

# Agenda

## Ordinary Meeting of Council

**Monday, 27th August 2018**

Commencing at 7.00pm

Council Chamber  
1230 Nepean Highway, Cheltenham

[kingston.vic.gov.au](http://kingston.vic.gov.au)

John Nevins  
Chief Executive Officer  
Kingston City Council

*community inspired leadership*



City of  
**KINGSTON**

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

**Notice** is given that an Ordinary Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Monday, 27 August 2018.

**1. Apologies**

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

Minutes of Ordinary Council Meeting 23 July 2018

**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**

Objection to Planning Application KP18/523 - St Kilda Football Club  
Proposed Edithvale 24 Hour Dog Off Leash Area

**5. Presentation of Awards**

Nil

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

**7. Question Time**

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12.3	Notice of Motion No. 27/2018 - Cr West - Pompei Boatshed Heritage.....	873

**13. Urgent Business**

**14. Confidential Items ..... 909**

- 14.1 Parkdale Secondary College - Joint Use Agreement
- 14.2 Heritage Victoria Correspondence - Pompei's Landing

**Confidential Attachments**

- 8.5 Planning Compliance in the Green Wedge - Quarterly report August  
2018
  - Appendix 1 Green Wedge Spreadsheet for Council - Confidential - Aug 2018
- 9.2 CON-17/70 Supply, Implementation & Maintenance of a Library  
Management System (LMS) & CON-18/88 Supply, Installation &  
Maintenance of Self Serve Kiosks for Libraries
  - Appendix 1 Stage 1 - Library Management System (LMS) Evaluation Matrix
- 9.2 CON-17/70 Supply, Implementation & Maintenance of a Library  
Management System (LMS) & CON-18/88 Supply, Installation &  
Maintenance of Self Serve Kiosks for Libraries
  - Appendix 2 Stage 2 - Library Management System (LMS) Evaluation Matrix

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- 9.2 CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries  
Appendix 3      Stage 3 - Library Management System (LMS) Evaluation Matrix
- 9.2 CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries  
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# Explanation of Meeting Procedure

## Meeting Procedure is Regulated by Local Law

The procedures for this Ordinary Meeting of Council are regulated by Council's Meeting Procedures Local Law.

## 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 his/her 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 three 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. The Question Box is located in the foyer. Questions must be placed in the Question Box by 7.30pm. You don't have to be a resident to ask a question.

Questions are to be as succinct as possible. Questions which cannot be accommodated on the single sided 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.

Questions will be answered in the Council Chamber only if the questioner is present in the gallery. Where a questioner is not present, a response will be provided in writing.

Individual members of the public are permitted to ask a maximum of three (3) 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.

## Language Line



## 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](http://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 Development Reports**

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**Agenda Item No: 8.1**

### **KP17/1004 - 501-502 NEPEAN HIGHWAY, CHELSEA**

**Contact Officer: Andrew Stubbings, Senior Planner**

#### **Purpose of Report**

This report is for Council to consider Planning Permit Application No. KP17/1004 - 501-502 Nepean Highway, Chelsea.

#### **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.

#### **OFFICER RECOMMENDATION**

That Council determine to support the proposal and advise The VCAT that in the event that Council was to determine the application it would have issued a Notice of Decision to Grant a Planning Permit to develop the land for the construction of a double storey building consisting of three (3) townhouses & six (6) apartments at 501-502 Nepean Highway, Chelsea, subject to the conditions contained within this report.

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<b>PLANNING OFFICER REPORT</b>	
<b>APPLICANT</b>	<b>The Northern Planning Group Pty Ltd</b>
<b>ADDRESS OF LAND</b>	<b>No. 501-502 Nepean Highway, CHELSEA 3196</b>
<b>PLAN OF SUBDIVISION REFERENCE</b>	<b>Lots 1 &amp; 2, Block 1 on Plan of Subdivision No. 005211</b>
<b>PROPOSAL</b>	<b>NINE (9) DWELLINGS AND ALTER &amp; CREATE ACCESS TO LAND ADJACENT TO A ROAD ZONE CATEGORY 1</b>
<b>PLANNING OFFICER</b>	<b>Andrew Stubbings</b>
<b>REFERENCE NO.</b>	<b>KP-1004/2017</b>
<b>ZONE</b>	<b>Clause 32.08 - General Residential Zone (Schedule 2)</b>
<b>OVERLAYS</b>	<b>Clause 43.02 – Design &amp; Development Overlay (Schedule 1 &amp; 7)</b>
<b>OBJECTIONS</b>	<b>Seven (7) plus</b>
<b>CONSIDERED PLAN REFERENCES/DATE RECEIVED</b>	<b>Chamberlain Architects, Project No. 17023, Drawing No.'s TP0.01 to TP6.01 (Revision A) received: 22<sup>nd</sup> December, 2017</b>
<b>ABORIGINAL CULTURAL HERITAGE SENSITIVITY</b>	<b>Yes</b>

**1.0 RELEVANT LAND HISTORY**

- 1.1 Council records indicate that there is no relevant planning history relating to this site.

