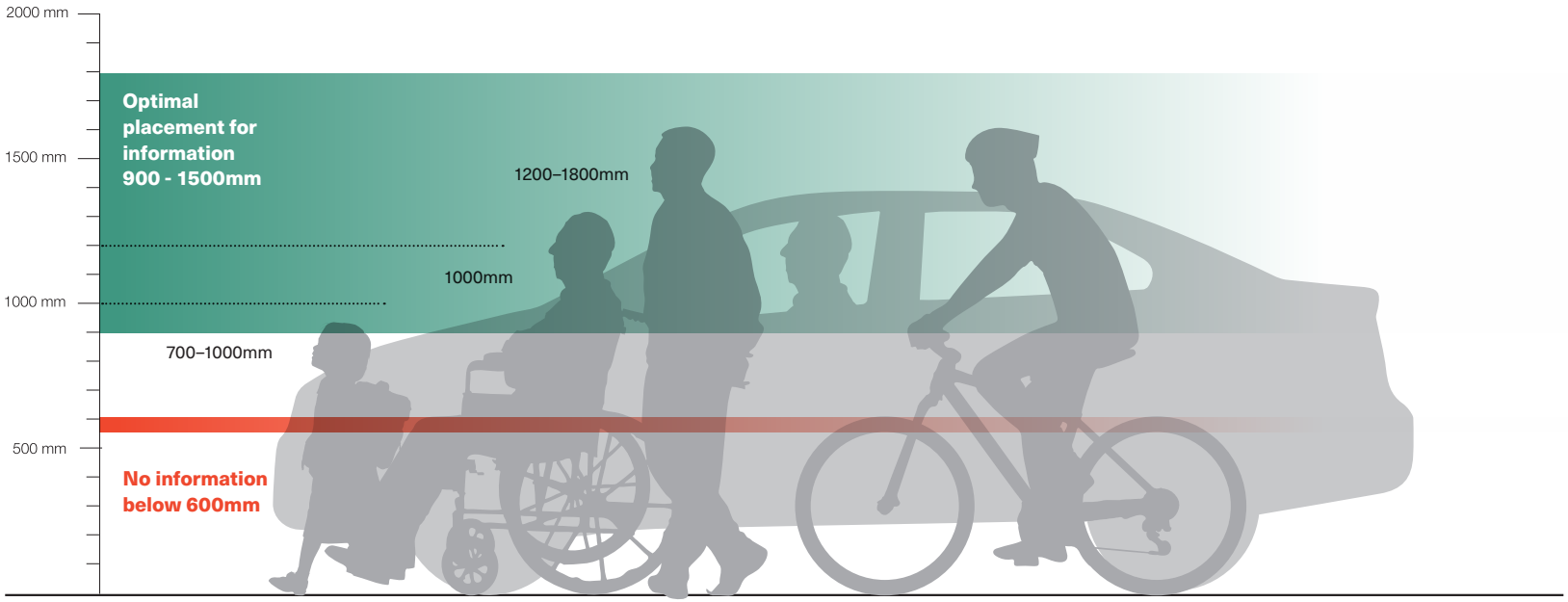
While the focus should be on public users who are visiting the sites for the first time, the overall wayfinding system should also work for repeat users.

Signage in outdoors locations does not required the use of braille. Please refer to "*Wayfound Victoria, Wayfinding Guidelines V2.0, 2020*" page 56.

User Group	What they rely on to navigate a site	Constraints	Wayfinding recommendations
Mobility Impaired	— Easy to access routes.	— Architectural barriers such as inaccessible routes and narrow spaces. — Physical obstructions.	— Provide directions on how best to navigate/access a site and where amenities such as accessible parking and toilets are — Route design must be appropriate to allow for mobility impaired e.g. ramps, lifts and self-opening doors. — Ensure routes are free of physical obstructions. — Information must include barriers to access destinations including stairs, steep gradients and cross fall, steps to entrances, alternative accessible entrances (at side/back of buildings) or surface quality.
Deaf or Hard of Hearing	— Written messages. — Sign language. — Lipreading. — Good lighting. — Clear simple language. — Clear lines of sight. — Staff at facilities should be trained to use basic Auslan signs. — Look directly at the person when speaking.	— Background noise. — Understanding the sense of words. — Magnetic interference affecting hearing aids.	— Provide sufficient lighting. — Destination names should sound significantly different.
Blind or Vision Impaired	— Touch. — Hearing. — Guide dogs and/or canes combined at times with guidance from a personal assistant or friend — Adaptive technology. — People with low vision rely on clear sans serif fonts, good use of spacing, appropriate font size and luminance contrast. — Accessible formatting of text for screen readers and other assistive devices to interpret.	— Many can only rely on the audio or written message if proper measures are in place.	— Providing online or hard copy maps with information about access, such as steps and footpath gradients. — Provided geo-coded information on street and path layouts, and street numbers to third parties who supply mobile applications to assist wayfinding for people with a disability. — Use short messages and provide tactile where possible — Ensure routes are not obstructed by signage. Specific to Vision Impaired: — Use a large and legible sans serif typeface. — Use high colour contrast. — Provide sufficient lighting. — Luminance contrast. — Use matte finish to avoid reflection on signage surfaces. — Signage to be located consistently, so people know when and where to look for a particular type of information.
Cultural & Language Diversity	— Internationally recognised pictograms.	— Having English as a second language may result in an inability to decode written messages and signage accurately.	— Use easy English. — Use universally understood symbols and pictograms. — When a significant percentage of users are people from culturally and linguistically diverse backgrounds, consider bilingual or multilingual signs.
Low Literacy Levels Users who can read at a basic level and who recovgnise numbers and letters first.	— Visual instructions. — Audio announcements.	— Inability to read written messages and complicated wording.	— Use easy English (numbers and letters). — Use universally understood symbols and pictograms. — Provide landmarks.
Sensory Sensitivities People with autism and other sensory processing disorders.	— Non reflective and non-textured surfaces. — Clear language. — Uncluttered content. — Consistency. — Symbols and imagery.	— Flashing lights. — Background noise.	— Use short and simple messaging. — Use easy English (numbers and letters). — Use universally understood symbols and pictograms.

Audience
Optimum Viewing Heights

The overall legibility of a sign is essentially determined by the height, color, and font characteristics of the letters making up its message component. All signs should be designed to maximise the optimum viewing height zones and required viewing distances according to the user.
When signage information needs to be placed heigher than the optimal levels for safety reasons, text size should be increased to help signage legibility.



Pedestrian Information Hierarchy

To orientate users effectively, optimise sign legibility and make regulatory and warning information immediately accessible, it is important to establish a hierarchy of information that is consistent across all signs.

— The wayfinding system signage suite should include types that assist users with cognitive mapping by establishing major entry information nodes which are supported by minor signage types along routes.

— Important information on the signage should be placed between 900–1800 mm above ground level, ensuring physical accessibility and optimal visibility for users.

— Clear and consistent graphic design principles and messaging should be used to meet guidelines for producing accessible print.

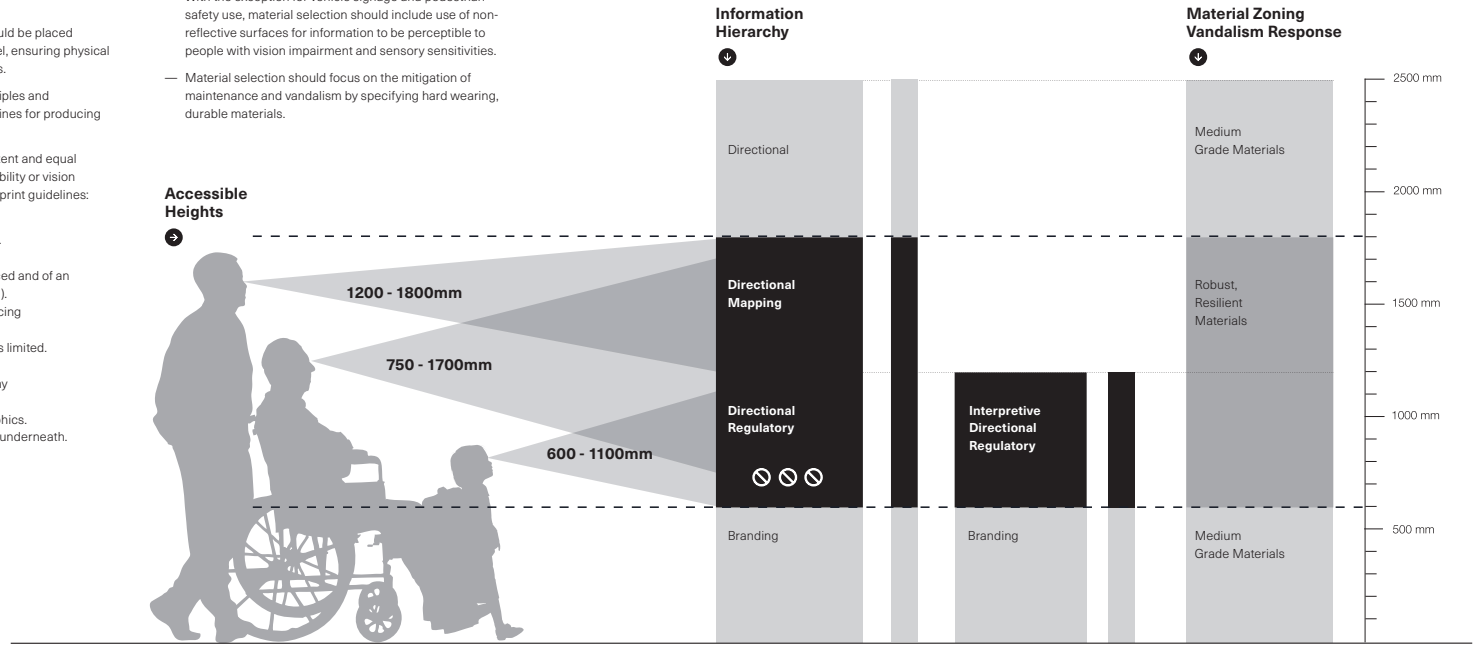
— To support the creation of accessible content and equal access to information for people with disability or vision impairment, it is important to follow these print guidelines:

- Information is easy to locate.
- Layout is simple, consistent and logical.
- A sans serif font has been chosen.
- Text is horizontal, left aligned, well spaced and of an appropriate size (Council logo excluded).
- Leading is adequate and generous spacing between paragraphs.
- Use of capitals, italics and underlining is limited.
- Graphics are clear and legible.
- Strong contrast between the typography and the background.
- Information does not rely solely on graphics.
- Images and pictures have descriptions underneath.

— Incorporate for pedestrians, tactile signage translation for people with vision impairments where appropriate.

— With the exception for vehicle signage and pedestrian safety use, material selection should include use of non-reflective surfaces for information to be perceptible to people with vision impairment and sensory sensitivities.

— Material selection should focus on the mitigation of maintenance and vandalism by specifying hard wearing, durable materials.



Typeface & Text Size

The chosen typeface will make the difference in a good or bad sign. When using too bold weighted typefaces the text will look like its expanding, when using too light weighted typefaces the text will fall back into its background. Medium or Regular weights are usually the best options to choose for a good and readable sign

Pedestrians

Refer to the table below for the appropriate text size according to the required viewing distance.

Required Viewing Distance (metres)	Minimum *X-Height of Letters (millimetres)
2 m	6 mm
4 m	12 mm
6 m	20 mm
8 m	25 mm
12 m	40 mm
15 m	50 mm
25 m	80 mm
35 m	100 mm
40 m	130 mm
50 m	150 mm

*X-Height is the distance between the baseline of a line of type and tops of the main body of lower case letters (i.e. excluding ascenders or descenders). The x-height is a factor in typeface identification and readability. Typically, this is the height of the letter x.

Cyclists

Factors to consider include the speed at which cyclists are likely to be traveling and sight lines. Cyclists on Intercities routes could travel at around 20km/h to 30km/h and require larger sized signs than those at sites where cyclists are likely to be going much slower.

Large cycle networks that connect across neighbouring municipalities should align with the current Austroads Bicycle Wayfinding Guidelines for consistent and legible cycle wayfinding. Text heights should be no smaller than 30 mm.

Recent standards (AS 1742.9-2000) recommend 'x' height of no less than 60 mm for destination names. However other standards across Australia .(i.e WAMRD Road & Traffic Engineering Standards (WAMRDRTES) recommends no less than 40mm).

Cyclists/Motorist

The legibility of a sign will influence the viewer's reaction time, the time necessary for a user to detect, read, and react to a message displayed to their approach.

Austroads Guide to Traffic Management Part 10: Traffic Control and Communication Devices (2009) (Section 4.3.7) provides the following guideline for the required letter size based on the user's approaching speed and number of words on the sign.

The minimum size of capital letters is determined by using the following equation:

H = 0.14 NV + 11.4S

Where:

H = capital letter height in millimetres, including height of initial capitals used with lower-case letters.
N = number of words on the sign.
V = approach speed in kilometres per hour.
S = lateral offset of sign in metres, measured from the center of the sign to the center of the traffic lane.

Time & Distance

To encourage walking and cycling to destinations, wayfinding systems generally include time and/or distance in their directional information. Different formulas are used to calculate the time required to reach a destination according to the user.

Google Maps Distance API web service is also used to collect this data.

Pedestrians

Walking time information must be used as an appropriate means of journey-planning rather than distances. This is designed to make walking to destinations more achievable, as long distances are often misunderstood. Typically, the maximum walking distances ranges from 400-800m (5-10 min). However recent studies suggests people are willing to walk up to 1.6-2km (20-25min) to reach their end destination, providing there is good amenity along the way (SOURCE: Harris, publicsectorpeople.com.au).

Walking icons could be placed next to the walking time to give context. Walking speed will vary between people so a basic time may be based on the following equation:

T = D / S

Where:

T = time in minutes. Results should be rounded to the highest minute.

D = distance from location to destination in metres.

S = average walking speed (80m/min).

Cyclist

A combination of cycling time and distance information measured in km could be used. This is designed to give cyclists enough information to destinations, as cycling speeds differ according to people's skills. The maximum distance for cyclists depends on ability and speed, however research shows that 8-15km is the maximum (30-60mins) to travel by bike (SOURCE: Smith, bicycle2work.com).

A cycling icon is included above cycling distances/ times to give context. This approach ties in with sustainable transport principles. Cycling times are based on the following equation:

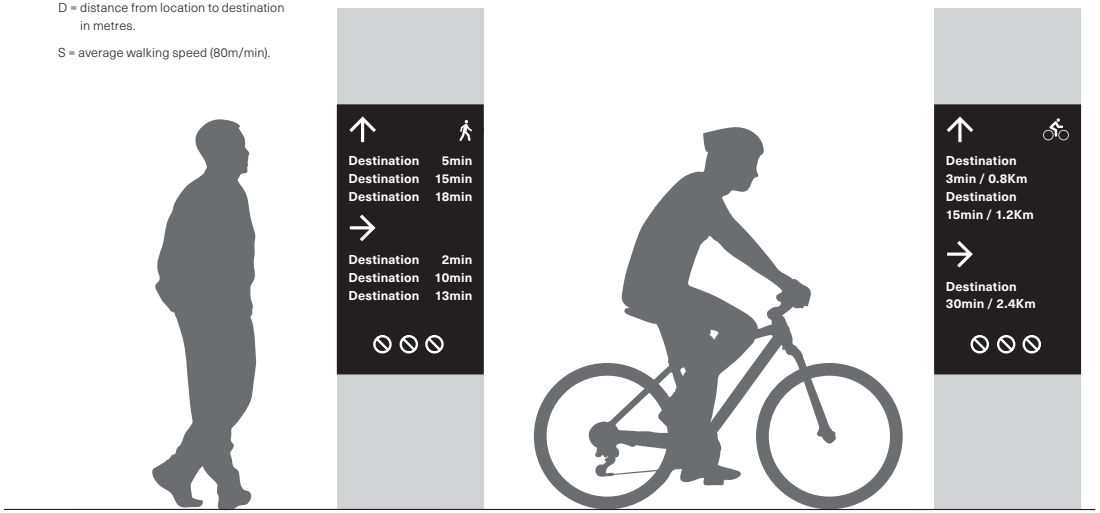
T = D x 60/S

Where:

T = time in minutes. Results should be rounded to the highest minute.

D = distance from location to destination in metres.

S = average cycling speed (15km/hr).



Diagrammatic examples

Directional Arrows

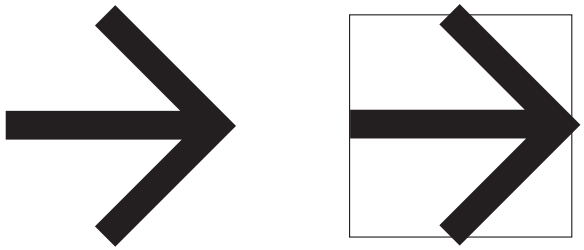
Best practice is to use one arrow symbol per direction and have all destinations in that direction listed next to or below to the symbol. The hierarchy of destinations should be listed either with the closest to furthest away or by level of importance, main destination prominently featured followed by secondary destinations.

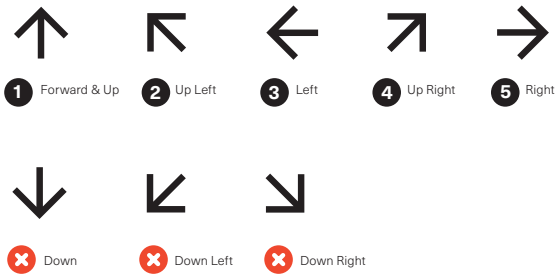
Arrows should direct users to destinations ahead of the sign that are in close proximity or to destinations in the distance where other wayfinding nodes will be found at decision points.

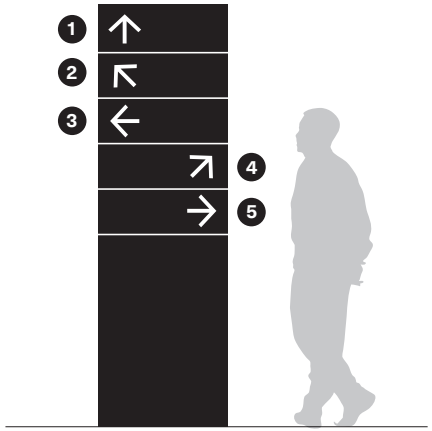
Users should never be directed to destinations which are behind them. Only forwards, left, right and 45º-forward angled arrows are to be used. Downward facing arrows are open to misinterpretation and may become confusing for users. These type of arrows are used only in specific situations. i.e. Staircases.

Arrow bounding box

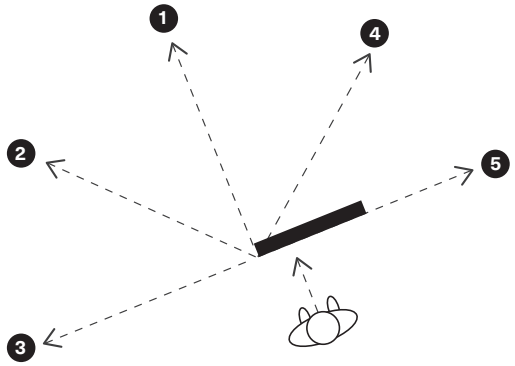
A bounding box provides guidance for the alignment of arrows on template panels. The arrow head may extend beyond the guide when used in particular rotations. The guideline box is usually provided for templates.







Arrow configuration principles in elevation



Diagrammatic hierarchy of directions in plan view

The Use of Mapping

Maps are critical elements to assist active wayfinding. They can provide more detail than directional signs alone, helping with journey planning about where to go and what to do. The level of detail should be simple and clear. Maps incorporated into signs should be orientated to suit the direction the user is facing. This type of orientation is called 'heads-up,' meaning the map is orientated to the direction the viewer is facing and not necessarily to the tradition of north at the top of the page.

Accessibility considerations

Mapping should include information about accessibility features of a place including where a user can find lifts, stairs, accessible parking, continuous paths of travel, accessible toilets and other amenities that would be relevant to wheelchair users. Obstacles should also be included to inform them of any barriers they may encounter obstructing access to their destination i.e. stairs.

All maps should incorporate principles for accessible print to aid people with limited mobility or vision impairment. It is important to follow these print guidelines:

- Information is easy to locate.
- Layout is simple, consistent and logical.
- A sans serif font has been chosen.
- Text is horizontal where possible, left aligned, well spaced and of an appropriate size.
- Leading and kerning is adequate.
- Use of capitals, italics and underlining is limited or eliminated.
- Graphics are clear and legible.
- Strong contrast between the typography and the background.
- Information does not rely solely on graphics.
- Pictograms have descriptions underneath.

SOURCE: UTS - University of Technology Precedent

Colour Contrast

Light Reflective Value

A key factor in choosing colours for outdoor signage is to ensure sufficient contrast between the foreground and background colours. Each colour has a Light Reflective Value (LRV) and contrast levels are measured by comparing the foreground and background LRV ratings. 70% is deemed to be an acceptable standard of contrast, making signage more legible for persons with vision impairment.

Generally this means that highlight colours need to be lighter in tone to achieve sufficient contrast with the background.

In order to maintain both consistency and legibility throughout a wayfinding system, it is important to ensure that these colour combinations remain consistent.

Luminance Contrast

Luminance contrast is the light reflected from one surface or component, compared tot he light reflected from another surface or component.

The following luminance contrast guidelines are taken from the Disability (Access to Premises Buildings) Standards.

— The background, negative space, fill of a sign or border with a minimum width of 5 mm must have a luminance contrast with the surface on which it is mounted of not less than 30%;

— Tactile characters, icons and symbols must have a minimum luminance contrast of 30% to the surface on which the characters are mounted;

— Luminance contrasts must be met under the lighting conditions in which the sign is to be located.

SOURCE: https://asisignage.com/doc-resource/lrv-calculator/
https://www.leserlich.info/werkzeuge/kontrastrechner/index-en.php
https://www.disabilityaccessconsultants.com.au/signs-signage-wayfinding/

Destinations Messaging & Information Hierarchy Guidelines

A structured hierarchy of destinations within the municipality would ensure consistency of content in relation to which destinations are shown on signs and how they are identified. Once a destination has been signed it must appear on all subsequent destination signs until that destination has been reached.

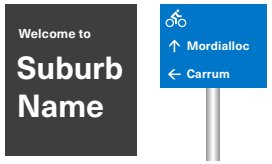
Place naming

Place naming is critical for the wayfinding system. The convention for naming is based on a coordinated effort between Councils and stakeholders.

Place names are ordered according to scale and level of importance from the macro to the micro level and should be disclosed progressively in the user's journey.

Progressive disclosure

Before arriving to a precinct or large facility, vehicular signs and other pedestrian signage should direct users to that precinct. Once at the precinct, signs will direct users to main destinations within the precinct.

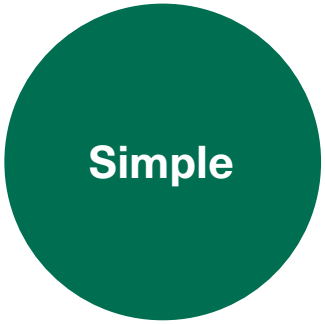
Destination Hierarchy	Users	Signage Application	Messaging Example
Regional — Geographic regions — Local Government Areas (LGA) — Major cities — High profile attractions		— LGA gateway signs — AusRoads vehicular directional signs	
Suburb / Town — Define by post codes — Major cities areas		— Suburb identification signs — AusRoads vehicular directional signs — Cycle route signs — Citywide maps	
Clusters — Activity Centres (AC) — Precincts — Villages — Cycle routes		— AC identification signs — AusRoads vehicular directional signs — Cycle route signs — Pedestrian directional signs — Citywide maps — Heads-up maps	
Individual Destination — Transport hubs — Public open spaces — Landmarks & attractions — Public Buildings		— Site identification signs — Cycle route signs — Pedestrian directional signs — Heads-up maps — Internal building signage	

Place Naming Principles

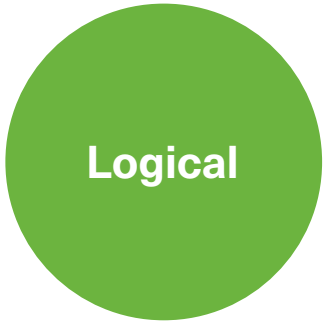
There are three core principles to all naming in wayfinding information. Names should be simple, logical and durable.

Due to the large cultural and language diversity of visitors, the terminology used in wayfinding should be simple and easy to remember.

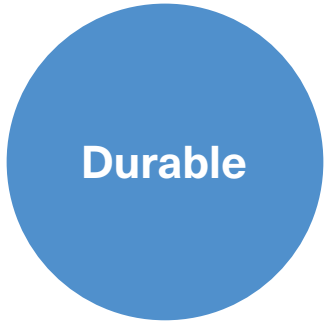
Each destination naming must be consistent across all wayfinding elements throughout the whole journey and across all map hand outs and marketing material. Plain language and use of symbols and images reduce the complexity of information and makes navigation easier.



Names should be simple. Simple names are more memorable than complex names and avoid confusion and ambiguity. Simple names tend to be used in everyday conversation or when giving directions.



Logical names provide a mental link when trip planning. Names should therefore be relevant to the area or purpose of the space.



Names should be relevant for as long as the space exists. Certain names can become outdated if the building or spaces changes. It is important to have a name that will still be appropriate in the future.

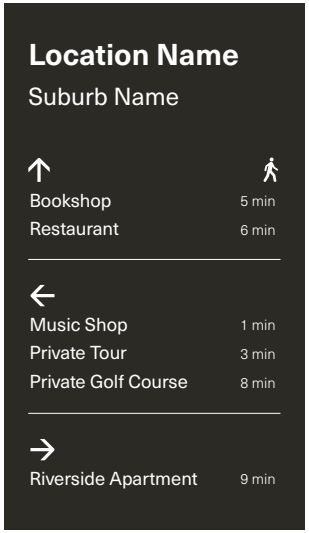
Individual Destinations Eligibility Criteria Guidelines

Selection of individual destinations on pedestrian signage should be based on the importance of a destination or landmark. Limiting the number of destinations will ensure signs are legible for users trying to navigate.

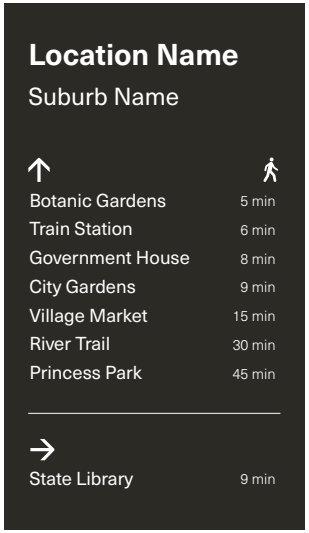
Below is a list of the eligible individual destinations

- A Visitor Information Centre
- A tourist attraction
- A building, structure or public space of historical interest
- A public open space (i.e. park, garden, playground)
- A public transport hub (i.e. train station, tram or bus stop, ferry terminal and taxi rank)
- A large scale venue attracting a large number of users per year for public events (i.e. sporting venues, theatre, convention centres, exhibition centres, cultural centres)
- A significant education institution (i.e. Universities)
- A civic facility (i.e. Hospital, police station, courthouse, library)
- A structured walk / trail (which could also be a shared path or separated footpath) of interest to visitors
- A major-medium scale activity centre or a group of shops with a distinct character
- A cemetery or mausoleum
- A major religious venue that is generally open to the public

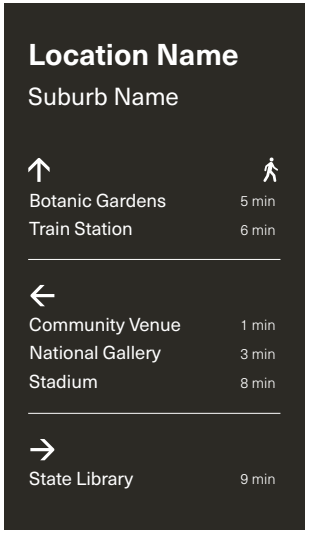
Individual businesses, shops, retail outlets and restaurants should not be on signage



Avoid showing too many destinations in one direction and destinations that are over 20-25 min (1.6 - 2km)



Ensure destinations are for public use and apply progressive disclose showing destinations in close proximity only



Destinations Hierarchy

Destinations should be categorised according to level of importance and use. The categorisation forms the basis of the content approach to each sign type at different points along the journey.

The categories are illustrated in the following table, where the hierarchy code indicates the order that destinations should be listed and disclosed to the user in their journey.

	CYCLIST			PEDESTRIAN			
MESSAGING PRIORITY & PROGRESSIVE DISCLOSURE IN DESCENDING ORDER	1	2	3	1	2	3	4
CATEGORY NAME	Primary Destinations	Secondary Destinations	Surrounding Destinations	Primary Destinations	Secondary Destinations	Tertiary Destinations	Surrounding Destinations
EXPLANATION	Local Government Areas, Major City Centres and other high profile attractors.	May include major activity centres, starts of or intersections with other cycle routes/trails, and major services/precincts	Other primary destinations surrounding City of Kingston that are in close proximity	Major destinations/ facilities to be display by area map and directional messaging	Secondary spaces/ destinations to be display by area map and directional messaging only when in close proximity	Minor destinations. Display by open space mapping or only when in close proximity	Other primary destinations surrounding an open space that are in close proximity
MESSAGING EXAMPLES	— Cheltenham Shopping Centre	— Bay Trail	— Beaumaris Beach	— Public Toilets — Train Stations — Bus Stops — Activity Centre	— Other Open Spaces close by	— Walking trails	Some to be display by context map and some to be included in directional messaging for users leaving the site: — Steam Locomotive Society of Victoria

Active Transport Signage

As part of the process of planning for cycle route signage, a Focal Point Signage Map should be prepared that identifies the primary destinations, secondary destinations and decision points that will be signed. The Focal Point Signage Map provides the framework for directional signage on the cycle route and is an important tool in the ongoing development of active transport routes.

Wayfinding & Directional

Before arriving to a facility, vehicular signs and other pedestrian signage should direct users to the facility. Once at the facility, signs will direct users to main destinations within the facility.

Identification

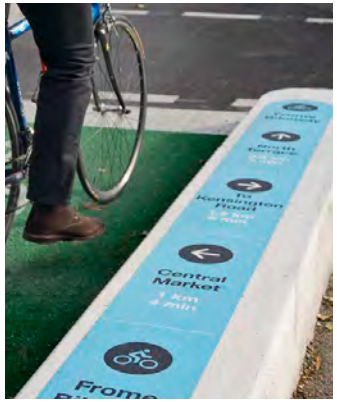
At each entrance point to a building or facility there should be an external sign identifying the site (where designated) and the major destinations within that site.

Toilets

Directions to toilets and similar amenities will also be given either on wayfinding directional signage or as a pictogram next to the corresponding destination in which these facilities can be found. Please note only public toilets should be directed to.

Best Practice Precedents

Adelaide Park Lands & City Wide Wayfinding Strategy



Background

A kit-of-parts approach was developed for the Citywide wayfinding signage, providing Council with an adaptive and flexible system suitable for both parks, open spaces and urban conditions. A key design driver was the capacity to collocate panels on existing street furniture and infrastructure reducing visual clutter and minimising implementation costs.

The visual language and look and feel of the signage including mapping, delivers an information system that is long lived and resilient to the recent and future changes as the city grows and evolves.

Principles

- Utilises a kit-of-parts approach to sign manufacture that delivers cost effective and easily updatable family of elements
- Hierarchy of information: gradually and logically sub-divides areas into smaller and smaller chunks
- Information is colour coded for pedestrians and cyclists and sized and weighted to the particular audience needs
- Physically accessible and inclusive
- Utilises clear and simple mapping with walking times and distances to aid and encourage walking
- Colour and contrast: The signs and maps use high contrast colours for optimum legibility
- Fitting the product to the place: The system needs to create a balance between fitting into the streetscape and having enough presence to be useful
- Open space and urban material palettes are sympathetic to their context and situation

Best Practice Precedents

City of Bayside Wayfinding Strategy

Background

Bayside Council signage includes entry directions, clear advice around regulations such as on/off leash times for dogs and educational interpretation. Locations were chosen to give maximum public exposure and minimal disturbance to native vegetation.

Principles

— Comprehensive and consistent suite of signage for both, wayfinding and regulatory information.
— Hierarchy of information: gradually and logically sub-divides areas of information.
— Colour and contrast: The signs use high contrast colours for optimum legibility
— Open space and urban material palettes sympathetic to their context and situation
— Mapping Style: simple and clear design

Best Practice Precedents

Mosman
Signage Strategy

Background

Contemporary suite of wayfinding signage for the Council which has a consistent brand application, avoids over-regulation and implements a systematic location placement.

The signage system needed to withstand both coastal conditions and life cycle in public parks and urban centers.

A hardy material palette of wood, juxtaposed with anodised metal framing and aluminium substrate formed the base of the new signage.

A unique system of patternisation was developed for each sign location type: urban, park and coastal. These patterns were either routed into the timber framing, printed onto sign fronts, or perforated into large panels. Resulting in tactile links to periods in Council history, a sign-type and location identification system and a method of visually lightening signage appearance.

Principles

- Patterns create a link to the history of the site adding character and uniqueness to the area
- Utilises a kit-of-parts approach to sign manufacture that delivers cost effective and easily updatable family of elements
- Hierarchy of information: gradually and logically sub-divides areas into smaller chunks
- Physically accessible and inclusive
- Utilises clear and simply mapping with walking times and distances to aid and encourage walking
- Colour and contrast: The signs and maps use high contrast colours for optimum legibility
- Open space and urban material palettes sympathetic to their context and situation

SMART City
Integration with Technology

Developments in smart phone capabilities and software may offer additional layers of wayfinding and interpretation for audiences navigating precincts.

As smart-phone mapping technology becomes more ubiquitous, access to detailed journey planning and navigation services will mean less reliance on physical signage.

The relationship between the digital and physical worlds will become more enmeshed and responsive to individual needs.

Barcelona, Smart City

Listed in Europe's top five 'smart' cities, Barcelona offers a comprehensive, city-wide program to provide users with local information.

To experience a virtual Barcelona through the physical one, users may access digital content at numerous access points and through various contact-less technologies including NFC (Near Field Communications) and QR (Quick Response) Codes.

By integrating technology into the urban infrastructure, the dissemination of information will become ubiquitous.

Barcelona 'Smart City' Nearfield Communication (NFC) in situ with smart-phones. Source: http://lameva.barcelona.cat/contact-less/en

QR Codes

Accessible via a smart-phone's connection to the internet, enabling great opportunities to integrate online mobile technology with Council signage. This is especially relevant with the development of cultural and heritage walks around the City.

Quick response (QR) codes can be integrated onto physical signage to take users to online content which supports the on site messaging. It is important to consider what information will be housed online. Opportunities include:

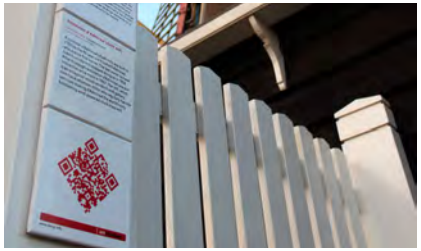
- Online walking trails (e.g. a 'Historical Walk').
- Translated sign information for tourists.
- Links to online wayfinding for seasonal events.
- Audio versions of information for people who are blind and have low vision, cognitive and intellectual disabilities.

QR codes might be better incorporated to signage as stickers to allow flexibility for future changes. Some links to information might change with time or would required regular updates, i.e. timetables for the use of parks and reserves by sporting groups.

It is important to remember the end user's experience when including QR codes on signage. Ensure that the online resource provides them with useful information beyond what is already available on the sign. Similarly, using a QR code to simply link to a council website is not overly helpful for users and should be avoided.

Consideration should be given to ensure online resources are suitable for viewing on mobile devices. Responsive websites which have been specifically designed to be viewed on mobile devices work best – as opposed to mobile apps which are tailored to one particular platform (e.g. iPhone apps). Links to websites using Flash technology should be avoided as they are not supported by iPhones or iPads.

We recommend adding QR codes to signs using laser-cut vinyl, so they can be easily removed and/or replaced as required.



City of Amsterdam's signs linking QR Codes to the 'I Amsterdam' mobile app. Source: www.edenspiekermann.com/blog/posts/explore-a-different-Amsterdam

Near Field Communication

Near Field Communication (NFC) is a form of contact-less communication between its electro-magnetic field and devices like smart-phones in creating opportunities for users to access tools and information to aid their proposed journey. NFC technology allows users collect information wirelessly via smart-phone* through a close proximity transaction.

By integrating NFC throughout the signage family, users can gain access to valuable audio/visual tools that will aid their journey.

In essence, NFC can be used in turning smart-phones into educated tour guides, and visitors may see and hear relevant information about what they're looking at.

This enables a non-linear path for self-guided tours and offers extra information for those who seek it.

*Note: Apple iPhone 6 and above can read NFC tags with an app and the latest iPhones – iPhone XS, XS max and XR can read NFC tags without needing to download an app. All the latest Android smartphones can scan NFC without an app but there are a few older models that do not support NFC. This may provide accessibility limitations and should be monitored and considered before integrating this technology.

More information may be found at:
www.nearfieldcommunication.org/how-it-works.html
http://www.nfcworld.com/nfc-phones-list/#rumoured

A person tapping their smart-phone to a NFC enabled advertisement.

Augmented Reality (AR)

By the end of this decade AR will be embedded into most smart phones and will change the way we view and receive information. Wayfinding is one such practice that will benefit greatly from a more intuitive and immersive user experience. Google Maps has begun testing a richer AR experience that uses visual prompts to guide users through spaces.

Augmented reality may improve functional vision in people that are blind or low vision by translating spatial information into colour-coded, high-contrast visual patterns. Audio prompts may also be used to give objects and/or areas the ability to have simple audio cues.

Heritage Applications of AR

Digital historic and interpretive story telling has developed quickly over the last few years bringing opportunities to integrate digital experiences to provide story telling and enhance the visitor experience within a municipality.

The project by Brother and Sister (London) for the Museum of London, utilises augmented reality to composite archival photographs over real word locations via an iPhone application. This has brought historical London to light and encourages users to explore the city and its history in an engaging and immersive way.

This is an interesting example of how the City's many cultural and heritage stories could be revealed without the need for physical clutter like signage.

Source: https://segd.org/digital-wayfinding-apps
'iPhone Time Machine', Brother and Sister for the Museum of London

Source: Burswood Park Board Digital Pilot Program (2020) by PMY

Benchmarks for Dual Language Signage

For reconciliation and honoring the cultural heritage of a site, there is the opportunity to develop a hierarchy of singular and/or dual–naming for key locations that could be incorporated into the signage together with Aboriginal artwork.

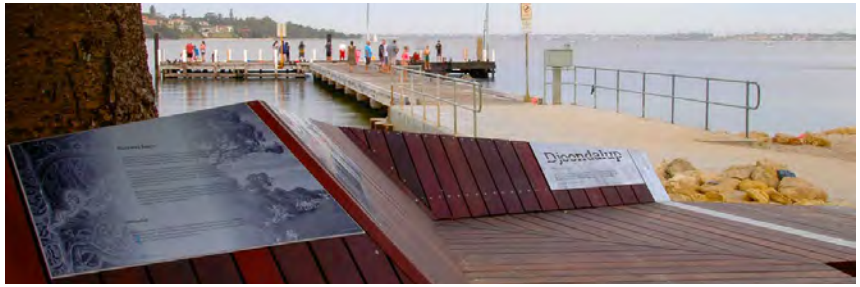
City of Whittlesea Gateway Signage, VIC

Welcome gateways into the City acknowledges the traditional owners of the land, accompanied by a traditional welcome in their language and indigenous artwork.

Swan-Canning Riverpark Interpretive Signage

Point Walter, Bicton Baths, Heathcote and Brentwood, WA

Welcome panels depict each location's traditional Aboriginal name and story (respectively); Djoondalup (place of white sand), Kwoppa Kepa (beautiful water), Kooyagardup (place of the big nose frog) and Kaalitj-ngort Koondaam (dragonfly dreaming). Accompanying the interpretation is a traditional welcome in language, and quotes from Whadjuk elders.

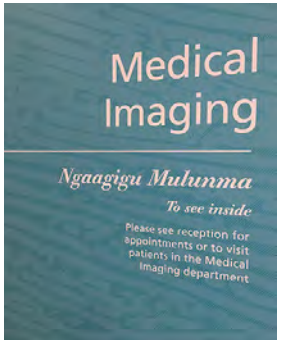


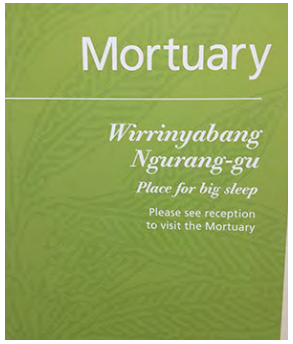
Wiradjuri language signage

Parkes and Forbes hospitals, NSW

Mali Marambir Ngurang: to make better place Lachlan was a project of the Lachlan Health Service Culture and Arts Program, coordinated by Arts OutWest at Parkes and Forbes hospitals.

The project involves key directional signage around the hospitals written in English beside the Wiradjuri interpretation, which is then translated back into English. The project aimed to make the hospital spaces more inviting, less daunting for Aboriginal people.



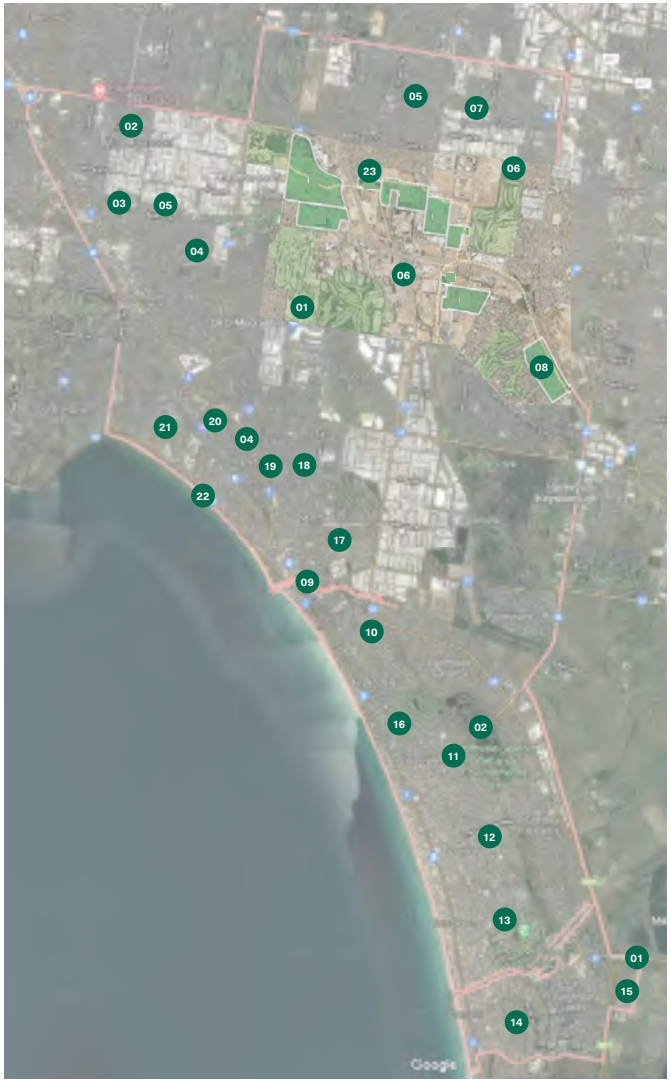


Section 2

Signage Review & Recommendations

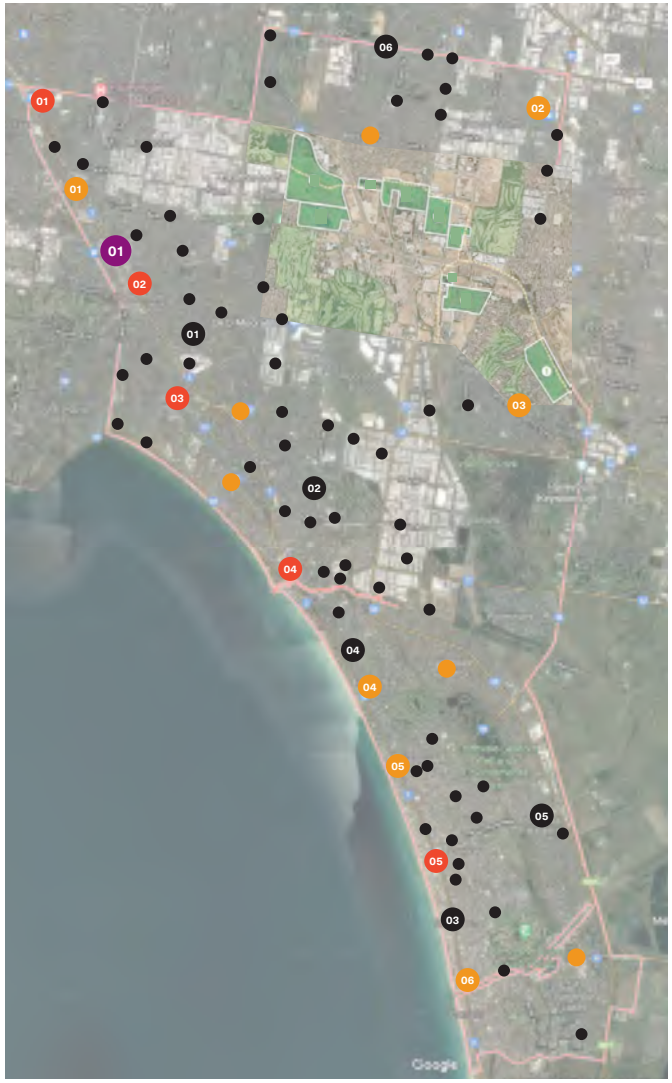
Review to Inform

In order to inform the development of Kingston's Wayfinding Strategy it was important to review existing signage and understand the unique context of the municipalities Open Spaces and Activity Centres. As such 23 reserves and Activity Centres across a range of scales, including Major, Neighbourhood and Local centres were audited. These audits are summarised in the following sections and used as the of this Strategy.



AUDITED OPEN SPACES

01	Kingston Heath Reserve
02	Bricker Reserve
03	Turner Road Reserve
04	Le Page Park
05	Namatjira Park
06	The Grange Reserve
07	Keeley Park
08	Spring Road/Rowan Road Reserves
09	George Woods Reserve
10	Long Beach Trail
11	Edithvale Recreation Reserve
12	Chelsea Bicentennial Park
13	Bonbeach Sports Reserve
14	Carrum Roy Dore Reserve
15	Patterson Lakes Recreation Reserve
16	Regents Park
17	Doug Denyer Reserve
18	Walter Galt Reserve
19	The Gerry Green Reserve
20	Dolamore Reserve
21	Mentone & Keith Style Reserve
22	The Foreshore (13km) including Bay Trail
23	Chain of Parks, Only Elder St South Reserve



AUDITED ACTIVITY CENTRES

PRINCIPLE

01	Southland

MAJOR

01	Morabbin
02	Cheltenham
03	Mentone
04	Mordialloc
05	Chelsea

NEIGHBOURHOOD

01	Highettt
02	Westall
03	Dingley Village
04	Aspendale
05	Edithvale
06	Carrum

LOCAL CENTRES

01	Follett Rd, Cheltenham
02	Warren Rd, Parkdale
03	Bonbeach, Nepean Hwy
04	Laura St, Aspendale
05	Thames Promenade, Chelsea Heights
06	Centre Rd, Clarinda

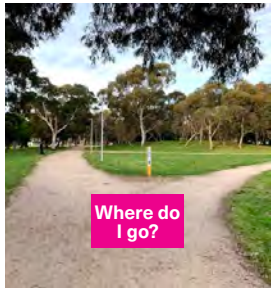
Signage and Wayfinding Recommendations

Consistency

- Create a consistent style for signage to enhance brand recognition and promote awareness of the activity centres and the broad range of open spaces and facilities provided by Council. Develop and implement a signage suite that incorporates the recommendations of this strategy.
- Create a consistent look and feel by utilising same colour pallets, typography and materials across all signage types.
- Create a signage design manual for all signage assets across the municipality to improve consistency and implementation of future signage roll-out.
- Currently there are a number of different and outdated signage styles in use, reflecting past brand iterations. Many signs are in poor condition which reduces legibility. Develop an action plan to implement new signage roll out across all Council open spaces and activity centres.
- Position the Council logo in a way that does not utilise as much signage real state for pedestrian and wayfinding signage. These typologies' main role is to communicate directional information, therefore the logo should come as a tertiary piece of information to identify the land manager.

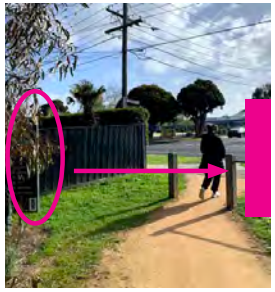
Cultural Recognition

- For reconciliation and honoring the cultural heritage of a site, there is the opportunity to develop a hierarchy of singular and/or dual–naming for key locations that could be incorporated into the signage.
- Watermark graphics could be used to incorporate indigenous artwork across open spaces signage that are relevant to the site history. Keep in mind artwork will need to be simple and not interfere with the legibility of the text.
- There is a great opportunity to embed the municipality's Aboriginal Heritage into interpretive signage design, this would require consultation with the Bunurong Land Council Aboriginal Corporation.
- Acknowledgment of Country on every sign.



Coherence

- Provide directional signage at all main decision points towards destinations.
- Create a signage system that includes different signage typologies for all purposes.
- Provide a clear overview of signage typologies, their use and purpose to facilitate detailed implementation.
- Future signage and wayfinding needs to be cohesive across the municipality, whilst addressing the individuality and unique character of open spaces. This can be achieved through the signage materiality.
- Develop a library of pictograms to be used across all signage within the municipality and open spaces. Make sure pictograms and messaging are consistent, use internationally recognised symbols which are useful at large and small scales for wayfinding maps.



Legibility

- Ensure signage is always free of visual obstruction like overhanging vegetation and street furniture.
- Create a wayfinding system that meets the needs of all activity centres and open space user types.
- Incorporate directions to nearest public transport, public toilets and other main destinations surrounding the open space or activity centre.
- Establish a clear hierarchy of information that is consistent across all signs.
- Ensure scaling of signage and text is readable by pedestrians and drivers as required by using large and legible sans serif font.
- Include wayfinding 'heads-up' maps at activity centres major decision points and pedestrian entry points to large/complex open spaces. These are great aids of navigation for pedestrians.
- Simplify regulatory information and consider other technologies (i.e QR Code to provide extra information for beach dog regulations) to avoid signage clutter.
- Create signage designs that follow best practice wayfinding conventions. This should include the use of universally understood pictograms and time and distance information.
- Use short and simple messaging to allow for those with vision impairment and language barriers.

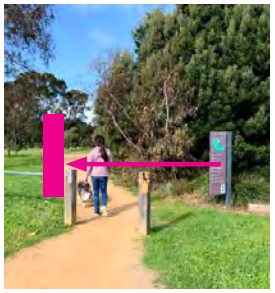
Flexibility

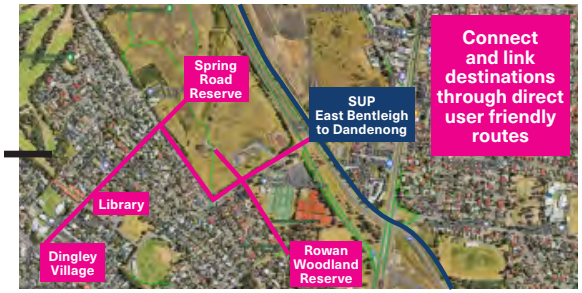
- Create new signage typologies that allow flexibility for different scenarios or needs (Pole mounted panels, wall mounted directional, surface graphics, etc)..
- Place signage where possible, with existing information to avoid signage clutter.

Accessibility

- Prioritise wayfinding information to aid in journey planning, route assurance and decision making.
- Signage should cater for all, especially those who are new to a site, whilst providing a sense of attachment and belonging to the place.
- All colours combinations selected for the signage system should achieve a contrast level of 70% and over. Some colours currently selected don't aid legibility of the information.
- Create simple layouts that are consistent and logical.
- Place text horizontally where possible, left aligned, well spaced and of an appropriate size.
- Limit or eliminate the use of ALL capitals, italics and underlining for better readability.
- Make graphics clear and legible.
- Use strong contrast between typography and background colours.

Signage and Wayfinding Recommendations





Entry Points Signage

- Vehicular and pedestrian entries are the interface with the sites for arrivals, and as such should deliver a strong council brand presence and clear site identification.
- Ensure scale, hierarchy of information and branding elements are consistent, coherent and at a suitable scale for the different users.
- Place all site identification signs at or near car park entries and pedestrian entries to clearly direct users.
- Update signage to simplify palette of colours, consolidate and simplify messaging in line with recommendations in this document.
- Ensure signs are perpendicular to the user line of movement.
- Where the car park entrance is located on a main road with speeds higher than 60km/h, use advanced vehicular directional signage prior to car park entry points to allow enough time for decision making.

Movement

- Formalise walking and cycling trails as an important part of wayfinding within activity centres, open spaces and the municipality in general (mainly through the future development of the Chain of Parks trail network) so that they are used not just for recreational purposes but also for active transport. This will involve the integration of relevant trail information into mapping and wayfinding signage, so that people can access the information on the ground.
- Ensure seperate vehicle and pedestrian entries into reserves and carparks to avoid conflict.

Amenity

- Increase amenity along key routes in between open spaces, activity centres and other destinations. Higher amenity combined with wayfinding promotes activation and movement.
- Integrate passive wayfinding into future initiatives and project works such as reduced road speeds, widened and paved footpaths/cycle paths, zebra crossings, pedestrian lights, avenues of trees, etc).
- Make sure amenities such as public toilets are included on all relevant signage.

Community Engagement

- Consider the use of open spaces large walls/fences to create interpretive signage to engage community and promote awareness and understanding of biological diversity, ecological processes, and the values of bushland areas and open spaces.

Placemaking

- Consider the use of activity centres large walls/fences for placemaking artwork to create vibrant and friendly sites.

Maintenance

- Phase out existing and old (worn or damaged) signage once a consistent typology design is provided.
- Clean signage of graffiti regularly to discourage behaviour.

Signage and Wayfinding Recommendations

Trails

— Create a unified look and feel for trail signage.

— Avoid signage looking overcrowded at entry points. Create a hierarchy of information that is easily understood by users of all ages and accessibility.

— Introduce heads-up maps to aid navigation.

— On the foreshore use National Aquatic guidelines and simplify the hierarchy of information.

— Develop simple graphics and messages for shared user path signs and decals in a positive and friendly tone.

— Consider the creation of a SUP naming Strategy for major trails in conjunction with a cycling wayfinding strategy for the whole City of Kingston. This will aid signage messaging consistency and will help users with active transport navigation to destinations.

Dog on/off-Leash Regulatory

— Consider the creation of natural landscape barriers (i.e. planting, fences) between off and on-leash zones to better manage entry points to each section. This will aid to identify the locations and avoid over signing open spaces with regulations which diminishes amenity.

Regulatory Signage

— Where practical, always incorporated regulatory information into facility identification signage.

— Simplify messaging to incorporate universal pictograms and reword messaging to be more positive and consistent.

— Review messaging and rules that cannot be regulated or when the problem no longer occurs.

Interpretive Signage

— Council must balance the desire to promote and facilitate community awareness and understanding of biological diversity, ecological processes, and the values of bushland areas and also tell the 'stories' behind the locations, history and naming of the open spaces to provide a context and connection to place and community, with the visual clutter that over use of signs can create.

— QR Codes included in interpretive signs, offers the opportunity to integrate digital experiences to provide story telling and enhance the visitor experience and link to further information about sites or stories.

Public Art Signage

— All public artwork should acknowledge the artist/s, Traditional Custodians and Elders of the land, funding bodies, a brief description of the work and a QR code for the public to learn more about the piece.

— Develop standard labeling of ephemeral, temporary and permanent public artworks to promote consistency.

Historical Markers

— Select a unifying design from best precedents from existing signs to be implemented across all open spaces for future roll-out of Historical Markers.

Signage and Wayfinding Recommendations

Public Toilet Identification Signage

- Formalise signage guidelines to create consistency among all open spaces public toilets.
- Select a unifying design from best precedents from existing signs to be implemented across all public toilets to improve amenity.
- A signage overhaul should be included in the soon to be developed public toilet strategy.
- Develop All-gender toilet signage.

Facilities Conditions of Use Signage

- Formalise signage guidelines to create consistency across all open spaces if possible.
- Integrate signage into existing infrastructure where possible.
- Limit the amount of fonts and colours used throughout.

Passive Wayfinding

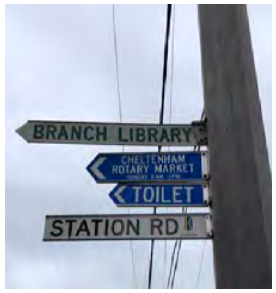
- Use passive wayfinding techniques (i.e. surface graphics, wide footpaths with avenues of trees) to direct people among carparks and desire routes to destinations.
- Passive wayfinding can formalise informal street crossings and provide a protected zone for users of all abilities.
- Provide safe and protected street crossing zones in the most direct routes between destinations where possible.
- Ensure clear and safe entrances to parks and reserves.

Gateway Arrivals

- Create a vehicular and pedestrian/cyclist wayfinding signage plan for all centres (starting with Major centres) to evaluate user routes and decision points. This with the purpose of analysing where signage is required at arrivals and intersections within the centre's boundary.
- Review all vehicular arrival points into the centres.Identify best locations for signage according to lines of movement and view lines. Install and update identification gateway signs at all locations ensuring signage is placed on the left hand side of the road not obscured by other street elements (trees, traffic signage, traffic lights, lighting poles, etc) for better legibility.
- Remove identification gateway signs that are located within the center and not at the vehicular entry points. This signs could be replaced with mapped plinths for pedestrian wayfinding.

Building / Facility Identification Signage

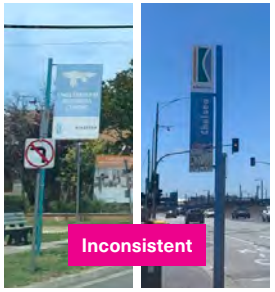
- Create a set of signage design guidelines for all external and internal signage.
- Integrate signage into existing facades where possible.
- Phase out old signage for new signage as older signage deteriorates.
- In the signage design guidelines create clear criteria for the use of backlit building signage.
- Create a set of signage design guidelines for all sub-branded Council facilities (i.e libraries, aquatic centres, arts centres) to ensure consistency and branding recognition among all centres.

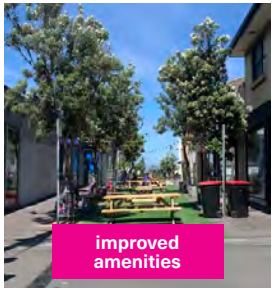


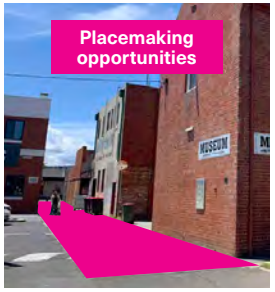
Street and Community Directional Signs

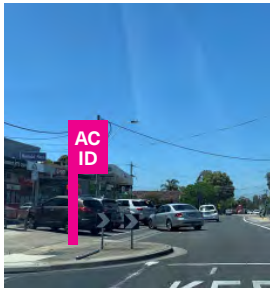
- The use of black text on white reflective background should continue for Council street signs
- The Kingston logo should be used in signs other than private roads, supplementary street signs and community / tourist signs.
- Signs should be consistent with AS 1742.5

Recommendations









All Activity Centres

- Currently there is a lack of wayfinding signage when different users arrive to the centres. The majority of signage is Public Transport Victoria, outdated Council plinths (i.e. Chelsea), VicRoads and community facilities fingerboards which lack local information and decision points connectivity to destinations such as public toilets, public carparks, beaches, open spaces, retail areas and community facilities.
- Ensure a detailed site analysis including decision points and user circulation patterns is undertaken for each site to determine final signage locations and messaging schedules before manufacturing signage.
- Create a consistent signage design for vehicular directional signage based on standard traffic management signage. (i.e. Standard blue P signs).
- Review all primary and secondary vehicular entry points to install/update gateway identification signs ensuring signage is visible and placed on appropriate locations at the boundaries and not obscured by other street elements (trees, traffic signage, traffic lights, lighting poles, etc).
- Identify major arrival points into activity centres (e.g. train stations, major bus stops and main public car parks) for the installation of pedestrian mapped plinths signage on the interfaces with main footpaths or routes.
- Identify best routes for people with limited mobility in between arrival points and major destinations/facilities to ensure routes are accessible.
- Ensure signage is always free of visual obstruction like overhanging vegetation and street furniture.
- Consider planting trees through main pedestrian and cyclist routes as a good passive wayfinding tool and also to provide shade and improve amenity. Some major activity centres are lacking shade through main routes making it difficult to walk/cycle on hot days even though distances are manageable. This would encourage active transport.

Principle

- Liaise with Westfield Shopping Centre to develop a wayfinding strategy for Southland Activity Centre. Currently the majority of signs are by Westfield. The majority is to provide parking directional signage into the shopping centre or pedestrian signage at train station to direct users to main building entry.
- Improve pedestrian connections to surrounding destinations such as open spaces and train station. Currently users have to transverse Westfield shopping centre car parking to access Sir William Fry Reserve and train station.

Major

- Some activity centres's gateway identification signs are installed within the centre and not at boundary entries. Consider the removal and relocation of these signs. There is an opportunity to replace some of them with mapped plinths for pedestrian wayfinding (i.e. Cheltenham sign at corner of Station St and Charman Rd, Mordialloc sign at corner of Main Street service rd and Bear street)
- Consider the improvement of links and connections to key destinations within the activity centre (i.e. lane way link to historical Museum in Mentone or connection to pier from retail centre in Mordialloc).
  This could be achieved by installing pedestrian wayfinding signage at decision points and improving amenities by the use of planting/trees, different forms of placemaking such as public artwork/wall surface graphics, lighting.

Neighbourhood

- Consider a review of activity centers category as the population grows. Some centres such as Carrum are starting to feel as Major Centres to the users due to the upgrades on street scape, facilities and train stations.

Local

- Consider the installation of a double side identification sign to provide users traveling by car the name of the center.
- Pedestrian wayfinding is generally not necessary at these centres as they are small in nature and used primarily by local residents.

Section 3

Proposed Signage Typologies

The following pages provide an overview of all signage assets a Local Government Area would generally need to provide a complete signage system that would cater for all user needs.

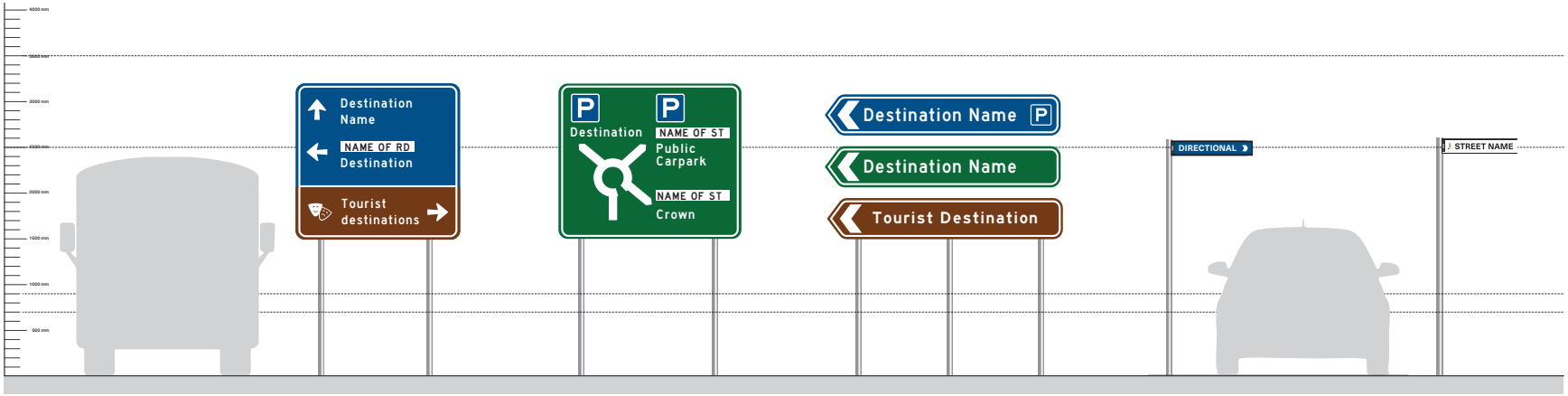
The scope for this project is only to provide high level design and guidelines for a set of six wayfinding signage typologies.

Vehicular Signage Overview

Below is a representation of the AusRoads vehicular signage typologies and their purpose. This signage typologies will be needed to guide users to Local Government Areas, regional Open Spaces and major destinations. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only.

DIRECTIONAL SIGNS COLOUR

- Towns, Cities, State wide Route Numbering and particular locations
- Facilities and services
- Tourist Attraction of significant recreational and cultural interest



Code	VD1	VD2	VD3	VD4	ST
Name	**Advance Directional***	**Advance Directional Diagram***	**Intersection Directional***	**Community Directional Signs**	**Street Blades**
Functional Type	DR	DR	DR	DR	ID
Installation	Freestanding	Freestanding	Freestanding	Pole mounted	Pole mounted
Purpose	To provide users with directional information prior to entering intersections to allow time for drivers to select routes. It should direct users to car parks or main destinations.		To confirm route and directions for users at intersections and guide them to destinations.	To direct users to community facilities through the municipality.	To provide users with street name information and "No through" road information.
Location	Prior to intersections and decision points.		Placed at road intersections.	At corners of street intersections.	At corners of street intersections.
Recommendations	Develop a vehicular wayfinding strategy to connect vehicular users to Town Centres, regional open spaces and major attractions. Not part of scope of services			Use specifications in this document	Use specifications in this document

* Sign should be base on Australia Standards Tourist and Services Signs, refer to standard for placement principles and guidelines

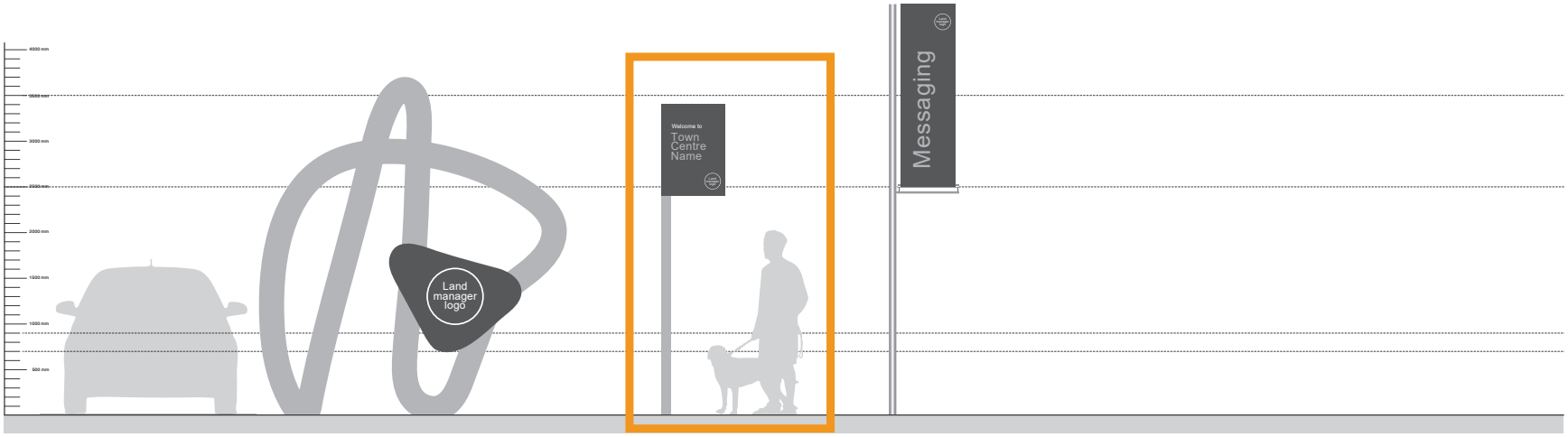
NOTE
Any signage on a state road needs the Department of Transport's approval

Gateway Signage Overview

Below is a representation of the usual signage typologies, their purpose and approximate sizing. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only. Some of this typologies are currently in use by the municipality.

SCOPE OF SERVICES

Sign developed as part of this scope.

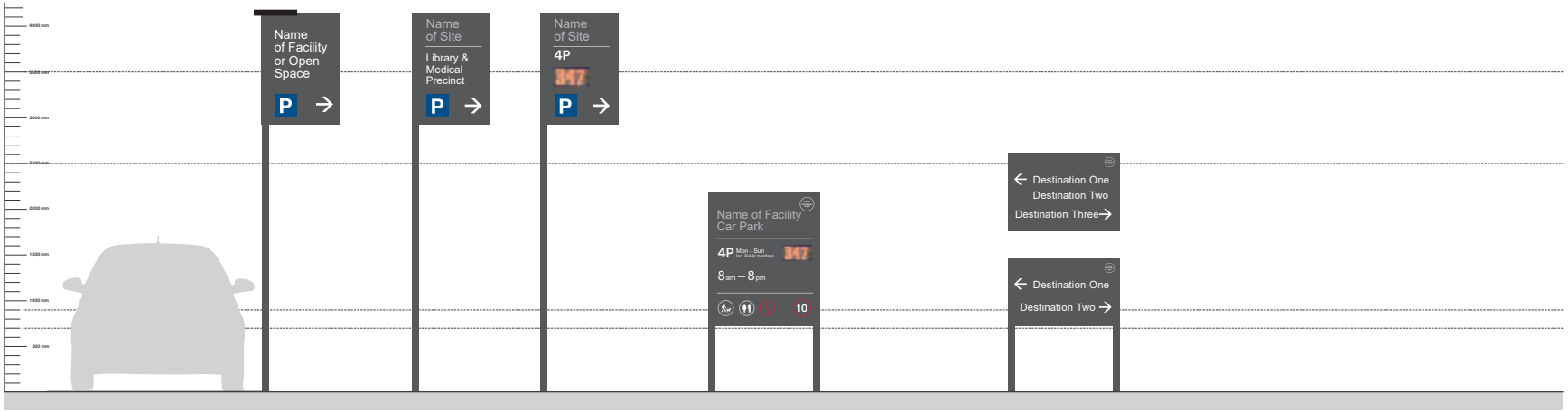


Code	GW1	GW5	PR1
Name	Feature Boundary Gateway *	Destination Arrival Gateway*	Placemaking/Promotional Banner*
Functional Type	ID + IF	ID + DR	PR + ID
Installation	Freestanding	Pole Mounted	Freestanding or Pole Mounted
Purpose	To provide LGA arrival identification and placemaking. It creates a sense of 'arrival' and 'welcome' for users traveling by car and bus. It clearly identifies the land manager. It can be integrated with recognition of traditional owners of the land and indigenous artwork.	To provide arrival identification to activity centers or open spaces.	To promote and identify town centres or events that have a local presence. The sign creates a sense of 'place' for each town.
Location	At primary road access points to LGA where space and location allows for a more prominent public art piece	Placed on external roads kerbside at arrival points or prior to entries to carparks.	Near entry points to town centres main shopping street.
Recommendations	Consider the creation of placemaking gateways	Review existing design.	

* Any signage placed on road reserve needs the Department of Transport's approval

Car Park Signage Overview

Below is a representation of the usual signage typologies, their purpose and approximate sizing. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only.



Code	CP1	CP2	CP3
Name	Advance Vehicular Directional*	Car Parking Identification	Car Parking Directional
Functional Type	ID + DR	ID + IF	DR
Installation	Pole Mounted	Freestanding	Freestanding
Purpose	To provide advance directional information to facilities car parking entries to allow enough time for user's decision making.	To provide users with car park identification and conditions of entry information and regulations.	To provide users with directional information at intersections of facilities' internal roads and car parking. It should direct to destinations' best parking.
Location	Placed on external roads kerbside prior to entering car parks.	At garden beds next to entries to facilities car parks.	At internal roads intersections
Recommendations	Develop new template for open spaces.	Develop new template for open spaces.	If necessary develop a new template.

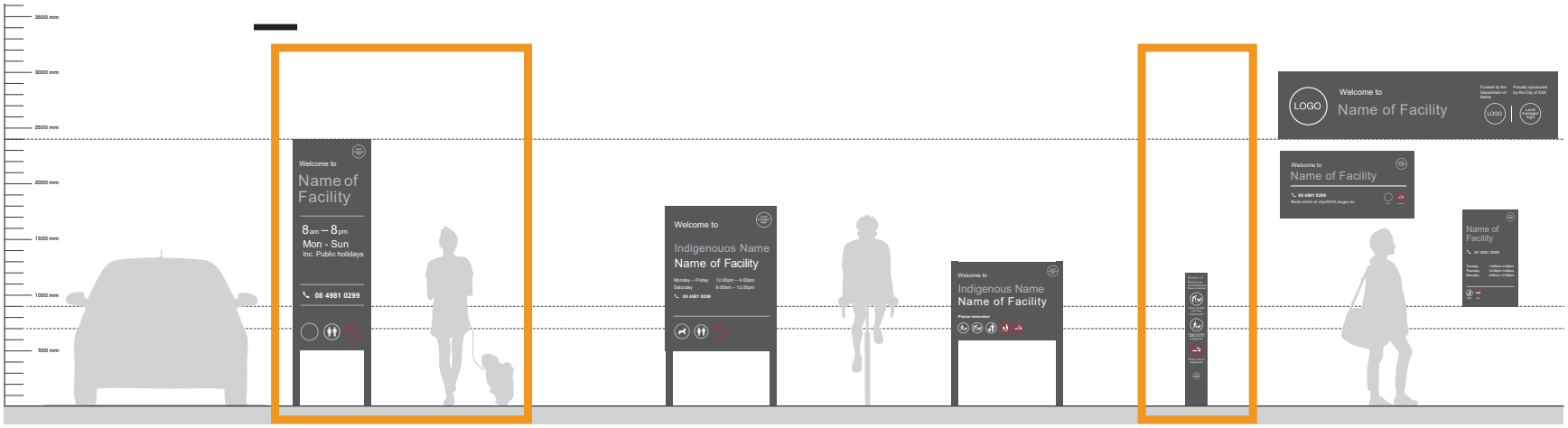
* Any signage placed on road reserve needs the Department of Transport's approval

Identification Signage Overview

Below is a representation of the usual signage typologies, their purpose and approximate sizing. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only.

SCOPE OF SERVICES

Sign developed as part of this scope.



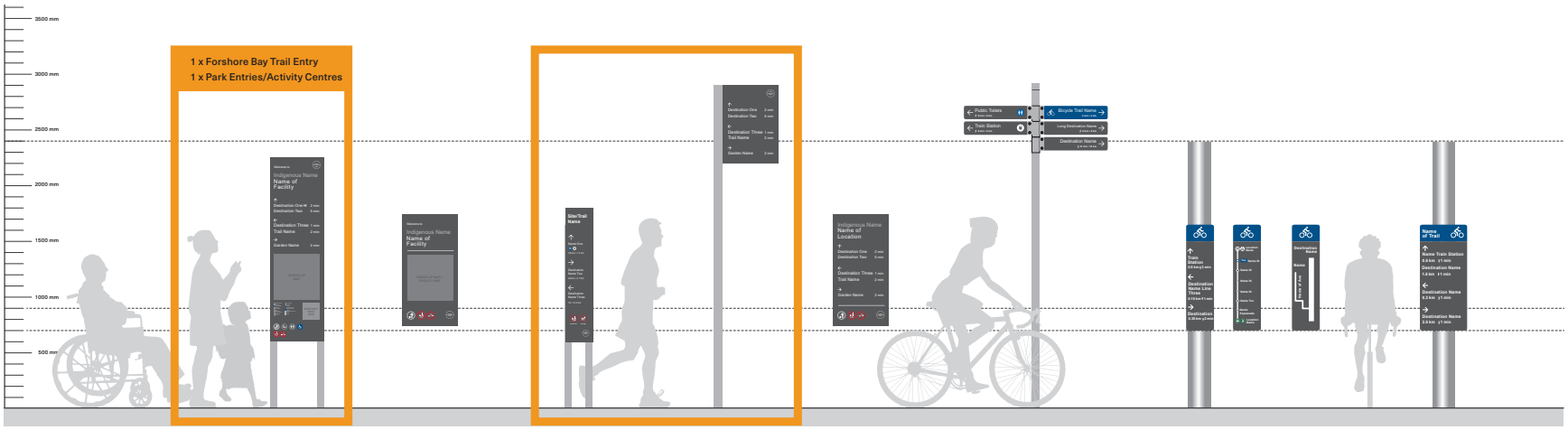
Code	ID1	ID2	ID3	ID4	ID5
Name	**Facility Identification Large**	**Facility Identification Medium**	**Facility Identification Small**	**Facility Identification Bollard**	**Building Identification Large , Medium, Small**
Functional Type	**ID + IF + RG**	**ID + IF + RG**	**ID + IF + RG**	**ID + IF + RG**	ID + IF
Installation	Freestanding	Freestanding	Freestanding	Freestanding	Surface Mounted
Purpose	To display the name, function and information of major facilities on arrival and provide key information i.e facilities (BBQ, playground, dog park), regulations, opening hours, facilities available, club or tenant names, etc.		To display the name and regulatory information for small facilities.	To display the name and regulatory information for small open spaces.	To display the facility name, club or tenant names at main entrances to buildings within a facility.
Location	At garden beds near arrival points/entries to car parks of large or highly visited facilities or on high speed traffic roads.	At garden beds near arrival points/entries to medium size facilities of moderate visitation and/or importance.	At garden beds near arrival points/entries to small or infrequently visit facilities.		At pedestrian entries to facilities of public use.
Recommendations	Develop new template	Develop new template	Develop new template	Develop new template	Develop new template. Not part of scope.

Pedestrian / Cyclist Signage Overview

Below is a representation of the usual signage typologies, their purpose and approximate sizing. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only.

SCOPE OF SERVICES

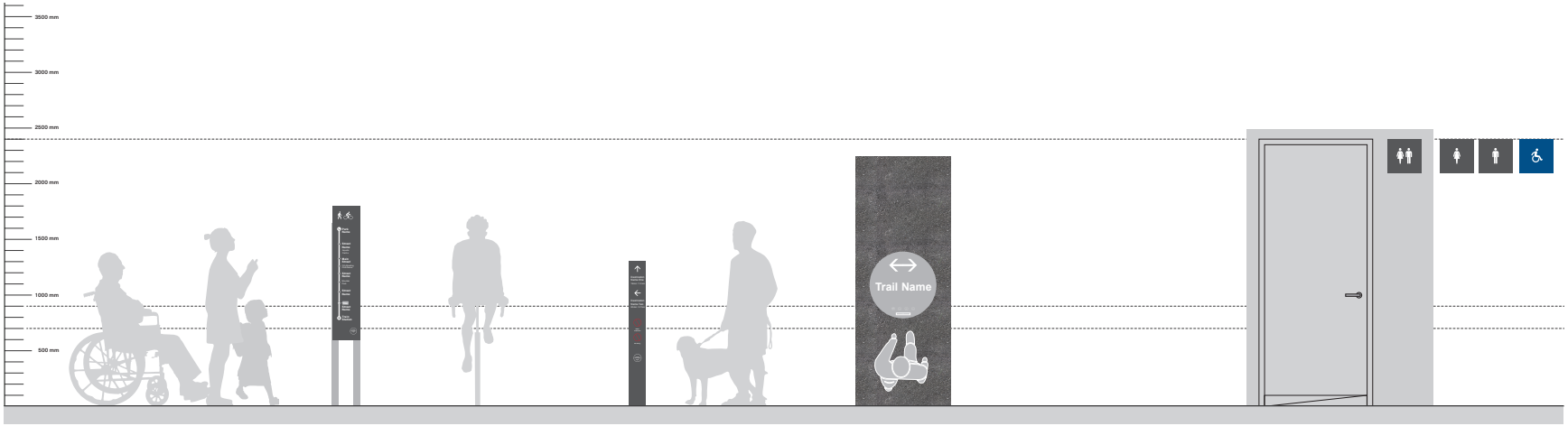
Sign developed as part of this scope.



Code	IF1	IF2	DR1	DR2	DR3	DR4	AT1	AT2
Name	**Mapped Plinth**	**Mapped Panel**	**Directional Plinth**	**Pole Mounted Directional Flag**	**Surface Mounted Directional Panel**	**Fingerboard**	**Active Transport Directional Panel On-Road**	**Active Transport Directional Panel SUP**
Functional Type	ID + IF + DR	ID + IF + DR	ID + DR	ID + DR	ID + DR	DR	DR	DR
Installation	Freestanding	Surface Mounted	Pole Mounted	Pole Mounted	Freestanding	Pole Mounted	Pole Mounted	Pole Mounted
Purpose	To provide users with site identification, local directional information and maps at primary decision points along routes. Regulatory information is also provided to ensure users are aware of surrounding regulations. Mapped panel sign is used in locations where space or traffic levels does not permit a plinth.		To provide users with local directional information at secondary decision points along pedestrian routes. It provides pedestrians with reassurance when traveling between mapped signs and destinations			To provide users with reassurance and local directional information at secondary/tertiary decision points along routes.	To provide cyclist with directional information at or prior to decision points along cyclist routes.	To provide cyclist with directional information at or prior to decision points along cyclist routes.
Location	Placed at primary decision points, arrival/entrance or near entry points to major/ large facilities, open spaces or at car park interfaces.		Placed at secondary intersections and decision points along pathways.				Placed at minor decision points along pathways.	Placed at decision points along specified routes.
Recommendations	Develop new template	Develop new template	Develop new template	Develop new template	Develop new template		Develop new template	Develop new template

Pedestrian / Cyclist Signage Overview

Below is a representation of the usual signage typologies, their purpose and approximate sizing. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only.



Code	IF3	DR5	SG1	PT1
Name	**Linear Map**	**Directional Bollard**	**Pavement Marker**	**Public Toilets Identification**
Functional Type	IF + DR	DR	DR + PR	ID
Installation	Freestanding	Freestanding	Ground Surfaces	Surface Mounted
Purpose	To provide reassurance for users along coastal trails by providing local linear navigation including key destinations of interest.	To provide users with reassurance and local directional information at tertiary decision points along routes.	To provide users with route reassurance at intersections along trails or where trail continuity is broken up. Can also be use for promotional information.	To identify public toilets.
Location	Placed at key entrances to trails.	Placed at minor decision points along pathways.	Placed at decision points along specified routes.	At entrances or near entrances to facilities, clearly visible to users.
Recommendations	Develop new template	Develop new template	Develop new template	Develop new template as part of public toilet strategy.

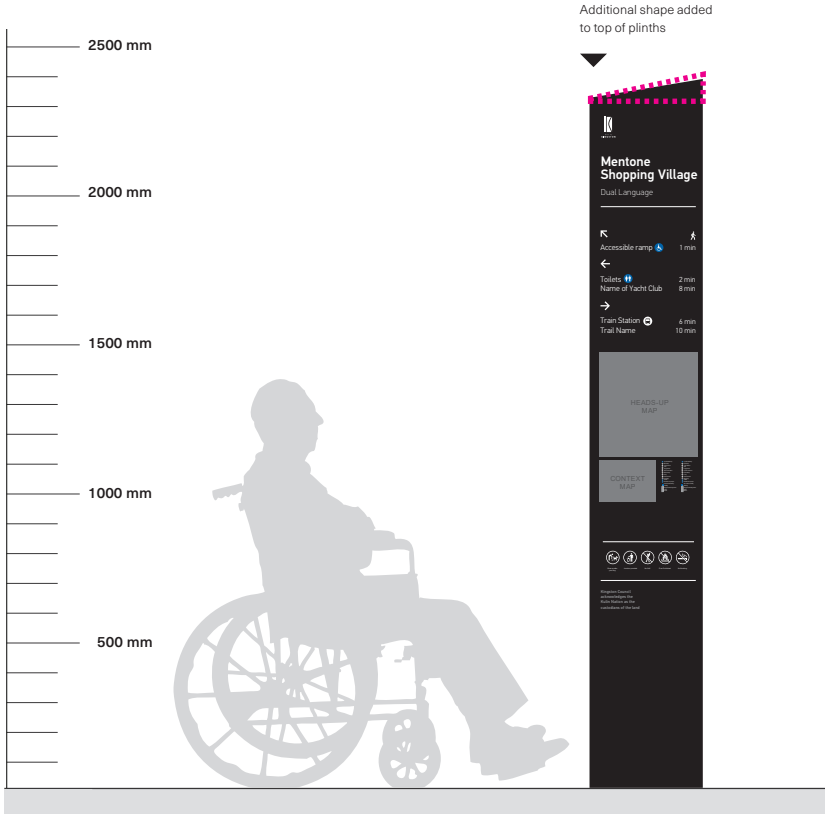
Section 4

Signage Specifications

Angle Inspiration

There is the opportunity to incorporate shapes used in the Kingston marketing material into the signage to create a direct link between the online and physical environments.

One of the angular shapes taken from the branding guidelines



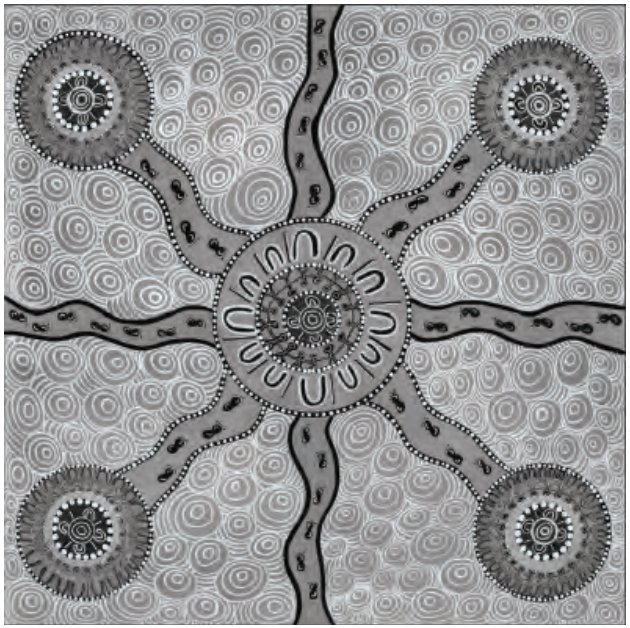
Artwork Integration

Bunurong Elder Artwork to be used on signage. A section of the artwork can be selected for each sign and integrated in monochrome.

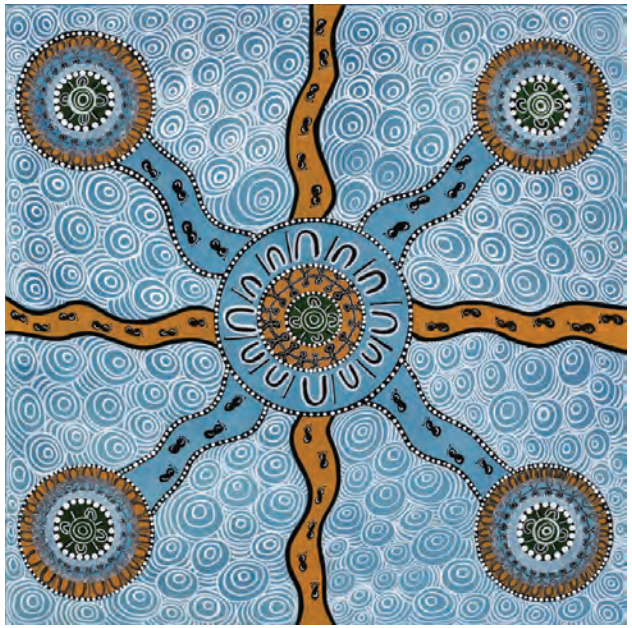
Titled Coming Together to Meeting Place As One - this artwork pays respect to the ancestors of the Kulin Nations past, present and future. The outer section of the main central circle is all Elders welcoming all onto their country by guarding the pathways that lead to the central point. The design is centred around inclusiveness and sharing. The outer circles represent the four groups that make up the Kulin Nations. All groups lead to one main meeting place which is representative of the City of Kingston where peoples are coming together around one fire to discuss business. Other pathways represent people from all different backgrounds to join the main meeting place. It acknowledges the diversity of the Kingston community and additionally the unity that Council provides for all of its residents.

About the artist
Heather Kennedy is a pround and well-respected Elder of the Palawa Trowerna from the Trawoolway and Plairmairrenner clans of Northeast Tasmania and Bunurong women from Victoria. Heather have been painting for over 30 years and has a passion for creating visuals and stories, sharing culture through art.

Acknowledgement of Country
We proudly acknowledge the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past and present and emerging.



Monochrome artwork



Full colour artwork

Signage Colour Palette

The consistent use of colours creates a recognisable signage system and helps reinforcing the brand.

When reproducing printed artwork it is imperative that files are set in CMYK mode. This will ensure consistency throughout all signage.

Primary

Base Colours

BLACK
CMYK
0/0/0/100

Highlight Colours

WHITE
CMYK
0/0/0/0

Secondary

Base Colours / For use on maps

CMYK
0/0/0/90

CMYK
0/0/0/80

COOL GREY 10
CMYK
0/0/0/70

CMYK
0/0/0/45

COOL GREY 1
CMYK
0/0/0/20

Highlight Colours / For use on maps and pictograms

DDA/ PMS 300 C
CMYK
100/62/07/0

PMS 279
CMYK
68/34/0/0

PMS 654
CMYK
100/84/30/16

WATER
CMYK
81/58/32/36

PMS 342
CMYK
100/0/71/43

PMS 360
CMYK
59/0/100/07

COURTS/FIELDS
CMYK
100/0/71/53

DOGS OFF LEASH
CMYK
75/5/100/0

PMS WARM RED
CMYK
0/87/91/0

PMS 137
CMYK
03/48/100/0

PMS 2415
CMYK
40/100/0/18

Acceptable and Non-Acceptable Colour Contrast & Accessibility

✓ 95%

BACKGROUND - BLACK

TEXT - WHITE

✓ 76%

BACKGROUND - BLACK

TEXT - PMS 360 C

✓ 84%

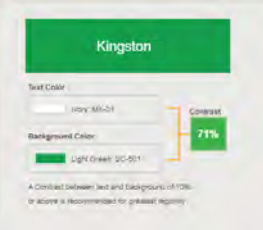
BACKGROUND - PMS 342 C

TEXT - WHITE

✓ 71%

BACKGROUND - PMS 360 C

TEXT - WHITE



✓ 93%

BACKGROUND - PMS 137 C

TEXT - BLACK

✗ 34%

BACKGROUND - PMS 137 C

TEXT - WHITE

✓ 75%

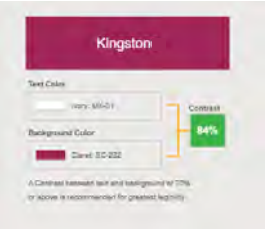
BACKGROUND - WARM RED

TEXT - WHITE

✓ 84%

BACKGROUND - PMS 2415 C

TEXT - WHITE



✓ 86%

BACKGROUND - PMS 654 C

TEXT - WHITE

✓ 84%

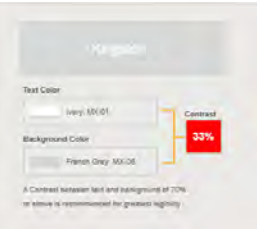
BACKGROUND - COOL GREY 10 C

TEXT - WHITE

✗ 38%

BACKGROUND - COOL GREY 1 C

TEXT - WHITE



✗ 56%

BACKGROUND - PMS 279 C

TEXT - WHITE

SOURCE: http://asisignage.com/resources/lrv-calculator

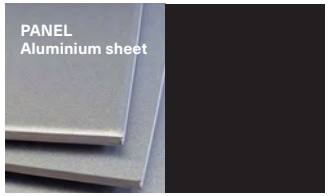
Materials and Finishes

The materials palette has been chosen to provide a cost effective, durable and easily amendable system. It is envisaged that the palette of materials can be sourced locally mitigating delivery and supply issues.

Colours have been chosen to achieve a high level of contrast and legibility to create a distinctive signage system.