**2.0 SITE PARTICULARS**

- 2.1 The subject site is located on the north-west corner of Nepean Highway and Shenfield Avenue, Chelsea. Wynne Lane is an unsealed laneway that extends between Shenfield Avenue and Chadwell Grove. The land comprises of two (2) lots and is regular in shape with an overall area of 1208m<sup>2</sup>. The topography of the land is relatively flat. A Eucalyptus tree is located at the north-east corner of the site, adjacent to it's Nepean Highway frontage.
- 2.2 At present, the subject site is occupied by two (2) double-storey dwellings, with associated outbuildings. The existing development on the land is well setback from site's Nepean Highway frontage. A single-width crossover currently provides vehicle access to the subject site from Nepean Highway in addition to a single crossover at Shenfield Avenue.
- 2.3 A high front fence exists along the both length of both street frontages. No street trees are located adjacent to the site's Nepean Highway frontage whilst there are three (3) small trees located within the adjoining road reserve at Shenfield Avenue.
- 2.4 No easements are contained within either allotment. There appear to be no restrictions registered on either of the Certificate of Titles issued for the subject land.
- 2.5 The subject site is located within Area 9c of the *Kingston Open Space Strategy* approved by Council in June 2012. The Strategy notes that '*There is limited open space for relaxation and contemplation (except along the foreshore); a large area in the north is without open space and an area adjacent to the Bonbeach TAFE site is underserved*'.



**3. SURROUNDING ENVIRONS**

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



- 3.2 The surrounding area typically comprises of a combination of single dwellings on single allotments and more recent examples of medium density housing, which can be largely attributed to its proximity to the Chelsea Activity Centre. The architectural style and built form of existing residential development in the surrounding area is highly varied, with older housing stock gradually being replaced with contemporary forms of housing. Most existing dwellings are of single-storey or double-storey construction. There is no predominant fencing style in the neighbourhood, however, there are many examples of high front fencing along this section of Nepean Highway.
- 3.3 The subject site is located approximately 280 metres north-east of the Chelsea Foreshore Reserve accessible from the western-end of Shenfield Avenue. The surrounding residential area is well serviced by public transport (including Bonbeach Railway Station approximately 400 metres to the south-east), primary and secondary schools, community facilities and public reserves.

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

North (Side): No. 500 Nepean Highway and No. 7 Wynne Lane – A double-storey rendered brick dwelling occupies each respective allotment. The existing dwelling at No. 500 Nepean Highway shares vehicle access with the subject site at Nepean Highway whilst the property at No. 7 Wynne Lane features direct frontage to the adjoining right-of-way.

West (Rear): Wynne Lane and No. 3 Shenfield Avenue (Opposite) – A double-storey weatherboard clad dwelling with associated outbuildings exists on the opposite property. It appears that vehicle access to the rear of this site is available from Wynne Lane.

South (Side): Road and No. 503 Nepean Highway & No. 2A Shenfield Avenue (Opposite) – A single-storey dwelling currently occupies the site referred to as No. 503 Nepean Highway whilst a double-storey dwelling exists on the adjoining property to the rear at No. 2A Shenfield Avenue. Vehicle access for both sites is currently available from Shenfield Avenue.

East (Front): Road and Railway Reserve (Opposite) – The land directly opposite the subject site forms part of the City to Frankston Railway line and is located within a Public Use Zone (Schedule 4 – Public Transport). Nepean Highway is identified as a Road Zone Category 1.

#### **4.0 PROPOSAL**

4.1 It is proposed to develop the subject land nine (9) dwellings, comprising of six (6) apartments and three (3) townhouses and to alter access to land adjacent to a Road Zone Category 1, generally in accordance with the plans received by Council on the 22<sup>nd</sup> December, 2017. The existing dwellings and associated outbuildings would be demolished as a part of this application.