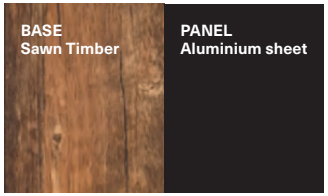
Materials Palette

Activity Centre

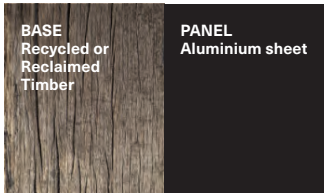


Can be locally sourced and more cost effective than Enamel. Painted in a two pack polyurethane to match colour palette. Finished with a satin protective clear coating

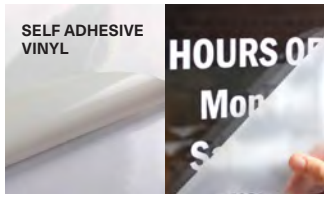
Open Space



Foreshore



Graphics



Printed vinyl graphics or computer cut lettering.

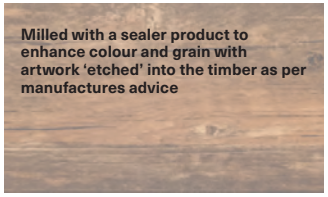
Used for lettering on gateway and facility identification signage when nighttime legibility is required for car users.

Finishes Palette

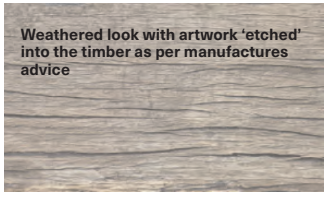
Panels

Paint over panels

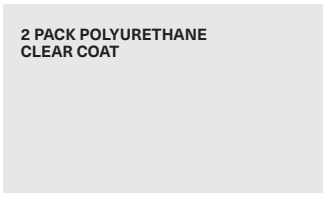
Sawn Timber



Recycled or Reclaimed Timber



Panels & Graphics



Protective clear coating Satin & Matte

Anti-Graffiti / vandalism resistant clear coat laminate

Signage Typography

To support the creation of accessible content for people with vision impairment, it is important to use sans serif fonts and horizontal text that is left aligned, well spaced and of an appropriate size. Leading should be adequate, spacing between paragraphs generous and the use of ALL capitals, italics and underlining should be limited or eliminated.

Family Fonts

PF Din is the next iteration from the original DIN typeface. Providing more options for weights and additional support for non-latin languages.

Case

Wording on signs should all be in sentence or Title Case (as appropriate) for legibility.

Kerning

Kerning (space between individual letters) should always be set to optical kerning to ensure that there is a consistent amount of space between each letter form.

Tracking

20 for headings and subheadings
10 for body text

Text Size

Text size on all signs has been determined based on the ideal viewing distance and should be followed.

Headings
PF DinText Pro Medium

Used for Site Names, Reserves and Main Titles

Subheadings
PF DinText Pro Thin / Bold

Sub headings

Should be set in weights that create contrast with main titles and body copy.

Body Copy and Maps
Weight options

Body copy and destinations on signage should be generally set in Light to ensure there is enough contrast for information hierarchy. Additional text on maps or interpretive signage could use any of the below weights ensuring contrast of information and readability.

Light
Quisque mollis viverra ex, gravida dignissim nisl ultricies sit amet. Curabitur blandit nibh quis porta.

Thin
Quisque mollis viverra ex, gravida dignissim nisl ultricies sit amet. Curabitur blandit nibh quis porta.

Extra Thin
Quisque mollis viverra ex, gravida dignissim nisl ultricies sit amet. Curabitur blandit nibh quis porta.

Regular
Quisque mollis viverra ex, gravida dignissim nisl ultricies sit amet. Curabitur blandit nibh quis porta.

Medium
Quisque mollis viverra ex, gravida dignissim nisl ultricies sit amet. Curabitur blandit nibh quis porta.

Bold
Quisque mollis viverra ex, gravida dignissim nisl ultricies sit amet. Curabitur blandit nibh quis porta.

Pictograms Library Facilities

Pictograms communicate to the widest possible audience and eliminate language barriers by conveying a meaning through their pictorial resemblance to a physical object. They help to reduce unnecessary clutter and create consistency throughout all aspects of a signage system.

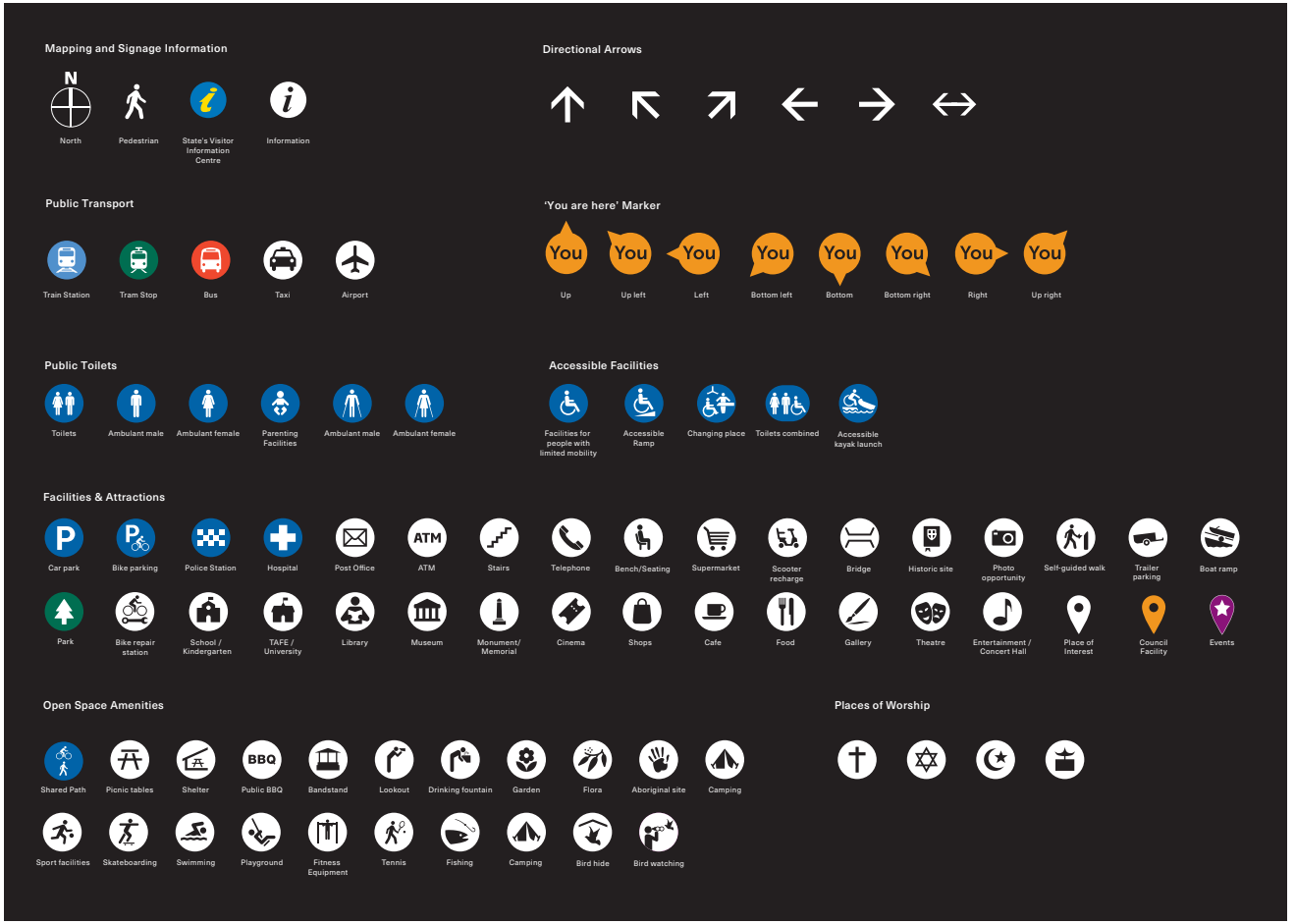
The following library of pictograms is in line with international standards and are to be used across all signage typologies and mapping to identify commonly used facilities, hazards or to communicate expected behaviours in the area. When applied to signs they should be scaled proportionately to the desired size.

Additional symbols might need to be created in the future and they should be developed to have the same look and feel. They should generally be understood as stand-alone messages.

These designs comply with the following standards:

— ISO standards 7001:2007
— AS 1319 Safety Signs for the Occupational Environment
— Society of Environmental Graphic Design (SEGD)
— AIGA the professional association for design
— National Park Service Icons 1982, USA

NOTE
Refer to CoK_Pictograms Library.ai



Pictograms Library
Hazards & Expected Behaviours

NOTE
Refer to CoK_Pictograms Library.ai

Context or Reference Map Standards

Reference maps should go together with Heads-Up maps to provide context and connection to surrounding suburbs/ destinations, it enables the viewer to understand their location within the larger context of the city. Their level of detail should be simple and clear.

Context maps or reference maps are generally used on the following signage typologies:

- Urban mapped plinths
- Wall mounted panels with maps
- Park entry plinths

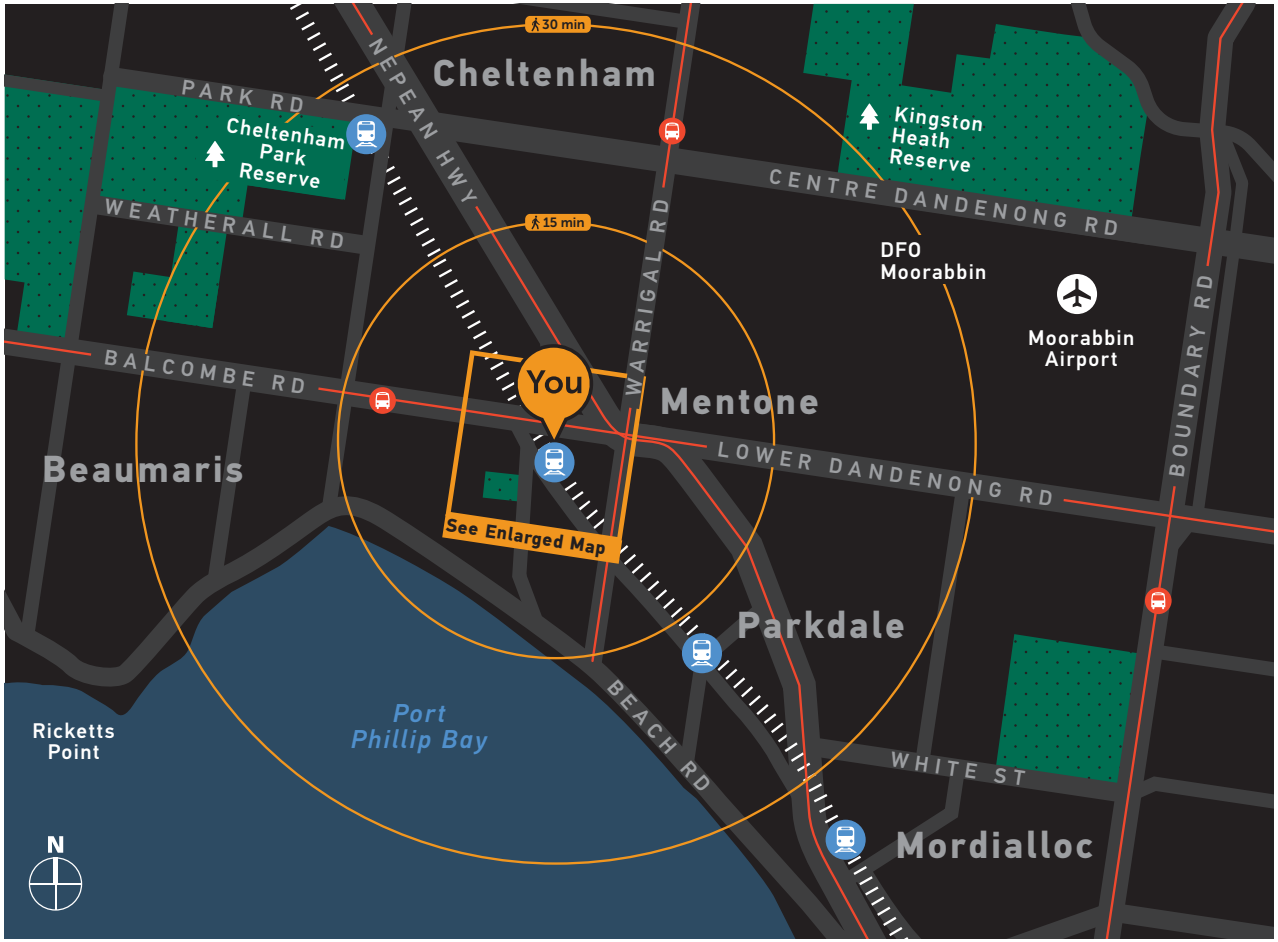
Information to be provided

- Streets positioning and naming
- Suburbs
- Key Landmarks, parks and water bodies
- Public transport routes

Design Elements

1. 'You are here' area box: it indicates the area displayed by the heads-Up maps.
2. Walking distance circumferences: the 'You are Here' symbol could be accompanied by reference distances of 15 and 30 min from its center. This provides the user an idea of other facilities near by.

NOTE
Refer to CoK_Maps_TEMPLATE.ai



Map look and feel (not to scale)

Heads-Up Map Standards

Heads-up maps can provide more detail than directional signs alone by setting the tone, orientating, helping with journey planning and determining where to go and what to do.

The following heads-up maps are a guide only for the look and feel of maps to be used on signage across the municipality. The level of detail should be simple and clear. For Heads-up maps, streets or pathways should be aligned to the position the user is facing. Heads-Up maps are generally used on the following signage typologies:

— Urban mapped plinths
— Park entry plinths
— Wall mounted panels with maps
— Large/complex facility plinths

Information to be provided

— Streets positioning and naming.
— Retail precincts, parks, landmarks and key facilities. (toilets, playgrounds, ovals, sports courts, library, public pools, barbecues, water fountains and main tourist attractions).
— Accessible features of a place.
— Share pathways and major walking paths within open spaces and connections to adjacent destinations including pedestrian links accessible during business hours.
— Dog-friendly areas, feature gardens, lakes/wetlands, main beaches, lookouts and other areas of importance.
— Car parks and public transport networks and stops (train, bus, taxis, ferries).
— Walking distances and times.

Design Elements

1. Heads-Up map area: Generally defined by a 500m^2 to 800m^2 radius of the sign location or the size of a facility/ open space, with text sized to be read from close up.
2. Cardinal directions: Position the map in the direction the user is facing using a north symbol for reference.
3. Legend: Only include symbols shown in the sign.
4. "You Are Here" symbol (location of user): Usually centered or approximately 1/4 from the bottom of the map. Place 5 and/or 10 min walking circumferences from its center.
5. Pictograms: Internationally recognise pictograms to identify destinations and facilities.
6. Places of Interest: Any site of interest within the area.
7. Peripheral destinations: Include in the perimeter of the map relevant destinations not displayed in the area. Place next to best connecting route and include walking time from sign location. Refer to section 'Time & Distance'.

NOTE
Refer to CoK_Maps_TEMPLATE.ai

Open Space

Map look and feel (not to scale)

Heads-Up Map Standards

Activity Centre

Map look and feel (not to scale)

Scale 1:1 @ A3

Dog Regulations Map

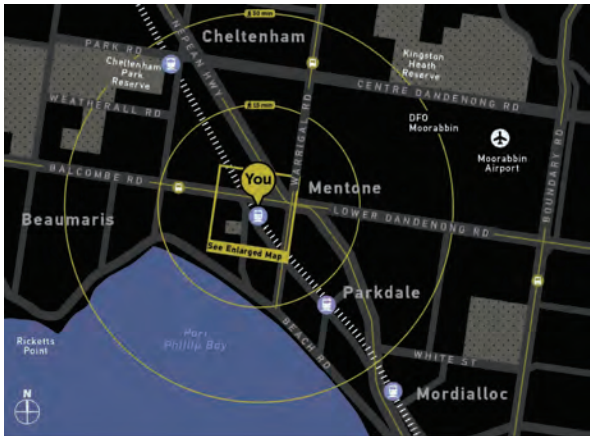
Existing dog regulations can be displayed in one concise map. It is important to use internationally recognise pictograms and give points of reference in the map for users to be able to identify where they are in reference to the map.

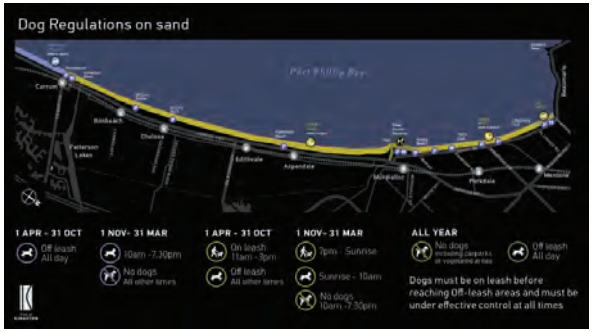
EXISTING MAPS

Mapping Deuteranopia Test

It is important to check that colour selection does not affect users who are visually impaired i.e. deuteranopia (colour blindness or colour vision deficiency which decreases the ability to perceive differences between some of the colours that others can distinguish).

The test gives an approximate of how a person with deuteranopia would perceive the colour palette. Hierarchy of information and colour contrast is still achieved for people with deuteranopia.





Approximate of how a person with deuteranopia would perceive the colour palette

Linear Map Standards

The following maps are examples of linear maps for cyclist or shared user paths to aid navigation. The level of detail should be simple and clear.

Linear maps could be developed for the municipality to provide context and destinations found on a trail. This type of maps enables the viewer to understand their location within the larger context of the track. Linear maps are generally used for cyclist or pedestrians on trail entry signs. See examples.

Information to be provided

- Streets positioning and naming
- Key facilities (toilets, playgrounds, fitness equipment, barbecues, water fountains, main tourist attractions, etc.)
- Connections to adjacent destinations
- Dog-friendly areas, feature gardens, lakes/wetlands, main beaches, lookouts and other areas of importance
- Walking distances and times

Design Elements

1. Map line length: Generally defined by the trail length and the amount of destinations found along the way with text sized to be read from close up.
2. Map direction: Position the map in the direction the user is facing using a "You are here" symbol for reference.
3. Legend: Only include symbols shown in the sign if needed.
4. You Are Here symbol (location of user): Usually in a highlight colour for user to easily identify their location.
5. Symbols: Internationally recognise symbols to identify destinations and facilities.
6. Places of Interest: Any site of interest along the trail.
7. Peripheral destinations: Included in perpendicular lines coming from main points on the trail for destinations of interest.

Surfers Paradise Active Transport & Wayfinding Strategy

Advance intersection maps to inform upcoming changes in the route or at intersections.

Frome Bikeway
Adelaide City Council

Caboolture to Wamuran Rail Trail
Moreton Bay Regional Council

Signage Functional Typologies

Signage systems should be categorised into six sign types based on their primary purpose to aid information hierarchy and content design.

An interpretive layer may be integrated as a seventh sign type into the signage system.

Identification

Indicates where users are and where they have arrived. Identification signage is primarily used to identify places and destinations.

Directional

Directs users to destinations by the use of arrows or panel blades (fingerboards) pointing towards the route to follow to get there.

Informational

Inform users where they are, what facilities could be found on site to help them decide where they should go.

Some informational signage includes directories and/or maps which are located at arrival points to precincts and buildings.
Eg. Directory boards, digital screens and maps

It might include some regulatory and safety information.
i.e.. No dogs allowed signs, CCTV in use signs

Operational

Operational signs informs users of operational and safety information, codes of conduct and site operations including statutory signage.

Some example are:

Regulatory

Eg. No dogs allowed signs, CCTV in use signs

Safety

Eg. Beach warning signs

Statutory

Eg. Toilets

Car park

Signage used to identify, navigate car parks or to give relevant information about their conditions of use.

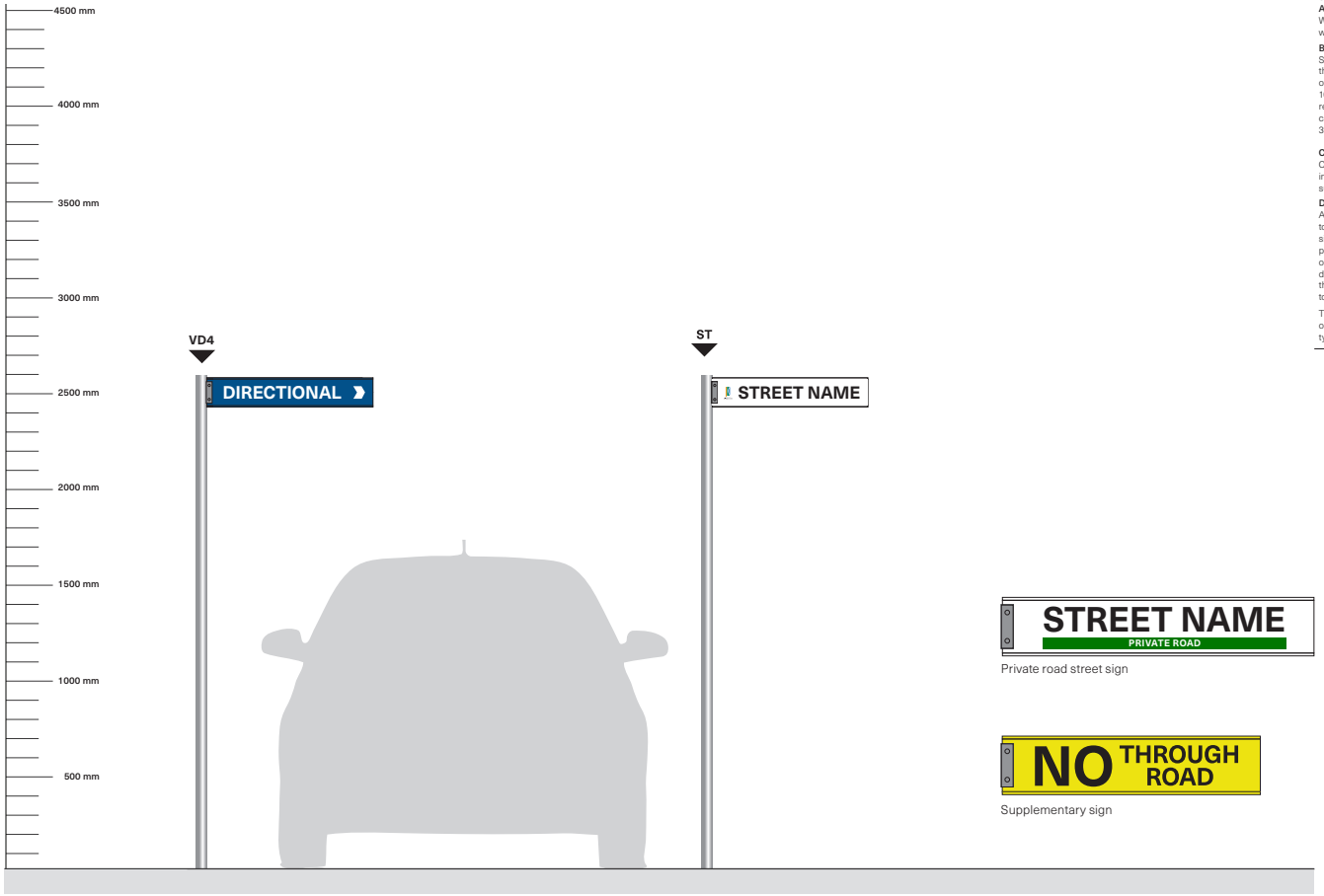
Promotional

Signage used to promote Local Government Areas and Town Centres as a destination and its attractions and events.

Interpretive

Cultural and environmental site experiences.

VD4 & ST
Street and Community Directional Signs



Private road street sign

Supplementary sign

SIGN TYPE

VD4

DRAWING 002 | EXTERNAL SIGNAGE

SPECIFICATIONS

A.
White lettering on a blue background with a white chevron indicating direction.

B.
Standard street sign shall be no longer than 1200mm with a minimum depth of 150mm for a single line sign with 100mm lettering. Where two lines are required, the community directional sign can comprise of 2 x 150 mm signs or 1 x 300mm sign mounted together.

C.
Community directional signs shall be installed below street signs and any supplementary signs.

D.
A fee and application process applies to all direction signs, and direction signs are only approved for not-for-profit organisations. The types of organisations will be shown in the direction signs instead of the full name of the organisations to minimise distraction to motorists.

The Kingston City Council and organisation logos are NOT used on this type of sign.

SIGN TYPE

ST

DRAWING 003 | EXTERNAL SIGNAGE

SPECIFICATIONS

A.
Street signs shall be BLACK lettering on a WHITE reflective background. For streets with a speed limit of less than 80 km/h, a single line sign with a minimum depth of 150mm shall be used. The lettering used shall be series D, 100mm in height. The Kingston City Council logo shall be used on these signs.

B.
For streets with a speed limit of 80 km/h or more, a single line sign with a minimum depth of 200mm shall be used. The lettering used shall be series C, minimum 130mm in height as specified in AS 1744. The Kingston City Council logo shall be used on these signs.

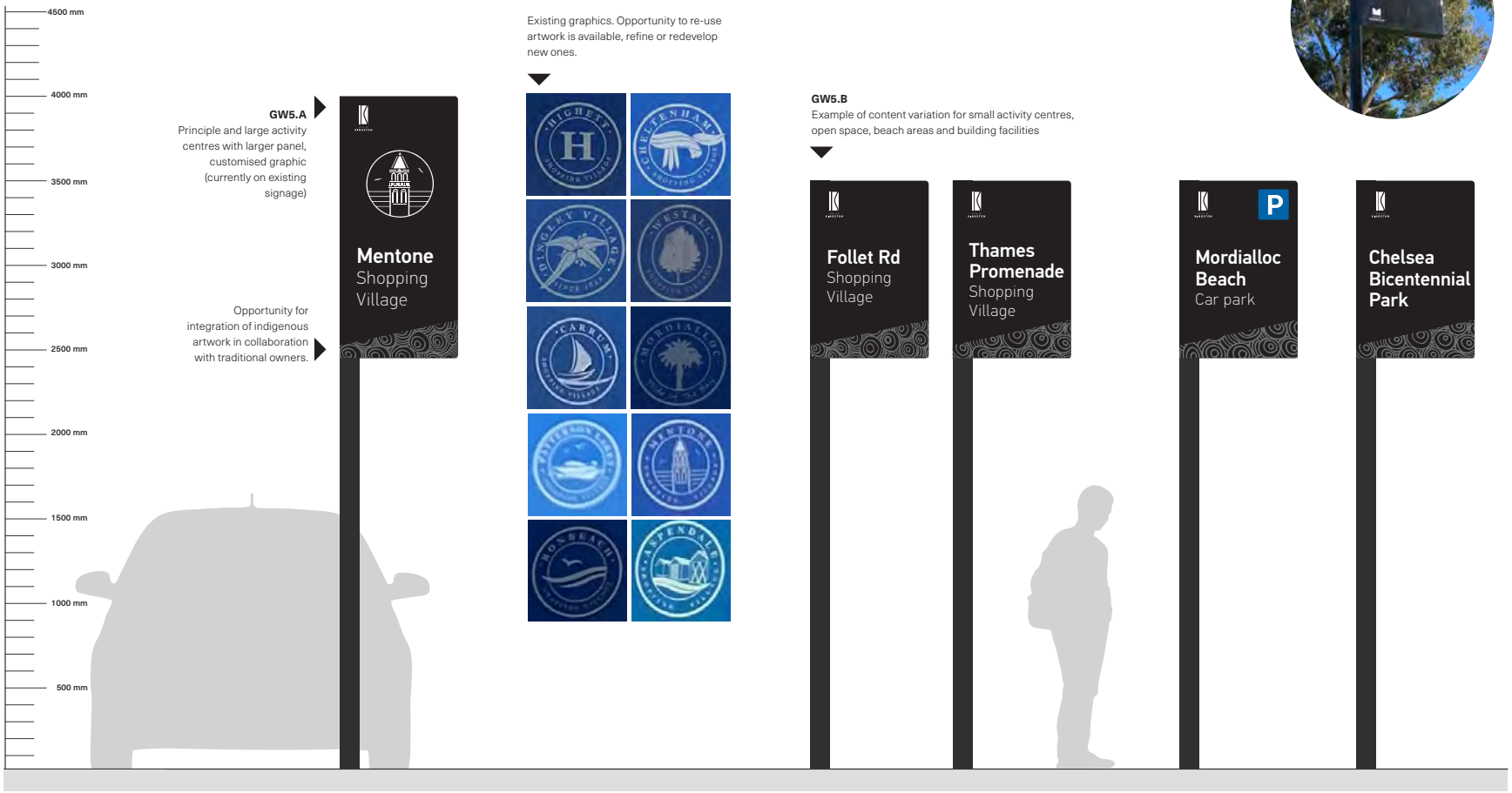
C.
For private roads listed as such on the Kingston Road Register (for example those shown on maps) the street sign shall be a minimum of 200mm deep with conforming 100mm lettering as per the standard street sign. A block of 50mm WHITE lettering on GREEN background 'PRIVATE ROAD' shall be included under the street name. The Kingston City Council logo is NOT used on this type of sign.

D.
Supplementary plates attached to standard signs shall not generally be used and information on the plate is limited to the property numbers, 'NO THROUGH ROAD' or 'TO (name of remote street)'. Supplementary signs shall be BLACK lettering on YELLOW background and shall be installed below street name signs.

NOTES

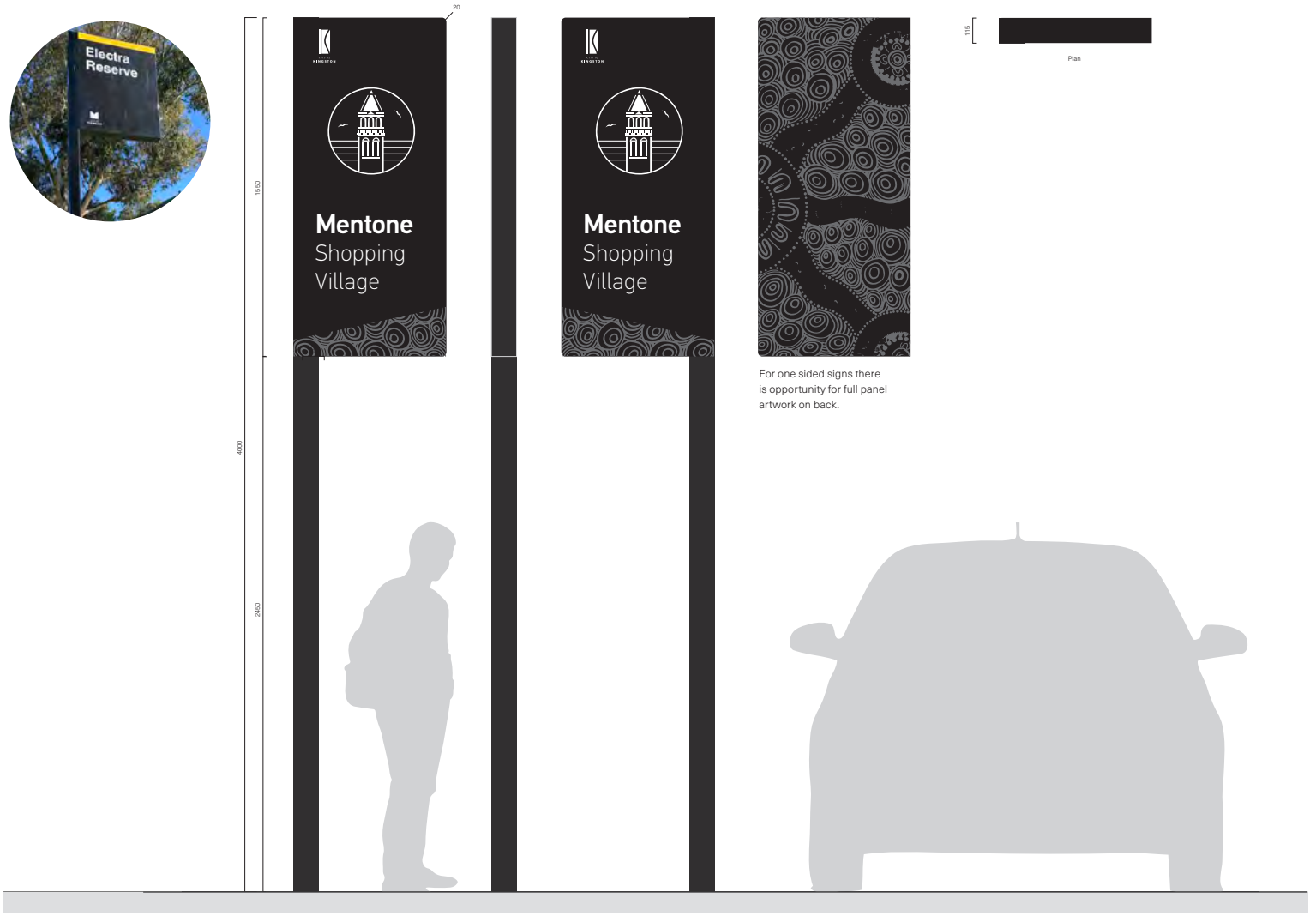
1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

GW5
Destination Arrival Gateway



PRECEDENT

TEMPLATE



For one sided signs there is opportunity for full panel artwork on back.

SIGN TYPE

GW5A

DRAWING
004

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Galvanised steel internal structure, prepared according to manufacturers specifications.

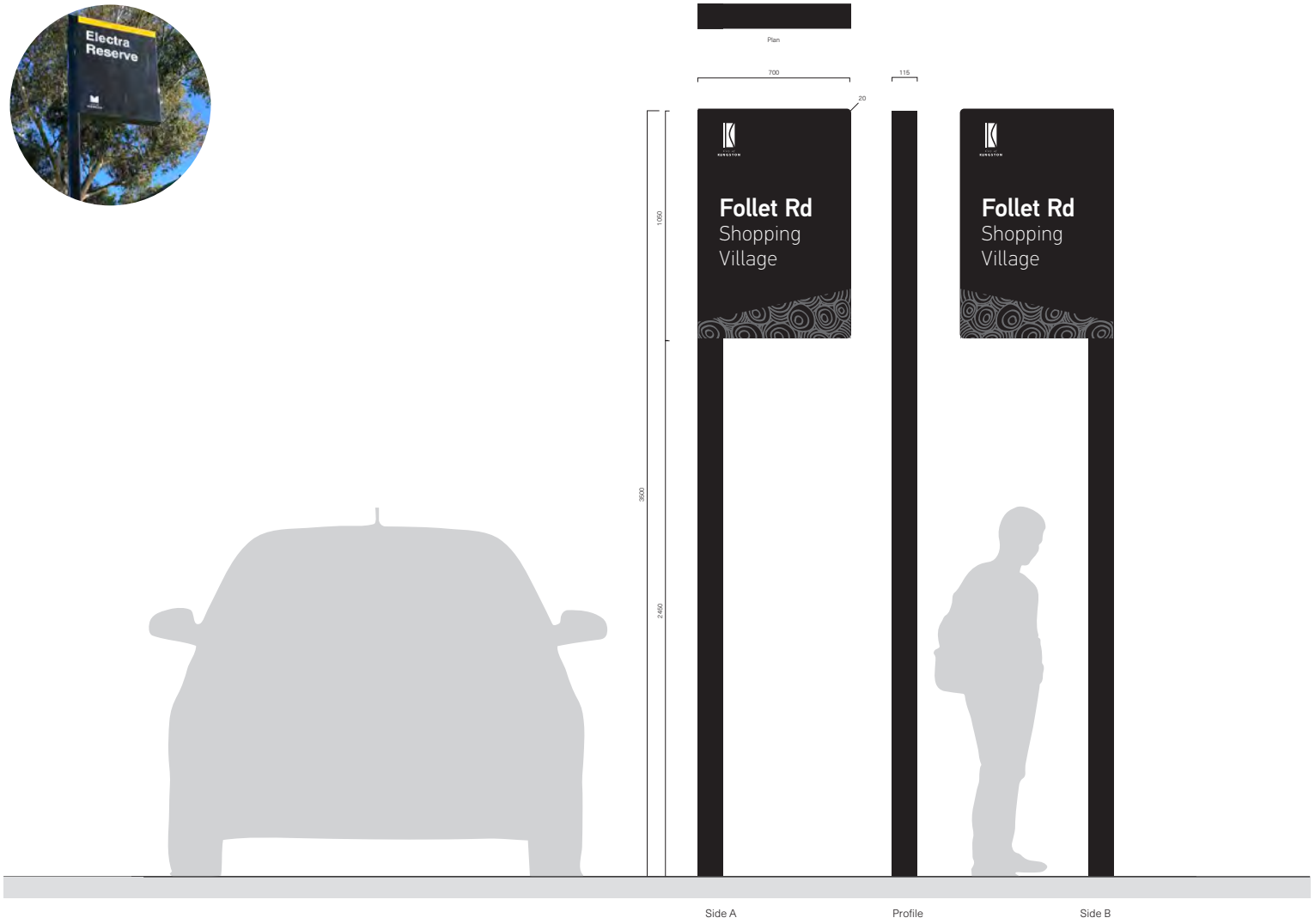
INSTALLATION
Footings to be prepared according to manufacturer's specifications.

FILES
GW5A_Destination Arrival Gateway

NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

TEMPLATE



SIGN TYPE

GW5B

DRAWING 006

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Galvanised steel internal structure, prepared according to manufacturers specifications.

INSTALLATION
Footings to be prepared according to manufacturer's specifications.

FILES
GW5B_Destination Arrival Gateway

NOTES

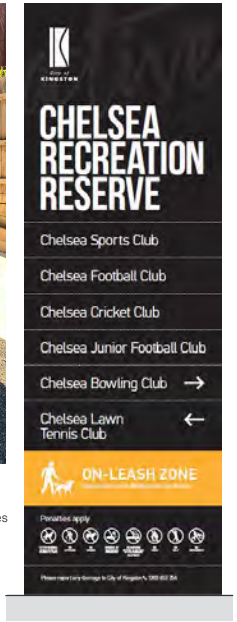
1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

ID1
Facility Identification Large

The ID1 sign has been modified to be able to have a consistent information layout despite it being for a reserve or an activity hub. Wall mounted facility identification signs could be developed using the same principles used for this typology.

EXISTING SIGNAGE

These elements could be covered at building entrances



PROPOSED SIGNAGE

1. Black panel colour is consistent across all facilities with consistent position for Kingston branding.
2. Consistent position of facility name and/or address across all types of facilities.
3. Opportunity for inclusion of dual language.
4. Position of arrows and arrow style is best practice and is always to the left of the text.
5. Dog regulations are taken out of the yellow box and treated as a primary regulation with secondary regulations shown underneath for better legibility.
6. Information no lower than 500mm from the ground for better legibility.
7. Opportunity for integration of indigenous artwork in collaboration with traditional owners or customised patterns.
8. Opportunity for material used as a base.

TEMPLATE

SIGN TYPE

ID4

DRAWING 007

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
Aluminium panels painted in two-pack polyurethane.

B.
PANEL
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Galvanised steel internal structure, prepared according to manufacturers specifications.

INSTALLATION
Footings to be prepared according to manufacturer's specifications.

FILES
ID4_Facility Identification Bollard.ai

NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

IF1
Mapped Plinths

PRECEDENT

IF1.A URBAN
Basic black sign with Traditional Owner Artwork as a pattern overlay

FRONT PROFILE

IF1.B OPEN SPACE
Timber as base material with black panel

FRONT PROFILE

IF1.C FORESHORE
Recycled timber as base material with black panel

FRONT PROFILE

TEMPLATE

SIGN TYPE

IF1A

DRAWING 008

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Galvanised steel internal structure, prepared according to manufacturers specifications.

INSTALLATION
Footings to be prepared according to manufacturer's specifications.

FILES
IF1A_Mapped Plinth_Urban

NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

TEMPLATE

SIGN TYPE

IF1B

DRAWING 009

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
3mm Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Sawn timber base plinth.
Finish: Milled with sealer product to enhance colour and grain. Details TBA.

D.
Timber Pattern: 'etched' into timber as per manufactures advice. Details TBA.

INSTALLATION

Footings to be prepared according to manufacturer's specifications.Base timber in ground to have tar/bitumen coating.

FILES

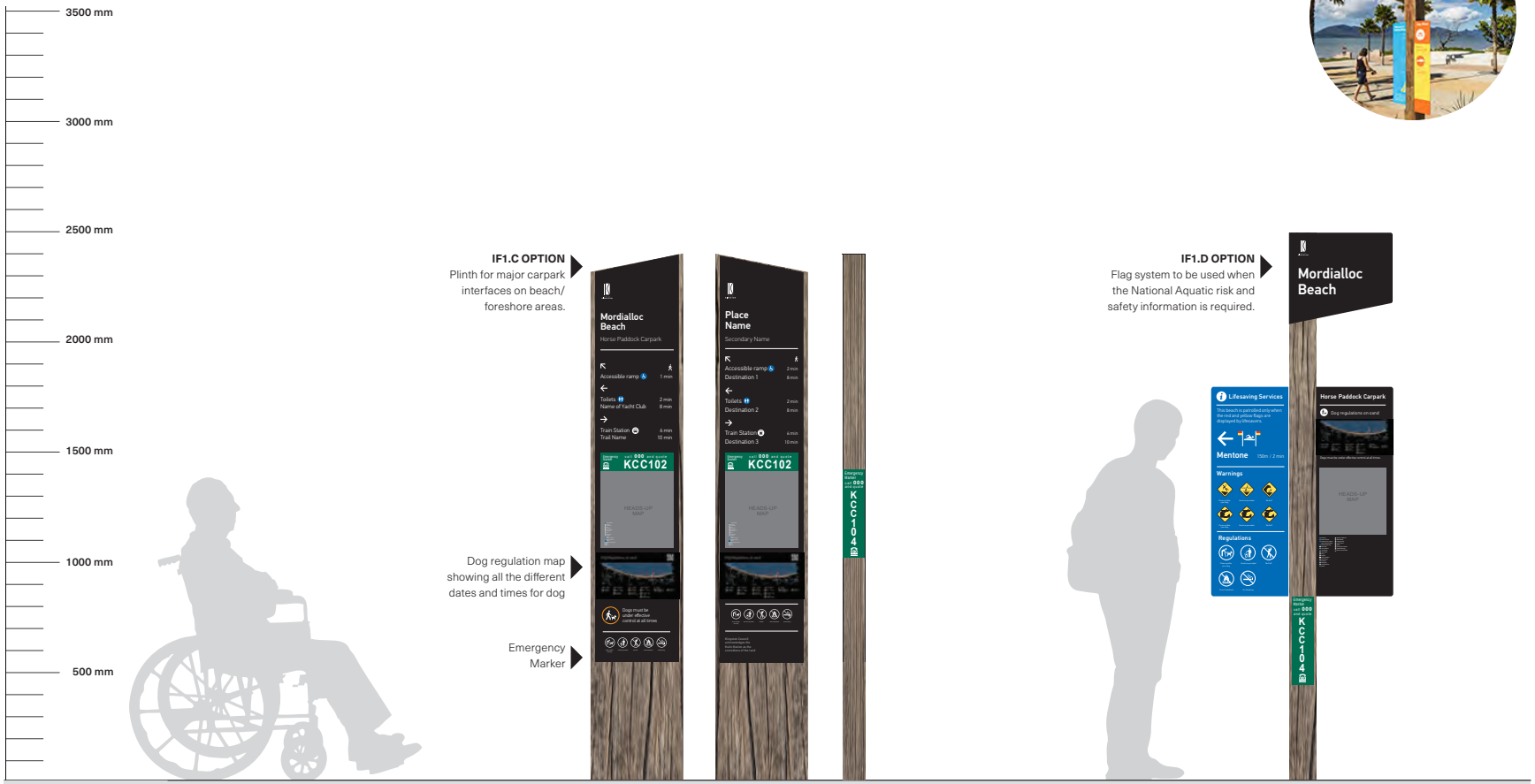
IF1B_Mapped Plinth_Open Space

NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

IF1.C & IF1.D:
Foreshore Mapped Signs

PRECEDENT



PROFILE

TEMPLATE

SIGN TYPE

IF1C

DRAWING 010

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
3mm Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Recycled or reclaimed timber base plinth. Details TBA.
Finish: Weathered look. Details TBA

D.
Timber Pattern: 'etched' into timber as per manufactures advice. Details TBA.

E.
Emergency Marker Background Colour: Green PMS 349C

INSTALLATION
Footings to be prepared according to manufacturer's specifications.Base timber in ground to have tar/bitumen coating.

FILES
IF1C_Mapped Plinth_Foreshore

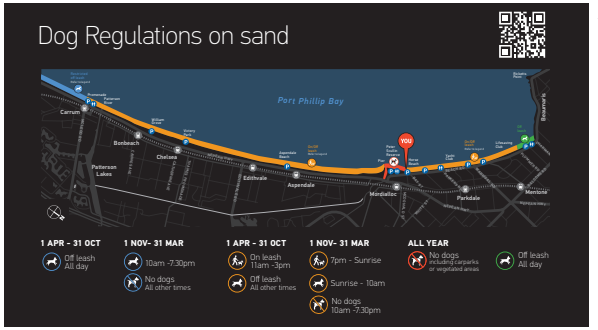
NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

Dog Regulations Map on Foreshore Signs

Dog regulations are an important part of the signage required at the foreshore. Below is an example of how to present the information onto a single freestanding sign.

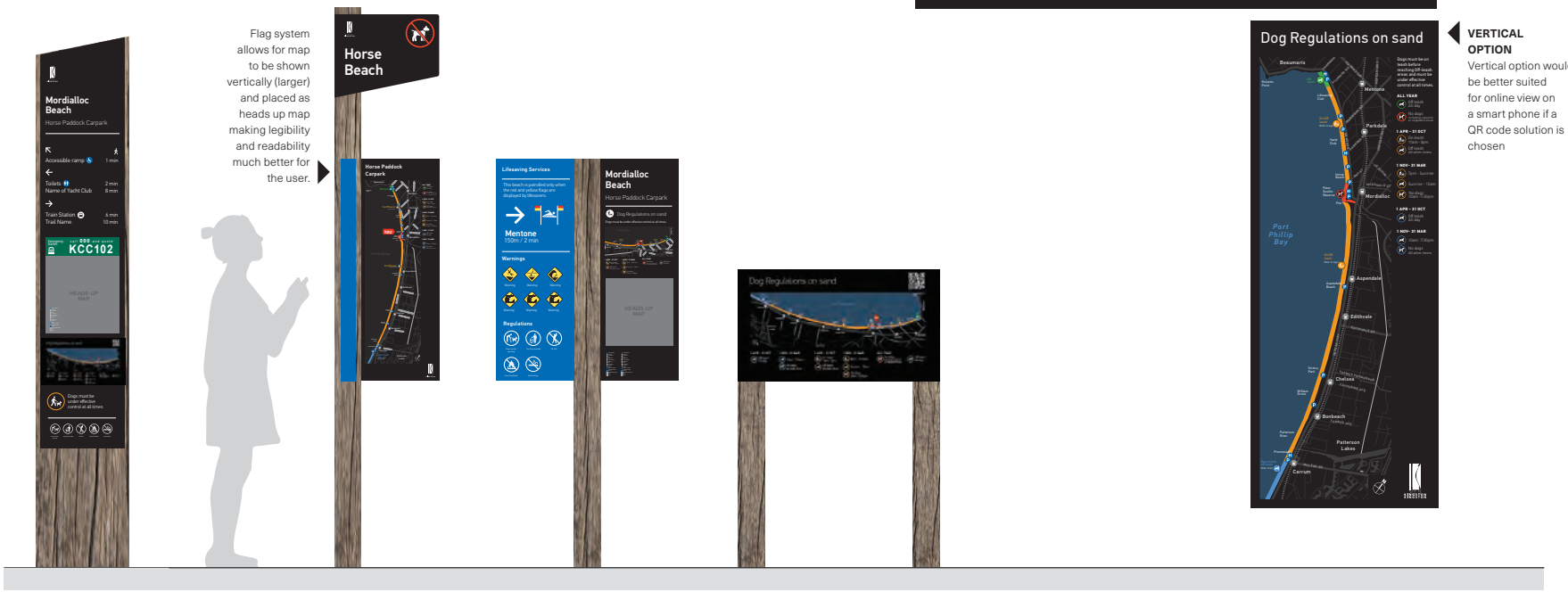
Opportunity to link users to an online version of the map



HORIZONTAL OPTION
The horizontal map will be limited in size by the width of the panel. Will require users to be closer to the sign to read the information.

VERTICAL OPTION
Vertical option would be better suited for online view on a smart phone if a QR code solution is chosen

Flag system allows for map to be shown vertically (larger) and placed as heads up map making legibility and readability much better for the user.



IF1.C IF1.D IF1.E IF1.F

Emergency Markers

Each marker has a unique code which can be quoted by people who dial 000 in an emergency. The code enables Emergency Services Telecommunications Authority (ESTA) to despatch emergency services to the exact location of the marker.

Emergency Markers (EM) are an alpha numeric code made up of three letters representing a site name, and three numbers indicating a specific marker point within a site. These codes are linked to ESTA's computer aided dispatch system (CAD) and specifies relevant location, GPS coordinates, road access route or navigational data for the expedient dispatch of emergency services.

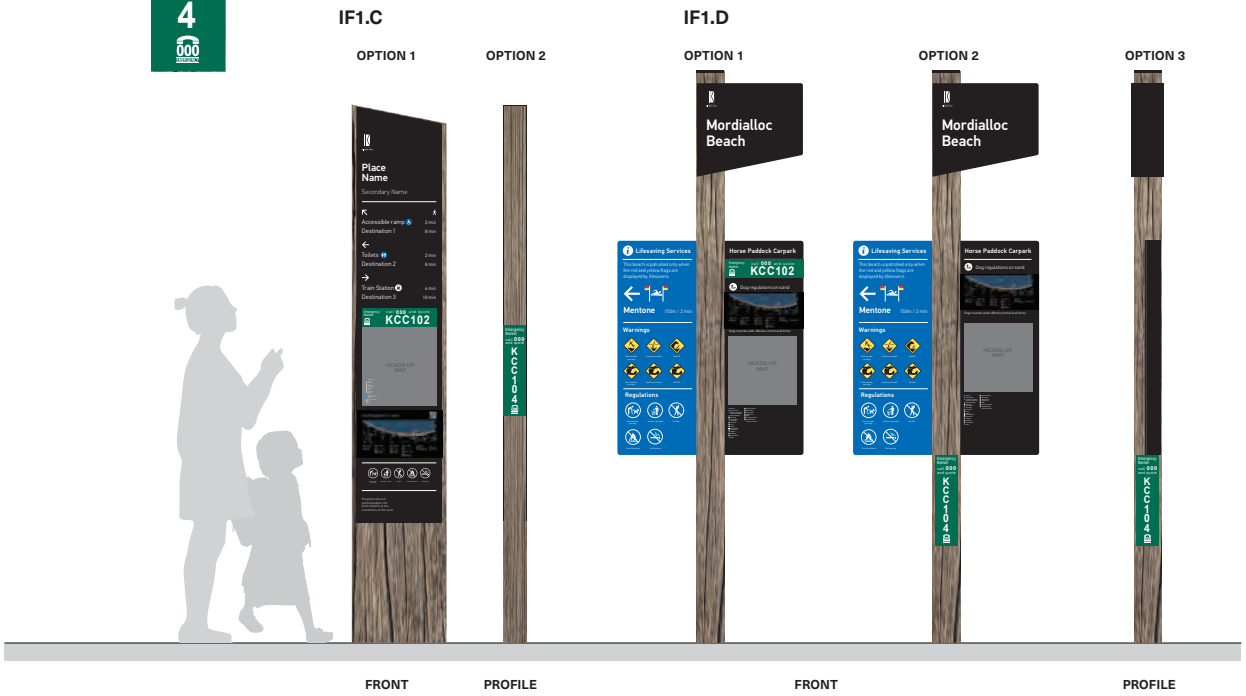
They should be considered by Council as part of their overall risk assessment and treatment process. EM should be integrated into open space strategies and policies wherever deemed applicable and uploaded into the system used by Triple Zero operators.

Viewing Distance

It is recommended that any symbols be at least 15mm per metre of viewing distance, and any upper-case text be at least 5mm per metre of viewing distance. This should be increased under poor lighting or viewing conditions. Where practical, EM's should be mounted close to the observer's line of sight in the vertical plane.

PORTRAIT VERSION

LANDSCAPE VERSION



SOURCE
Refer to *Emergency Markers Signage Guidelines, September - 2021.*

TEMPLATE

SIGN TYPE

IF1D

DRAWING 011

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
3mm Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Recycled or reclaimed timber post.
Details TBA.
Finish: Weathered look. Details TBA

D.
Emergency Marker Background Colour: Green PMS 349C

INSTALLATION

Footings to be prepared according to manufacturer's specifications.Base timber in ground to have tar/bitumen coating.

FILES

IF1D_Mapped Flag System

NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

Emergency Markers

As a guide Emergency Markers must:

— Be highly durable and weather resistant according to the environment.
— Materials should be selected to meet the needs of each environment but stay within the design parameters defined within this document.
— Emergency Markers dimensions should relate to the scale of the landscape setting in which they are to be placed.
— Can be stand alone, attached to existing infrastructure or incorporated within an existing sign.
— Marker orientation can be portrait or landscape.
— Font size must be identifiable from a practical distance.
— Emergency Marker material should be graffiti resistant and UV stabilized.

Placement

Effective placement and installation of Emergency Markers cannot be underestimated. Placement, height, orientation, and size are critical components in determining the effectiveness of the marker. They can be installed, at the following locations:

— Locations with a history of emergency events or known incident sites.
— Locations or facilities that have high visitation numbers or are visited by people who are unfamiliar with the locality,
— Locations offering higher risk activities to the visitor, eg. Mountain bike riding, rock climbing, abseiling etc.
— Shared activity locations
— Walking trails and shared paths – Emergency Markers should be located at, trail junctions and significant features such as congregation points, shelters
— At regular intervals varying from 500m to 1km along linear trails, rail trails and other similar assets
— At Water bodies, swimming holes and beach access tracks
— At the beginning and end of Piers and Jetties' infrastructure.
— Remote areas that act as a thoroughfare or receive significant visitation
— Recreational playgrounds with no verifiable address points or visible naming convention.
— Critical infrastructure locations.

Examples where is not required

— Locations which can be attributed to a verifiable road intersection or road segment.
— Locations which are listed as common place names and can be identified and verified within ESTA's call taking and dispatch system (CAD).
— Locations where the facility, asset or site is, or can be, named and identified in CAD as a feature of interest or
— Locations within viewing distance from a street sign or has a registered naming convention.
— Locations where trail junctions, or the paths are within viewing distance of a known feature.

Existing emergency markers at Kingston's foreshores

LEGEND

1 KCC100 4 KCC103 7 KCC106 12 KCC109 15 KCC111
2 KCC101 5 KCC104 8 KCC107 10 KCC099 14 KCC112
3 KCC102 6 KCC105 9 KCC108 13 KCC110

SOURCE
Refer to *Emergency Markers Signage Guidelines, September - 2021.*

IF1 and ID4
Retro Fit Options

EXISTING INFRASTRUCTURE

DR1
Directional Plinth

PRECEDENT

GW5A

Plan

GW5B

Plan

SIGN TYPE

DR1A & DR1B

DRAWING 012

EXTERNAL SIGNAGE

SPECIFICATIONS

A.
Aluminium panels painted in two-pack polyurethane.

B.
Graphics: Computer cut vinyl graphics applied to panel face or direct digital print.
Colours: to match artwork and colour specifications.
Finish: Protective clear coating (Satin) over panel faces.

C.
Galvanised steel internal structure, prepared according to manufacturers specifications.

OR
Sawn timber base plinth.
Finish: Milled with sealer product to enhance colour and grain. Details TBA.

INSTALLATION
Footings to be prepared according to manufacturer's specifications.

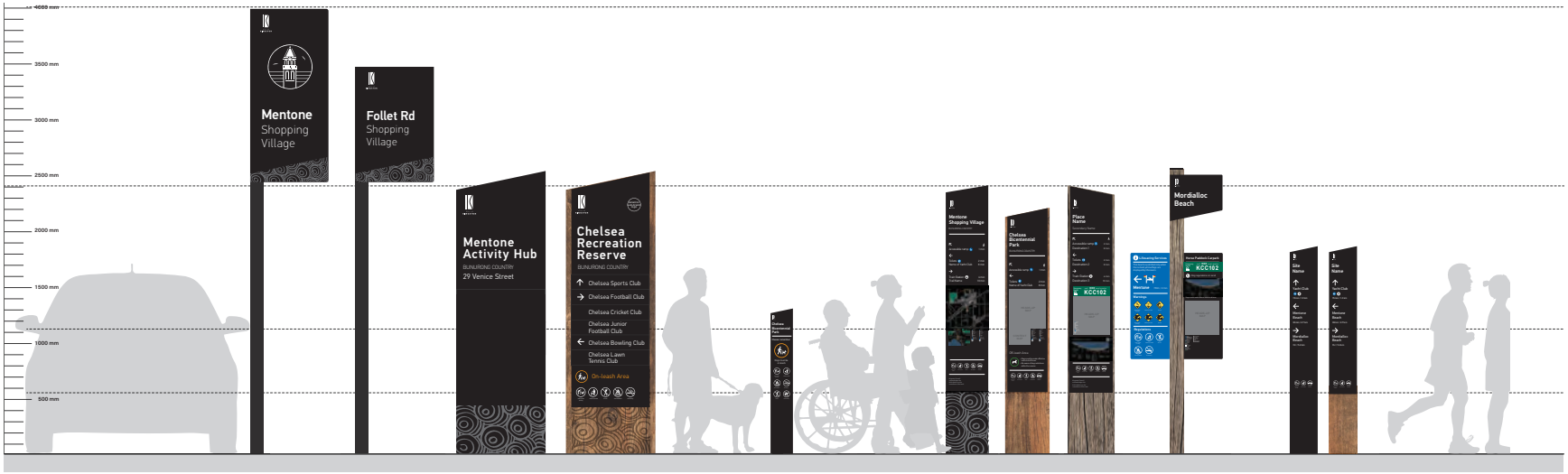
FILES
DR1_Directional Plinth.ai

NOTES

1. Drawing not to scale.
2. All measurements are in millimetres.
3. Mounting details indicative only, to be reviewed by signage contractor.
4. All locations are approximate and should be used as a guide only. Existing conditions shall be checked and verified by signage contractor before proceeding with the work.
5. All fixings to be concealed, fixings should not overlap with artwork.
6. All outdoor signage should have clear UV and anti graffiti coating.
7. All signage to have clear protective coating (satin) unless otherwise specified.
8. Structure and fixings subject to contractors engineering specifications.
9. Anti -theft bolts / screws to be specified by signage contractor.

Signage Typology Overview

Below is an overview of the signage typologies designed as part of this scope of services, their purpose and approximate sizing. It provides a hierarchy overview and a scale relationship between them and the end user. Design is indicative and its function is to serve as a reference guide only.



Placement Diagram Symbol	GW5.A	GW5.B	ID1.A	ID1.B	ID4	IF1.A	IF1.B	IF1.C	IF1.D	DR1	DR2

Code	GW5	ID1	ID4	IF1	DR1
Name	**Destination Arrival Gateway***	**Facility Identification Large**	**Facility Identification Bollard**	**Mapped Plinth**	**Directional Plinth**
Functional Type	**ID + DR**	**ID + IF + RG**	**ID + IF + RG**	ID + IF + DR	ID + DR
Installation	Pole Mounted	Freestanding	Freestanding	Freestanding	Pole Mounted
Purpose	To provide arrival identification to activity centers or open spaces.	To display the name, function and information of major facilities on arrival and provide key information i.e facilities (BBQ, playground, dog park), regulations, opening hours, facilities available, club or tenant names, etc.	To display the name and regulatory information for small open spaces.	To provide users with site identification, local directional information and maps at primary decision points along routes. Regulatory information is also provided to ensure users are aware of surrounding regulations.	To provide users with local directional information at secondary decision points along pedestrian routes. It provides pedestrians with reassurance when traveling between mapped signs and destinations
Location	Placed on external roads kerbside at arrival points or prior to entries to carparks.	At garden beds near arrival points/entries to car parks of large or highly visited facilities or on high speed traffic roads.	At garden beds near arrival points/ entries to small or infrequently visit facilities.	Placed at primary decision points, arrival/entrance or near entry points to major/large open spaces, activity centres, beach entries or at car park interfaces.	Placed at secondary intersections and decision points along pathways.

* Any signage placed on road reserve needs the Department of Transport's approval

Section 5

Typical Signage Placement

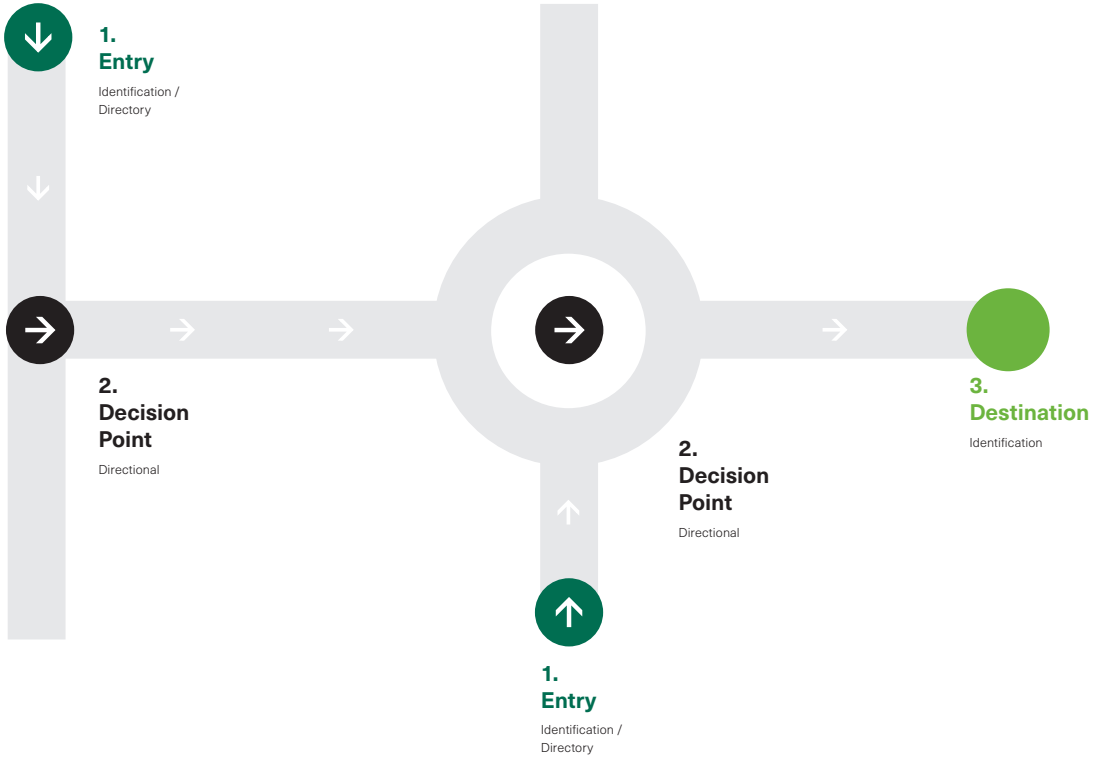
Planning Signage & Locations

Signage location and size should be considered carefully in the planning process to aid site navigation by users of all abilities.

When entering a new space, users will rely on their recognition of familiar experiences in similar environments to influence their decision making behaviour.

During every journey a user will come to a point where they need to decide on the next direction for their journey. This is called a decision point.

A good wayfinding system should indicate, at every decision point, where to go next to reach the destination.



Pedestrians

Key placement principles for pedestrian signage:

- Mapped plinths with 500m maps should be placed at key decision points or high traffic routes (i.e. Transit hubs, central market, retail precincts, etc).
- Mapped plinths should be placed at intervals that provide an overlap with other corresponding maps.
- Multi-directional signage should be provided at key route decision points.
- Consistent and predictable placement of all signage to build assurance for users.
- Co-locate signs to existing street infrastructure where possible to mitigate visual and physical clutter.
- Use appropriate scaled signage where space is an issue (eg. surface graphics, co-located panels).

Cyclists

Cyclists needs should be considered when route planning, to identify the types of signs required and where they should be located.

Cyclists generally prefer not to stop, are traveling at faster speeds and need to make decisions quicker than a pedestrian.

These factors inform the placement, type, size and amount of information displayed on cyclist signage including:

- Larger text size and directional arrow.
- Colour blue as a distinct cyclist identifier.
- Time and distance information.
- Overly simplified maps to illustrate upcoming changes in the route or complex intersections.
- On traffic lights or intersections where cyclist might be required to stop and wait, they can benefit from surface graphics with directional information.
- Bike routes identification signs.
- Siting signage to allow cyclists ample time for decision making at speed. This could take the form of mid-block directional signage placed before arriving at an intersection.

Principles of Placement

To aid accessibility and legibility for users of all abilities it is important to consider the following

1

Identify the areas where signage is needed

Consider the following:

— Where would people need information? (i.e. where are the logical information or decision points on people's journey past or through the site? Or through the public space?).

— Where would people expect information? (People expect to see signs in busy areas, especially those with a lot of foot traffic, e.g. major intersections and local attractions).

— Will the key audience for the sign be people on foot, by bike or by motor vehicle? This affects the speed at which the signs will be viewed and by extension where the sign should be located.

— How would the sign – and the information it supplies – relate to other signs nearby? (i.e. existing signs and/or others being installed at the same time). Providing too much signage can be confusing for people.

2

Find the best location in those areas

Identify a position for the sign that will mean it is:

— Obvious to the audience and has a high visual impact but does not dominate the surrounding area.

— Free of visual obstruction for the sight-lines of your audience (e.g. for a sign with pedestrians as the audience, make sure that there it can clearly be read from the nearby footpath).

— As clear as possible of unrelated signage (obsolete or redundant Council signage should be removed, but other signage e.g. local business etc. may still be present) that may detract from the information provided or lead to confusion.

— Situated at appropriate heights and locations to allow for users of varying abilities to approach and freely navigate to and around the signage (in some cases slight changes to the orientation may help avoid creating an obstacle without compromising the visibility of the sign).

— As clear as possible of physical obstructions like overhanging vegetation and street furniture.

Factors to consider

— Signage near pedestrian crossings and traffic lights need additional considerations to sight lines, pedestrian clearance, utility locations, wheelchair access, etc.

— Any signage installation near traffic and signals need considerations for risk to vehicles and crash impacts. Refer to VicRoads and AustRoads guidelines for siting of signs, setbacks and frangible construction. Frangible supports should be avoided where secondary accidents involving the impacting vehicle or dislodged pole and sign are significant. This is particularly relevant in urban areas where pedestrians may be struck by falling pieces.

— Flags and fingersigns should be mounted above two metres to ensure pedestrians and maintenance crew safety. Larger text size should be used for this typologies.

3

Determine signage's best orientation

The orientation and position of the sign should be based on the conditions at each site (e.g. path width, lighting, location of street furniture etc.) and the predominant direction(s) at which the sign would be approached. As explained above, slight changes to the orientation of the sign may help avoid creating an obstacle without compromising the visibility of the sign.

Factors to consider to optimise accessibility

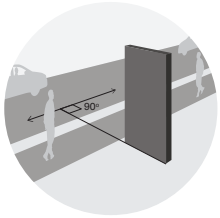
— Position signs free of visual obstructions and in optimum sight lines that are free to access by foot, wheelchair or mobility scooter.

— Place wayfinding signage consistently at decision points to provide assurance to users.

— Over signing can be confusing and discouraging for users.

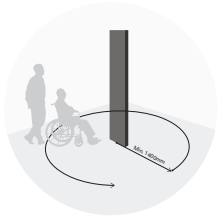
— Remove obsolete or redundant signage that may be misleading.

— An appropriately sited sign should be obvious but not dominant.



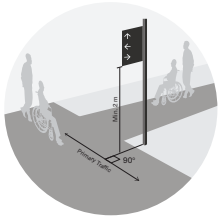
Plinths

Place perpendicular to user's sight and line of movement.



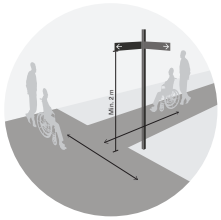
Clearance

Clear zone around information signage should be minimum 1400mm radius.



Flags

At decision points in intersections, perpendicular to user's sight and line of movement on the main route.



Fingersigns

At decision points in intersections, parallel to user's line of movement towards destinations.

Active Transport Signage

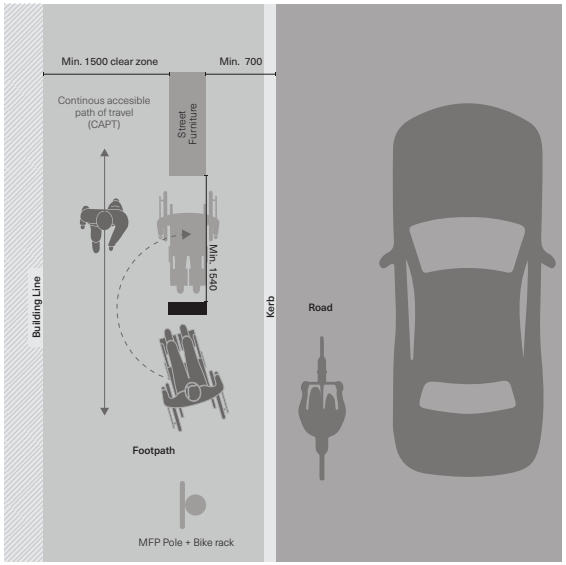
Advance Directional Signage for on-road bike lanes should be positioned 35-50 metres from intersections. This distance is considered appropriate for a cyclist traveling at up to 30km/hr.

Principles of Placement

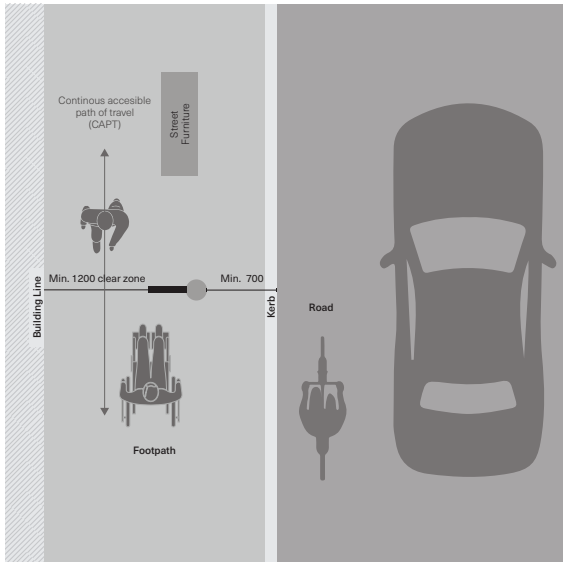
The following are best practice examples of signage set-backs from kerb and/or street furniture, however this might not always be possible as signs would impede the continuous path of travel on narrower footpaths.

NOTES

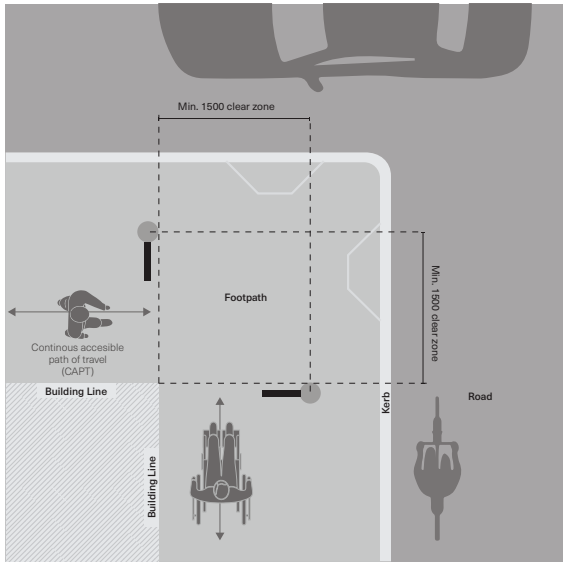
All measurements are in millimetres.



Plinths



Flags/Fingersigns



Flags/Fingersigns

Open Spaces Scenarios

Signage Requirements for Open Space

Each open space in Kingston has been categorised using a three-tiered classification to help define what level of activity it can support. These classifications guide the provision, development and management of the open space. Different open spaces will have different signage requirements. Generally, large recreational open spaces will required more signage than a neighbourhood park, while others will not required signage at all.

Primary Function Classification

Classification based around the primary purpose or use of the open space. i.e. what the park is mainly used for. The open spaces could be categorised into sixteen different categories as shown in the following table.

Catchment Classification

Classification based around the sphere of influence and origins of users - i.e. where people come from to use the park. There are four levels of catchment (Regional, District, Local Area, Neighbourhood). The following table provides a summary of these classifications.

Landscape Setting Classification

Classification based around the physical condition and characteristics of the area that influence a user's experience, i.e. what the park is like. This classification is proposed to assist with the differentiation of sites on the basis of experiences they offer, and to assist with planning, management and marketing. The same activity may be undertaken in places with different landscape settings and result in different experiences. This classification generally does not influence the amount/type of signage required.

KEY

- ID Identification signage
- DR Directional signage
- INT Interpretive signage

Primary Function Signage Requirements		ID	DR	INT
Social Family/ Recreation Area	Open space which primarily caters for recreation. They can be a variety of sizes and cater for a range of age groups and community activities. These spaces can include facilities such as playgrounds, courts, picnic areas and trails.	✓	✓	
Play	Small open space that is primarily for play and have no other recreation facilities.	✓		
Community Horticulture	Open space dedicated to horticultural or agricultural recreation activities, such as community garden plots.	✓		
Cemetery/ Memorial/ Remembrance	Open space dedicated to the memory of people/events.			✓
Ornamental / Botanic Garden	Open space dedicated specifically to exotic floral/horticultural features/ vegetation.			✓
Sport	Large area of open space reserved for sporting pursuits such as playing fields, ovals and courts for baseball, soccer, cricket and football.	✓	✓	
Relaxation, Contemplation/ Escape	Parklands dedicated to relaxation, contemplation and escape, with no dedicated facilities other than seats, paths, viewing areas, signage, etc.	✓		✓
Flora/Fauna Conservation	Protected open space which supports natural systems and are managed for significance of flora and fauna. These spaces may provide recreational opportunities associated with interpreting these features but only where there would be low impact on the environmental function.	✓		✓
Access Way/ Trail or Corridor	Continuous length of green space trail, link or walkway between or along streets, transport corridors, waterways etc. which provides connection between facilities or along natural features.	✓	✓	✓
Foreshore	Open space associated with the coastline including the sand dune system, coastal vegetation and open space developed for recreation purposes.	✓	✓	✓

Primary Function Signage Requirements		ID	DR	INT
Water-based Recreation	Open space areas principally designed to support water based recreation activities such as fishing and boating.	✓		
Plaza/ Forecourt	Open spaces that principally support the use of an associated civic or community building, and are not just for the purpose of visual amenity but support community gatherings or related activities such as a market. (Amended from 2005 Strategy to include not only civic plazas and forecourts i.e. railway station forecourts)		✓	
Conservation of Cultural Heritage	Open space areas dedicated to protection or interpretation of indigenous cultural heritage or European settlement, eg the garden of a historic homestead.			✓
Visual Amenity	Small open space designed to provide visual relief from urban surroundings and enhance amenity of streetscapes. May also help meet tree canopy goals.			
Drainage	Open space areas designated for drainage/ water quality treatment functions, floodway or retardation.			
Buffer	Open space areas retained as such to provide a buffer between residential areas and industry, hazardous areas, transport routes, or significant sites.			
No Identified Function	Open space with no identified function.			

Catchment Signage Requirements		ID	DR	INT
Regional	Open space that has the capacity to service or attract People from across and beyond the LGA due to its location, size, uniqueness, quality, play value or focus of the activity.	✓	✓	✓
District	Open space that draws people from adjoining suburbs and across the Council area due to its larger size, higher quality or uniqueness to the district.	✓	✓	✓
Local Area	Open space that caters for people within a portion of a suburb and local residential area due to its size (larger than a neighbourhood park), appeal or activities.	✓	✓	
Neighbourhood	Open space that aims to primarily cater for a local community and will generally not attract people from a wider catchment. Serving residents within the immediate locality areas defined by 8 minutes walk or defined physical barriers within the Local Area.	✓		

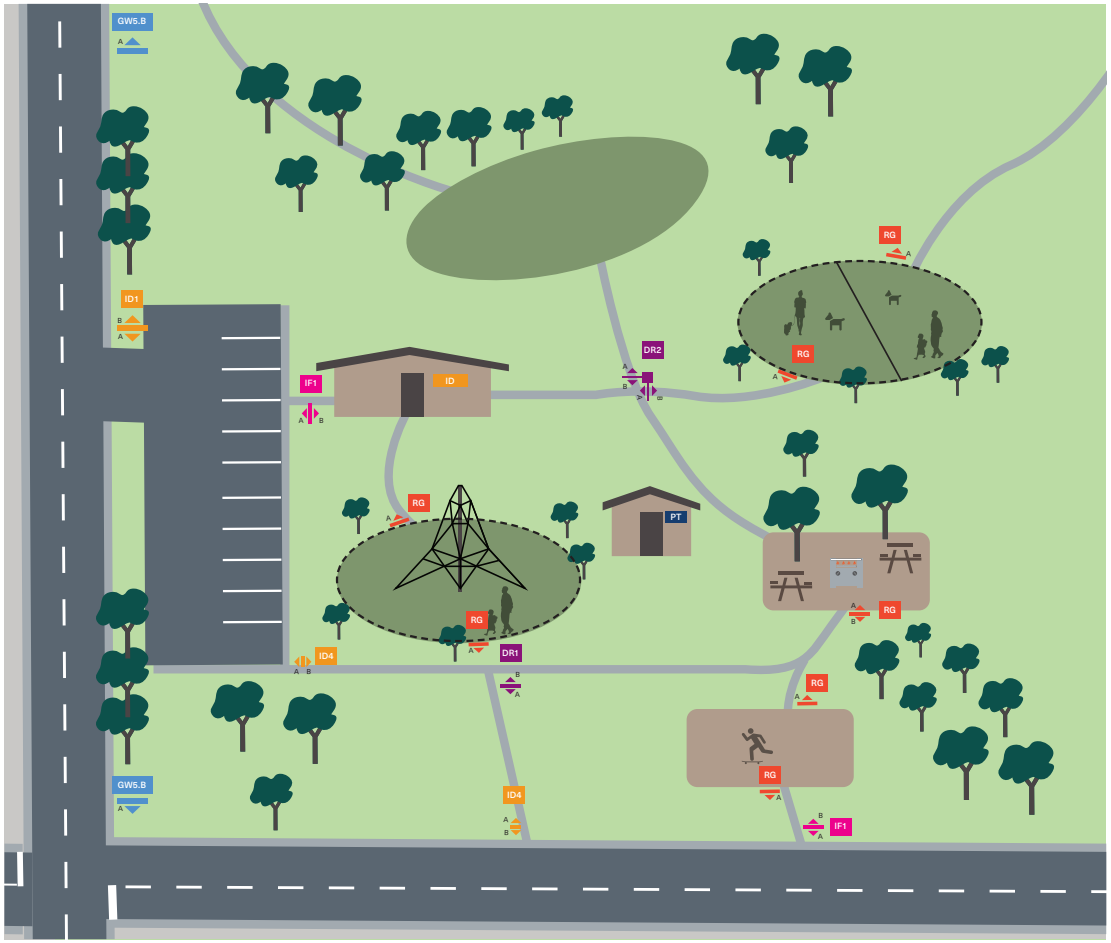
Social Family/Recreation Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.



Play
Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to "Kingston Open Spaces & Activity Centres Wayfinding Strategy" Section 3, page 82, 89.

Sports Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

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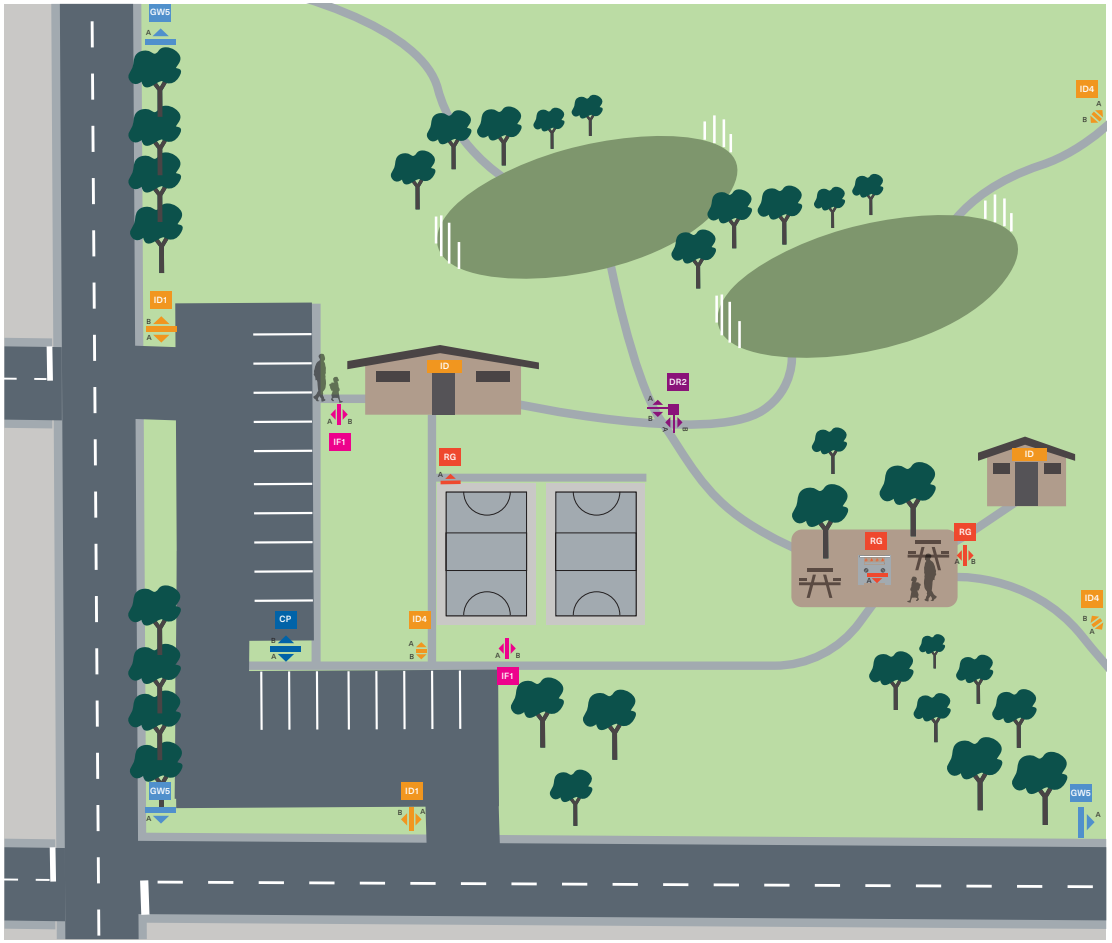


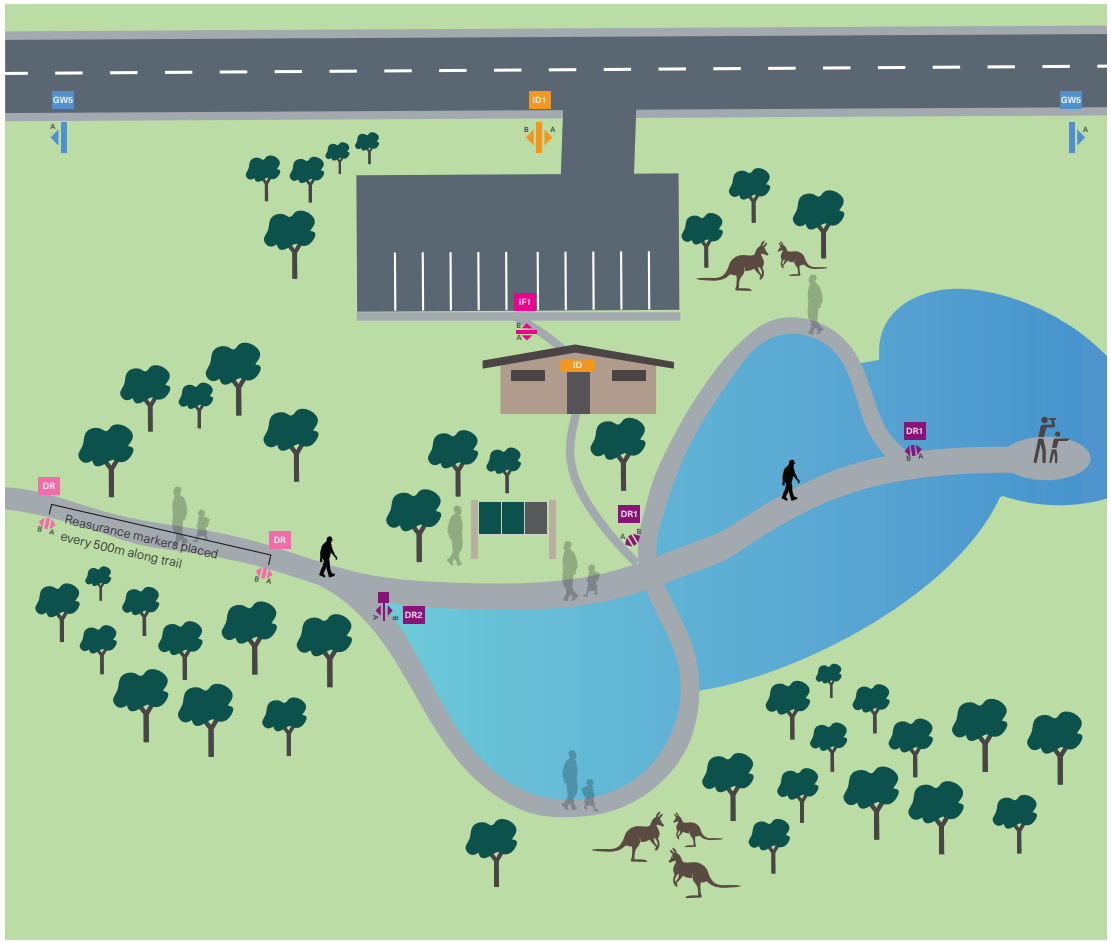
Relaxation, Contemplation/ Escape and Flora/Fauna Conservation Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.



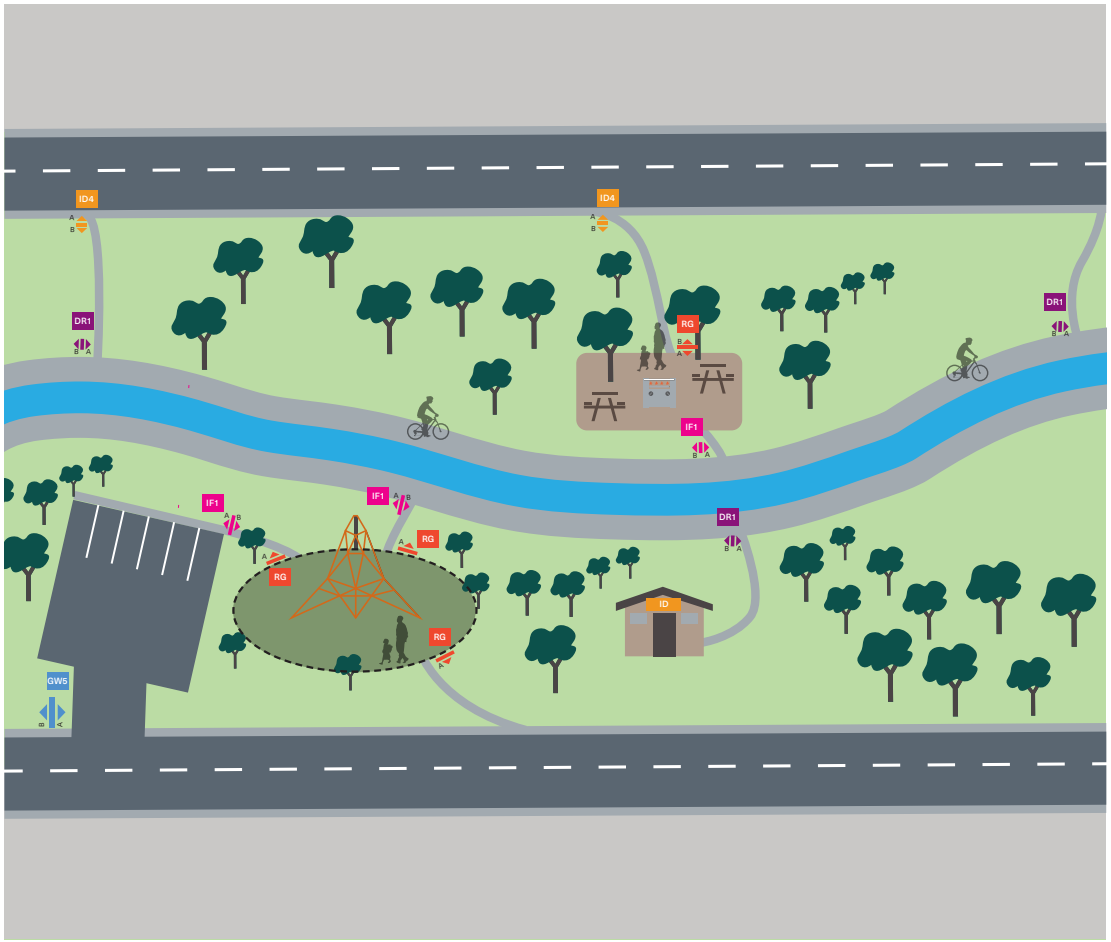
Access Way/ Trail or Corridor Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.



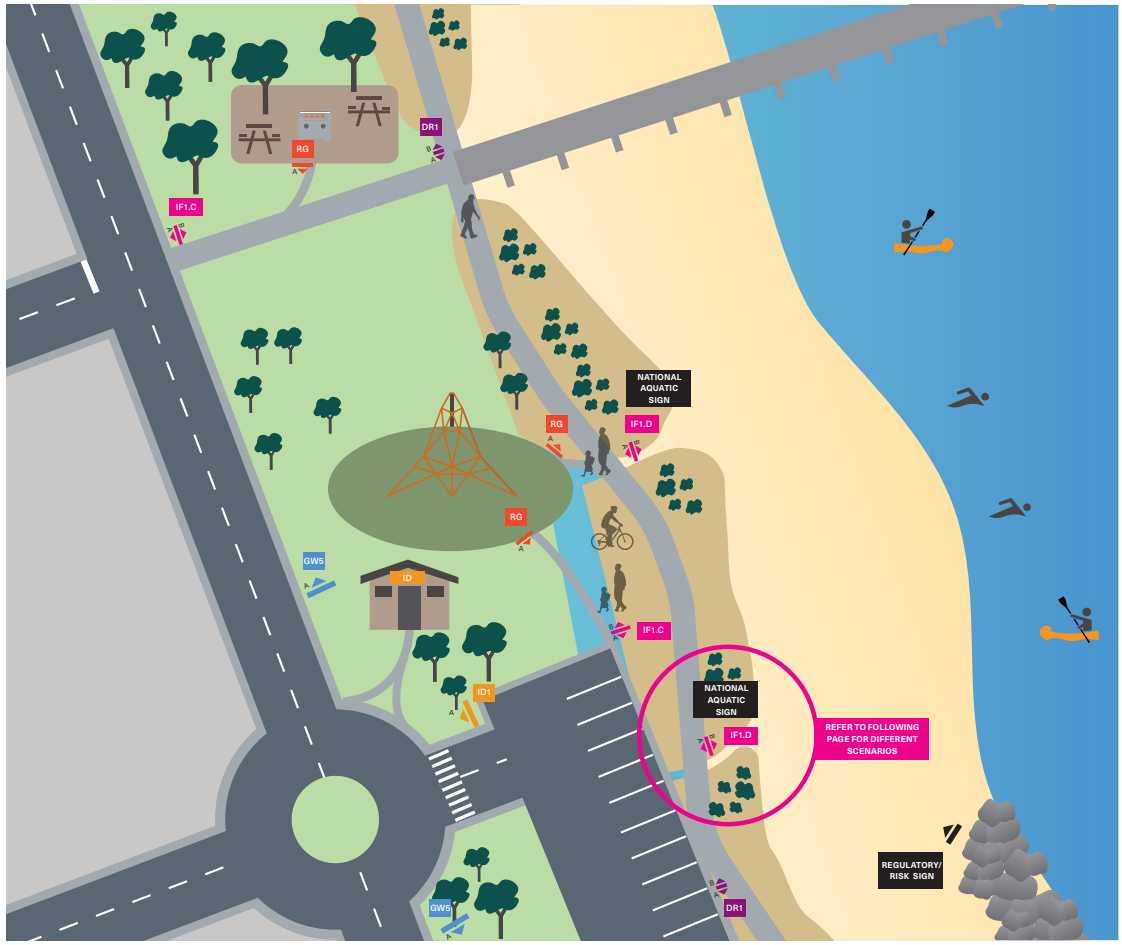
Foreshore Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

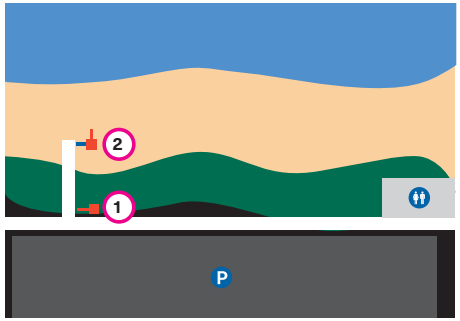
- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.