4.2 A summary of the proposed development is, as follows:

1. Dwelling No.	2. No. of Bedrooms	3. Total Floor Area (m <sup>2</sup> )	4. Total Private Open Space Area (m <sup>2</sup> )	5. No. of Car Parking Spaces
TH1	3	189	66	2
TH2	3	187	69	2
TH3	3	189	67	2
G01	3	116	83	2
G02	1	75	48	1
G03	3	127	148	2
101	3	108	46, including roof-top terrace	2
102	2	93	54, including roof-top terrace	1
103	3	120	59, including roof-top terrace	2

4.3 A total of eighteen (18) on-site car parking spaces would be provided within a basement car park on this site, including the provision of two (2) dedicated visitor car spaces. All vehicle access would be provided via Wynne Lane to the west (rear) with the existing crossovers at both street frontages to be removed with the nature strip reinstated.

4.4 External building materials for the proposed townhouses and apartments would comprise of a combination of white blockwork, textured rendered wall cladding (dark colours/tones), smooth rendered wall cladding (light tones) and vertical cedar wall cladding. No details have been provided regarding the proposed roofing material.

- 4.5 A 1800mm high white blockwork fence is to be erected along the site's Nepean Highway frontage and partly along Shenfield Avenue. The existing high front fencing at both street frontages is to be demolished as a part of this application.
- 4.6 The existing Eucalyptus tree located at the north-east corner of the site at Nepean Highway is to be retained and incorporated into the front courtyard area of Apartment G03.
- 4.7 The proposal has an overall site coverage of 60% and a permeability of 14%.

**5.0 PLANNING PERMIT PROVISIONS**

**Zone**

- 5.1 General Residential Zone (Schedule 2): Pursuant to Clause 32.08 of the Kingston Planning Scheme, a planning permit is required to construct two (2) or more dwellings on a lot and construct or extend a residential building. A development must meet the requirements of Clause 55 of the Scheme (including Clause 55.07 – Apartment Developments). This does not apply to a development of five or more storeys, excluding a basement level. Schedule 2 to the General Residential Zone includes a variation to one (1) Standard.

**Overlays**

- 5.2 Design & Development Overlay: Pursuant to Clause 43.02 of the Kingston Planning Scheme, a planning permit is required to construct a building or construct and carry out works.

No additional permit triggers are affected by the proposal based on the requirements under Schedule 7 (Urban Coastal Foreshore Setback Area) of the Overlay.

**Particular Provisions**

- 5.3 Clause 52.06 – Car Parking contains the following residential car parking rates:

- 1 space to each 1 or 2 bedroom dwelling;
- 2 spaces to each 3 or more bedroom dwelling; and
- 1 visitor space for every 5 dwellings.

This equates to a parking requirement of eighteen (18) car spaces (including the provision of two visitor spaces) for the proposed development. A total of eighteen (18) on site car parking spaces would be accommodated within the proposed basement car parking area, including provision for two (2) dedicated visitor 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 of the Scheme.

- 5.4 Clause 52.29 – Land Adjacent to a Road Zone Category 1: A planning permit is also required to create or alter access to land adjacent to a Road Zone Category 1.
- 5.5 Clause 55 - Two or More Dwellings on a Lot & Residential Buildings and Clause 55.07 Apartment Developments – (Refer to *Appendix A* for the Planning Officer's full assessment against this report).

**General Provisions**

- 5.5 The Decision Guidelines of Clause 65.01 of the Kingston Planning Scheme are relevant to this application and require consideration to be given to a variety of matters including planning scheme policies, the purpose of the Zone, orderly planning and the impact on amenity.

**6.0 RELEVANT POLICIES**

**6.1 Planning Policy Framework (PPF)**

Clause 9	Plan Melbourne
Clause 11	Settlement
Clause 15	Built Environment and Heritage
Clause 16	Housing
Clause 21.05	Residential Land Use
Clause 22.11	Residential Development Policy

- 6.2 Neighbourhood Character Area Guidelines (Incorporated Document under Clause 21.05 – Residential Land Use of the LPPF). The land is located within *Area No. 65* of the Neighbourhood Character Guidelines.

- 6.3 Design Contextual Housing Guidelines (April 2003 – reference document within Clause 22.11 – Residential Development Policy). The Design Contextual Housing Guidelines offer a range of design techniques and suggestions to assist with residential design, which is responsive to local character.

**7.0 ADVERTISING**

- 7.1 The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining two (2) public notices on the site for fourteen (14) days. The advertising process was satisfactorily completed and eight (8) objections were received in response to the proposal.

- 7.2 The main grounds of objection are, as follows:

- Overdevelopment;
- Safety (pedestrians and traffic);
- Neighbourhood character;
- Street setbacks;
- Vegetation removal;
- Permeability;
- Impact on existing infrastructure;
- Traffic and car parking impact;
- Overlooking;
- Overshadowing; and
- Bin collection.

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**8.0 PLANNING CONSULTATION MEETING**

- 8.1 A Planning Consultation Meeting was held on the 10 May 2017, with a Planning Officer, the Permit Applicant/Representative, a Ward Councillor and Objectors in attendance. The above-mentioned issues were discussed at length.
- 8.2 The above concerns were unable to be resolved at the meeting and all of the objections still stand.

**9.0 SECTION 50/50A/57A – AMENDMENT TO PLANS**

- 9.1 No formal amendments were made to the plans.
- 9.2 The applicant submitted a revised survey plan that identifies the width of Wynne Lane currently measures 2.6 metres (south section along Shenfield Avenue). The proposed boundary fence to the rear of 501-502 Nepean Highway (western property boundary) has encroached upon the laneway. The re-establishment survey identifies when the boundary is realised with the title boundary there will be a width of 2.93 – 2.95 metres. The encroachment of 0.1 – 0.12 metres is due to the property boundary fence of No. 3 Shenfield Avenue.
- 9.3 Council's Infrastructure department confirm a width of 2.93 – 2.95 metres is acceptable.

**10.0 REFERRALS**

- 10.1 The application was referred (and re-referred, where necessary) to the following internal departments:

- Council's Development Engineer – no objection was offered, subject to the inclusion of permit conditions including the provision of a flood proof apex along the length of the site's Nepean Highway frontage and the formal construction of the adjoining laneway in accordance with Council standards. The use of Wynne Lane has also been raised as an objection to the proposed development.

In regards to the width of Wynne Lane measuring 2.6 metres in one part the following comments have been provided

- Council's Roads and Drains Department – no objection was offered, subject to the inclusion of suitable permit conditions.

In regards to the width of Wynne Lane measuring 2.6 metres in one part the following comments have been provided *'Roads and Drains has no objection to the proposed width for the construction of the laneway considering the encroachments and accept the width proposed at the development'*.

- Council's Traffic Engineering Department - no objections were received, subject to the inclusion of suitable permit conditions including the provision of a one-way traffic management device at the top of the basement car ramp. It was also advised that the proposal is unlikely to generate an excessive increase in traffic movements within Wynne Lane and the surrounding street network. The Objectors concerns regarding pedestrian safety has also been considered with adequate sight lines incorporated into the design of the access ramp associated within the basement car parking area. It is also acknowledged that the removal of the existing crossovers at both Nepean Highway and Shenfield Avenue would allow for additional on-street car parking, which may in part alleviate Objector's concerns regarding increased demand for street parking. In relation to the width of the Wynne Lane the following comments are provided:

*'The survey plans indicate the current locations of fences for the properties abutting the laneway (Wynne Lane) encroach into the laneway by up to 300 mm. approximately, effectively narrowing it to less than the 3.05 metres on title.*

- *The proposed development is to be carried out within the title boundary effectively creating a physical laneway width of 2.93 to 2.95 metres.*
  - *Eventually the fencing on the adjacent property (3 Shenfield Avenue) may be relocated to the true title alignment.*
  - *Traffix Group Consultants have commented on the suitability of the laneway for access to the subject site concluding that access from Wynne Lane is 'acceptable'. The original traffic report indicated suitable swept path diagrams for access to the basement carpark utilising the 2.93 to 2.95 metre lane width. Therefore Traffic and transport have no objection to the proposed access arrangements.*
  - *It is considered appropriate to construct the full width of the laneway from the end of the existing concrete construction to Shenfield Avenue to provide all weather access for the rear access to the basement carpark. It may be appropriate to relocate the fencing along the laneway on 3 Shenfield Avenue to the correct position, at the time of construction'.*
- Council's Vegetation Management Officer supports the proposal subject to permit conditions relating to landscaping and tree protection fencing.
  - Council's Sustainable Development Advisor/ESD – no objection was offered, subject to further revised plans submitted demonstrating compliance with Council's expectations for ESD.