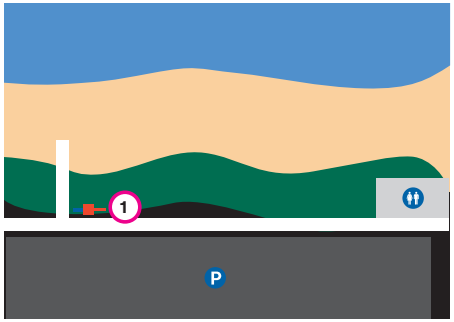


Foreshore Open Space

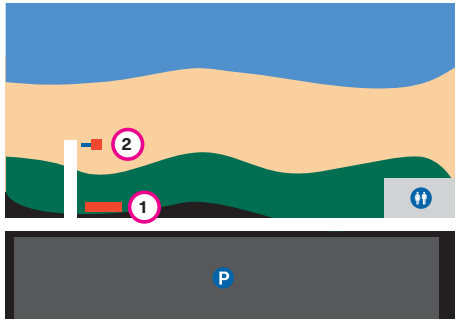
SCENARIO 1
As the user enters the beach they have a map of the dog regulations. If they are approaching from either side of the beach, the National Aquatic risk and safety information is provide as well as the dog regulations map.



SCENARIO 2
As the user enters the beach they have a map of the dog regulations and the National Aquatic risk and safety information. No sign is on the beach.



SCENARIO 3
A larger horizontal map is provided upon entry from the carpark. Once users are on the beach, National Aquatic risk and safety information is provided.



SIGN 1 SIGN 2 SIGN 1 SIGN 1 SIGN 2

Drainage Open Spaces

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

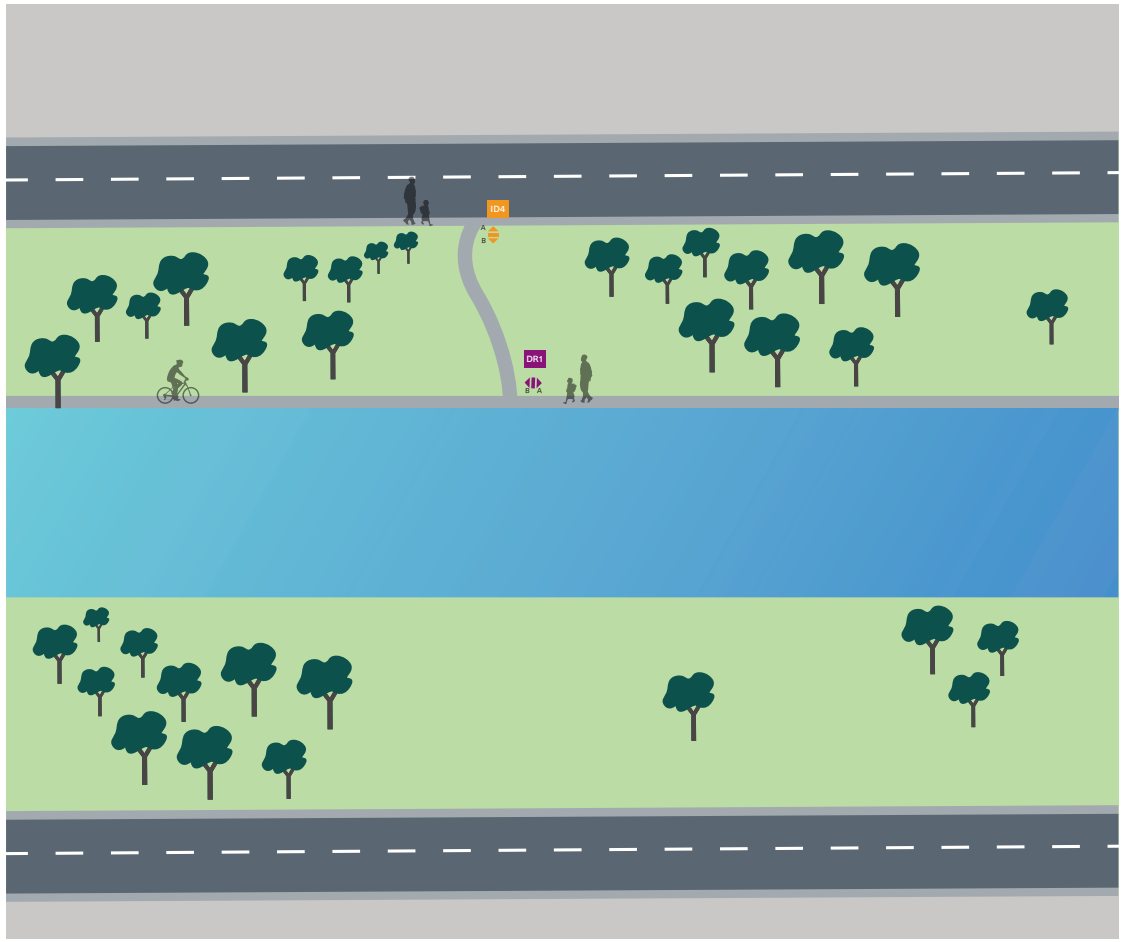
KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.

GW5.B ID1 ID4

IF1.B DR1 DR2



Water-based Recreation Open Space

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

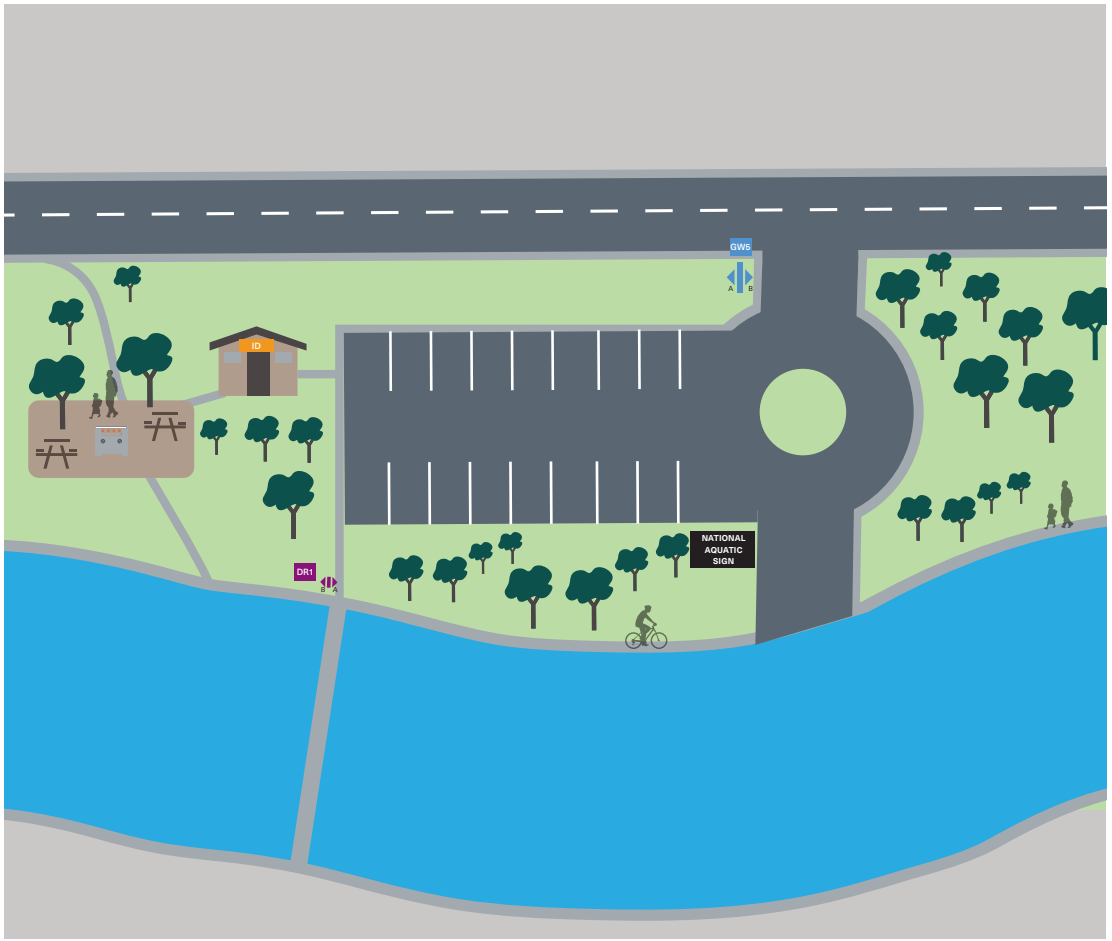
KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.

GW5.B ID1 ID4

IF1.B DR1 DR2



Activity Centres Scenarios

Signage Requirements for Activity Centres

Different Activity Centres will have different signage requirements. Generally, Principal and Major centres will required all signage typologies while a Local Centre will only need an identification sign.

The following considerations and diagrams represent typical scenarios and provides a guide of signage typologies and placement in-situ when creating a signage plan.

As new urban developments occur, they should take into consideration and adhere to the Council's wayfinding signage suite and strategy to ensure consistency across the local government area.

Signage Requirements	ID	DR	INT
Principal	✓	✓	✓
Major	✓	✓	✓
Neighbourhood	✓	✓	
Local	✓		

KEY

ID Identification signage

DR Directional signage

INT Interpretive signage

Placement considerations

Transport hubs such as train stations are substantial attractors and experience high volumes of pedestrian movement. It is important that key orientation signage such as mapped plinths are located at all key train station departure points to ensure unfamiliar users have easy and consistent access to critical wayfinding information as they arrive from their public transport journeys. Mapping information will ensure they can quickly orient themselves in the environment and begin their journey. Mapped signage should be located as closely to the threshold between the public realm and train station environment along major paths of travel as possible.

Mapped plinths (primary)

Mapped plinths require more room and clear circulation offsets around them to allow all ability access, therefore placement in plazas and exits from major public transport should be the preferred direction rather than in congested or high traffic egress situations.

It is also recommended that mapped plinths be placed in quieter zones neighbouring busy traffic areas where access, viewlines and contemplation is not impinged.

Mapped plinths should be located based on the following strategic principles:

— At key pedestrian thresholds and exits from key public transport infrastructure such as trains stations, bus interchanges, and other transport hubs. In these instances, designers should carefully consider integration opportunities with other existing signage and assets - such as Public Transport Victoria (PTV) signage. When possible, negotiate with Public Transport Victoria to encourage the allocation of plinths within their management area if that location has clear strategic advantages such as being closer to pedestrian circulation flows or in a better lit, more welcoming area.

— At key community facilities and council owned public amenity assets

— At key tourist and major visitor destinations

— At key primary intersections, decision points, and activity nodes along the Principal Pedestrian Network.

Flag signs (secondary)

They should be located in the following instances:

— Secondary bus stops and transit nodes

— Secondary decision points from the Principal Pedestrian Network or at primary decision points where limited space might not allow the placement of a mapped plinth

— Community and Council facilities secondary decision points

— Mid journey decision points, intersects and cross overs along Principal Pedestrian Network to capture both pedestrians and cyclists.

Finger signs (tertiary)

Finger signs are intended to be used when users approach their destinations, they can also be utilised where routes departing from decision points are few. There is a possible conflict with existing LGA signage that utilises a similar typology signing to the same destination or facility. A rationale needs to be established to determine which sign takes precedence and should be used, or if existing signage is adequate in some situations and can be retained.

They should be located in the following instances:

— As arrival indicators in close proximity to destinations along priority networks

— Where routes departing from decision points are few

A user focussed approach

Tourist

As visitors to a touristic location, they are an important percentage of users but not the entire user demographic. These users are not familiar with locations and require direction along the whole journey to destinations.

Service centric user

People travelling to a location by car or by public transport to access its service such as a specialist doctor, get their hair cut, buy a present, do sports, etc.

This particular audience may know the site at a macro level but are in need of the fine grain assistance to navigate the site at street level.

The 'service centric user' requires street names and landmarks to guide them on arrival. They may have the benefit of a smart phone with mapping capabilities, if they do they will be looking to navigate their physical environment with street destinations as prompts and assurance givers.

It is recommended that the use of street names as destinations on plinths and flag signs should be considered in the activity centres where streets form the main navigational and orientation method.

Cyclist

From a user focussed perspective, cyclists generally have different needs than pedestrians. They often are travelling at speed, following a cycle path or network which is defined and are not inclined to stop to read signage close up. Flag signs offer an opportunity to provide for both pedestrians and cyclists along suitable networks as they present larger text that can be read from a distance. To facilitate this, Flag panel heights may need to be lowered and optimal viewlines considered when placement occurs with both users in mind.

Facility names

It is a requirement that facility names on signs must be the 'official facility name' that is used in the relevant Council's resolution or historical name under which the facility was established. If no resolution has occurred refer back to the historical name. No colloquial or cultural names may be used. Ensuring the nomenclature for destinations is consistent and understood is integral to developing a consistent and cohesive system.

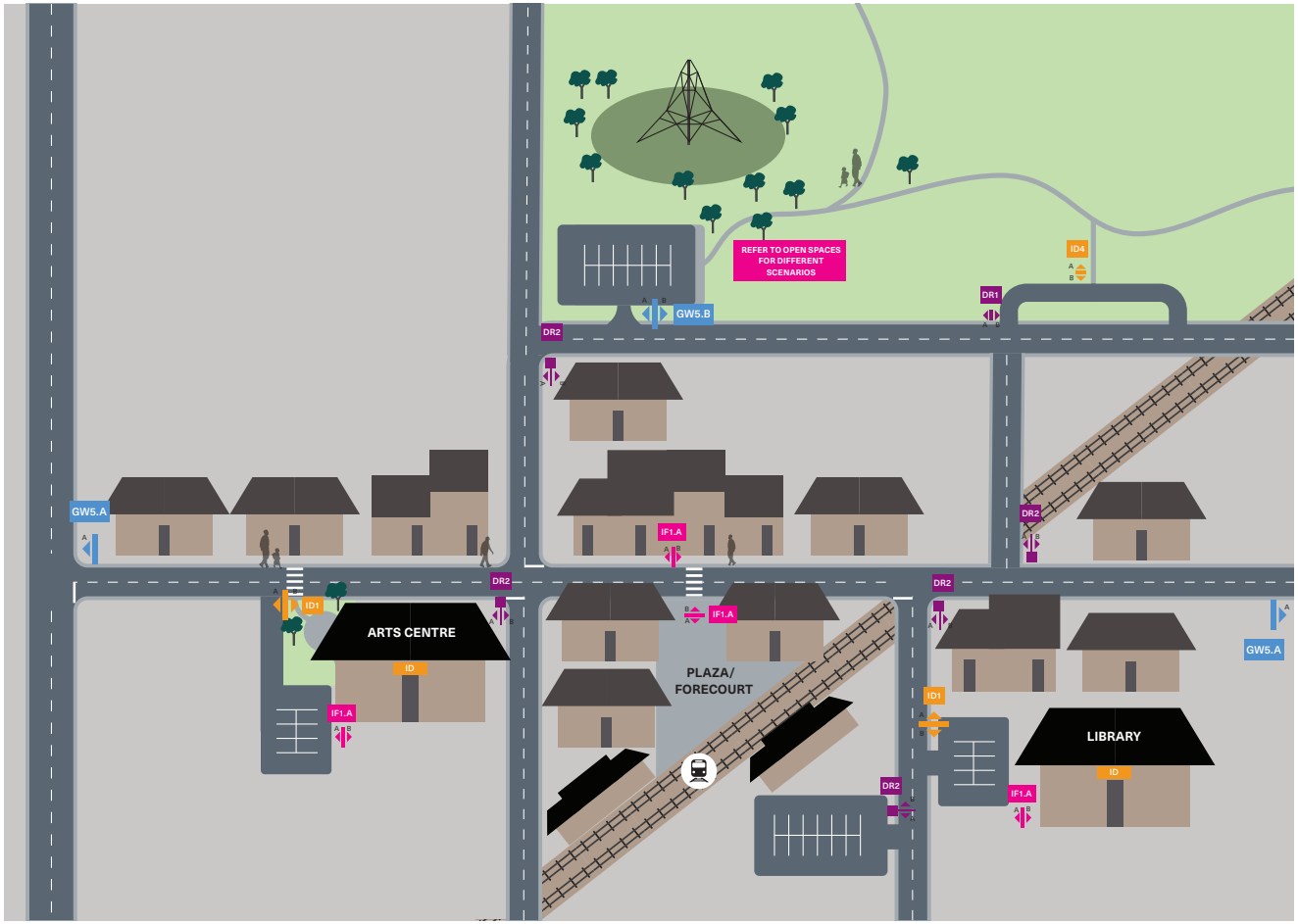
Principle, Major and Neighbourhood Activity Centre

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

- ID Identification signage
- DR Directional signage
- RG Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.



Local Activity Centres

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

—

Building / Facility Scenarios

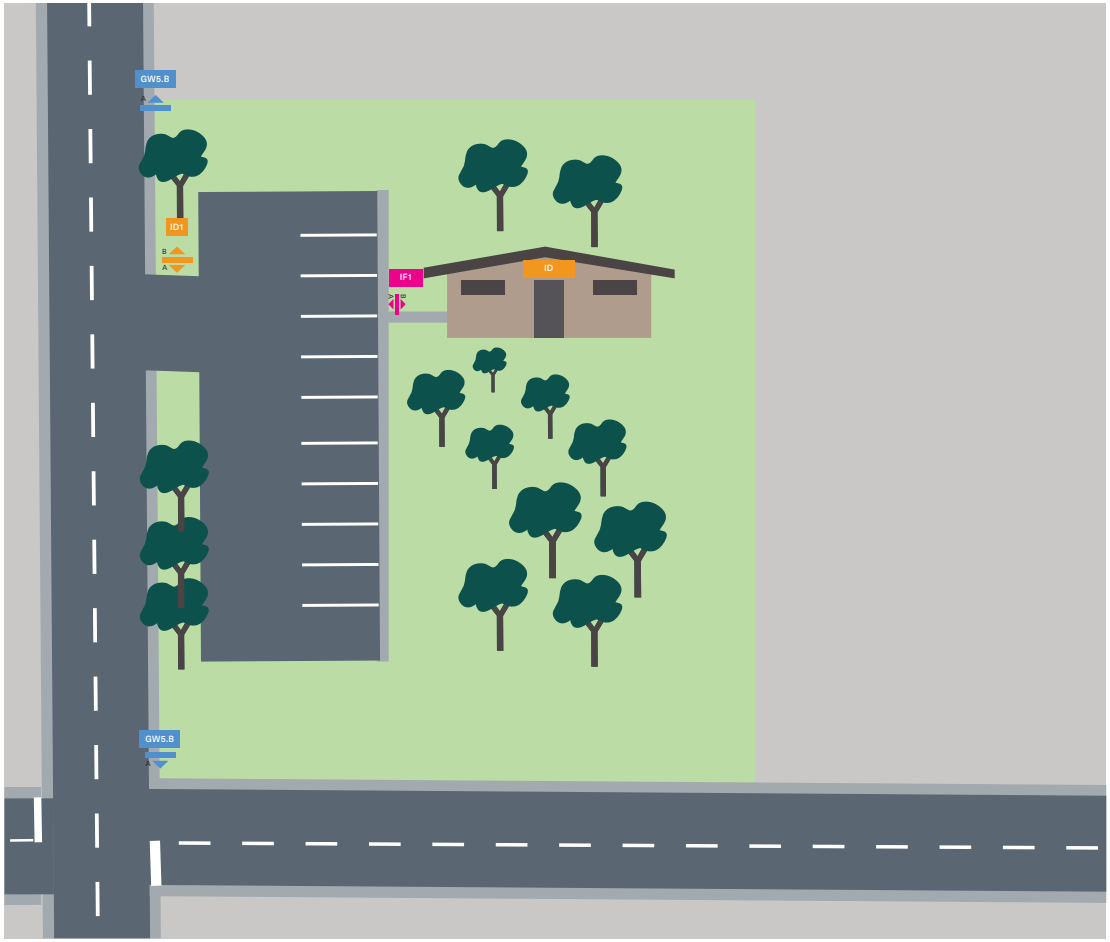
Community Facility Building

The following diagram represents a typical scenario and provides a visual guide of signage typologies and placement in-situ when creating a signage plan.

KEY

ID	Identification signage
DR	Directional signage
RG	Regulatory signage

Refer to *"Kingston Open Spaces & Activity Centres Wayfinding Strategy"* Section 3, page 82, 89.



Section 6

Signage Installation & Maintenance

Signage Installation

Installation should be undertaken by an appropriately qualified contractor or internal staff member if possible. Site conditions will have an impact on the installation and fabrication of signage and it is therefore necessary to identify these issues during the planning phase.

Transportation

— Ensure delivery of new signage from fabricators is undertaken with the utmost care to avoid damage.
— New signage should be bubble wrapped or similarly protected to avoid dents and scratches.
— Check all new signs on delivery to ensure no damage was incurred in transit.

Storage

— Signage should be stored in a safe place prior to installation and not laid flat where panels can be damaged.
— Ensure all protective coatings have been applied as per the manufacturers specifications.

Prior to installation please ensure

— Footing and construction details have been reviewed.
— All potential services have been identified.
— A 'Dial Before you Dig' has been undertaken to identify any potential underground services.
— Installation method and approach is appropriate for the site conditions.
— Bituminous paint can be applied to wood that is to be installed in excessively damp soils to prolong their lifespan. The paint should be applied from the bottom of the post to a point 50 mm above the expected ground level.
— A wax emulsion wood sealer can be applied to both cut ends of wood to slow the drying process and reduce the incidence of splitting.
— Sign locations do not negatively impact on the heritage or cultural environment.
— The sign is located within the site boundary.
— The sign locations are accurately identified and correspond to an approved sign plan.
— Work health and safety measures are adhered to.
— A traffic and pedestrian management plan has been developed.

During installation please ensure

— The site is cleaned and free of excess materials.
— The site is restored and remediated if necessary.
— The signage has not been damaged during installation.
— The traffic and pedestrian management plan is followed.

Site safety

When constructing and installing signs the appropriate health and safety measures need to be taken. Consider the following when constructing or installing signs:

— Slip and trip hazards to installers and the general public from; hoses, cables, leads running on the ground.
— Working on or near sources of electricity, including hidden cables behind walls; using electrical equipment.
— Falling objects or falling from a height.
— Hazardous noise levels.
— Environmental conditions e.g. wind, dust, rain.
— Hazardous chemicals e.g. solvents, adhesives.
— Manual handling: Types of postures and force required to install the sign.
— Ensure all relevant traffic and pedestrian safety requirements are in place during installation to avoid falls and injuries.
— Remember that a sign itself may be a hazard. Place signs so that they do not obscure hazards or distract the viewer during hazardous situations.
— Wear personal protective equipment (PPE) during installation e.g. gloves, dust mask, high-visibility vest, helmet, safety glasses, steel cap boots, ear plugs etc.
— Staff are suitably trained or supervised when using machinery e.g. auger, bench saw etc

Signage Maintenance

Signage should always be well maintained to project a positive image of the Reserves and the community.

Maintenance

Checking sign conditions

Maintenance needs to be part of the operational staff overall program as signs require regular inspections
and upkeep.

A regular inspection program should look for:

— Signage that has been removed, tampered with or vandalised.
— The relevance of information. Things change, so signage should reflect the changes that happen and be up-to-date and relevant.
— Signage is functioning as it was originally intended.
— The condition of the finishes and materials.
— The presence of any obstructions.
— All fixings are tight and present.

Repairing Signage

Signage should be repaired as soon as possible as it may impact on the continuity of surrounding wayfinding signs. The design of the new signage must follow this guide.

Note

Council is responsible for inspecting, maintaining and repairing Regulatory, Warning, Standard and Guide signs on Municipal Roads within the City of Kingston, except where relating to Arterial Roads as described below.

VicRoads is responsible for any signs that control the movement of traffic to and from an Arterial Road, being located on either the Arterial Road or the intersecting Municipal Road.

ASPECT Studios
Level 4, 160 Queen St, VIC 3000
T: +61 3 9417 6844
F: +61 3 9417 6855
E: melbourne@aspect-studios.com

Draft Wayfinding Strategy

City of KINGSTON

Community Consultation Summary Report

Kingston's Draft Wayfinding Strategy – Community Consultation

Council consulted with the community on Kingston's Draft Wayfinding Strategy, to inform local residents regarding the planned changes to existing wayfinding and help ensure no unforeseen issues would arise during implementation.

While this is theoretically an operational document, created based on rigorously tested international standards and approaches, most residents use wayfinding signage throughout their day-to-day lives and it was therefore appropriate to inform residents that change is coming. It was also possible that community feedback could reveal opportunities for improvement in the local application of international standards and approaches.

The Kingston community was invited to share their thoughts on the draft strategy via Council's community engagement platform, *Your Kingston Your Say*, from Wednesday 8 March – Friday 26 May 2023.

This summary outlines what we heard.

A snapshot of the methodology

Community consultation was promoted widely via a variety of channels to build awareness of the draft strategy and multiple opportunities were provided for the community to give feedback.

Platform	Details
Social media	Facebook reach: 3,690 Instagram reach: 2,693
eNews	Kingston eNews: 2,826 subscribers Our Place eNews: 1,632 subscribers
Signage	12 x digital screens, displayed in Council buildings, Hubs and Libraries
Feedback form boxes	4 x feedback boxes at Hubs, Libraries and Waves Leisure Centre: 30 surveys completed
Pop-up	1 x pop-up information session: 17 surveys completed
Stakeholder engagement	We also undertook engagement with: • Kingston Advisory Committees • Traders Associations • Local businesses • Local community clubs and groups

Engagement summary

How People Participated

92 **Total submissions**

66 **Online submissions**

47 **Hard copy paper surveys**

Online engagement

841 visitors to *Your Kingston Your Say*

313 engaged visitors (document downloads, multiple page visits)

66 online submissions

Offline engagement

Pop-up information session (Kingston Farmers Market, Saturday 1 April)
17 people submitted feedback

Feedback boxes placed at Hubs, Libraries and Waves Leisure Centre (available throughout community consultation)
30 people submitted feedback

What we heard

Feedback on the draft Wayfinding Strategy was largely positive.

55.8% strongly agreed that the draft Wayfinding Strategy will improve wayfinding signage in Kingston (and a further 31.6% somewhat agreed)

86.6% rated the look of the draft signage as 'good' or 'excellent'

72.4% rated the functionality of the proposed signage as 'good' or 'excellent'

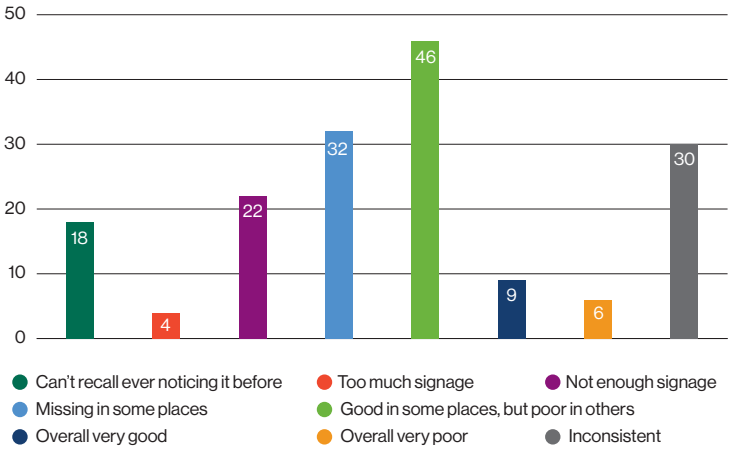
43.0% Walking and cycling paths were the areas the majority of participants would like wayfinding signage to be improved at

92.9% agreed that Kingston should adopt a consistent approach to wayfinding signage

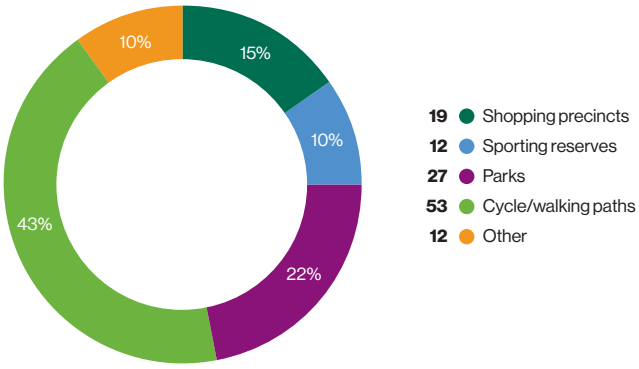
60.4% supported Council investing funding to improve wayfinding signage in Kingston

Survey results

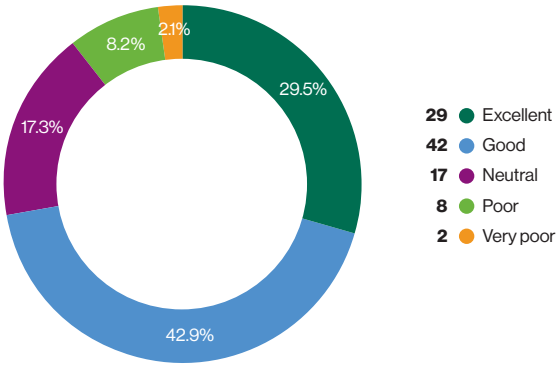
Which of the following statements would you agree with about Kingston's current wayfinding signage?



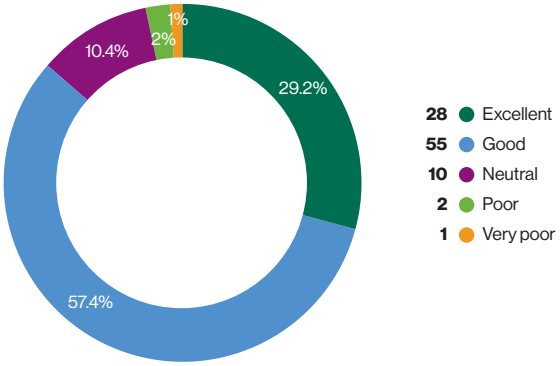
Which area would you most like to see wayfinding signage improved at?



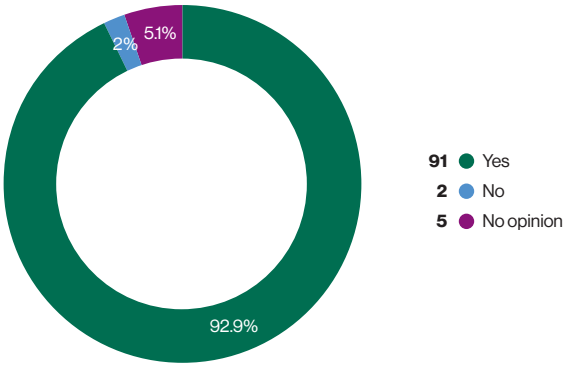
How would you rate the functionality of the proposed signage? (Are they legible, easy to understand, have enough relevant information?)



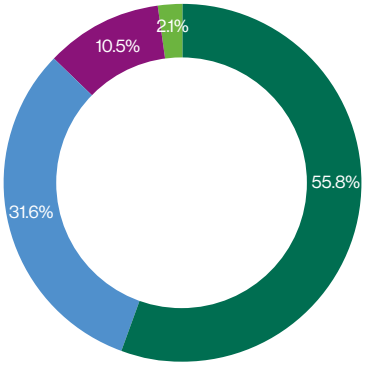
How would you rate the look of the draft signage?



Do you agree that Kingston should adopt a consistent approach to wayfinding signage?

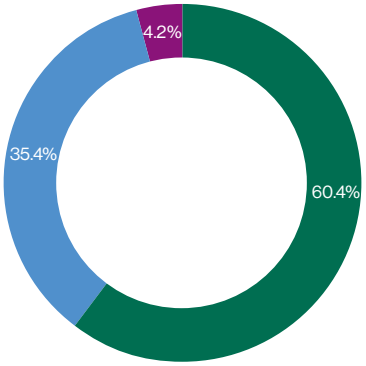


Do you think that the proposed strategy will improve wayfinding in Kingston?



53 Strongly agree
30 Somewhat agree
10 Neutral
2 Somewhat disagree

Would you support Council investing funding to improve wayfinding signage in Kingston?



58 Yes
34 Somewhat – if it was a reasonable amount
4 No

Any other comments or feedback?

Waves is an excellent facility but no one knows about it. Need better signage from Nepean Highway and along the various routes to the facility.

I live in City of Monash and they did theirs years ago – it was a great improvement and a great help to getting around the city.

Make sure they are visible, particularly for the elderly.

I think this is great – love it!

Need to use real wood – not printed on metal or plastic.

Durability – ensure anti-graffiti.

Need better vehicular wayfinding signage for things like libraries and community halls, including at the site and on the side of the building.

11. Customer and Corporate Support Reports

Ordinary Council Meeting

24 July 2023

Agenda Item No: 11.1

INFORMAL MEETINGS OF COUNCILLORS

Contact Officer: Gabrielle Pattenden, Governance Officer

Purpose of Report

To provide copies of the Informal Meetings of Councillors records in line with Rule 1 of Chapter 6 of the Governance Rules to support openness and transparency of Governance processes.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council receive the report.

1. Executive Summary

This report contains records for meetings defined as an Informal Meetings of Councillors under Rule 1 of Chapter 6 of the Governance Rules (the Rules).

2. Background

The Governance Rules require Informal Meetings of Councillors records to be reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making.

3. Discussion

3.1 Governance Rules Requirements

As prescribed by Rule 1 of Chapter 6 of the Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

a) tabled at the next convenient Council meeting; and
b) recorded in the minutes of that Council meeting.

A standard Informal Meeting of Councillors form will be used as the record for the purposes of the Rules. These form the appendices to the report.

Rule 6 of Chapter 5 of the Rules requires Councillors attending a meeting under the auspices of Council (to which an Informal Meeting of Councillors falls under) to disclose a conflict of interest and leave the room whilst the matter is being considered.

4. Consultation

4.1 Internal Consultation:
Not applicable

4.2 Community Consultation:
Not applicable

4.3 Results/Findings:
Not applicable

5. Compliance Checklist

5.1 Council Plan Alignment
Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.
Strategy: Hold ourselves to the highest standard of governance and integrity

The reporting of Informal Meetings of Councillors meets the requirements of the Rules and is consistent with the above Council Plan strategy.

5.2 Governance Principles Alignment
The reporting of Informal Meetings of Councillors aligns with Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations
Projected costings
Not applicable

Budget
Not applicable

Staff Resources
Not applicable

5.4 Risk considerations
Not applicable

Appendices

Appendix 1 - Informal Meetings of Councillors Record - Councillor Information Session - 3 July 2023 (Ref 23/193932)

Appendix 2 - Informal Meetings of Councillors Record - Councillor Information Session - 10 July 2023 (Ref 23/194379)

Appendix 3 - Informal Meetings of Councillors Record - Councillor Information Session - 17 July 2023 (Ref 23/194346)

Appendix 4 - Informal Meetings of Councillors Record - Heritage Review - 18 July 2023 (Ref 23/195569)

Author/s:	Gabrielle Pattenden, Governance Officer
Reviewed and Approved By:	Kelly Shacklock, Acting Manager Governance
	Dan Hogan, General Manager Customer and Corporate Support

11.1

INFORMAL MEETINGS OF COUNCILLORS

1 Informal Meetings of Councillors Record - Councillor Information Session - 3 July 2023 593

2 Informal Meetings of Councillors Record - Councillor Information Session - 10 July 2023 595

3 Informal Meetings of Councillors Record - Councillor Information Session - 17 July 2023 597

4 Informal Meetings of Councillors Record - Heritage Review - 18 July 2023 599

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

Meeting Details

Date: 3 July 2023 **Time:** 6.00pm

Meeting Location: via Microsoft Teams

Meeting Reason: Oakleigh Room, 1230 Nepean Highway Cheltenham

Attendees:

Councillor/s:
Cr Hadi Saab (Mayor)
Cr Chris Hill (Deputy Mayor) (arrived at 6.05pm)
Cr Jenna Davey-Burns
Cr Tracey Davies (arrived at 6.15pm)
Cr Cameron Howe (arrived at 6.07pm) (left at 8.50pm)
Cr George Hua (left at 6.15pm)
Cr Steve Staikos

Officers
Peter Bean, Chief Executive Officer
Jonathan Guttmann, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Sally Jones, General Manager Community Strengthening
Kate Waters, Acting General Manager Community Strengthening
Samantha Krull, General Manager Infrastructure and Open Space
Bernard Rohan, Chief Financial Officer
Stephanie O'Gorman, Team Leader Council Governance
Patrick O'Gorman, Council Governance Officer
Michelle Devanny, Program Leader Strategic Communications and Engagement
Simon Doyle, Manager Arts, Libraries & Events
Luke Dexter, Head of Libraries
Claire Tietze, Team Leader Community Capacity and Partnerships
Gillian Turnbull, Coordinator Community Capacity
Kath Scarpella, Community Grants and Networks Officer
Nik Muhllechner, Acting Manager City Development
Rita Astill, Team Leader Strategic Planning

Apologies:
Cr Tim Cochrane
Cr David Eden
Cr Georgina Oxley

Summary of Matters Discussed:

1. Acknowledgement of Country
2. Apologies
3. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
4. Notes of the Planning CIS Meeting 19 June 2023
5. Ward Briefings
6. Councillor Weekly Update, Executive Updates and July 2023 Meeting Planner
7. Kingston Libraries Service Update
8. Community Grants Program - Funding Recommendations for Annual Grants, Partnership Grants and Children's Week Grants 2023/24
9. External Communications Strategy
10. Draft Agenda - Planning Committee - See Separate Agenda

continued over page

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

11. Planning Scheme Amendment 203 (Housing Strategy and Neighbourhood Character Study) - Panel Report Briefing
12. Amendment C206king (Rectification of Anomalies in the Kingston Planning Scheme)
13. Response to Resolution - Tree Removals Over 8m in Height - Planning and Local Law
14. Planning Delegation Policy Emails - June 2023
15. Invitations
16. Councillor/CEO Only Discussion

Conflict of Interest Disclosures:

Councillor Disclosures: Nil

Officer Disclosures: Nil

Completed by: Patrick O'Gorman
Date: 18/07/2023

Brief Explanation – Governance Rules Chapter 6:

If there is a meeting of Councillors that:

1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors;

1.2 is attended by at least 6 Councillors; and

1.3 is attended by at least one member of Council staff; and

1.4 is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the minutes of that *Council meeting*.

Some examples of an Informal Meeting of *Councillors* will include:

- Councillor briefing session;
- Meeting / briefing of one or more Ward Councillors;
- Advisory committee where one or more Councillor/s is present;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
- Preliminary planning conference

If you require further clarification, please contact the Governance team.

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

Meeting Details

Date: 10 July 2023 **Time:** 6.00pm

Meeting Location: **Online via Microsoft Teams**

Meeting Reason: **Strategic Councillor Information Session**

Attendees:

Councillors
Cr Hadi Saab (Mayor)
Cr Chris Hill (Deputy Mayor)
Cr Tamsin Bearsley
Cr Tracey Davies
Cr Jenna Davey-Burns
Cr Cameron Howe
Cr Georgina Oxley
Cr Steve Staikos

Officers
Peter Bean, Chief Executive Officer
Jonathan Guttmann, General Manager Planning and Place
Tracey Cheeseman, Acting General Manager Customer and Corporate Support
Sally Jones, General Manager Community Strengthening
Samantha Krull, General Manager Infrastructure and Open Space
Bernard Rohan, Chief Financial Officer
Kelly Shacklock, Acting Manager Governance
Gabrielle Pattenden, Governance Officer
Bridget Draper, Manager Active Kingston
Mark Stockton, Team Leader Active Kingston Strategy and Projects
Michael Stamatovski, Sport and Recreational Planner
Simon Doyle, Manager Arts Events and Libraries
Francesca Valmorbida, Head of Arts and Cultural Development
Charles Turner, Manager Infrastructure
Alex Reid, Principal Traffic and Transport Engineer
Emily Boucher, Manager Open Space
Brad Lewis, Acting Team Leader Public Space

Apologies:
Nil

Summary of Matters Discussed:
1. Acknowledgement of Country
2. Apologies
3. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
4. Notes of the Planning CIS Meeting of 3 July 2023
5. Councillor Weekly Update and Executive Updates
6. Draft Sporting Reserve Pavilion Design Guidelines
7. Draft Walking and Cycling Plan
8. Motions for Municipal Association of Victoria October State Council Meeting
9. Draft Agenda - Ordinary Council Meeting - See Separate Agenda
    8. Planning and Place Reports
        - 8.1 Amendment C215king - 86 Mentone Parade, Mentone Consideration of Submissions
        - 8.2 Response to Resolution - Notice of Motion 15/2023 - Fenced Off Leash Dog Parks

continued over page

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

9. Community Strengthening Reports
   - 9.1 Citizenship Policy 2023-2026
   - 9.2 Arts Grants Program - Funding Recommendations for 2023/24
   - 9.3 Response to Resolution - Notice of Motion No. 13/2021 - Public Art Review
   - 9.4 Community Grants Program - Funding Recommendations for Annual Grants, Partnership Grants and Children's Week Grants 2023-24
10. Infrastructure and Open Space Reports
   - 10.1 Wayfinding Strategy
   - 10.2 Draft Open Space Strategy
11. Customer and Corporate Support Reports
   - 11.1 Governance Rules Review
   - 11.2 Quick Response Grants
   - 11.3 Appointment of Members to Strategic Advisory Committees
12. Chief Finance Office Reports
13. Notices of Motion
15. Confidential Items
   - 15.1 Cultural and Recreational Land Agreements: Proposed Update and Engagement with Clubs

10. Councillor/CEO Only Discussion

Conflict of Interest Disclosures:

Councillor Disclosures: Nil

Officer Disclosures: Nil

Completed by: Gabrielle Pattenden

Date: 10 July 2023

Brief Explanation – Governance Rules Chapter 6:

1.1 If there is a meeting of Councillors that: 1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

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Some examples of an Informal Meeting of *Councillors* will include:

- Councillor briefing session;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
  Preliminary planning conference

If you require further clarification, please contact the Governance team.

2 of 2

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

Meeting Details

Date: 17 July 2023 **Time:** 6.00pm

Meeting Location: Oakleigh Room, 1230 Nepean Highway, Cheltenham

Meeting Reason: Strategic Councillor Information Session

Attendees:
Councillors
Cr Hadi Saab (Mayor)
Cr Chris Hill (Deputy Mayor) (arrived at 6.13pm)
Cr Tamsin Bearsley
Cr Tim Cochrane (arrived at 6.29pm) (attended online)
Cr Tracey Davies
Cr Jenna Davey-Burns
Cr Cameron Howe (attended online)
Cr George Hua
Cr Georgina Oxley (arrived at 6.47pm) (attended online)
Cr Steve Staikos

Officers
Peter Bean, Chief Executive Officer
Jonathan Guttmann, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Sally Jones, General Manager Community Strengthening
Samantha Krull, General Manager Infrastructure and Open Space
Bernard Rohan, Chief Financial Officer
Tracey Cheeseman, Manager Advocacy, Engagement and Communications
Kelly Shacklock, Acting Manager Governance
Stephanie O'Gorman, Team Leader Council Governance
Patrick O'Gorman, Governance Officer
Gabrielle Pattenden, Governance Officer
Tony Ljaskevic, Manager Information Services and Strategy
Andrei Bajurnow, Infrastructure and Security Analyst
Kate Waters, Manager Inclusive Communities
Susan Quach, Team Leader Diversity and Inclusive
Andrew Shannon, Community Diversity & Inclusion Officer
Carly Mandich, Risk Management Coordinator
Michael Barrett, Manager City Works
Tim Scott, Team Leader Waste Management
Amanda Rigby, Manager Customer Experience and Corporate Performance
Emily Boucher, Manager Open Space
Brad Lewis, Acting Team Leader Public Open Space
Bridget Draper, Manager Active Kingston
Mark Stockton, Team Leader Active Kingston Strategy and Projects

Guests
Dave Morrow, Senior Sergeant Victoria Police
Matt Mulcahy, Inspector Victoria Police

Apologies:
Nil

continued over page

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

Summary of Matters Discussed:

1. Acknowledgement of Country
2. Apologies
3. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
4. Notes of the Strategic CIS Meeting 10 July 2023
5. Councillor Weekly Update and Executive Updates
6. Cyber Security
7. Kingston Police Attendance and General Discussion
8. All Abilities Plan Update
9. Risk Appetite Statement
10. Waste Management Update - July 2023
11. Service Model - Concierge and Customer Care
12. Update on Nursery Works & Mulch Storage
13. Response to Resolution - Tree Removals Over 8m in Height - Planning and Local Law
14. Invitations

Conflict of Interest Disclosures:

Councillor Disclosures: Nil

Officer Disclosures: Nil

Completed by: Patrick O'Gorman
Date: 18/07/2023

Brief Explanation – Governance Rules Chapter 6:

If there is a meeting of Councillors that:

1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors;

1.2 is attended by at least 6 Councillors; and

1.3 is attended by at least one member of Council staff; and

1.4 is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the minutes of that *Council meeting*.

Some examples of an Informal Meeting of *Councillors* will include:

- Councillor briefing session;
- Meeting / briefing of one or more Ward Councillors;
- Advisory committee where one or more Councillor/s is present;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
- Preliminary planning conference

If you require further clarification, please contact the Governance team.