10.2 Pursuant to Clause 66.02 of the Scheme, the application was required to be referred to the following external authority:

- VicRoads – provided the following response *'I refer to the notification of the above Application for Review for planning application KP-1004/2017 (VCAT Reference P1014/2018) received by the Roads Corporation (VicRoads) on 14 June 2018. Please quote the above VicRoads reference number in all correspondence and contact with VicRoads.*

*The proposed development was considered by VicRoads under Section 55 of the Planning and Environment Act and consequentially forwarded a letter to the Responsible Authority dated 19 February 2018 (copy attached). The development proposal did not create any access point along the arterial road network (Nepean Highway) and all access to the development is provided via local road network (R.O.W at the rear); therefore, VicRoads did not object to the development but did require one condition to be included in the planning permit, should one be issued in relation to the removal of redundant crossover along Nepean Highway’.*

**11.0 PLANNING CONSIDERATIONS:**

**Planning Policy Framework**

- 11.1 The Planning Policy Framework sets out the relevant state-wide policies for residential development at **Clause 11** (Settlement), **Clause 15** (Built Environment and Heritage) and **Clause 16** (Housing). Essentially, the provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by “Plan Melbourne 2017-2050: Metropolitan Planning Strategy” (Department of Environment, Land Water and Planning, 2017).
- 11.2 The settlement policies at **Clause 11** seek to ensure a sufficient supply of land is available for all forms of land use in Victoria. Of particular relevance to housing, **Clause 11** promotes housing diversity and urban consolidation objectives in the established urban realm. **Clause 11.02-1** states that Planning Authorities should plan to accommodate projected population growth over at least a 15 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well consideration being had for environmental aspects, sustainable development and the costs associated with providing infrastructure. This Clause states:
- *Planning for urban growth, should consider:*
    - *Opportunities for the consolidation, redevelopment and intensification of existing urban areas;*
    - *Neighbourhood character and landscape considerations;*
    - *The limits of land capability and natural hazards and environmental quality;*
    - *Service limitations and the costs of providing infrastructure.*
- 11.3 **Clause 11.03-1S** seeks to encourage the concentration of major retail, commercial and residential developments into activity centres that are highly accessible to the community. Activity Centres should be a focus for high quality development, activity and living by providing different types of housing (including forms of higher density housing) that have good access to a range of services, facilities and transport options.
- 11.4 **Clause 15 (Built Environment and Heritage)** aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

- 11.5 Policies pertaining to urban design, building design and heritage outcomes are found at Clause 15 of the Planning Policy Framework. Of particular significance, **Clause 15.01-1S (Urban Design)** encourages development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate. Development should make a positive contribution to the community by minimising detrimental impacts on amenity and enhancing interaction between private and public realms. Safety of public spaces and ease of access to public transport are encouraged as well as development which provides for landscaping that supports the amenity and attractiveness of the public realm.
- 11.6 The provisions of **Clause 15.01-2S (Building Design)** reinforce the objectives above by encouraging building design outcomes that contribute positively to the local context and enhance the public realm. Development should respond and contribute to the strategic context of its location by minimising detrimental impact on neighbouring properties, the public realm and the natural environment. The form, scale and appearance of development should make a positive contribution and enhance the function and amenity of the area in terms of safety, landscape, access (pedestrians, cyclists and vehicles) and retention of existing vegetation.
- 11.7 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance. Importantly, the Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity.
- "The Aboriginal Heritage Act 2006 (the Act) and Aboriginal Heritage Regulations 2007 provides for the protection and management of Victoria's Aboriginal heritage with streamlined processes linked to the Victorian planning system. The Act also provides clear guidance to planners and developers about when, and how, Aboriginal cultural heritage needs to be considered, and in some situations work cannot proceed until compliance is met. Large developments and other high impact activities in culturally sensitive landscapes can cause significant harm to Aboriginal cultural heritage". [Source: DCPD website].*
- 11.8 The updated Aboriginal Heritage Regulations 2018 state:  
*The construction of 3 or more dwellings on a lot or allotment is an exempt activity if the lot or allotment is:*
- (a) not within 200 metres of the coastal waters of Victoria, any sea within the limits of Victoria or the Murray River; and*
  - (b) less than 0.11 hectares*
- 11.9 The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity. The subject site is located within an area of cultural heritage sensitivity as a result of the aboriginal heritage regulations update that occurred on 23 May 2018.
- 11.10 Representative of the permit applicant advised the Victorian Civil and Administrative Tribunal (VCAT) on 27 July 2018 that a Cultural Heritage Management Plan (CHMP) was prepared and submitted to the Secretary, department of Premier and Cabinet for evaluation on 26 July 2018. As such an approved CHMP will be provided to VCAT before the Merits Hearing proceeds.
- 11.11 Housing objectives are further advanced at **Clause 16**. This Clause aims to encourage increased diversity in housing to meet the needs of the community through different life stages and respond to market demand for housing. In much the same vein as Clause 11, this Clause advances notions of consolidation of existing urban areas, particularly in and around activity centres and employment corridors that are well served by all infrastructure and services.