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

Meeting Details

Date: 18 July 2023 **Time:** 6.00pm

Meeting Location: **Hybrid - in person at Cheltenham offices and on Microsoft Teams**

Meeting Reason: **To discuss the Kingston Heritage Review**

Attendees:

Councillor/s: Mayor Saab, Cr Davies, Cr Davey-Burns, Cr Hill, Cr Staikos, Cr Oxley, Cr Howe, Cr Bearsley

Officer/s: Jonathan Guttmann, Paul Marsden, Rita Astill, Amber Swales

Apologies: Cr Tim Cochrane

Summary of Matters Discussed:

- An overview of the Kingston Heritage Review was provided.
- Questions and answers were provided to clarify matters being discussed.

Conflict of Interest Disclosures:

Councillor Disclosures: None Noted

Name of Councillor:

Explanation of the nature of the conflict: General OR Material

Councillor left the meeting prior to discussion: YES/NO

Time left: Time returned:

continued over page

Informal Meetings of Councillors Record

Governance Rules Chapter 6
This form must be completed by the appropriate attending Council Officer and submitted immediately to the Governance Department for reporting to Council.

Officer Disclosures:

Name of Officer:

Explanation of the nature of the conflict: General OR Material

Councillor left the meeting prior to discussion: YES/NO

Time left: Time returned:

Completed by:

Date:

Brief Explanation – Governance Rules Chapter 6:

1.1 If there is a meeting of Councillors that: 1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

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Some examples of an Informal Meeting of *Councillors* will include:

- Councillor briefing session;
- Budget discussion;
- Workshop re key Council priorities;
- Site inspection;
  Preliminary planning conference

If you require further clarification, please contact the Governance team.

2 of 2

Ordinary Council Meeting

24 July 2023

Agenda Item No: 11.2

QUICK RESPONSE GRANTS

Contact Officer: Gabrielle Pattenden, Governance Officer

Purpose of Report

To seek Council's consideration of Quick Response Grant applications received.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council approve the following Quick Response Grant applications:

- Kingston Indian Senior Citizens Association - $1500.00
- Highett Football Netball Club - $1100.00
- Mordialloc Motor Yacht Club - $1408.00
- Parkdale Secondary College - $1500.00
- Circolo Pensionati Italiani di Oakleigh e Clayton - $1500.00 (subject to acquittal of previous grant allocated in December 2022)
- Chelsea Heights Community Centre - $1418.00
- Martin Whitney - $1500.00
- Rod Leonard - $1500.00
- Kate Gothard - $1500.00

That Council not approve the following Quick Response Grant Application:

- Mentone Girls' Secondary College Robo Sapiens

1. Executive Summary

The Quick Response Grants Program gives individuals and community groups the opportunity to apply for small grants required at short notice to help them achieve their goals and ambitions.

This Program responds to the community's need for a form of grant that is flexible and efficient in terms of the time between application and approval and applies to smaller amounts of funding to a maximum of $1,500.00.

Quick Response Grants are a category under Council's Community Grants Program.

2. Background

In April 2019 Council revised the Quick Response Grants Guidelines. Grant applications are checked for eligibility in line with a set of criteria outlined in the Guidelines. An application must be submitted to Council and considered for approval at a Council Meeting.

Any not-for-profit group, school or community organisation providing services within the City of Kingston may apply.

Individuals must be a resident of the City of Kingston and participating in an activity in an unpaid capacity and not as a requirement of any formal course of study or of their employment. Individuals can apply for a grant to assist them to participate in a sporting, educational, recreational or cultural activity; other pursuit of a personal development nature; which will have a clear benefit to the community.

Community groups can apply for a grant to assist with the provision of a service, program or activity used by or of benefit to Kingston residents.

3. Discussion

3.1 Assessment and Application Criteria

Applications for Quick Response Grants are assessed against the criteria outlined in the guidelines as follows:

- Are funds needed at short notice or can they wait for the Annual Grants program?
- Does the proposed activity/event/project benefit the City of Kingston residents?
- Has the applicant demonstrated a clear need for funds?
- Has the applicant received any other funding from Council?
- That the organisation is a not-for-profit and has a bank account in the name of organisation.
- Can the project be funded under any other Council grant program?

4. Consultation

4.1 Internal Consultation:

N/A

4.2 Community Consultation:

N/A

4.3 Results/Findings:

N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Healthy and inclusive - We are progressive, inclusive and prioritise the wellbeing of all members of our community.
Strategy: Support the inclusion of everyone in community life

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.
Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Projected costings
Not applicable

Budget
An amount of $55,000 per annum has been allocated for this program.

Staff Resources
Not applicable

5.4 Risk considerations

Not applicable

6. Applications

Name:	**Kingston Indian Senior Citizens Association**
Amount requested:	$1500.00
Description of Project/Event:	Seniors' Week celebrations 2023 at Dingley Neighbourhood Centre. The idea evolved from Kingston Council via email, whereby there was a request to celebrate Seniors Week. The members have decided that we will use this opportunity to engage with Seniors from different communities by way of networking, cultural performances and a lunch. The event is open to all and will provide a nice afternoon of cultural understanding of the different communities.
How the funds will be used:	Food & Snacks, Water bottles, Sound System, Award Trophies and Certificates, Venue Hire

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

CULTURAL DIVERSITY MEALS GRANT 2020-2021	250	1/06/2021
GRANT	375	7/03/2023
QUICK RESPONSE GRANT	1500	13/04/2023

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1500.00.

Name:	Highett Football Netball Club
Amount requested:	$1100.00
Description of Project/Event:	The glass washer in our bar is mal functioning and not turning itself off. It needs repairing. Currently our volunteers are having to hand wash in excess of 200 glasses per function. Fixing the glass washer will free up volunteers, There is also a safety risk in our volunteers having to use boiling hot water to wash glasses, and a potential hygiene risk in not washing glasses properly.
How the funds will be used:	Fixing the glass washer.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

QUICK RESPONSE GRANT	1500	21/08/2020
ANNUAL GRANT	1408	31/08/2021
QUICK RESPONSE GRANT	1000	9/08/2022

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1100.00.

Name:	Australian Greek Elderly Citizens Club of Mentone and Districts Inc
Amount requested:	$2000.00
Description of Project/Event:	We go to outings for lunch with the elderly citizens and give them a chance to socialise with their friends that they catch up with.
How the funds will be used:	They will be used for outing for lunch with the citizens and a bus.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

MEALS GRANT	3000	31/05/2021
PARTNERSHIP GRANT	900	24/08/2021
GRANT	3000	28/02/2022
PARTNERSHIP GRANT	927	29/08/2022
GRANT	3000	5/12/2022

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1500.00.

Name:	Mordialloc Motor Yacht Club
Amount requested:	$1408.00
Description of Project/Event:	Installation of two outdoor tables on deck of clubhouse. Many community groups, schools and local organisations book and visit the clubhouse for event and functions on the island, plus family functions and club and inter club functions. The outdoor deck is a huge attraction on this picturesque island, however there are only two outdoor tables on the deck. This grant will enable us to install two more tables to better cater for activities which almost always spill out onto the deck area because it overlooks the Mordialloc creek and looks out to sea and the Mordialloc pier. This clubhouse venue benefits school excursions, music groups, clubs such as the Mordialloc Angling club, the Mordialloc Sailing club, the volunteer coast guard, the Yarrabah school, Victoria Police, The Mordialloc creek community committee, The Ukulele club, local singing groups, Marine Safety Vic training courses, first aid courses for club in the area, plus many special events for club families and the general public who book the venue. Our club's Women on Water program includes women's social events which use the deck, was well as the annual outdoor events on the deck at New Years Eve and our summer outdoor events program.
How the funds will be used:	The funds will totally be used to buy two outdoor tables.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

QUICK RESPONSE GRANT	1500	9/08/2021
ANNUAL GRANT	1000	26/10/2021
ANNUAL GRANT	2200	29/08/2022

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1408.00.

Name:	Mentone Girls Secondary RoboSapiens
Amount requested:	$200.00
Description of Project/Event:	Asian-Pacific International Finals in June this year, held in Sydney, competing against countries such as the USA, Japan, Mexico. This is a robotics competition.
How the funds will be used:	The funds will be used for team jackets and badges.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	X
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

SCHOOL GRANT	212.52	15/09/2020
SCHOOL GRANT	212.52	13/09/2021
SCHOOL GRANT	212.52	5/12/2022

Officer Comment:
This application is not recommended for approval as it is considered that the application does not sufficiently demonstrate benefit to the City of Kingston residents.

Name:	Parkdale Secondary College
Amount requested:	$1500.00
Description of Project/Event:	The money will go to fund further fidget toys and sensory items within the wellbeing space and if needed to have some within the coordinators' offices. We will also look to gain further reading material for students to read while in the waiting area of wellbeing. We will also look into gaining some items for the new program starting with the year 8 and 9 students which will allow them to have access to further resources.
How the funds will be used:	Having fidgets that can be handed out to students allows them something they can keep on hand for when they need it during class, we have seen this be quite beneficial to all students that we have already been able to provide fidgets and sensory items to. This allows students to either stay in class, focus more in class or in some cases cause less distractions in class which has less of an impact to other students. By being able to get some other reading material for the waiting area, this will be able to provide more knowledge for students if they choose to read it, this can allow them to take ownership of their learning. The new program that has been started for Yr 8 and 9 students is designed to work with a select group of students who are disengaged from school or becoming disengaged, by being able to get some more supplies - in the form of arts and crafts, or general engagement tools, this can help create a sense of belonging for these students as they are working in an alternative way and looking at alternative ways to be taught the same kinds of skills they would in their general classes.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

SCHOOL GRANT	212.52	6/09/2021
GRANT	6655	17/02/2022
QUICK RESPONSE GRANT	1500	5/04/2022
SCHOOL GRANT	212.52	27/10/2022

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1500.00.

Name:	Circolo Pensionati Italiani di Oakleigh e Clayton
Amount requested:	$1500.00
Description of Project/Event:	14 December the club will celebrate it's 40th Anniversary We will be organising a special luncheon and dance at Freccia Azzurra.
How the funds will be used:	Supply lunch, Band for music and decorations

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

PARTNERSHIP GRANT	1012.95	4/09/2020
CULTURAL DIVERSITY MEALS GRANT 2020-2021	3000	24/05/2021
PARTNERSHIP GRANT	1043.34	24/08/2021
GRANT	2000	28/02/2022
PARTNERSHIP GRANT	1074.64	13/10/2022
MEAL GRANT	2000	21/11/2022

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1500.00 (subject to acquittal of previous grant allocated in December 2022).

Name:	Martin Whitney
Amount requested:	$1500.00
Description of Project/Event:	Advanced training camp run by Clint Robinson for the development and skills of nippers and lifesavers. I have two Nippers(my children) aged 9 and 11 that are attending the week camp were they develop skills in the surf in both swimming and board paddling representing Aspendale LSC
How the funds will be used:	Training camp cost, flights and accommodation. All costs can be provided upon request if application is successful.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year
Nil

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1500.00.

Name:	Ron Leonard	
Amount requested:	$1500.00	
Description of Project/Event:	Advanced training camp run by Clint Robinson for the development of life saving skills and rescues in a surf environment. I have 3 Nippers(my children) aged 9, 11and 12 that have all participated in the nippers program at Aspendale LSC from the ages of 5 that are attending the week camp where they will develop skills in the surf in both swimming and board paddling which will in turn provide skill development when they obtain their lifesaving accreditation through Aspendale LSC. This will then provide the Kingston Community with a further 3 life savers	
How the funds will be used:	The funds will be used to cover the cost of the course for 3 Aspendale Nipper attendees who are about to complete their SRC.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year Nil		
Officer Comment: This application meets the assessment criteria and is recommended for approval for an amount of $1500.00		

Name:	Kate Gothard	
Amount requested:	$1500.00	
Description of Project/Event:	6 Day Nippers training camp in Maroochydore Queensland, to prepare our 10 and 12 year old for the upcoming Nippers and Patrol seasons with Aspendale Life Saving Club. Focus on surf technique and water skills.	
How the funds will be used:	Pay for participation in the training camp run by Clint Robinson and facilitated by Mentone Life Saving Club. Great example of community groups working together to promote Life Saving on Kingston's beaches.	
Assessment Criteria:		
• The applicant meets the eligibility criteria		✓
• Funds are needed at short notice		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant has not received any other funding from Council for this project		✓
• The applicant is an individual or not for profit organisation		✓
• The project cannot be funded under any other Council Grant program		✓
Grants received in current or last financial year Nil		
Officer Comment: This application meets the assessment criteria and is recommended for approval for an amount of $1500.00.		

Name:	Chelsea Heights Community Centre
Amount requested:	$1418.00
Description of Project/Event:	We are seeking to acquire 2 items of equipment, which are necessary for maintenance in our Community Garden. These tools are not luxury items, they are necessary to allow community members to maintain the garden. The Chelsea Heights Community Garden is a place that has forged strong social relationships, providing good health and well-being for our members. The garden is a place to combat isolation, improve confidence and mental wellbeing, foster friendships and encourage increased community connectedness through shared experiences. We would be grateful for funding that may be provided to allow our members to continue to enjoy this excellent community facility.
How the funds will be used:	A mulching system motor mower and a grass trimmer.

Assessment Criteria:	
• The applicant meets the eligibility criteria	✓
• Funds are needed at short notice	✓
• The activity/event/project benefits the City of Kingston residents	✓
• The applicant has demonstrated a clear need for funds	✓
• The applicant has not received any other funding from Council for this project	✓
• The applicant is an individual or not for profit organisation	✓
• The project cannot be funded under any other Council Grant program	✓

Grants received in current or last financial year

PARTNERSHIP GRANT	73,223.45	11/08/2020
ANNUAL GRANT	2,000.00	11/08/2020
GRANT	2,000.00	16/08/2021
PARTNERSHIP GRANT	75420.15	23/08/2021
QUICK RESPONSE GRANT SEPTEMBER 2021	1500	13/10/2021
REFUND WOODBINE GV CHELSEA	2,000.00	11/03/2022
PARTNERSHIP GRANT	77,682.75	22/08/2022
COMMUNITY WELLBEING WORKSHOP GRANT	440	11/01/2023
QUICK RESPONSE GRANT	1500	9/05/2023

Officer Comment:
This application meets the assessment criteria and is recommended for approval for an amount of $1500.00.

Author/s: Gabrielle Pattenden, Governance Officer
Reviewed and Approved By: Kelly Shacklock, Acting Manager Governance
Dan Hogan, General Manager Customer and Corporate Support

Ordinary Council Meeting

24 July 2023

Agenda Item No: 11.3

APPOINTMENT OF MEMBERS TO STRATEGIC ADVISORY COMMITTEES

Contact Officer: Stephanie O'Gorman, Team Leader Council Governance

Purpose of Report

The purpose of this report is to recommend the appointment of members to Council's Strategic Advisory Committees following a recruitment process.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Appoint the following people to Council's Strategic Advisory Committees until the end of the current Council Term in 2024 as follows:

   Environment and Open Spaces:

   - Louise Doolan
   - Robyn Nolan
   - Ian Morgans

   Access and Equity

   - Taru Jain
   - Shriya Gupta

   Arts and Cultural

   - Esnaf (Eddie) Balic
   - Paul Morrison
   - Ross Coulter
   - Andrew Gyopar
   - Spiros Panigirakis
   - Kirralee Ashworth-Collett
   - Merrie McCulloch

   Active Kingston

   - Michael Hogan

2. Extend membership terms for all current Advisory Committee members to the end of the current Council Term in 2024.

1. Executive Summary

Following a Council resolution to amend the Terms of Reference for Active Kingston, Arts and Cultural and Environment and Open Spaces Strategic Advisory Committees (the Committees) to increase membership numbers to a maximum of ten (10) to enable broader community participation, Council has publicly advertised for new members to these committees, along with advertising for any remaining vacancies on Council's other Strategic Advisory Committees.

Council has received a number of applications for the committees, with eleven (11) applications received for the Environment and Open Spaces Advisory Committee (EOSAC), one (1) application received for Active Kingston, two (2) applications received for Access and Equity and seven (7) applications received for Arts and Cultural. Further information on each candidate's interview responses and officer recommendations is found in Appendix 1.

Given the current Council Term will finish in 2024, it is also considered prudent to extend all current Advisory Committee membership terms until the end of this Council Term. The rationale for this approach is to ensure all new members have a meaningful membership period with enough time to contribute and participate fully to their Advisory Committee. As a recruitment process generally takes at least three months from advertising through to Council appointment and with meetings generally quarterly, it is unlikely new members appointed later in the year would be able to attend more three meetings prior to the Election Period in 2024.

The level of interest in the Environment and Open Spaces Strategic Advisory Committee will be considered as part of the review of Strategic Advisory Committees in the new Council Term to identify further opportunities for involvement in this area for the community.

Ultimately recommendations for appointments to Committees were based on membership requirements in the Terms of Reference and where applications exceeded the number of vacancies available, preference was given to applicants who interviewed well comparatively and/or had not had a previous opportunity on an Advisory Committee. All applicants for the Environment and Open Spaces Advisory Committee were advised of vacancies on other Committees that they might wish to consider given the limited vacancies on Environment and Open Spaces.

2. Background

At the Council Meeting held on 27 March 2023, Council resolved the following:

That Council adopt revised Terms of Reference for Active Kingston, Arts and Cultural and Environment and Open Spaces Strategic Advisory Committees which expands the maximum membership numbers to a total of ten (10) members.

This resolution provided greater consistency in membership numbers across Council's Strategic Advisory Committees and a recruitment process has been undertaken to fill these and other vacancies across the committees.

3. Discussion

3.1 Appointment Process

In accordance with the Terms of Reference, each applicant:

- submitted an Advisory Committee Application Form
- meets the membership criteria contained in the Terms of Reference

- attended an interview with a panel consisting of the relevant Advisory Committee officer and a member of the Governance department.

The recommended applicants for membership are considered suitable to join the specified Strategic Advisory Committees with memberships expiring at the end of the current Council Term.

It is further recommended that all applicants be provided with a membership term that elapses at the end of the current Council Term as a review of Strategic Advisory Committees will need to be undertaken in the new Council Term to ensure committees align with the new Council's strategic objectives under the new Council Plan.

3.2 Extension of Membership Duration for Current Advisory Committee Members

With 2024 being a Local Government election year, it is proposed that all current Strategic Advisory Committee memberships be extended until the end of the current Council Term to ensure consistency for the remainder of the Council Term.

Additionally, this approach addresses the limited membership period that would be available for any applicants who were appointed later this year. As meetings are generally quarterly and it takes approximately three months to advertise, interview and have Council appoint new members, any members recruited later this year could only be offered a shorter membership tenure prior to the Election Period and would not be able to experience the full Advisory Committee membership experience, which usually provides for a full two-year membership. Therefore, it is preferable that further recruitment be undertaken in the new Council Term, following the review of Strategic Advisory Committees, so all new appointees can contribute to and participate fully in the Advisory Committees program over a full two-year membership period.

4. Consultation

4.1 Internal Consultation:

Consultation has been undertaken with all Strategic Advisory Committee Officers to ensure that relevant networks were notified of the current recruitment process.

Additionally, the Governance Department liaised with the Communications Department to ensure the recruitment process was appropriately publicised.

4.2 Community Consultation:

Group	Method
General community	The Community was notified of the recruitment process via our Council website, social media posts and relevant newsletters.
Advisory Committees	Advisory Committees were notified of the expansion of membership numbers.
Targeted groups	Advisory Committee officers notified relevant networks of vacancies on committees.

4.3 Results/Findings:

Not applicable.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.
Strategy: Actively seek broad community participation

Council is responsive to the needs of the community and recognises the important feedback that the Strategic Advisory Committees play5.2 Governance Principles Alignment

Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.

Council's Strategic Advisory Committees provide an opportunity for the community to be engaged in and provide feedback in relation to Council decision making.

5.3 Financial Considerations

Budget

All Strategic Advisory Committee members are paid $200 annually for attendance at meetings and incidental expenses that may arise as part of attending these meetings. This is accommodated for in current budgets.

Staff Resources

Not applicable.

5.4 Risk considerations

To ensure a transparent process, notes were taken at all interviews and details have been provided for Council confidentially to mitigate the risk of breaching Council's privacy obligations to the community.

Appendices

Appendix 1 - Interview Evaluations for Strategic Advisory Committees Recruitment Process 2023 (Ref 23/193486) - Confidential

Author/s:	Stephanie O'Gorman, Team Leader Council Governance
Reviewed and Approved By:	Kelly Shacklock, Acting Manager Governance
	Dan Hogan, General Manager Customer and Corporate Support

Ordinary Council Meeting

24 July 2023

Agenda Item No: 11.4

MOTIONS FOR MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING

Contact Officer: Patrick O'Gorman, Governance Officer

Purpose of Report

This report presents motions to be submitted to the MAV State Council Meeting in October 2023.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council endorse the following motions to be submitted to the Municipal Association of Victoria for consideration at the October 2023 State Council Meeting:

1. Changes to the Victorian Planning Provisions in relation to the use of car stackers:

   "That the MAV urgently request the State Government to make changes to the Victoria Planning Provisions and prepare a new Planning Practice Note to provide clear policy direction aimed at improving the design, useability, specifications and accessibility of car stackers."

2. Golf Course Land Planning Guidelines:

   "That the MAV request the Victorian Government to review the Planning Guidelines for the Conversion of Golf Course Land for other Purposes, and their practical application."

3. Maintenance of Freeway and Arterial Roads:

   "That the MAV urgently request the State Government to ensure that Freeways and Arterial Roads, for which the Department of Transport Planning (VicRoads) are responsible are maintained to an appropriate level of service."

1. Executive Summary

The MAV conducts two State Council meetings per year and provides Councils an opportunity to submit a motion or motions for consideration by Local Government representatives at these forums.

The MAV Rules require motions be of state-wide significance to local government. Motions received and initially assessed as 'not of state-wide significance' will be the subject of follow-up communication with the submitting council's designated representative (Primary or Secondary Contact), then reviewed by the MAV CEO, and finally by the MAV Board, who will determine whether the motion is submitted for State Council consideration.

State Council meetings provide an opportunity for Councils to pursue advocacy responsibilities on important issues facing their communities.

2. Background

The MAV State Council meeting is to be held on Friday 13 October 2023.

3. Discussion

3.1 Motion rationales for submission.

The following rationales for the proposed motions will be included into the MAV submission application.

Changes to the Victorian Planning Provisions in relation to the use of car stackers:

Kingston City Council is concerned in relation the useability, functionality and design of car stackers within new developments. In February 2023 Council wrote to all metropolitan Councils seeking feedback in relation their experiences in relation the use of car stackers. Overwhelmingly the feedback provided by other Councils has indicated a range of common issues relating their use, functionality and operation. This includes a lack of DDA compliance, no ability to provide for EV charging, reliability and maintenance concerns and low usage once installed. The Victoria Planning Provisions should be amended or new Planning Practice Note prepared to provide clear direction addressing these issues and to ensure that the provision of car stackers is not seen simply as a means of achieving an arbitrary car parking rate within a new development at the expense of future residents.

Golf Course Land Planning Guidelines

Kingston City Council has concerns regarding the useability of the Golf Course Guidelines and consider they are not an efficient or adequate tool for assessing golf course rezoning proposals. The Guidelines provide additional steps to the consideration of planning scheme changes, with no demonstrable benefit. Council has identified several issues which require further consideration:

- The Guidelines do not provide sufficient weight or consideration of the role that Golf Course land can play in contributing to open space networks, projects that assist in addressing the State Government renewable energy targets and opportunities to counteract the urban heat island effect.
- The Guidelines are unable to properly guide decision making for proposals that can have significant impacts on environmental values associated with golf course land.
- The Guidelines do not provide sufficient direction on how proponents properly demonstrate a need for conversion of the land, including that the land is surplus to golfing in a range of the contemporary forms in which it is increasingly being presented.
- The Guidelines require community consultation to be undertaken when its likely that the proponent has already predetermined the optimal development outcome that they are likely to pursue.

Maintenance of Freeway and Arterial Roads

Kingston City Council is concerned about the condition of Freeways and Arterial Roads. Since mid-2022, the condition of many Freeways and Arterial Roads have dramatically deteriorated. Many serious surface defects are left untreated which can lead to vehicle damage and/or accidents caused by motorist attempting to navigate around these defective areas.

4. Consultation

Officers have drafted the following motions in consultation with Councillors and officers.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.
Strategy: Hold ourselves to the highest standard of governance and integrity

5.2 Governance Principles Alignment

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

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Reviewed and Approved By:	Stephanie O'Gorman, Team Leader Council Governance
	Kelly Shacklock, Acting Manager Governance
	Dan Hogan, General Manager Customer and Corporate Support

Ordinary Council Meeting

24 July 2023

Agenda Item No: 11.5

GOVERNANCE RULES REVIEW

Contact Officer: Patrick O'Gorman, Governance Officer

Purpose of Report

This report presents amendments to the Governance Rules aimed at enhancing Council decision making processes. Council is required to undertake a community engagement process in accordance with the Local Government Act 2020 before adopting any changes.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Pursuant to section 60(4) of the Local Government Act 2020, proceed with community consultation in relation to the amended Governance Rules as attached in Appendix 1; and
2. Receive a report at the September Ordinary Council meeting receiving the results of the community consultation and consider adoption of the final Governance Rules.

1. Executive Summary

Council is required to have a set of rules that governs the meeting procedures for Council Meetings and Delegated Committee Meetings known as the Governance Rules (the Rules). A review of the Rules has been conducted to enhance Council decision making in the best interests of the Kingston community.

Changes include (but are not limited to) the following matters:

- rules regarding the election of the Mayor to reflect the requirements of the Act
- introducing Councillor statements during Council meetings to address matters of importance to the community
- rules regarding the submission of questions during public question time
- rules regarding the submission of notice of motions
- rules regarding amendments of motions
- rules regarding conditions of entry to Council buildings
- clarifying speaking times for community members/visitors addressing a Council meeting, and
- minor administrative amendments

A complete list of all amendments is found in Appendix 2 of this report.

Prior to formal adoption, Council must undertake a process of community consultation in the development of these Rules in accordance with section 60(4) of the Act. Appendix 1 provides the draft amendments to the Governance Rules that if endorsed will proceed to consultation. Consultation will involve a broad process as outlined in section 3.2 of this report.

2. Background

The Rules were first adopted by Council at the August 2020 Council Meeting, as part of the implementation of the Act.

A further review of the Governance Rules was conducted in 2022 in response to amendments made to the Local Government Act 2020 which required an amendment to the Rules that would allow the participation of Councillors at Council Meetings and Delegated Committee Meetings by electronic means of communication. These Rules were adopted at the August 2023 Ordinary Council meeting.

In early 2023, the Governance Rules were requested to be reviewed again for other provisions not previously considered.

3. Discussion

3.1 Proposed changes

Some of the proposed changes include (but are not limited to) the following matters:

Councillor statements

It is proposed to extend *Rule 20: Delegate's Reports* to provide the opportunity for a Councillor to make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.

Notice of motion submission

It is proposed to amend *Rule 24: Notice of Motion* to allow a Councillor to amend a submitted notice of motion prior to the compilation of the agenda for the Ordinary Council Meeting in a manner that leaves the intention and effect of the notice of motion materially undisturbed. Further amendments propose introducing a new Rule which reaffirms that a motion which differs in wording from the notice of motion published in the agenda may be moved which differs in wording, provided it leaves the intention and effect of the notice of motion materially undisturbed.

Conditions of entry to Council buildings

It is proposed to include provision where from time to time, the Chief Executive Officer may erect signage requiring conditions of entry for members of the public where Council meetings are held in Council buildings. This process may be undertaken and enforced through Council's Community Local Law. Conditions may include sign in requirements and proof of identification. The application of Council's community local law is consistent with advice provided to Councils by Local Government Victoria.

Any personal information required to be collected under the conditions of entry will be strictly retained and protected from improper use and disclosure consistent with the requirements of the *Privacy and Data Protection Act (2014)* or such other applicable pieces of legislation and Council's Information Privacy Policy.

Public Question Time
It is proposed to amend *Rule 39: Public Question Time* to bring the hard copy submission deadline of questions to 3pm to enable sufficient time for officers to compile appropriate answers to questions submitted, as well as requiring question submitters to provide their full name and address to allow for answers to be provided in writing after the meeting.

An extensive list of all proposed amendments in track changes is included in Appendix 2 of this report.

4. Consultation

4.1 Internal Consultation:
The draft Governance Rules were presented to Councillors at briefing sessions on Monday, 3 May and 10 July for feedback.

4.2 Community Consultation:

Group	Method
Key Stakeholders Strategic Advisory Committees	Members of all Strategic Advisory Committees will be contacted to invite feedback on the proposed changes.
General community	• Potential inclusion in e-newsletters (if dates align) such as Kingston News, My Community Life etc; • Advertisement on TV screens at key Council facilities including Customer Counter, Kingston Libraries, Waves Leisure Centre, Family & Children's Hubs; • Your Kingston Your Say page and survey; • Social media posts on Council's corporate channels
Targeted groups	Members of Talking Kingston may be contacted to invite feedback on the proposed changes.

5. Compliance Checklist

5.1 Council Plan Alignment
Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.
Strategy: Hold ourselves to the highest standard of governance and integrity

Council is committed to complying with its legislative responsibilities under the Act.

5.2 Governance Principles Alignment
Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

The Governance Rules are integral to Council decision-making to give effect to the overarching governance principles in the Act and to ensure best practice governance in accordance with the Good Governance Framework.

5.3 Financial Considerations
Not applicable.

5.4 Risk considerations
Council must ensure that a process of community engagement is undertaken when amending the Rules prior to formal adoption, in accordance with section 60 of the Act.

Appendices

Appendix 1 - Draft Governance Rules July 2023 Council meeting (Ref 23/179107)
Appendix 2 - Governance Rules 2023 amendments (Ref 23/140780)
Appendix 3 - Governance Rules amendments table (Ref 23/194219)
Appendix 4 - Official Local Government Bulletin -Managing Disruptive Behaviour in Council Meetings (Ref 23/181272)

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City of
KINGSTON

Governance Rules

20/168524[v2]

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Kingston City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 23 August 2022.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Kingston City Council.

Council meeting has the same meaning as in the *Act* and includes a *Council meeting* conducted remotely.

Council meeting conducted remotely means a *Council meeting* or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.

Chapter 1

Governance Framework

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Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

(a) the overarching governance principles specified in section 9(2) of the *Act*; and

(b) the following documents adopted or approved by *Council*:

Good Governance Framework

Public Transparency Policy

2. Decision Making

(a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:

(i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and

(ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

(b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).

(c) Without limiting anything in paragraph (b) of this sub-Rule:

(i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;

(ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;

(iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and

(iv) if a member of *Council* staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of *Council* staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

Chapter 2

Meeting Procedure for Council Meetings

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Chapter 2 – Meeting Procedure for Council meetings

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Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

2. Purpose of this Chapter

The purpose of this Chapter is to:

2.1 provide for the election of the Mayor and any Deputy Mayor;

2.2 provide for the appointment of any Acting Mayor; and

2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*defamatory*" means causing serious harm to a person's or Council's reputation across a broader section of the community.

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting*

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"Ordinary Council Meeting" means a *Council Meeting* fixed under Rule 9.

"Special Council Meeting" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The election of the Mayor will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Nominations do not require seconding.

6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.

6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor:*

6.5 If there is only one nomination:

6.5.1 the candidate nominated must be declared to be duly elected;

6.6 If there are two candidates (or two remaining candidates after the completion of sub-Rule 6.7)

6.6.1 the Councillors present at the meeting vote for one of the candidates;

6.6.2 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;

6.6.3 If neither candidate receives an *absolute majority* of the votes:

(a) *Council* may resolve to conduct the meeting at a later date and time; or

(b) A further vote must be taken until one of the candidates receive an absolute majority of votes, at which point that candidate will be declared to be duly elected.

(c) If, after two or more further votes are taken and neither candidate receives an absolute majority of votes, the provisions of this sub-Rule 6.6.3 must again be followed.

6.7 If there are three or more candidates (or three or more remaining candidates):

6.7.1 the Councillors present at the meeting vote for one of the candidates;

6.7.2 In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected;

6.7.3 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

6.7.4 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;

6.7.5 If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot.

6.7.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

(a) each candidate with an equal lowest number of votes will draw one lot;

(b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and

(c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be *written* on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" *written* on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates until a candidate receives an absolute majority of votes, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and *Chairs* of Delegated Committees

Any election for:

7.1 any office of Deputy Mayor; or

7.2 *Chair* of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.3 *Chief Executive Officer* is a reference to the *Mayor*; and

7.4 *Mayor* is a reference to the Deputy Mayor or the *Chair* of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

8.1 resolving that a specified Councillor be so appointed; or

8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter,

at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings

9. Dates and Times of Meetings Fixed by *Council*

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. *Council* May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council Meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by *Council*

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The notice must specify the date and time of the *Special Council Meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.3 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council Meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.4 The *Chief Executive Officer* must convene the *Special Council Meeting* as specified in the notice.

11.5 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Special Council Meeting*.

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for *Special Council Meetings* by giving notice on its website and:

(a) in each of its Customer Service Centres; and/or

(b) on *Council's* social media platforms.

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1:

13.1 the meeting will be deemed to have lapsed;

13.2 the *Mayor,* or in the absence of the *Mayor,* the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and

13.3 the *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

14.1 If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1, then Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

15. Adjourned Meetings

15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.

15.2 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

15.3 If it is impracticable for the notice given under sub-Rule 15.2 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.

16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

17.1 The *Chief Executive Officer,* in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.

17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of *Meetings*

18. *Agenda* and the Order Of Business

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

18.1 apologies; and

18.2 disclosures of conflicts of interest; and

18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at *Ordinary Council Meetings* must also include:

18.4 confirmation of *minutes*; and

18.5 public question time; and

18.6 petitions; and

18.7 notices of motion; and

18.8 delegates reports, Councillor statements & Presentation of Awards; and

18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports, Councillor Statements & Presentation of Awards

20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.

20.2 A *Councillor* may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.

20.3 No motion (except to receive any such report or statement) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

20.4 At the discretion of the *Chair*, awards may be presented to individuals and community groups at *Council meetings*.

20.5 Debate is not required under this Rule.

21. En Bloc Resolutions

21.1 Subject to sub-Rule 21.2, matters to be considered en bloc can only be considered by resolution of *Council.*

21.2 Items that relate to planning matters (that involve a planning application or a planning scheme amendment) or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

22.1 If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council*, provided that it:

22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda;* and

22.1.2 cannot safely or conveniently be deferred until the next *Council meeting.*

22.2 a Councillor proposing business to be admitted as urgent business must make the proposed motion available in order for 22.1.1 & 22.1.2 to be considered.

22.3 Once admitted as an item of urgent business, a motion which does not comply to sub-Rule 25.4 must be rejected by the *Chair*.

Division 4 – Motions and Debate

23. Councillors May Propose Notices Of Motion

Councillors may ensure that an issue is listed on an *agenda* by lodging a *notice of motion*.

24. Notice Of Motion

24.1 A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council Meeting*, unless sub-rule 24.3 applies.

24.2 A notice of motion submitted in accordance with Rule 24.1 may be amended prior to the preparation of the agenda of the *Ordinary Council Meeting* in a manner that leaves the intention and effect of the *notice of motion* materially undisturbed.

24.3 A *notice of motion* may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an *Ordinary Council Meeting* that:

24.3.1 relates to or arises out of a matter which has arisen since the distribution of the draft *agenda* of the *Ordinary Council Meeting* that is presented at a Councillor briefing session; and

24.3.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:

(a) safety concerns; or

(b) time sensitivity; or

(c) an impact on the benefit and wellbeing on the municipal community.

24.4 A *notice of motion* included in the *agenda* must be accompanied by *written* officer comments addressing the *notice of motion*.

24.5 A Councillor should invite feedback from all Councillors on a *notice of motion* prior to lodgement.

24.6 The *notice of motion* may include a *written* rationale for the proposed motion to be submitted. The full text of any *notice of motion* and rationale must be included in the *agenda*.

24.7 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the *notice of motion* register in the order in which they were received.

24.8 Any motion which is determined by the *Chair* at an *Ordinary Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*.

24.9 The Chief Executive Officer may reject any *notice of motion* which:

24.9.1 is outside of the legislative powers of Council; or

24.9.2 if passed would result in Council otherwise acting invalidly; or

24.9.3 *defamatory*; or

24.9.4 is vague or unclear in intention; or

24.9.5 objectionable in language or nature;

but must:

24.9.6 notify in writing the Councillor who lodged the *notice of motion* the rejection and reasons for the rejection; and

24.9.7 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.

24.10 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the *notice of motion* register.

24.11 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.

24.12 A *notice of motion* may be moved which differs in wording to the *notice of motion* published in the agenda, provided it leaves the intention and effect of the notice of motion materially undisturbed.

24.13 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

24.14 If a *notice of motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.

24.15 A *notice of motion* must call for an officer report if the *notice of motion*:

24.15.1 substantially affects the level of *Council* services; or

24.15.2 commits the *Council* to expenditure in excess of $25,000 and that has not been included in the adopted budget (this includes operational and capital costs); or

24.15.3 establishes or amends a *Council* policy; or

24.15.4 commits *Council* to any contractual arrangement; or

24.15.5 concerns any litigation in respect of which Council is a party.

24.16 Where the subject matter of a *notice of motion* is confidential in nature, the *Chief Executive Officer* may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.

25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.

25.3 A motion which purports to be an amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.

25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:

25.4.1 clearly expressed and unambiguous; and

25.4.2 not defamatory or objectionable in nature; and

25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).

25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be *written* out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.

25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.

25.7 An amendment must call for an officer report if the amendment commits *the Council* to expenditure in excess of $25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.

26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.

26.3 The *Chair* must call for a seconder (other than the mover).

26.4 Any motion which is not seconded lapses.

26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."

26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.

26.7 Once a motion is seconded, the *Chair* may:

26.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or

26.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or

26.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.

26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may at his or her discretion put each part to the vote separately.

26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.

26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.

26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:

26.11.1 seek a substitute mover or seconder; or

26.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.

27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.

27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.

27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.

27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.

27.6 Where a proposed amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required.

28. Rules of Debate

28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.

28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.

28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.

28.4 The mover of an amendment has no right of reply.

28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to *abstain* from the voting on a motion, but shall not then speak in favour or opposition to the motion.

28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:

28.6.1 mover (may be reserved to later in the debate);

28.6.2 seconder (may be reserved to later in the debate);

28.6.3 other Councillors; then

28.6.4 mover's right of reply (where applicable).

28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.

28.8 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

28.9 A Councillor must not in any debate make any *defamatory*, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.

28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.

28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.

28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.

28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.

28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.

28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.

28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.

28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:

28.17.1 calling a point of order; or

28.17.2 asking a question; or

28.17.3 foreshadowing a new motion or further amendment; or

28.17.4 making a request under sub-Rule 26.8

28.18 When exercising a right of reply, a Councillor must not introduce new material.

28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.

28.22 The *Chair* is not obliged to accept foreshadowed motions.

28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.

28.24 If the *Chair* so determines:

28.24.1 any person addressing the *Chair* must refer to the *Chair* as:

(a) Mayor; or

(b) Madam Mayor; or

(c) Mr Mayor; or

(d) Deputy Mayor; or

(e) Madam Deputy Mayor; or

(f) Mr Deputy Mayor; or

(g) *Chair*; or

(h) Madam *Chair*; or

(i) Mr *Chair*; or

(j) Acting *Chair*; or

(k) Mayor (last name); or

(l) Your Worship

as the case may be;

28.24.2 all Councillors, other than the *Mayor*, must be addressed as

Cr .....(name).

28.24.3 all members of Council staff, must be addressed as Mr, Ms or Mx

.....(name) as appropriate or by their official title.

28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.

28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

28.25 Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the *Chair*.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

29.1 mover of a motion or amendment: 4 minutes

29.2 Councillor speaking to a motion or amendment: 3 minutes

29.3 closing statement (right of reply): 2 minutes

29.4 presenter of delegate's report and/or Councillor statement (combined): 3 minutes.

The *Chair* may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. Community Members/Visitors Speaking at *Meetings*

30.1 No community member/visitor to a *Council meeting* may speak to the meeting, except for:

30.1.1 the applicant (or their representative) in relation to an application for a planning permit;

30.1.2 one objector in relation to an application for a planning permit; and

30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.

30.2 Any community member/visitor addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).

30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.

30.4 Sub-rule 30.3 also applies to the applicant or their representative.

30.5 Subject to sub-rule 60.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 5 – Procedural Motions

31. Procedural Motions

31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.

31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.

31.3 A procedural motion requires a seconder.

31.4 The mover of a procedural motion does not have a right of reply.

31.5 A procedural motion cannot be amended.

31.6 A procedural motion has precedence on substantive motions and amendments.

31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.

31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion, amendment or item as presented in the agenda is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for *Chair*	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Division 6 – Rescission Motions

32. Notice of Rescission

32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:

32.1.1 it has been signed and dated by at least four Councillors;

32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and

32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -

(a) the resolution to be rescinded or altered; and

(b) the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

32.2 A resolution will be deemed to have been acted on if:

32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or

32.2.2 a statutory process has been commenced

so as to vest enforceable rights in or obligations on *Council* or any other person.

32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:

32.3.1 has not been acted on; and

32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor l*odges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).*

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not

be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 32.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff *actioning the resolution rather than deferring implementation of it.*

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

35. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

36. When Not Required

36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.

36.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 7 – Points of Order

37. Procedure For Point Of Order

37.1 A point of order cannot be taken for the sole purpose of:

37.1.1 expressing a mere difference of opinion; or

37.1.2 contradicting a speaker; or

37.1.3 disrupting the meeting.

37.2 A point of order is an objection that the motion, amendment or statement made is:

37.2.1 contrary to *these Rules* or the provisions of the *Act*; or

37.2.2 defamatory; or

37.2.3 irrelevant; or

37.2.4 improper; or

37.2.5 obscene; or

37.2.6 abusive or objectionable language or behaviour; or

37.2.7 outside *Council's* powers; or

37.2.8 contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect.

37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.

37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.

37.5 The *Chair* may not take a point of order.

37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.

37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From *Chair's* Ruling

38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair*'s ruling as follows:

"That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".

38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:

38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and

38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.

38.3 The defeat of the *Chair*'s ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 8 – Public Question Time

39. Question Time

39.1 There must be a public question time at every *Ordinary Council Meeting* to enable members of the public to submit questions to *Council*.

39.2 Sub-Rule 39.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the *Act*.

39.3 Visitors present at an *Ordinary Council Meeting* may submit questions to be answered during the meeting.

39.4 Questions must be submitted to the *Council* by 3.00pm on the day of the *Ordinary Council Meeting* by:

39.4.1 submitting an online question form on the *Council*'s website or via email following the instructions on *Council's* website; or

39.4.2 placing a hard copy question form in the allocated Question Box.

39.5 Questions submitted must include the person's full name as well as their address or email in order for a response to be provided.

39.6 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council Meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council Meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.

39.7 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.

39.8 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.

39.9 Like questions may be grouped together and a single answer provided.

39.10 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:

39.10.1 does not relate to a matter beyond or outside *Council's* powers; and

39.10.2 is not defamatory, indecent, abusive or objectionable; and

39.10.3 is not repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one); and

39.10.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; and

39.10.5 does not relate to a matter already considered and resolved upon by *Council*.

39.11 No debate on questions asked or answers given is permitted.

Division 9 – Petitions and Joint Letters

40. Petitions and Joint Letters

40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.

40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.

40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.

40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.

40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 10 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those *abstaining* and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.

45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.

45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.

45.5 When a division has been called, the *Chair* must:

45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors, then

45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then

45.5.3 ask for those *abstaining* from voting to stand and announce the names of those Councillors.

45.6 The names of Councillors voting in the affirmative and in the negative and Councillors *abstaining* from voting must be recorded in the minutes of the *Council meeting*.

45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote

46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 11 – Minutes

47. Confirmation of Minutes

47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:

47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;

47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;

47.1.3 if a Councillor indicates opposition to the minutes:

(a) he or she must specify the item(s) to which he or she objects;

(b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;

(c) the Councillor objecting must move accordingly without speaking to the motion;

(d) the motion must be seconded;

(e) the *Chair* must ask:

"Is the motion opposed?"

(f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);

(g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;

(h) after the mover has addressed the meeting, the seconder may address the meeting;

(i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;

(j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and

(k) the *Chair* must, after all objections have been dealt with, ultimately ask:

"The question is that the minutes be confirmed" or

"The question is that the minutes, as amended, be confirmed",

and he or she must put the question to the vote accordingly;

47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

50.1 The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the minutes of such meeting) must keep minutes of each *Council meeting*, and those minutes must record:

50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;

50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;

50.1.3 the names of the members of Council staff present;

50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;

50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

50.1.7 the vote cast by each Councillor upon a division (including Councillors *abstaining*);

50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;

50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;

50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;

50.1.11 the failure of a quorum;

50.1.12 any adjournment of the meeting and the reasons for that adjournment; and

50.1.13 the time at which standing orders were suspended and resumed.

50.2 The *Chief Executive Officer* or Manager Governance must ensure that the minutes of any *Council meeting* are:

50.2.1 published on *Council's* website; and

50.2.2 available for inspection at *Council's* office during normal business hours.

50.3 Nothing in sub-Rule 50.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour & Public Attendance

51. Public Attendance at Council Meetings

51.1 Where Council meetings are held in *Council* buildings, conditions of entry may apply to ensure community safety. The *Chief Executive Officer* may from time to time, erect signage stipulating conditions of entry to *Council* Buildings in accordance with the Community Local Law. Conditions may include sign in requirements and proof of identification.

51.2 The *Chief Executive Officer* must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the Privacy and Data Protection Act 2014 or such other applicable pieces of legislation and related policies.

52. Public Behaviour at a Meeting

52.1 A member of the public present at a *Council meeting* must not disrupt the meeting.

52.2 Community members/visitors at *Council meetings*:

52.2.1 must not interject or take part in the debate; and

52.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and

52.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting.*

52.2.4 must not bring into or attempt to bring into the *Council* meeting any offensive material placed on placards, banners, posters or other signage.

52.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

53. *Chair* May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 52.3.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens the Chair's authority in chairing the meeting.

54. *Chair* may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder (including a security matter) at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting to a later time on the same day or to some later day as the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

55. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer,* an authorised officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 53.

Division 13 – Additional Duties of *Chair*

56. The *Chair's* Duties and Discretions

In addition to the duties and discretions provided in this Chapter, the *Chair*:

56.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and

56.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders

57. Suspension of Standing Orders

57.1 To expedite the business of a meeting, *Council* may suspend standing orders.

> *The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.*
>
> *Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.*

57.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing orders be suspended to enable discussion on……"

57.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.

57.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

Division 15 – Miscellaneous

58. Recording of *Meetings*

58.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting.*

Division 16 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the Rules will be modified in accordance with this Division.

59. Council meetings conducted remotely

59.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:

59.1.1 hear the proceedings of the Council meeting;

59.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;

59.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and

59.1.4 be heard when they speak.

59.2 If the conditions of sub-rule 59.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:

59.2.1 Council meeting will proceed; and

59.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,

unless the Council meeting is adjourned in accordance with these Rules.

59.3 Nothing in this rule 59 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 59.1, even if that *Council meeting* has already commenced or continued in their absence.

59.4 The *Chief Executive Officer* must ensure that a *Council meeting* conducted remotely is broadcast live continuously on Council's website.

59.5 Nothing in sub-rule 58.4 requires any portion of a *Council meeting* conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.

59.6 If the live broadcast of a *Council meeting* conducted remotely is interrupted for any reason, the *Chief Executive Officer* must immediately inform the *Council meeting* and the *Council meeting* is adjourned and, except for a resolution of Council made under sub-rule 59.6.2, no further business can be conducted until:

59.6.1 the live broadcast can be reinstated; or

59.6.2 such later date and time fixed by resolution of *Council*, in which case rule 15 applies.

60. Notification of attendance at Council meetings conducted remotely by electronic means

60.1 A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as soon as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.

60.2 Should the Mayor and/or *Chief Executive Officer* receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 60.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

61. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the *Chair* with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.

Chapter 3

Meeting Procedure for Delegated Committees

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

1.1 all of the provisions of Chapter 2 apply to *meetings* of the *Delegated Committee*; and

1.2 any reference in Chapter 2 to:

1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;

1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and

1.2.3 the Mayor is to be read as a reference to the *Chair*[*] of the *Delegated Committee*.

1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules applies to a *Delegated Committee* in regards to the notice of meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

2.1 *Council* may; or

2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

[*] The Mayor or Council may appoint a *Councillor* to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a *Councillor* appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.

City of
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Chapter 4

Meeting Procedure for Community Asset Committees

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

City of
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Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.†

2. Definition

In this Chapter:

2.1 "meeting conducted under the auspices of *Council*" means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a 'Councillor Briefing' or by some other name); and

2.2 a member of a *Delegated Committee* includes a Councillor.

3. Disclosure of a Conflict of Interest at a *Council meeting*

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which the Councillor:

3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:

3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

3.2.2 explaining the nature of the conflict of interest; and

3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

† At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

4.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the Delegated Committee meeting commences a written notice:

4.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

4.2.2 explaining the nature of the conflict of interest; and

4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which the Councillor:

5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

5.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

5.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which the Councillor is present must:

6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

6.2 absent himself or herself from any discussion of the matter; and

6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting, or have the disclosure recorded in the minutes or notes of the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for *Meetings*

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which the member of staff is preparing or contributing to the preparation of a Report for the consideration of a:

7.1.1 *Council meeting*;

7.1.2 *Delegated Committee* meeting;

7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest, explaining the nature of the conflict of interest and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and

7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Conflict of Interest Exemptions

10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.

10.2 A conflict of interest does not arise if any of the following applies:

10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;

10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;

10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;

10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;

10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;

10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

Chapter 6

Miscellaneous

Chapter 6 – Miscellaneous

1. Informal *Meetings* of Councillors

1.1 If there is a meeting of Councillors that:

1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the minutes of that *Council meeting*.

2. Confidential Information

2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

City of
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Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.

1.2 The *Chief Executive Officer* must keep the common seal in safe custody.

1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.

1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.

1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... **Councillor**

An image of the Common Seal appears here

..... **Chief Executive Officer**

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Chapter 8

Election Period Policy

Election Period Policy

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VERSION NO / APPROVAL / DATE	Version 1 – Adopted by Council 25 June 2005 Version 2 – Adopted by Council 24 September 2015 Version 3 - Adopted by Council 22 February 2016 Version 4 – Adopted by Council 25 May 2020
TRIM REF:	20/69765
REVIEW	Policy to be reviewed by June 2023
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

1. Purpose of the Policy

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner**.** This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election.

The election period for 2020 commences at 12.00pm on 22 September 2020 and ceases at 6.00pm on 24 October 2020.

3. Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions set out in the Act.

4. Responsible Executive

General Manager Corporate Services

5. Policy owner

Manager Governance

6. Related Documents

Council Expenses Policy

Ward Councillor Meetings Policy

Local Government Victoria Governance Practice Note No. 5 dated 9 March 2012

Local Government Act 2020 (Vic)

Councillor Code of Conduct

7. Delegation Authority

N/A

8. Policy Statement

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

9. Policy Details

9.1. Roles and Responsibilities

9.1.1. Responsibility of Councillors

Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.

*sections 76D and 76E of the *Local Government Act 1989* until repeal date on 24 October 2020.

9.1.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.

9.2. Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election. Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

9.3. Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or
- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial	No *	This is prohibited by s69(2)(b) of the Act

year (estimated at $1.42M for 2018/19)		
A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

* In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

9.4. Public Consultation during the election period

Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day to day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period

- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

9.5. Council Events

Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

9.6. Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

9.6.1. S304 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

(a) To print, publish or distribute; or

(b) To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units ($9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:
All publications are sent to Communications and Community Relations (including job advertisements that are normally sent to People Support);

- General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos).
The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

9.6.2 Kingston City Council online presence including social media
Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). Council's Communications and Community Relations department monitors Kingston City Council's corporate Facebook site and Twitter feeds between the hours of 9.00am and 5.30pm on weekdays (excluding public holidays). Any publication on social media sites like Facebook, Twitter and blog sites, which are auspiced by Council, will be subject to the certification process outlined in clause 9.5.1. Council auspiced social media must not be used for election campaigning.

The ability for members of the public to post comments on Council's social media sites such as Facebook and Twitter will continue during the election period, but will be monitored (during business hours, afterhours and weekends) by the Governance and Communications and Community Relations teams, who will have the editing access to remove any material posted by the public that is:

a) content posted by a candidate irrespective of content
b) content that makes reference to a candidate, or
c) the 2020 election – unless it is a query about the election process itself.

At the start of the election period information on Council's website (or any other Council communication platforms) about Councillors who are candidates will be restricted to name, ward and contact details. Any new material published on council's website during the election period must be subject to the certification process in clause 9.5.1. Council agendas

and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

9.6.3. Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 9.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as “electoral matter”.

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

a. Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

b. Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community**,** should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

c. Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

d. Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

e. Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

f. Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

g. Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification.

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 9.5.1.

I an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.

Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

9.7. Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Failing to comply with this clause carries an offence of up to 60 penalty units ($9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations.

9.7.1. Council Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the

election period by Councillors and Council staff and shall not be used in connection with an election campaign.

It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

9.7.2. Support to the Mayor, Deputy Mayor and Councillors

No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

9.7.3. Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

9.7.4. Mobile phones

Mobile phone costs associated with electioneering will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.

Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

9.7.5. Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

9.8. Ward matters

Ward meetings will not be held within six months before an election.

9.9. Media and media services

Council's media services (though the Communications and Community Relations team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

9.9.1. Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves a Councillor or Councillors.

9.9.2. Media releases/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

9.9.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

9.9.4. Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

9.9.5. Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

9.9.6. Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 9.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

9.9.7. Council employees

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

9.10. Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the

election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

No other information other that what would normally be made available to any member of the general public upon request is to be provided to a Councillor

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

9.10.1. Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

9.10.2. Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

9.11. By- Elections

The content of this policy shall be observed during any by-election, except that:

a Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;

b Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

a is intended to; or

b is likely to -

affect voting or the result of an election.

10. Decision Guidelines

None.

11. Transition/Translation arrangements

Not applicable.

12. Review

Policy to be reviewed by June 2023.

City of
KINGSTON

Governance Rules

20/168524[v2]

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Kingston City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 23 August 2022.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Kingston City Council.

Council meeting has the same meaning as in the *Act* and includes a *Council meeting* conducted remotely.

Council meeting conducted remotely means a *Council meeting* or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.

Chapter 1

Governance Framework

20/168524[v2]

Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

(a) the overarching governance principles specified in section 9(2) of the *Act*; and

(b) the following documents adopted or approved by *Council*:

Good Governance Framework

Public Transparency Policy

2. Decision Making

(a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:

(i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and

(ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

(b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).

(c) Without limiting anything in paragraph (b) of this sub-Rule:

(i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;

(ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;

(iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and

(iv) if a member of *Council* staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of *Council* staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

City of
KINGSTON

Chapter 2

Meeting Procedure for Council Meetings

20/168524[v2]

Chapter 2 – Meeting Procedure for Council meetings

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Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

2. Purpose of this Chapter

The purpose of this Chapter is to:

2.1 provide for the election of the Mayor and any Deputy Mayor;

2.2 provide for the appointment of any Acting Mayor; and

2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*defamatory*" means causing serious harm to a person's or Council's reputation across a broader section of the community.

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting*

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"Ordinary Council Meeting" means a *Council Meeting* fixed under Rule 9.

"Special Council Meeting" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The election of the Mayor will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Nominations do not require seconding.

6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.

6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor:*

6.5 If there is only one nomination:

6.5.1 ~~if there is only one nomination,~~ the candidate nominated must be declared to be duly elected;

6.6 If there are two candidates (or two remaining candidates after the completion of sub-Rule 6.7)

6.6.1 ~~if there is more than one nomination,~~ the Councillors present at the meeting ~~must~~ vote for one of the candidates;

6.6.2 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;

6.6.3 If neither candidate receives an *absolute majority* of the votes:

(a) *Council* may resolve to conduct the meeting at a later date and time; or

(b) A further vote must be taken until one of the candidates receive an absolute majority of votes, at which point that candidate will be declared to be duly elected.

(c) If, after two or more further votes are taken and neither candidate receives an absolute majority of votes, the provisions of this sub-Rule 6.6.3 must again be followed.

6.7 If there are three or more candidates (or three or more remaining candidates):

6.7.1 the Councillors present at the meeting vote for one of the candidates;

6.7.2 In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected;

6.7.3 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

6.7.4 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;

6.7.5 ~~in the event of two or more candidates having an equality of votes and one of them having to be declared:~~

~~(a) a defeated candidate; and~~

~~(b) duly elected~~

~~the declaration will be determined by lot.~~

6.7.5 If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot.

6.7.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

(a) each candidate with an equal lowest number of votes will draw one lot;

(b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and

(c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. ~~If the lot is being conducted to determine who is a defeated candidate,~~ The word "Defeated" shall be *written* on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" *written* on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates ~~unless there is only one candidate remaining,~~ until a candidate receives an absolute majority of votes, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and *Chairs* of Delegated Committees

Any election for:

7.1 any office of Deputy Mayor; or

7.2 *Chair* of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.3 *Chief Executive Officer* is a reference to the *Mayor*; and

7.4 *Mayor* is a reference to the Deputy Mayor or the *Chair* of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

8.1 resolving that a specified Councillor be so appointed; or

8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter,

at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings

9. Dates and Times of Meetings Fixed by *Council*

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. *Council* May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council Meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by *Council*

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The notice must specify the date and time of the *Special Council Meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.3 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council Meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.4 The *Chief Executive Officer* must convene the *Special Council Meeting* as specified in the notice.

11.5 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Special Council Meeting*.

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district* either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for *Special Council Meetings* by giving notice on its website and:

(a) in each of its Customer Service Centres; and/or

(b) on *Council's* social media platforms.

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1:

13.1 the meeting will be deemed to have lapsed;

13.2 the *Mayor,* or in the absence of the *Mayor,* the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and

13.3 the *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

14.1 If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1, then Rule ~~15~~ 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

15. Adjourned Meetings

15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.

15.2 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

15.3 If it is impracticable for the notice given under sub-Rule 15.2 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.

16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

17.1 The *Chief Executive Officer,* in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.

17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of *Meetings*

18. *Agenda* and the Order Of Business

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

18.1 apologies; and

18.2 disclosures of conflicts of interest; and

18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at *Ordinary Council Meetings* must also include:

18.4 confirmation of *minutes*; and

18.5 public question time; and

18.6 petitions; and

18.7 notices of motion; and

18.8 delegates reports, Councillor statements & Presentation of Awards; and

18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports, Councillor Statements & Presentation of Awards

20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.

20.2 A *Councillor* may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.

20.3 No motion (except to receive any such report or statement) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

20.4 At the discretion of the *Chair*, awards may be presented to individuals and community groups at *Council meetings*.

20.5 Debate is not required under this Rule.

21. En Bloc Resolutions

21.1 Subject to sub-Rule 21.2, matters to be considered en bloc can only be considered by resolution of *Council.*

21.2 Items that relate to planning matters (that involve a planning application or a planning scheme amendment) or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

22.1 If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council* ~~and only then if it~~, provided that it:

22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda;* and

22.1.2 cannot safely or conveniently be deferred until the next *Council meeting.*

22.2 a Councillor proposing business to be admitted as urgent business must make the proposed motion available in order for 22.1.1 & 22.1.2 to be considered.

22.3 Once admitted as an item of urgent business, a motion which does not comply to sub-Rule 25.4 must be rejected by the *Chair*.

~~22.2 An item of urgent business can be admitted at a *Special Council Meeting*, if all Councillors are present and unanimously agree to deal with it.~~

~~22.3 An item of urgent business may be ruled out of order by the *Chair* if they consider it does not conform to Rule 22.1.~~

Division 4 – Motions and Debate

23. Councillors May Propose Notices Of Motion

Councillors may ensure that an issue is listed on an *agenda* by lodging a *notice of motion*.

24. Notice Of Motion

24.1 A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council Meeting*, unless sub-rule ~~24.2~~ 24.3 applies.

24.2 A notice of motion submitted in accordance with Rule 24.1 may be amended prior to the preparation of the agenda of the *Ordinary Council Meeting* in a manner that leaves the intention and effect of the *notice of motion* materially undisturbed.

24.3 A *notice of motion* may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an *Ordinary Council Meeting* that:

24.3.1 relates to or arises out of a matter which has arisen since the distribution of the draft *agenda* of the *Ordinary Council Meeting* that is presented at a Councillor briefing session; and

24.3.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:

(a) safety concerns; or

(b) time sensitivity; or

(c) an impact on the benefit and wellbeing on the municipal community.

24.4 A *notice of motion* included in the *agenda* must be accompanied by *written* officer comments addressing the *notice of motion*.

24.5 A Councillor should invite feedback from all Councillors on a *notice of motion* prior to lodgement.

24.6 The *notice of motion* may include a *written* rationale for the proposed motion to be submitted. The full text of any *notice of motion* and rationale must be included in the *agenda*.

24.7 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the *notice of motion* register in the order in which they were received.

24.8 Any motion which is determined by the *Chair* at an *Ordinary Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*.

24.9 The Chief Executive Officer may reject any *notice of motion* which:

24.9.1 is outside of the legislative powers of Council; or

24.9.2 if passed would result in Council otherwise acting invalidly; or

24.9.3 *defamatory*; or

24.9.4 is vague or unclear in intention; or

24.9.5 objectionable in language or nature;

but must:

24.9.6 notify in writing the Councillor who lodged the *notice of motion* the rejection and reasons for the rejection; and

24.9.7 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.

24.10 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the *notice of motion* register.

24.11 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.

24.12 A *notice of motion* may be moved which differs in wording to the *notice of motion* published in the agenda, provided it leaves the intention and effect of the notice of motion materially undisturbed.

24.13 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

24.14 If a *notice of motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.

24.15 A *notice of motion* must call for an officer report if the *notice of motion*:

24.15.1 substantially affects the level of *Council* services; or

24.15.2 commits the *Council* to expenditure in excess of $25,000 and that has not been included in the adopted budget (this includes operational and capital costs); or

24.15.3 establishes or amends a *Council* policy; or

24.15.4 commits *Council* to any contractual arrangement; or

24.15.5 concerns any litigation in respect of which Council is a party.

24.16 Where the subject matter of a *notice of motion* is confidential in nature, the *Chief Executive Officer* may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.

25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.

25.3 A motion which purports to be an amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.

25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:

25.4.1 clearly expressed and unambiguous; and

25.4.2 not defamatory or objectionable in nature; and

25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).

25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be *written* out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be

given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.

25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.

25.7 An amendment must call for an officer report if the amendment commits *the Council* to expenditure in excess of $25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.

26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.

26.3 The *Chair* must call for a seconder (other than the mover).

26.4 Any motion which is not seconded lapses.

26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."

26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.

26.7 Once a motion is seconded, the *Chair* may:

26.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or

26.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or

26.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.

26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may at his or her discretion put each part to the vote separately.

26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.

26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.

26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:

26.11.1 seek a substitute mover or seconder; or

26.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.

27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.

27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.

27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.

27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.

27.6 Where a proposed ~~alteration~~ amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required ~~such alteration amendment shall not be regarded as an amendment to the motion~~.

28. Rules of Debate

28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.

28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.

28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.

28.4 The mover of an amendment has no right of reply.

28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to *abstain* from the voting on a motion, but shall not then speak in favour or opposition to the motion.

28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:

28.6.1 mover (may be reserved to later in the debate);

28.6.2 seconder (may be reserved to later in the debate);

28.6.3 other Councillors; then

28.6.4 mover's right of reply (where applicable).

28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.

28.8 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

28.9 A Councillor must not in any debate make any *defamatory*, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.

28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.

28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.

28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.

28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.

28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.

28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.

28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.

28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:

28.17.1 calling a point of order; or

28.17.2 asking a question; or

28.17.3 foreshadowing a new motion or further amendment; or

28.17.4 making a request under sub-Rule 26.8

28.18 When exercising a right of reply, a Councillor must not introduce new material.

28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.

28.22 The *Chair* is not obliged to accept foreshadowed motions.

28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.

28.24 If the *Chair* so determines:

28.24.1 any person addressing the *Chair* must refer to the *Chair* as:

(a) Mayor; or

(b) Madam Mayor; or

(c) Mr Mayor; or

(d) Deputy Mayor; or

(e) Madam Deputy Mayor; or

(f) Mr Deputy Mayor; or

(g) *Chair*; or

(h) Madam *Chair*; or

(i) Mr *Chair*; or

(j) Acting *Chair*; or

(k) Mayor (last name); or

(l) Your Worship

as the case may be;

28.24.2 all Councillors, other than the *Mayor*, must be addressed as

Cr .....(name).

28.24.3 all members of Council staff, must be addressed as Mr, Ms or Mx

.....(name) as appropriate or by their official title.

28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.

28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

28.25 Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the *Chair*.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

29.1 mover of a motion or amendment: 4 minutes

29.2 Councillor speaking to a motion or amendment: 3 minutes

29.3 closing statement (right of reply): 2 minutes

29.4 presenter of delegate's report and/or Councillor statement (combined): 3 minutes.

The *Chair* may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. Community Members/Visitors Speaking at *Meetings*

30.1 No community member/visitor to a *Council meeting* may speak to the meeting, except for:

30.1.1 the applicant (or their representative) in relation to an application for a planning permit;

30.1.2 one objector in relation to an application for a planning permit; and

30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.

30.2 ~~The applicant and objector~~ Any community member/visitor addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).

30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.

30.4 Sub-rule 30.3 also applies to the applicant or their representative.

30.5 Subject to sub-rule 60.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 5 – Procedural Motions

31. Procedural Motions

31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.

31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.

31.3 A procedural motion requires a seconder.

31.4 The mover of a procedural motion does not have a right of reply.

31.5 A procedural motion cannot be amended.

31.6 A procedural motion has precedence on substantive motions and amendments.

31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.

31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion, ~~and~~ amendment or item as presented in the agenda is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for *Chair*	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Division 6 – Rescission Motions

32. Notice of Rescission

32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:

32.1.1 it has been signed and dated by at least four Councillors;

32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and

32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -

(a) the resolution to be rescinded or altered; and

(b) the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

32.2 A resolution will be deemed to have been acted on if:

32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or

32.2.2 a statutory process has been commenced

so as to vest enforceable rights in or obligations on *Council* or any other person.

32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:

32.3.1 has not been acted on; and

32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor l*odges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).*

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not

be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 32.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff *actioning the resolution rather than deferring implementation of it.*

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

35. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

36. When Not Required

36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.

36.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 7 – Points of Order

37. Procedure For Point Of Order

37.1 A point of order cannot be taken for the sole purpose of:

37.1.1 expressing a mere difference of opinion; or

37.1.2 contradicting a speaker; or

37.1.3 disrupting the meeting.

37.2 A point of order is an objection that the motion, amendment or statement made is:

37.2.1 contrary to *these Rules* or the provisions of the *Act*; or

37.2.2 defamatory; or

37.2.3 irrelevant; or

37.2.4 improper; or

37.2.5 obscene; or

37.2.6 abusive or objectionable language or behaviour; or

37.2.7 outside *Council's* powers; or

37.2.8 contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect.

37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.

37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.

37.5 The *Chair* may not take a point of order.

37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.

37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From *Chair*'s Ruling

38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair*'s ruling as follows:

"That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".

38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:

38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and

38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.

38.3 The defeat of the *Chair*'s ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 8 – Public Question Time

39. Question Time

39.1 There must be a public question time at every *Ordinary Council Meeting* to enable members of the public to submit questions to *Council*.

39.2 Sub-Rule 39.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the *Act*.

39.3 Visitors present at an *Ordinary Council Meeting* may submit questions to be answered during the meeting.

39.4 Questions must be submitted to the *Council* by 3.00pm on the day of the *Ordinary Council Meeting* by:

39.4.1 submitting an online question form on the *Council*'s website or via email following the instructions on *Council's* website; or

39.4.2 placing a hard copy question form in the allocated Question Box.

~~39.4.1 submitting an online question form on the *Council*'s website or via email following the instructions on *Council's* website by 3.00 pm on the day of the *Ordinary Council Meeting*; or~~

~~39.4.2 placing a hard copy question form in the Question Box situated in the *Council* Chamber foyer by 7.30pm on the day of the *Ordinary Council Meeting* (if the meeting is conducted in person).~~

39.5 Questions submitted must include the person's full name as well as their address or email in order for a response to be provided.

39.6 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council Meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council Meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.

39.7 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.

39.8 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.

39.9 Like questions may be grouped together and a single answer provided.

39.10 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:

39.10.1 does not relate to a matter beyond or outside *Council's* powers; and

39.10.2 is not defamatory, indecent, abusive or objectionable; and

39.10.3 is not repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one); and

39.10.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; and

39.10.5 does not relate to a matter already considered and resolved upon by *Council*.

39.11 No debate on questions asked or answers given is permitted.

Division 9 – Petitions and Joint Letters

40. Petitions and Joint Letters

40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.

40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.

40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.

40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.

40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 10 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those *abstaining* and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.

45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.

45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.

45.5 When a division has been called, the *Chair* must:

45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors, then

45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then

45.5.3 ask for those *abstaining* from voting to stand and announce the names of those Councillors.

45.6 The names of Councillors voting in the affirmative and in the negative and Councillors *abstaining* from voting must be recorded in the minutes of the *Council meeting*.

45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote

46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 11 – Minutes

47. Confirmation of Minutes

47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:

47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;

47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;

47.1.3 if a Councillor indicates opposition to the minutes:

(a) he or she must specify the item(s) to which he or she objects;

(b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;

(c) the Councillor objecting must move accordingly without speaking to the motion;

(d) the motion must be seconded;

(e) the *Chair* must ask:

"Is the motion opposed?"

(f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);

(g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;

(h) after the mover has addressed the meeting, the seconder may address the meeting;

(i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;

(j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and

(k) the *Chair* must, after all objections have been dealt with, ultimately ask:

"The question is that the minutes be confirmed" or

"The question is that the minutes, as amended, be confirmed",

and he or she must put the question to the vote accordingly;

47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

50.1 The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the minutes of such meeting) must keep minutes of each *Council meeting*, and those minutes must record:

50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;

50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;

50.1.3 the names of the members of Council staff present;

50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;

50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

50.1.7 the vote cast by each Councillor upon a division (including Councillors *abstaining*);

50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;

50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;

50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;

50.1.11 the failure of a quorum;

50.1.12 any adjournment of the meeting and the reasons for that adjournment; and

50.1.13 the time at which standing orders were suspended and resumed.

50.2 The *Chief Executive Officer* or Manager Governance must ensure that the minutes of any *Council meeting* are:

50.2.1 published on *Council's* website; and

50.2.2 available for inspection at *Council's* office during normal business hours.

50.3 Nothing in sub-Rule 50.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour & Public Attendance

51. Public Attendance at Council Meetings

51.1 Where Council meetings are held in *Council* buildings, conditions of entry may apply to ensure community safety. The *Chief Executive Officer* may from time to time, erect signage stipulating conditions of entry to *Council* Buildings in accordance with the Community Local Law. Conditions may include sign in requirements and proof of identification.

51.2 The *Chief Executive Officer* must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the Privacy and Data Protection Act 2014 or such other applicable pieces of legislation and related policies.

52. Public Behaviour at a Meeting

52.1 A member of the public present at a *Council meeting* must not disrupt the meeting.

52.2 Community members/visitors at *Council meetings*:

52.2.1 must not interject or take part in the debate; and

52.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and

52.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting.*

52.2.4 must not bring into or attempt to bring into the *Council* meeting any offensive material placed on placards, banners, posters or other signage.

52.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

53. *Chair* May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 52.3.

> *It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens the Chair's authority in chairing the meeting.*

54. *Chair* may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder (including a security matter) at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting to a later time on the same day or to some later day as the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

55. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer,* an authorised officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 53.

Division 13 – Additional Duties of *Chair*

56. The *Chair's* Duties and Discretions

In addition to the duties and discretions provided in this Chapter, the *Chair*:

56.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and

56.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders

57. Suspension of Standing Orders

57.1 To expedite the business of a meeting, *Council* may suspend standing orders.

> *The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.*
>
> *Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.*

57.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing orders be suspended to enable discussion on……"

57.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.

57.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

Division 15 – Miscellaneous

58. Recording of *Meetings*

58.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting.*

Division 16 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the Rules will be modified in accordance with ~~rule 58~~ this Division.

59. Council meetings conducted remotely

59.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:

59.1.1 hear the proceedings of the Council meeting;

59.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;

59.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and

59.1.4 be heard when they speak.

59.2 If the conditions of sub-rule 59.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:

59.2.1 Council meeting will proceed; and

59.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,

unless the Council meeting is adjourned in accordance with these Rules.

59.3 Nothing in this rule 59 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 59.1, even if that *Council meeting* has already commenced or continued in their absence.

59.4 The *Chief Executive Officer* must ensure that a *Council meeting* conducted remotely is broadcast live continuously on Council's website.

59.5 Nothing in sub-rule 58.4 requires any portion of a *Council meeting* conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.

59.6 If the live broadcast of a *Council meeting* conducted remotely is interrupted for any reason, the *Chief Executive Officer* must immediately inform the *Council meeting* and the *Council meeting* is adjourned and, except for a resolution of Council made under sub-rule 59.6.2, no further business can be conducted until:

59.6.1 the live broadcast can be reinstated; or

59.6.2 such later date and time fixed by resolution of *Council*, in which case rule 15 applies.

60. Notification of attendance at Council meetings conducted remotely by electronic means

60.1 A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as soon as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.

60.2 Should the Mayor and/or *Chief Executive Officer* receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 60.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

61. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the *Chair* with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.

City of
KINGSTON

Chapter 3

Meeting Procedure for Delegated Committees

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

1.1 all of the provisions of Chapter 2 apply to *meetings* of the *Delegated Committee*; and

1.2 any reference in Chapter 2 to:

1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;

1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and

1.2.3 the Mayor is to be read as a reference to the *Chair*[*] of the *Delegated Committee*.

1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules applies to a *Delegated Committee* in regards to the notice of meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

2.1 *Council* may; or

2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

[*] The Mayor or Council may appoint a *Councillor* to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a *Councillor* appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.

Chapter 4

Meeting Procedure for Community Asset Committees

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

City of
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Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.†

2. Definition

In this Chapter:

2.1 "meeting conducted under the auspices of *Council*" means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a 'Councillor Briefing' or by some other name); and

2.2 a member of a *Delegated Committee* includes a Councillor.

3. Disclosure of a Conflict of Interest at a *Council meeting*

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which the Councillor:

3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:

3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

3.2.2 explaining the nature of the conflict of interest; and

3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

† At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

4.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the Delegated Committee meeting commences a written notice:

4.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

4.2.2 explaining the nature of the conflict of interest; and

4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which the Councillor:

5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

5.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

5.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which the Councillor is present must:

6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

6.2 absent himself or herself from any discussion of the matter; and

6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting, or have the disclosure recorded in the minutes or notes of the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for *Meetings*

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which the member of staff is preparing or contributing to the preparation of a Report for the consideration of a:

7.1.1 *Council meeting*;

7.1.2 *Delegated Committee* meeting;

7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest, explaining the nature of the conflict of interest and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and

7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Conflict of Interest Exemptions

10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.

10.2 A conflict of interest does not arise if any of the following applies:

10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;

10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;

10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;

10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;

10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;

10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

City of
KINGSTON

Chapter 6

Miscellaneous

Chapter 6 – Miscellaneous

1. Informal *Meetings* of Councillors

1.1 If there is a meeting of Councillors that:

1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the minutes of that *Council meeting*.

2. Confidential Information

2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

City of
KINGSTON

Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.

1.2 The *Chief Executive Officer* must keep the common seal in safe custody.

1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.

1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.

1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... **Councillor**

An image of the Common Seal appears here

..... **Chief Executive Officer**

City of
KINGSTON

Chapter 8

Election Period Policy

Election Period Policy

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VERSION NO / APPROVAL / DATE	Version 1 – Adopted by Council 25 June 2005 Version 2 – Adopted by Council 24 September 2015 Version 3 - Adopted by Council 22 February 2016 Version 4 – Adopted by Council 25 May 2020
TRIM REF:	20/69765
REVIEW	Policy to be reviewed by June 2023
RESPONSIBLE EXECUTIVE	General Manager Corporate Services
POLICY OWNER	Manager Governance

1. Purpose of the Policy

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner**.** This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election.

The election period for 2020 commences at 12.00pm on 22 September 2020 and ceases at 6.00pm on 24 October 2020.

3. Definitions

Where terms used in this policy are defined in the Act, their use in this policy is consistent with the definitions set out in the Act.

4. Responsible Executive

General Manager Corporate Services

5. Policy owner

Manager Governance

6. Related Documents

Council Expenses Policy

Ward Councillor Meetings Policy

Local Government Victoria Governance Practice Note No. 5 dated 9 March 2012

Local Government Act 2020 (Vic)

Councillor Code of Conduct

7. Delegation Authority

N/A

8. Policy Statement

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

9. Policy Details

9.1. Roles and Responsibilities

9.1.1. Responsibility of Councillors

Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.

*sections 76D and 76E of the *Local Government Act 1989* until repeal date on 24 October 2020.

9.1.2 Role of the Chief Executive Officer

The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.

9.2. Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election. Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

9.3. Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or
- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial	No *	This is prohibited by s69(2)(b) of the Act

year (estimated at $1.42M for 2018/19)		
A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

* In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

9.4. Public Consultation during the election period

Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day to day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period

- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

9.5. Council Events

Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

9.6. Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

9.6.1. S304 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

(a) To print, publish or distribute; or

(b) To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units ($9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:
All publications are sent to Communications and Community Relations (including job advertisements that are normally sent to People Support);

- General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos).
The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

9.6.2 Kingston City Council online presence including social media
Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). Council's Communications and Community Relations department monitors Kingston City Council's corporate Facebook site and Twitter feeds between the hours of 9.00am and 5.30pm on weekdays (excluding public holidays). Any publication on social media sites like Facebook, Twitter and blog sites, which are auspiced by Council, will be subject to the certification process outlined in clause 9.5.1. Council auspiced social media must not be used for election campaigning.

The ability for members of the public to post comments on Council's social media sites such as Facebook and Twitter will continue during the election period, but will be monitored (during business hours, afterhours and weekends) by the Governance and Communications and Community Relations teams, who will have the editing access to remove any material posted by the public that is:

a) content posted by a candidate irrespective of content
b) content that makes reference to a candidate, or
c) the 2020 election – unless it is a query about the election process itself.

At the start of the election period information on Council's website (or any other Council communication platforms) about Councillors who are candidates will be restricted to name, ward and contact details. Any new material published on council's website during the election period must be subject to the certification process in clause 9.5.1. Council agendas

and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

9.6.3. Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 9.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as “electoral matter”.

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

a. Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

b. Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

c. Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

d. Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

e. Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

f. Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

g. Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification.

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 9.5.1.

I an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.

Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

9.7. Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Failing to comply with this clause carries an offence of up to 60 penalty units ($9,913.20 in the 2018/2019 financial year) under section 304 of the Act.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the General Manager Corporate Services, Manager Governance and Manager Communications & Community Relations.

9.7.1. Council Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the

election period by Councillors and Council staff and shall not be used in connection with an election campaign.
It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

9.7.2. Support to the Mayor, Deputy Mayor and Councillors
No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

9.7.3. Expenses Incurred by Councillors
Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

9.7.4. Mobile phones
Mobile phone costs associated with electioneering will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.
Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

9.7.5. Travel and Accommodation
During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

9.8. Ward matters
Ward meetings will not be held within six months before an election.

9.9. Media and media services
Council's media services (though the Communications and Community Relations team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

9.9.1. Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves a Councillor or Councillors.

9.9.2. Media releases/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

9.9.3. Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

9.9.4. Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

9.9.5. Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

9.9.6. Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 9.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

9.9.7. Council employees

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

9.10. Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the

election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to be connected with a candidate's election campaign.

No other information other that what would normally be made available to any member of the general public upon request is to be provided to a Councillor

No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

9.10.1. Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Returning Officer, to the Manager Governance.

An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

9.10.2. Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

9.11. By- Elections

The content of this policy shall be observed during any by-election, except that:

a Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;

b Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

a is intended to; or

b is likely to -

affect voting or the result of an election.

10. Decision Guidelines

None.

11. Transition/Translation arrangements

Not applicable.

12. Review

Policy to be reviewed by June 2023.

Governance Rules review 2023: Amended provisions **(Note: for the purposes of this document, Rule and sub-Rule number references have been amended accordingly in all of Chapter 1 (where relevant) to reflect the proposed changes outlined in this document.)**	
Chapter 2: Meeting Procedure for Council Meetings	
Rule	**Amendments**
Definitions	"*defamatory*" means causing serious harm to a person's or Council's reputation across a broader section of the community. **(new definition included)**
Rule 6 – Determining the election of the Mayor **(6.4.7 B)**	6.5 If there is only one nomination: ~~6.5.1if there is only one nomination,~~ the candidate nominated must be declared to be duly elected; 6.6 If there are two candidates (or two remaining candidates after the completion of sub-Rule 6.7) ~~6.6.1 if there is more than one nomination,~~ the Councillors present at the meeting ~~must~~ vote for one of the candidates; 6.6.2 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected; 6.6.3 If neither candidate receives an *absolute majority* of the votes: (a) *Council* may resolve to conduct the meeting at a later date and time; or

	(b) A further vote must be taken until one of the candidates receive an absolute majority of votes, at which point that candidate will be declared to be duly elected. (c) If, after two or more further votes are taken and neither candidate receives an absolute majority of votes, the provisions of this sub-Rule 6.6.3 must again be followed. 6.7If there are three or more candidates (or three or more remaining candidates): 6.1.1the Councillors present at the meeting vote for one of the candidates; 6.7.2In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected; 6.7.3in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates; 6.7.4if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;

	~~in the event of two or more candidates having an equality of votes and one of them having to be declared:~~ • ~~a defeated candidate; and~~ • ~~duly elected~~ • ~~the declaration will be determined by lot.~~ 6.7.5 If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot. 6.7.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply: (a) each candidate with an equal lowest number of votes will draw one lot; (a) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and (b) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. ~~If the lot is being conducted to determine who is a defeated candidate,~~

	The word "Defeated" shall be *written* on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" *written* on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates ~~unless there is only one candidate remaining,~~ until a candidate receives an absolute majority of votes,~~-~~in which case that candidate will be declared to have been duly elected).
Rule 14 – Inability to maintain a quorum (14.1)	If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 58.1, then Rule ~~15~~ 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
Rule 18 Agenda and Order of Business	To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include: 18.8 delegates reports, Councillor statements & Presentation of Awards; and
Rule 20 – Delegate's Reports	**Delegate Reports, Councillor Statements & Presentation of Awards** (20.1) The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*. (20.2) A *Councillor* may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community

	members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality. (20.3) No motion (except to receive any such report or statement) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business. (20.4) At the discretion of the Chair, awards may be presented to individuals and community groups at Council meetings. (20.5) Debate is not required under this Rule.
Rule 22 – Urgent Business	(22.1) If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council* ~~and only then if it~~, provided that it: (22.1.1) relates to or arises out of a matter which has arisen since distribution of the *agenda;* and (22.1.2) cannot safely or conveniently be deferred until the next *Council meeting.* (22.2) a Councillor or Councillors that are proposing business to be admitted as urgent business must make the proposed motion available in order for 22.1.1 & 22.1.2 to be considered. **(new Rule)** (22.3) Once admitted as an item of urgent business, a motion which does not comply to sub-Rule 25.4 must be rejected by the *Chair*. **(new Rule)** ~~An item of urgent business can be admitted at a *Special Council Meeting*, if all Councillors are present and unanimously agree to deal with it.~~

	~~An item of urgent business may be ruled out of order by the *Chair* if they consider it does not conform to Rule 22.1.~~
Rule 24 – Notice of Motion	(24.1) A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council Meeting*, unless sub-rule ~~24.2~~ 24.3 applies. (24.2)A notice of motion submitted in accordance with Rule 24.1 may be amended prior to the preparation of the agenda of the *Ordinary Council Meeting* in a manner that leaves the intention and effect of the notice of motion materially undisturbed. **(new Rule)** (24.9) The Chief Executive Officer may reject any *notice of motion* which: 24.9.1is outside of the legislative powers of Council; or 24.9.2if passed would result in Council otherwise acting invalidly; or 24.9.3defamatory; or 24.9.4is vague or unclear in intention; or 24.9.5objectionable in language or nature; but must: 24.9.6notify in writing the Councillor who lodged the *notice of motion* the rejection and reasons for the rejection; and 24.9.7 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.

	(24.12) A *notice of motion* may be moved which differs in wording to the *notice of motion* published in the agenda, provided it leaves the intention and effect of the notice of motion materially undisturbed. **(new Rule)**
Rule 27 – Procedures with respect to amendments	(27.6) Where a proposed ~~alteration~~ amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required ~~such alteration amendment shall not be regarded as an amendment to the motion~~.
Rule 28 – Rules of debate	(24.25) Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the *Chair*. **(new Rule)**
Rule 29 – Speaking times	A Councillor must not speak longer than the time set out below, unless granted an extension by resolution: mover of a motion or amendment: 4 minutes Councillor speaking to a motion or amendment: 3 minutes closing statement (right of reply): 2 minutes presenter of delegate's report and/or Councillor statement (combined): 3 minutes.
Rule 30 – Community	~~The applicant and objector~~ Any community member/visitor addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).

Members/Visitors speaking at meetings	
Procedural Motions table – Procedural motion: Deferral of item/debate to later hour and/or date	**Effect if carried:** Motion, ~~and~~ amendment or item as presented in the agenda is postponed to the stated time and/or date
Rule 37: Points of order	(37.2) A point of order is an objection that the motion, amendment or statement made is: (37.2.8) contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect. **(new Rule)**
Rule 39: Public Question Time	(39.4) Questions must be submitted to the *Council* by 3.00pm on the day of the *Ordinary Council Meeting* by: (39.4.1) submitting an online question form on the *Council*'s website or via email following the instructions on *Council's* website; or (39.4.2) placing a hard copy question form in the Question Box situated by the Council Chambers. ~~39.4.1submitting an online question form on the *Council*'s website or via email following the instructions on *Council's* website by 3.00 pm on the day of the *Ordinary Council Meeting*; or~~

	~~39.4.2placing a hard copy question form in the Question Box situated in the *Council* Chamber foyer by 7.30pm on the day of the *Ordinary Council Meeting* (if the meeting is conducted in person).~~ (39.5) Questions submitted must include the person's full name as well as their address or email in order for a response to be provided. **(new Rule)** (39.10) A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question (39.9.3) is not repetitive of a question/matter/issue or principle already answered (whether at that meeting or an earlier one);
Division 12 – Public Behaviour & Public Attendance	**(51)Public Attendance at Council Meetings** 51.1 Where Council meetings are held in *Council* buildings, conditions of entry may apply to ensure community safety. The *Chief Executive Officer* may from time to time, erect signage stipulating conditions of entry to *Council* Buildings in accordance with the Community Local Law. Conditions may include, sign in requirements and proof of identification. 51.2 The *Chief Executive Officer* must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the Privacy and Data Protection Act 2014 or such other applicable pieces of legislation and related policies. **(new Rule)** (52) Public Behaviour at a Meeting) (52.2) Community members/visitors at Council meetings:

	(52.2.4) must not bring into, or attempt to bring into the Council Meeting any offensive material placed on placards, banners, posters or other signage **(new Rule)**
Division 16 – Meetings conducted remotely	**(Preamble)** *Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.* *Where a meeting is conducted remotely, the Rules will be modified in accordance with ~~rule 58~~ this Division.*
Chapter 3: Meeting Procedure for Delegated Committees	
1. Meeting Procedure Generally	**Footnote inserted on sub-Rule 1.2.3:** [1] The Mayor or Council may appoint a *Councillor* to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a *Councillor* appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.

From: Local Government (DJPR) <lgv@ecodev.vic.gov.au>
Sent: Tuesday, 4 July 2023 1:53 PM
Subject: OFFICIAL: LOCAL GOVERNMENT BULLETIN 13/2023: Managing Disruptive Behaviour

OFFICIAL

BULLETIN: 13/2023

MANAGING DISRUPTIVE BEHAVIOUR

There is an increasing pattern of disruption and anti-social behaviour being demonstrated by some members of the public to interrupt or prevent council meetings and events.

The Minister for Local Government recently issued a statement here in relation to these events.

Local Government Victoria (LGV) recently met with Council Chief Executive Officers (CEOs) and heard first-hand accounts of the disruptions, threats and abuse that is occurring.

LGV has facilitated forums where CEOs have been able to speak with senior representatives from Victoria Police about the disruptions and get advice about how to access the necessary resources and protections.

LGV is working with councils and peak bodies to identify measures to manage the safety of councillors, council staff and members of the public, and the safe delivery of inclusive services and events for communities.

Further guidance is being developed and will be available shortly.

Councils are provided the following information to assist in keeping staff and councillors safe and manage these disruptions.

Managing attendance and conduct at council meetings

A council must develop, adopt and keep in force Governance Rules for or with respect to the conduct of council meetings (including holding council meetings by electronic means of communication).

The conduct of council meetings is generally at the council's discretion, noting that the Governance Rules must provide for a Council to:

- consider and make decisions on any matter being considered by the council fairly and on its merits; and
- institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the council is entitled to communicate their views and have their interests considered.

Among other things, Councils may wish to consider whether their Governance Rules adequately provide for:

- conducting meetings by electronic means of communication
- conducting briefings and / or 'extraordinary' meetings to deal with matters which may be targeted for disruptive behaviour by members of the public
- managing attendance at council meetings, including requiring attendees to register their attendance (for example, by providing their name and proof of identity)
- the procedures to manage public participation during council meetings, including the procedures for managing public question time and public

submission as well as managing disruptive behaviour by members of the public

- managing attempts to bring in promotional or offensive material, for example placards, banners, posters or other signage.
- meeting the council's obligations under the Occupational Health and Safety Act 2004, and
- closing meetings to the public, including the procedures to ensure the proceedings of the meeting can be viewed by members of the public.

A council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.

Councils may make local laws for or with respect to any act, matter or thing in respect of which the council has a function or power under the *Local Government Act 2020* or any other Act. This may include a local law that makes it an offence (carrying an infringement penalty) for a person who behaves in an improper or disorderly manner to not leave the meeting when requested by the meeting Chair.

A local law is inoperative to the extent that it is inconsistent with the local law requirements, for example, a local law must not be inconsistent with any Act (including the *Charter of Human Rights and Responsibilities Act 2006*) or regulations.

Councils may wish to consider whether their local laws adequately provide for them to manage the attendance and conduct of members of the public at council meetings and events.

Support from Victoria Police and other agencies

Victoria Police can assist councils to manage disruptions at council meetings if there is a real risk to the public or the community or if people are prevented from entering or exiting meetings.
Councils are encouraged to:

- engage and partner with their Local Area Commanders to flag meetings or planned events that have the potential to attract disruptions
- access resources from the eSafety Commissioner on Online Safety and to monitor and remove online material as necessary and appropriate, and
- access resources from the Australian Federal Police's health and wellbeing Shield Program on preparing and protecting against terrorist incidents.

Health and safety
The *Occupational Health and Safety Act 2004* (OH&S Act) imposes broad obligations on councils and Chief Executive Officers (CEOs) to ensure, to the extent reasonably practicable, that council employees and other persons (including councillors and members of the public) are not exposed to risks to their health and safety.

CEOs have important OH&S obligations as persons who manage and control workplaces and because of their status as 'officers' of councils.

Council policies, procedures and practices should ensure that these important obligations can be met. For example, councils may wish to consider redesigning places where council meetings are held. This may include separating councillors and staff from the public gallery or holding meetings in larger venues. CEOs may also wish to consider what support mechanisms are available to councillors and staff after a disruptive council meeting, including debriefing sessions and access to an Employee Assistance Program.

Local Government Victoria will continue to provide updates on this matter and work with councils to support local democracy.

Regards

Mike Gooey
Executive Director
Local Government Victoria

OFFICIAL
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*
Government of Victoria, Victoria, Australia.

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Ordinary Council Meeting

24 July 2023

Agenda Item No: 11.6

SERVICE MODEL - CONCIERGE AND CUSTOMER CARE

Contact Officer: **Amanda Rigby, Manager Customer Experience and Corporate Performance**

Mick Barrett, Manager City Works

Purpose of Report

To note the arrangements in place for the transition of Concierge responsibilities (within City Works Department to Customer Care (within Customer Experience and Corporate Performance Department) to commence as of 3rd July 2023.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council note that following a service review of City Works, customer facing concierge services have been transitioned to the Customer Care department and security requirements will become managed by a specialist agency as of 3 July 2023.

1. Executive Summary

As part of a wider service review of the City Works department, a review of the concierge service within 1230 Nepean Highway identified potential for improved service efficiencies and an enhanced customer experience. Responding to these opportunities, changes have been made to transition the customer service, facilities and security responsibilities to an alternative service model.

2. Background

A Council report was tabled on 23 March 2020 regarding consideration of an Award of Contract for Concierge Services for three years. In response to this report, Council resolved on full in-house operation of the concierge service as per Option Two set out in the report below:

Option 2 – Full In-House Option : This option is based on a fully in-house concierge service, where a total of three (3) full time concierge staff would be employed by Council directly and rostered to provide cover all for all sickness, annual leave and lunch breaks throughout the day. This option is estimated to cost in the region of $270K per annum. Based on the potential rostering of the officers, there would be some “added value” benefits that could be leveraged from this option, as it would provide some additional concierge capacity over that in Option 1, for example to assist facilities staff with Council meeting room set up or assisting with CCTV monitoring.

Consistent with the broader service review within City Works that resulted in a restructure and additional positions being resourced, the current change to concierge services was based upon a review of the current structure and key requirements of the concierge, security and customer service functions seen as inherent requirements. The review found that there was inconsistency in carrying out each function and role clarity as to where each function started and ended.

3. Discussion

Operational changes include:

- Transition of all three members of the original Concierge Team to alternative full time roles within City Works.
- Customer Service requests managed at first point of contact via Customer Care Officers
- Dedicated, qualified security presence by a specialist agency operating during building opening hours and Council meetings.
- Facility management responsibilities will become the sole responsibility of the Building Management Officer
- Proposed building modifications to support improve customer wayfinding, increased building security and safety for staff
- Proposed future building modifications in the form of installation of operable doors with swipe access for staff to access building beyond Customer Service foyer.
- Building security modifications have been made in the form of swipe card access installed to ground floor meeting rooms and lifts

4. Consultation

4.1 Internal Consultation:

As per Council's Enterprise Agreement obligations regarding consultation were met via a staff consultative period in which feedback was considered prior to final changes being made to structure.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.

Strategy: deliver exceptional customer experiences

5.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

5.3 Financial Considerations

Not applicable to this report

5.4 Risk considerations

Not applicable to this report

Author/s:	Amanda Rigby, Manager Customer Experience and Corporate Performance
	Mick Barrett, Manager City Works
Reviewed and Approved By:	Dan Hogan, General Manager Customer and Corporate Support

12. Chief Finance Office Reports

Ordinary Council Meeting

24 July 2023

Agenda Item No: 12.1

CULTURAL AND RECREATION LAND AGREEMENTS: POLICY ADOPTION

Contact Officer: **Sonia Rangi, Team Leader Revenue and Collections**
Bernard Rohan, Chief Financial Officer
Yenni Lim, Manager Finance

Purpose of Report

The purpose of this report is to implement an updated approach to rating Cultural and Recreation properties at Kingston.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council adopt the new Cultural and Recreational Lands Policy, and Survey Calculator for the purpose of charging Cultural and Recreational Lands rates on these properties from the 2023/24 rating year onwards.

1. Executive Summary

There are eleven clubs that hold cultural and recreation land in the City of Kingston currently subject to a Council rating approach that has not been updated since 2005. Officers have engaged with each club on an updated basis for rating for 2023/24 and on-going that:

- Considers whole-of-state practices and approaches
- Responds to concerns from Council regarding the impact of the (2022) originally-proposed policy on resulting rate increases for some clubs
- Builds upon the policy basis developed in 2022 by officers in consultation with clubs to develop a logical basis for rating Cultural and Recreation Land that considers both the community benefits provided by the clubs, and the utilisation of council services.

Two of the eleven clubs affected by the policy do not support the change and are seeking:

- An alternative basis to rating that does not start from the perspective of capital improved value for the purposes of rating (then adjusted for cultural and recreation benefits)
- Seek retrospective application of the policy changes for the years that they have officially objected to the State Government on Kingston's basis of rating – representing a refund cost to Council.

2. Background

The *Cultural and Recreational Lands Act 1963* regulates the council rating of lands used for cultural and recreational sporting purposes. The types of land eligible under the Act are vested in or occupied by a body corporate or unincorporate which exists for the purpose of providing or promoting outdoor cultural, sporting, recreational or similar activities.

Kingston currently has 11 Cultural and Recreational Lands Act (CRLA) properties in the municipality, these are listed below:

1. Rossdale Golf Club, Aspendale
2. Patterson River Country Club, Bonbeach
3. Patterson Lakes Canoe Club, Carrum
4. Southern Golf Club, Braeside
5. Clarinda Tennis Club, Clarinda
6. Spring Valley Golf Club, Clayton South
7. Commonwealth Golf Club, Oakleigh South
8. Cheltenham Bowls Club, Cheltenham
9. Kingston Heath Golf Club, Heatherton
10. Mentone Bowls Club, Mentone
11. Woodlands Golf Club, Mordialloc

Since 2005, Council has administered the Act at the City of Kingston via Agreements with affected landowners. Council's current Cultural and Recreational Agreements with Kingston landowners expired at the end of the 2020/21 rating period and were subsequently extended by Council in 2021/22 and 2022/23 by Council resolutions. Under the extension, the Cultural and Recreational Landowners kept their existing agreement conditions in place for the 2022/23 rating period.

Council has not previously had a formal policy in place, only a rate calculator based on the Victorian Local Government Grants Commission (VLGGC) return, and all Cultural and Recreation landowners received the same percentage adjustment to their rates. The clubs are therefore currently paying rates on the basis of indexed 2005 rating based on the capital improved values of the affected properties at that time, with the indexation rate now in line with the broader rate cap.

This indexing approach to rating Cultural and Recreation land at Kingston over time since 2005 has:

- created disparity in the relative difference of rates paid by each club
- discontinued the previous nexus between the current capital improved value of each club and the rates that they are now paying
- not had regard for the disparate community benefits delivered by the clubs.

In 2022, officers engaged with the Clubs on a proposed policy approach that updated the methodology for rating, and resulted in a broadly similar level of revenue to Council ($0.3 million annual) as the current arrangements, however the proposed changes – whilst understood conceptually by each club, resulted in significant changes (increases and decreases) for the clubs, with a clear challenge for those clubs that would resultingly experience significant increases in rates if the policy were adopted.

Revenue from cultural and recreation rating is excluded from the rate cap.

On 25 July 2022, Council Resolved as follows:

12.3 Cultural & Recreational Land Agreements: Policy Adoption

That Council:

1. *Determine that the existing Cultural and Recreation Land Agreements extend for another year to 30 June 2023; and*
2. *Request officers to engage further with affected Culture and Recreation Landowners on developing options for a new policy to apply after 1 July 2023, with further consideration of transition arrangements.*

3. Discussion

3.1 Cultural & Recreational Land Proposed Approach for 2023/24

In 2023, Officers have reassessed the arrangements for Cultural and Recreation rating at Kingston and assessed all cultural and recreation rating arrangements across councils in Victoria and identified opportunities for Kingston to improve its approach to rating Cultural and Recreation Land at a lower level of aggregate revenue. This recognises the importance of our cultural and recreation clubs, and officers have since worked with clubs on revisiting the settings underpinning the earlier 2022 draft policy and rates calculator.

The proposed approach for 2023/24 maintains the basis for rating based on two main points in assessing what adjustment is provided from the Capital Improved Value (CIV) of the property, for a Cultural and Recreational Landowner:

1. The services provided by Council in relation to the recreational lands (based on the VLGGC functions and services categories and as determined by both Council and the Clubs)
2. The benefit to the community derived from such recreational lands (as determined by the Clubs themselves from surveys).

A summary table showing the key differences between the current Cultural and Recreational agreements at Kingston compared to the proposed Cultural and Recreational Policy is as follows.

Table 1: Proposed changes from Cultural and Recreational Arrangements

Item	Current Agreement 2005/06-2022/23	New Proposed Policy 2023/24	Why the change?
Council Services Analysed	Discount of 45% derived from services not used for all CRLA properties	Breakdown of all Council services utilised by each club – surveyed in 2022, and individual weightings applied by officers	Requirement for each club to be assessed individually
Community Benefit Analysed	Not included	Breakdown of all Community Benefits provided by clubs in 2022 survey	Community benefit needs to be factored into adjustment provided.
Valuations	Value as per 2005 levels and at the start of each agreement,	Annual Valuations	Valuations are now annually across Victoria and capture any peaks and drops in values.

Item	Current Agreement 2005/06-2022/23	New Proposed Policy 2023/24	Why the change?
	valuation used for length of agreement		
Policy	No Policy in place	Policy to be in place explaining rating methodology	Policy is best practice in the sector
Agreement	Agreement signed each 5 years with optional extensions) explaining terms	No agreement, replaced by Policy and ability for club to resubmit a survey	Agreement did not capture the level of detail the policy does
Survey	No survey	Survey used to capture any annual changes in Cultural Benefit or services utilised.	Survey allows Landowners to have a say in the services and cultural benefits the clubs uses and provides.
Adjustment	Flat 45% discount on CIV at the beginning of agreement	Adjustment from 69 per cent to 86 per cent, currently based on Community Benefits or services used.	Adjustments are individually assessed based on the requirements of the Act.

The proposed calculator and survey is attached to this report and has been the subject of further officer engagement with clubs over May-June 2023. The proposed approach applies a quantifiable basis to assess clubs'-surveyed community benefits and utilisation of council services. This provides a basis for rating that aligns to the objectives of the Act and provides a clearer nexus between rating outcomes with community benefits provided by cultural and recreation land. Individual club impacts are shown in a confidential attachment.

3.2 Consultation Outcomes

During May and June, Officers met with each affected club and whilst the majority of clubs (nine of eleven) support the proposed, updated approach, two clubs expressed concerns:

a. Patterson River Country Club Ltd - Club does not support:
   - using capital improved value as basis of calculation
   - only applying changes prospectively. Is seeking the change made retrospectively to 2022/23.

b. Spring Valley Golf Club
   - seeking for two years retrospective application of the new model for rates. Sought for a lower rate outcome
   - adjustment to the draft calculator based on provision of open space,

These concerns also relate to objections that these clubs have made to the State Government and the Minister will respond to these objections separately. Officers' responses to the above issues are provided below.

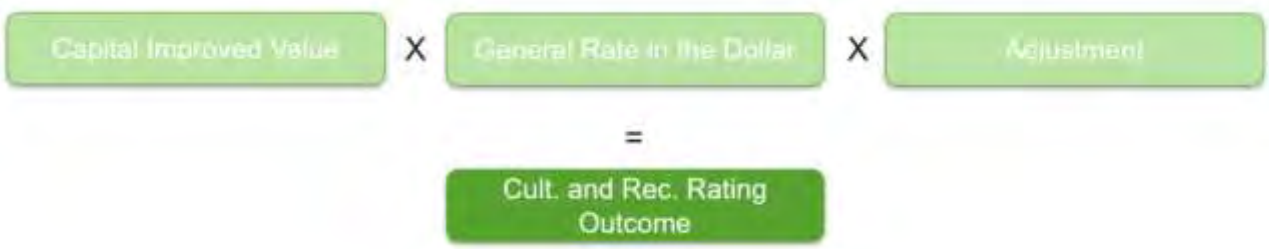
3.3 Prospective Basis

It is a general practice that any change to taxation or council rating happens prospectively. As Council is being asked to now adopt a new policy for Cultural and Recreation rating, it is considered reasonable that these changes only apply prospectively and not retrospectively. Whilst two clubs that have lodged objections with the State Government and are claiming for retrospective application, this is a decision for the Minister for Local Government. Any refund would represent an additional cost to ratepayers.

Retrospective rating adjustments are not supported by officers.

3.4 Use of Capital Improved Value

The proposed calculation of rates for cultural and recreation clubs is based on a formula as follows:



The capital improved value (CIV) is set by the Valuer-General and is the basis of all rating at Kingston and the overwhelming majority of rating across Victoria. This is an objective valuation that relates to the highest and best use of each property, based on its current zoning. Any ratepayer can lodge a formal objection to the Valuer-General if they do not agree with their valuation.

The position of two clubs is that Council should adopt an alternative, stand-alone methodology of how golf courses should be valued. Officers regard that this will also have the potential to be subjective and challenged, and beyond officers' effective capacity to administer.

An alternative basis for valuation to CIV is not supported by officers.

3.5 Update to the Adjustment calculator

Under the adjustment calculator (that effectively reduces the rates payable by each club by assessing their community benefits and utilisation of council services), each club was provided with an opportunity to update the calculator. Spring Valley has sought to include an additional benefit of providing open spaces – not previously included. This change to the calculator has been accepted by officers and is in line with the calculator application to equivalent golf clubs.

3.6 Operational and Strategic Issues

3.6.1 Current Agreement Expires

Updating the way that Council rates Cultural and Recreational Lands under the *Cultural and Recreational Lands Act 1963* is preferable and in support of a more comprehensive and transparent approach to rating this land. Rating under the Act has been a frequently discussed topic in the sector and given that some Cultural and Recreational Landowners have challenged other Councils on their Cultural and Recreational methodology, the sector has seen great variance in the way these lands are rated across different Councils.

3.6.2 Two objections with the Minister for Local Government

Two clubs – Spring Valley Golf Club and Patterson River Country Club have objected to the basis of rating at Kingston and these objections are being considered by the State Government. Officers have engaged with the LGV officers to advise that we are looking to move to a policy setting that is more likely to be accepted by the clubs.

3.6.3 Current Agreement still uses the original 2005/06 valuation

At Kingston, the way Cultural and Recreational Lands have been rated each year, is to take the previous year's rates and increment it by the rate increase, regardless of the current year's valuation. This means that the underlying valuation for subsequent rating years has been the valuation from the original year of the agreement – 2005/06.

The policy specifies that it will use the valuation of the current rating year as the basis for calculation, ensuring consistency with ratepayers across the municipality.

3.7 Options

3.7.1 Option 1: Adopt the attached methodology to individually assess each club's community benefits and utilisation of council services

It is the officers' recommendation that Council updates the way it rates Cultural and Recreational Properties in a manner that individually assesses each club's community benefits and utilisation of council services.

3.7.2 Option 2: Continue the current arrangement for 2023/24

This maintains an outdated policy setting that is based on 2005 valuations and is the subject of two objections being considered by the State Government.

4. Consultation

4.1 Internal Consultation:

ELT has been engaged on the development of this policy, that is administered by the Finance Department.

4.2 Community Consultation:

Group	Method
Cultural and Recreation clubs - eleven	
General community	

4.3 Results/Findings:

Officers sought legal advice on the draft documents submitted to Council at the July 2022 meeting, prior to consulting with each of the Clubs. Further consultation – as described above – has occurred over May-June 2023.

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed and efficient.
Strategy: Look after the community's financial resources responsibly and efficiently

The updated approach to rating is more in line with contemporary practice and presents a more sustainable basis for clubs to operate.

5.2 Governance Principles Alignment

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

The updated and recommended approach to rating cultural and recreation land is more in line with contemporary practice and presents a more sustainable basis for clubs to operate with greater confidence of Council's overall approach to rating.

5.3 Financial Considerations

The updated rates arrangements reduce the revenue that Council derives from rating as the:

- Adoption of the calculator brings Kingston's rating approach more into line with lower rating councils
- Better recognises the community benefits provided by Kingston's cultural and recreation clubs.

2023/24 Budget Revenue from Cultural and Recreation Rating	$344,000.00
Recommended rates if policy adopted	$200,825.31
Budget reduction (per annum)	**($143,174.69)**

Staff Resources

No impact on staff resources.

5.4 Risk considerations

There have been two Cultural and Recreational Lands Act appeals with Golf Courses challenging the rating under the Act at Kingston – Patterson River Country Club and Spring Valley Golf Club.

Legal advice confirms that the administration of Cultural and Recreational Lands rating arrangements needs to be based on a sound methodology, and within the construct of the Act.

Appendices

Appendix 1 - Cultural and Recreational Lands Policy 2023 version 1 (Ref 23/188936)

Appendix 2 - Cultural and Recreation Survey and Calculator (Ref 23/191492)

Appendix 3 - Confidential Attachment - Council Paper Analysis of Cult and Recreation Policy Changes (Ref 23/188934) - Confidential

Author/s:	Sonia Rangi, Team Leader Revenue and Collections
	Bernard Rohan, Chief Financial Officer
	Yenni Lim, Manager Finance
Reviewed and Approved By:	Bernard Rohan, Chief Financial Officer

12.1

CULTURAL AND RECREATION LAND AGREEMENTS: POLICY ADOPTION

1 Cultural and Recreational Lands Policy 2023 version 1 785

2 Cultural and Recreation Survey and Calculator 793

Cultural & Recreational Lands Policy

Contents

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1 Document Information

RESPONSIBLE GENERAL MANAGER	Chief Finance Officer
RESPONSIBLE MANAGER (Policy Owner)	Manager Finance Team Leader Revenue & Collections
APPROVED/ADOPTED BY	
SIGNATURE	
APPROVAL DATE EFFECTIVE DATE (If different from approval date)	
REVIEW DATE	
CM REF AND VERSION	
VERSION HISTORY	

2 Purpose

The purpose of the Cultural and Recreational Lands Policy is to provide an outline of Council's position on how Cultural and Recreational Landowners are rated under the Cultural and Recreational Lands Act 1963. This purpose of the Policy is to help determine:

- What each Cultural and Reactional landowner contributes to the community
- The discount each Cultural and Recreational Landowner is eligible for on their annual rates
- What costs need to be included and excluded when assessing the discount provided
- Ensuring that Cultural and Recreational landowners are paying the correct contribution in rates revenue
- Providing clarity to Cultural and Recreational Landowners on how a discount is calculated, and how rates are to be raised under a Cultural and Recreational lands agreement between the landowner and The City of Kingston.

3 Scope

The policy is designed to be utilised for the raising of rates revenue on Cultural and Recreational Lands annually. It provides direction to Cultural and Recreational landowners as to how Council will be calculating their rates contribution.

4 Definitions

Cultural and Recreational Lands – Recreational lands are defined within the Culture and Recreational Lands Act 1963, to be lands which are vested in or occupied by a body corporate or unincorporated which exists for the purpose of providing or promoting "outdoor" cultural, sporting, recreational or similar facilities.

General community benefit – Section 4.1 of the Cultural and Recreational Lands Act 1963 determined that *Notwithstanding the provisions of any Act or enactment relating to the making and levying of rates by a municipal council in lieu of the rates that would otherwise be payable to a municipal council in respect of recreational lands there shall be paid to the municipal council as rates in each year such amount as the municipal council thinks reasonable having regard to the services provided by the municipal council in relation to such lands and having regard to the benefit to the community*
derived from such recreational lands.

In addition, Council defines that an organisation has a general community benefit when it provides an activity or service that has a positive, cultural, or recreational outcome for the community without any negative consequences of the activity. Negative consequences may be from the impact of the activity itself or from related associated activities. For example, gaming machines, liquor licensing. Another consideration may be whether the facility is open to the public to utilise most of the facilities without being a member of the organisation. This access may be granted for free or for a very small consideration for compliance purposes or to cover some direct operational costs.

Capacity to raise significant income – An organisation will be considered to have a capacity to raise significant income if it has some additional revenue raising capacity that is secondary to the cultural and recreational activity that it is engaged within. This may, for example, be from the provision of a commercial bar and kitchen, gambling activities or commercial facility hire that involves more than just renting out the space.

5 Eligibility

5.1 For any concession to apply under the Cultural and Recreational Lands Act, the organisation must be a cultural or recreational group and must provide a general benefit to the community.

5.2 All profits derived by the organisation must be applied in the promoting of its objectives and must not be used in any way for the payment of any dividend or disbursement to its members.

5.3 The Culture and Recreational Lands Act 1963 Section 2 (b) to (f), specifically lists some lands that are to be defined as recreational lands and this includes lands which are used primarily as agricultural showgrounds, and states that land must be used for outdoor activities.

5.4 To be considered under the Cultural and Recreational Lands Act 1963, the land must be held in the name of the organisation or leased from council or the crown. It cannot be leased from a third party.

5.5 Indoor cultural and recreational organisations are not eligible under the Cultural and Recreational Lands Act 1963 and are not eligible for a discount of rates under the Cultural and Recreational Lands Act.

6 Policy Details

Kingston City Council will engage eligible Cultural and Recreational landowners who may meet the criteria to be rated under the Cultural and Recreational Lands Act 1963 and enter into an agreement agreed to by both the City of Kingston and the Cultural and Recreational landowner.

This policy (and the agreement entered) will factor in the following policy requirements:

6.1 All cultural and recreational landowners/organisations will be required to provide Council with their most recent Financial Statements or Financial Report to support consideration of Cultural and Recreation Agreements.

6.2 Cultural and Recreational agreements will be revised every 4 years to ensure that the assessments and agreements are relevant and valid. Extension provisions can be introduced into an agreement, with the cap being for 12 months in total (original agreement plus additional 12 months).

6.3 All Cultural and Recreational landowners/organisations will not be exempt from paying the municipal charge and will be required to pay the flat rate municipal charge as set out in Council's annual budget. There is no discount provided for the Municipal charge under the Cultural and recreational Agreement between the Cultural and Recreational landowners and Council.

6.4 All cultural and recreational groups would continue to pay their Fire Services Property Levy set by the State Revenue Office. No discount for the Fire Property services Levy is applicable under the agreement.

6.5 Cultural and Recreational Lands discounts are not applicable on Waste service charges. Cultural and Recreational landowners or groups would continue to pay for waste charges as and when they are utilised.

6.6 Council will provide the Cultural and Recreational Landowner a method of calculation for discounts prior to entering into an agreement. The calculation methodology will apply to the entire term of the agreement (4 years plus any potential 12 month extension), and will be calculated annually, prior to each rating year commencing.

6.7 Each Cultural and Recreational agreement will include a rating methodology for the length of the agreed term.

7. Setting the Cultural and Recreational Charge

7.1 When setting the charge under the Cultural and Recreational agreement will have a starting point for rates with no discount is general rates would be based on the way Council currently rates, CIV x the general rate in the dollar for this rating period. Weighting will be based on Council's Grants Commission return of the previous rating year, and the budget percentage spend in each category.

7.2 When setting the charge under the Cultural and Recreational agreement Council will take into consideration which services the Cultural & Recreational landowners use or receive benefit from when it comes to their rates contributions to the community. Council understands not all Council services are used by Cultural and Recreational Lands properties and will factor this into the assessment for the discount of rates for each Cultural and Recreational property. Each Council Service is weighted, and the addition of these weighted areas will contribute to calculate the total discount to be provided to Cultural and Recreational Lands. The areas that will be assessed in working out the discount of rates from the standard rate are listed below. These areas are based on the Victorian Grants Commission return that Council is required to complete annually. These categories may change if they are changed by the VLGGC:

GOVERNANCE
- Council Operations
- Public Order & Safety
- Financial & Fiscal Affairs
- Natural Disaster Relief
- General Operations
- General Administration

FAMILY AND COMMUNITITY SERVICES
- Families & Children
- Community Health
- Community Welfare Services
- Education
- Community Housing
- Family & Community Services Administration

AGED AND DISABLED SERVICES
- Residential Care Services
- Community Care Services
- Facilities
- Aged and Disabled Services Administration

RECREATION AND CULTURE

- Sports Grounds & Facilities
- Parks & Reserves
- Waterways, Lakes & Beaches
- Art Galleries
- Museums and Cultural Heritage
- Performing Arts Centres
- Libraries
- Public Centres & Halls
- Programs
- Recreation and Culture Administration

WASTE MANAGEMENT

- Residential - General Waste
- Residential - Recycled Waste
- Commercial Waste Disposal
- Waste Management Administration

TRAFFIC & STREET MANAGEMENT

- Footpaths
- Kerbs & Channels
- Traffic Control
- Parking Fines
- Parking Facilities
- Street Enhancements
- Street Lighting
- Street Cleaning
- Traffic and Street Management Administration

ENVIRONMENT

- Protection of Biodiversity & Habitat
- Fire Protection
- Drainage
- Agricultural Services
- Sewerage
- Waste Water Management
- Decontamination of Soil
- Environment Administration

BUSINESS & ECONOMIC SERVICES

- Community Development & Planning
- Building Control
- Tourism & Area Promotion
- Community Amenities
- Air Transport
- Markets & Saleyards
- Economic Affairs
- Business Undertakings (Property)
- Business & Economic Services Administration

LOCAL ROADS & BRIDGES

- Local Roads & Bridges works
- Local Roads & Bridges Administration

MAIN ROADS
- Main Roads & Bridges (State Roads)
- National Highway System (Federal Roads)

OTHER REVENUE
- Rates & Charges
- Financial Assistance Grants (VLGGC)
- General Purpose Grants
- Local Roads Funding

7.3 The setting of each charge under the Cultural and Recreational agreement will take into consideration the Cultural & Recreational benefit to the community. The discount of rates for each Cultural and Recreational property will be assessed based on community contributions to a range of areas. Each area is weighted, and the addition of these weighted areas will contribute to calculate the total discount to be provided to Cultural and Recreational Lands. These areas that will be assessed in working out the discount of rates from the standard rate are as follows:

- Social Interaction
- Culturally and Linguistically Diverse participation
- Access for all Abilities
- Environmental Programs
- Employment Opportunities / Volunteer Participation
- Sporting programs
- Coaching opportunities
- Cultural promotion
- Environmental benefits
- Provisions for financially disadvantaged families
- Concession entry fees
- Provision of premises to community groups

7.4 The setting of each charge under the Cultural and Recreational agreement will take into consideration any detrimental impacts the CRLA organisation has on the community. The discount of rates for each Cultural and Recreational property will be assessed based on community impact on a few key community detrimental impacts. Each area is weighted, and the addition of these weighted area will reduce the total discount to be provided to Cultural and Recreational Lands calculated across sections 7.1 and 7.3 of this policy. The detrimental impacts that will be assessed in working out the discount of rates from the standard rate are as follows:

- Does the club pay any profit or dividend to its members?
- Is the Cultural and Recreational land licensed to sell alcohol?
- Are there any gaming machines or gambling activities on the Cultural and Recreational Land?
- Are facilities available for use to non-members?
- Are there any restrictions to membership?

7.5 The setting of each charge under the Cultural and Recreational agreement will take be determined by completing an analysis of section 7.1-7.4 of this policy. The total discount will be calculated from the responses outlined in the above sections, and in some cases, evidence may be requested to show support. Any evidence found to be misleading or false under the assessment will void the cultural and recreational discount and the agreement. An agreement which has been voided will default to the general rate in the dollar at the time.

8. Cultural and Recreation Agreement

To receive the Cultural and Recreational discount, an active agreement must be struck between parties to be rated as Cultural and Recreational Lands under the Cultural and Reactional Lands Act. An agreement will be presented to a landowner/operator from council. The agreement will be in place for 4 years, however the annual rates will be determined based on the annual questionnaire, and the annual and financial reports of the CRLA property. The agreement will take place in the following phases:

Cultural and Recreational Questionnaire: Council will send out a questionnaire which will be required to be filled in and returned to help determine the community benefit of the Cultural and Recreational Lands property. This will cover the areas listed in section 7 of this agreement.

Pre-Agreement Consultation: Consultation with Landowner/Operator and Council will take place before a new agreement is put into place. Prior to an agreement being presented, Council will provide the rating methodology and rating discount to be applied to the rates prior to entering into the agreement. An acceptance of the methodology form will be signed prior to creating the agreement.

Cultural and Recreational Term of the Agreement: An agreement will be presented outlining the agreed rating methodology outlined during the consultation phase. The agreement will be for a minimum of 4 years (with the option to extend the agreement for another 1 year). The agreement will need to be signed and returned to Council prior to the following rating period. The extension can be agreed to at the time of the original agreement, or 12 months prior to the agreement expiring.

Confirmation Letter of Agreement: Council will send a confirmation letter once the agreement has been received. The terms will be referenced.

Ongoing Requirements: Council will also send out a rate notice each year with the agreed amount under the rating methodology in the agreement.

9. Cultural and Recreational Consultation and Appeals

Cultural and Recreational property landowners identified that are eligible for consideration under the Cultural and Recreational Lands Act may query the discount being applied and ask for Council to provide evidence to ensure the discount has been applied correctly for each rating period. This query would need to be made formally in writing to Council to investigate and respond to. The Cultural and Recreational Act also allows for aggrieved property owners to dispute the of the amount or rates charged and they may appeal to the Minister as per Section 4 part (2) of the Cultural and Recreational Lands Act.

10. Related Documents and Resources

Cultural & Recreational Agreement Deed Template
Cultural and Recreational Questionnaire Template
Confirmation Letter of Agreement Template
Rating Methodology Calculator

Legislation

- Local Government Act 2020
- Cultural and Recreational Lands Act 1963

11. Policy Review

This policy is to be reviewed every 4 years, or after an update to the Cultural and Recreational Lands Act 1963. Other documents considered for review every 4 years include:

- Cultural & Recreational Agreement Template
- Cultural and Recreational Questionnaire Template
- Confirmation Letter of Agreement Template
- Rating Methodology Calculator

Cultural and Recreation Survey and Calculator

Bernard Rohan, CFO, July 2023

community inspired leadership

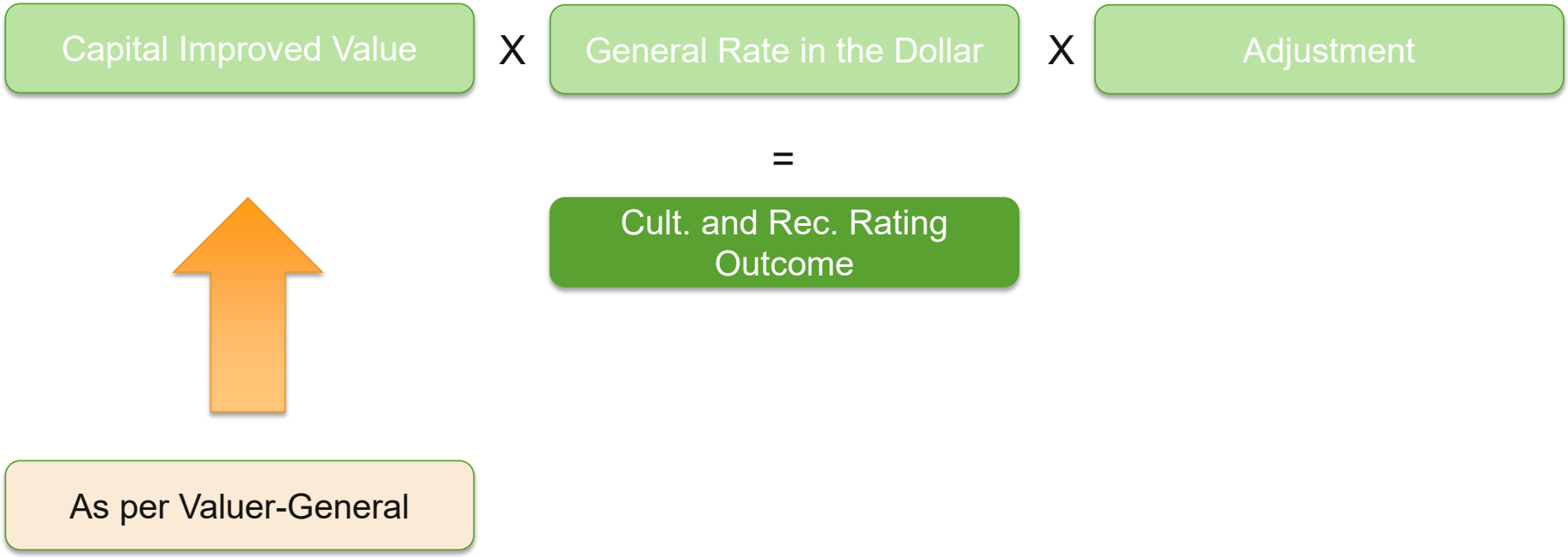
City of KINGSTON

Legislation

- *Cultural and Recreational Lands Act 1963* regulates the council rating of lands used for cultural and recreational sporting purposes.
  - Eligible lands are vested in or occupied by a body corporate or unincorporate which exists for the purpose of providing or promoting outdoor cultural, sporting, recreational or similar activities.

Proposed Policy and Methodology

- Officers recommend a formula-approach to administering Cultural and Recreation Rating that



Proposed “Calculator” to Adjust Rating (1)

Adjustment

Rates for Cultural and Recreation properties to be based on each club’s survey responses to:

1. **utilisation of council services**
2. benefits that the club provides to community.

1.2 percentage point reduction in rates for each of the following categories:

1. Utilisation of Council services – categories based on Vic Local Government Grants Commission definitions			
LOCAL ROADS & BRIDGES	**ENVIRONMENT**	**TRAFFIC & STREET MANAGEMENT**	**BUSINESS & ECONOMIC SERVICES**
Local Roads & Bridges works	Protection of Biodiversity & Habitat	Footpaths	Community Development & Planning
Local Roads and Bridges Administration	Fire Protection	Kerbs & Channels	Building Control
MAIN ROADS	Drainage	Traffic Control	Tourism & Area Promotion
Main Roads & Bridges (State Roads)	Agricultural Services	Parking Fines	Community Amenities
National Highway System (Federal Roads)	Sewerage	Parking Facilities	Non-road Transport
RECREATION AND CULTURE	Waste Water Management	Street Enhancements	Markets & Saleyards
Sports Grounds & Facilities	Decontamination of Soil	Street Lighting	Economic Affairs
Parks & Reserves	Environment Administration	Street Cleaning	Business Undertakings (Property)
Waterways, Lakes & Beaches	**FAMILY AND COMMUNITY SERVICES**	Traffic and Street Management Administration	Business and Economic Services Administration
Art Galleries	Families & Children	**WASTE MANAGEMENT**	**GOVERNANCE**
Museums and Cultural Heritage	Community Health	Residential - General Waste	Council Operations
Performing Arts Centres	Community Welfare Services	Residential - Recycled Waste	Public Order & Safety
Libraries	Education	Commercial Waste Disposal	Financial & Fiscal Affairs
Public Centres & Halls	Community Housing	Waste Management Administration	Natural Disaster Relief
Programs	Family & Community Services Administration		General Operations
Recreation and Culture Administration			General Administration

Proposed “Calculator” to Adjust Rating (2)

Adjustment

Rates for Cultural and Recreation properties to be based on each club’s survey responses to :

1. utilisation of council services
2. **benefits that the club provides to community.**

1.2 percentage point reduction in rates for each of the following categories:

2. Benefits that the club provides to the community	
Social Interaction	Access for all Abilities
Tourism	Environmental Programs
Providing open spaces (5 per cent)	Employment Opportunities / Volunteer Participation
Activity Centre zoning providing open spaces (12 per cent)	Sporting programs
Fundraising functions for charity/non for profits	Coaching opportunities
Contribution to positive physical and mental health	Cultural promotion
Provisions of Financial Sponsorship to local groups	Environmental benefits including alignment to the CEERP and tree canopy
Culturally and Linguistically Diverse participation	Provisions for financially disadvantaged families
Provision of paid scholarships	Concession entry fees
	Provision of premises to community groups

Proposed “Calculator” to Adjust Rating (3)

Adjustment

Rates for Cultural and Recreation properties to be based on each club’s survey responses to :

- utilisation of council services
- benefits that the club provides to community.

1.2 percentage point reduction in rates for each of the following categories:

Example
Hypothetcial Tennis Club

1. Utilisation of Council services	2. Benefits that the club provides to the community
13 Partial Use; 7.8 per cent (0.6*13) 34 Non-use; 40.8 per cent (1.2 * 34) **48.6 per cent**	13 Benefits provided; 15.6 per cent (1.2 * 13) One benefit of providing open space benefit outside green wedge (5 per cent) **20.6 per cent**
Total Benefit: 69.2 per cent (48.6 plus 20.6)	

Total discount to rates is
69.2 per cent

Example of how calculator will look for each club

CITY OF KINGSTON				
Draft Cultural & Recreational Land Act - Rates Calculation				
2023/24 Rating Year				
Club ABC				Proposed Policy Adjustment
Assessment Number:	1234	Cultural & Recreational Adjustment:		74.00%
Property Details:	1 ABC Road	Proposed Cultural & Recreational Annual Rates:		$13,775.58
Current Valuation (Capital Improved Value):	$30,000,000			
2023/24 General Rate in the Dollar:	0.0017661	Total Adjustment		$39,207.42
Full General Rate Applicable (without adjustment):	$52,983.00	Date:		10/04/2023
		Approved by:		Bernard Rohan
CULTURAL AND RECREATIONAL CRITERIA		SURVEY ANSWERS	WEIGHTING MAX	ADJUSTMENT
COUNCIL SERVICES PROVIDED		Yes/Partially/No		
GOVERNANCE				
Council Operations		Partial	1.20%	0.60%
Public Order & Safety		Yes	1.20%	0.00%
Financial & Fiscal Affairs		Partial	1.20%	0.60%
Natural Disaster Relief		No	1.20%	1.20%
General Operations		Partial	1.20%	0.60%
General Administration		Partial	1.20%	0.60%
FAMILY AND COMMUNITY SERVICES				
Families & Children		No	1.20%	1.20%
Community Health		No	1.20%	1.20%
Community Welfare Services		No	1.20%	1.20%
Education		No	1.20%	1.20%
Community Housing		No	1.20%	1.20%
Family & Community Services Administration		No	1.20%	1.20%
AGED AND DISABLED SERVICES				
Residential Care Services		No	1.20%	1.20%
Community Care Services		No	1.20%	1.20%
Facilities		No	1.20%	1.20%
Aged and Disabled Services Administration		No	1.20%	1.20%
RECREATION AND CULTURE				
Sports Grounds & Facilities		Partial	1.20%	0.60%
Parks & Reserves		Yes	1.20%	0.00%
Waterways, Lakes & Beaches		Yes	1.20%	0.00%
Art Galleries		No	1.20%	1.20%
Museums and Cultural Heritage		No	1.20%	1.20%
Performing Arts Centres		No	1.20%	1.20%
Libraries		No	1.20%	1.20%
Public Centres & Halls		No	1.20%	1.20%
Programs		No	1.20%	1.20%
Recreation and Culture Administration		Yes	1.20%	0.00%
WASTE MANAGEMENT				
Residential - General Waste		No	1.20%	1.20%
Residential - Recycled Waste		No	1.20%	1.20%
Commercial Waste Disposal		No	1.20%	1.20%
Waste Management Administration		No	1.20%	1.20%
TRAFFIC & STREET MANAGEMENT				
Footpaths		Yes	1.20%	0.00%
Kerbs & Channels		Yes	1.20%	0.00%
Traffic Control		Partial	1.20%	0.60%
Parking Fines		Partial	1.20%	0.60%
Parking Facilities		Partial	1.20%	0.60%
Street Enhancements		Partial	1.20%	0.60%
Street Lighting		Yes	1.20%	0.00%
Street Cleaning		Yes	1.20%	0.00%
Traffic and Street Management Administration		Partial	1.20%	0.60%
ENVIRONMENT				
Protection of Biodiversity & Habitat		Partial	1.20%	0.60%
Fire Protection		Partial	1.20%	0.60%
Drainage		Yes	1.20%	0.00%
Agricultural Services		No	1.20%	1.20%
Sewerage		No	1.20%	1.20%
Waste Water Management		Yes	1.20%	0.00%
Decontamination of Soil		No	1.20%	1.20%
Environment Administration		Partial	1.20%	0.60%
BUSINESS & ECONOMIC SERVICES				
Community Development & Planning		No	1.20%	1.20%
Building Control		No	1.20%	1.20%
Tourism & Area Promotion		Yes	1.20%	0.00%
Community Amenities		No	1.20%	1.20%
Non-road Transport		No	1.20%	1.20%
Markets & Saleyards		No	1.20%	1.20%
Economic Affairs		No	1.20%	1.20%
Business Undertakings (Property)		No	1.20%	1.20%
Business and Economic Services Administration		No	1.20%	1.20%
LOCAL ROADS & BRIDGES				
Local Roads & Bridges works		Yes	1.20%	0.00%
Local Roads and Bridges Administration		Yes	1.20%	0.00%
MAIN ROADS				
Main Roads & Bridges (State Roads)		No	1.20%	1.20%
National Highway System (Federal Roads)		No	1.20%	1.20%
COMMUNITY BENEFIT PROVIDED		Y/P/N		
Social Interaction		Yes	1.20%	1.20%
Tourism		Yes	1.20%	1.20%
Providing open spaces		Yes	5.00%	5.00%
Activity Centre zoning providing open spaces		No	12.00%	0.00%
Fundraising functions for charity/non for profits		Yes	1.20%	1.20%
Contribution to positive physical and mental health		Yes	1.20%	1.20%
Provisions of Financial Sponsorship to local groups		Yes	1.20%	1.20%
Culturally and Linguistically Diverse participation		Yes	1.20%	1.20%
Provision of paid scholarships		Yes	1.20%	1.20%
Access for all Abilities		Yes	1.20%	1.20%
Environmental Programs		Yes	1.20%	1.20%
Employment Opportunities / Volunteer Participation		Yes	1.20%	1.20%
Sporting programs		Yes	1.20%	1.20%
Coaching opportunities		Yes	1.20%	1.20%
Cultural promotion		Yes	1.20%	1.20%
Environmental benefits		Yes	1.20%	1.20%
Provisions for financially disadvantaged families		Yes	1.20%	1.20%
Concession entry fees		Yes	1.20%	1.20%
Provision of premises to community groups		Yes	1.20%	1.20%
TOTAL ADJUSTMENT				74.00%

13. Notices of Motion

Ordinary Council Meeting

24 July 2023

Agenda Item No: 13.1

NOTICE OF MOTION NO. 20/2023 - CR HOWE - LET THERE BE LIGHT

That Council proceeds to consultation by August for proposed lighting and safety improvements at Roy Dore Reserve shown at Appendix 1, where a previous violent assault has occurred and is subject to lighting requests made by dog walkers and users.

Cr Cameron Howe

Appendix 1 produced by Kingston City Council, 5 September 2022:

Guidance Note
Notice of Motion No. 20/2023 – Cr Howe
Let There Be Light

Officer Advice

Council receives numerous requests for lighting across the municipality. These need to be assessed in an open and transparent way.

There are currently ten active requests for public lighting in reserves (including for Roy Dore Reserve) and with limited funding allocated the priority of lighting at Roy Dore Reserve would typically be considered against other requests, before proceeding to public consultation.

The Public Lighting Policy, adopted by Council May 2021 outlines factors for consideration:

- the health benefits of night time use of these areas;
- safety considerations - where public safety is a significant issue;
- high passive night time use (such as dog walking) or potential use;
- Australian Standards of lighting;
- the whole-of-life costs of providing lighting (such as installation, ongoing maintenance costs, operational costs) and asset life;
- access to an affordable power supply;
- impacts on wildlife.

Officers are currently using these factors to develop a decision-making framework to complement the Public Lighting Policy. An aspect of which will be cost / funding.

The current capital budget allocation for reserve lighting is $60,000. Thus, in order to ensure transparent investment across the municipality, it is highly likely many lighting requests will need an independent capital budget submission.

It should also be noted that the violent assault referred occurred over a decade ago and the context of the park has changed significantly in that time.

If Council chooses to proceed with consultation, this would need to occur in September as time is required to plan and implement the consultation and associated promotion.

Author/s:	Emily Boucher, Manager Open Space
	Charles Turner, Manager Infrastructure
	Samantha Krull, General Manager Infrastructure and Open Space
Reviewed and Approved By:	Peter Bean, Chief Executive Officer

Ordinary Council Meeting

24 July 2023

Agenda Item No: 13.2

NOTICE OF MOTION NO. 21/2023 - CR OXLEY - COUNCILLOR EXPENSES

That Council implements guidelines whereby: When a Councillor incurs expenses (paid for by the ratepayer) in attending a conference/study course, or expenses travelling interstate or internationally where the spend exceeds $500 - the Councillor be requested individually to present a brief report to the Council at an Ordinary Council Meeting detailing the benefits achieved for the Kingston community.

Cr Georgina Oxley

Guidance Note
Notice of Motion No. 21/2023 – Cr Oxley
Councillor Expenses

Officer Advice
The Council Expenses Policy is in place as a specific requirement of Section 41 (1) of the Local Government Act 2020 and seeks to ensure accountability and transparency in relation to expenses claimable by Councillors and delegated committee members. While expenses in relation to performance of duties is expected, the use of public funded money must be reasonable and meet community expectation.

Currently, Councillor incurred expenses are published on Council's website on a quarterly basis and published in the Annual Report. These publications capture all expenses and is not limited to a dollar threshold; however this process does not directly articulate the community value.

CEO and GM expenses are also reported quarterly to Council with no obligation to provide further information to demonstrate community value.

It is not recommended that Council consider the adoption of these guidelines without consideration of the following matters:

- The process by which a Councillor would present their report to a Council meeting
- The part of the meeting best suited for the presentation of a report by a Councillor and whether this would require a change to the Governance Rules
- Potential interaction a guideline would have with the Council Expenses Policy and/or Governance Rules
- Assess whether this would enhance transparency and accountability of Councillor expenses

Should this motion be endorsed, a further officer report should be provided to the September Governance and Policy Committee and a future Ordinary Council meeting in 2023 to provide an assessment of the above factors to guide Council decision-making on such guidelines.

Officers would also assess the need to propose changes to the Council Expenses Policy and/or the Governance Rules in order to support the implementation of a guideline and address this in the report back to Council.

Author/s:	Kelly Shacklock, Acting Manager Governance
Reviewed and Approved By:	Tracey Cheeseman, Manager Advocacy, Engagement and Communications
	Peter Bean, Chief Executive Officer

15 Confidential Items

This information is confidential information under section 3(1) of the *Local Government Act 2020* and therefore suitable for consideration in closed session. In accordance with the *Local Government Act 2020*, Council may resolve to consider these items in open or closed session.

Confidential Appendices

11.3 Appointment of Members to Strategic Advisory Committees
Appendix 1, Interview Evaluations for Strategic Advisory Committees Recruitment Process 2023 is designated confidential as it relates to (s3(1)(f))

12.1 Cultural and Recreation Land Agreements: Policy Adoption
Appendix 3, Confidential Attachment - Council Paper Analysis of Cult and Recreation Policy Changes is designated confidential as it relates to (s3(1)(g))