11.12 **Clause 16.01 (Residential Development)** seeks to promote a housing market that meets community needs, and is located in areas which offer good access to jobs, services and transport. **Clause 16.01-2R** specifically requires consideration of population growth in locations that are considered major and neighbourhood activity centres, especially those with good public transport connections. Emphasis is placed on development of well-designed medium density housing with respect to neighbourhood character. Further, this Clause aims to make better use of the existing infrastructure and provide for more affordable and energy efficient housing.

11.13 It is submitted that the proposed development satisfies the aforementioned strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an 'as of right' use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abuttals, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

Local Planning Policy Framework

11.14 The City of Kingston's MSS at Clause 21.05 (Residential Land Use) of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.

11.15 Relevant objectives and strategies in Clause 21.05-3: Residential Land Use include:

- *To provide a range of housing types across the municipality to increase housing diversity and cater for the changing housing needs of current and future populations, taking account of the capacity of local areas in Kingston to accommodate different types and rates of housing change. This is to be achieved through encouraging residential development within activity centres via mixed-use development, and on transitional sites at the periphery of activity centres.*
- *To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality. This is to be achieved through promoting new residential development, which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.*
- *To promote more environmentally sustainable forms of residential development. To be achieved through promoting medium density housing development in close proximity to public transport facilities, particularly train stations.*
- *To manage the interface between residential development and adjoining or nearby sensitive/strategic land uses.*
- *To ensure residential development does not exceed known physical infrastructure capacities.*
- *To recognise and response to special housing needs within the community.*

11.16 Council's Local Planning Policy at Clause 21.05 essentially reinforces Planning Policy relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

- 11.17 Clause 22.11 Residential Development Policy extends upon the provision contained at Clause 21.05 (Residential Land Use), relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character.
- 11.18 Relevant objectives in Clause 22.11-2 Residential Development Policy include:
- To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.
  - To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.
  - To promote on-site car parking which is adequate to meet the anticipated needs of future residents.
  - To ensure that landscaping and trees remain a major element in the appearance and character of the municipality's residential environments.
  - To limit the amount and impact of increased stormwater runoff on local drainage systems.
  - To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses.
- 11.19 It is considered that the proposed development generally complies and satisfies the Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations. This is discussed in the Clause 55 assessment, later within this report.

**Zoning Provisions**

- 11.20 The mandatory height requirement of 11 metres (and not more than 3 storeys) under Schedule 2 to the General Residential Zone has been satisfied by the proposal. Additionally, the mandatory requirement for the provision of minimum garden area associated with new dwellings under Clause 32.08-4 of the Scheme is applicable to this application as it was lodged after the introduction of Amendment VC110 on the 27<sup>th</sup> March, 2017. The proposal satisfies the minimum requirement of 35% garden area (given that the site area exceeds 650m<sup>2</sup>) with 425m<sup>2</sup> or 35% of the site is to be set aside for this purpose.

**Overlay Provisions**

- 11.21 Pursuant to Clause 43.02-2 of the Kingston Planning Scheme, a planning permit is required to construct a building or construct and carry out works.

The design objectives of Schedule 1 (Urban Coastal Height Control Area) to this Overlay include:

- To ensure that new buildings, works, renovations and extensions are compatible with surrounding buildings and natural features and sympathetic to the natural landscape and environment.
- To relate building heights, building bulk and setbacks to adjoining sites so that they are compatible with the appearance and character of the immediate locality.

The proposed development is considered to satisfy the requirements to be met prior to the granting of a permit, which includes allowing a building no greater than two (2) storeys in height (which may include a basement car park with a maximum height of 1.2 metres above natural ground level). The submitted elevation plans show that no part of the proposed works, including the basement level, would not project more than two (2) storeys above the existing natural ground level at any point and, as such, satisfies the maximum building height requirements under the DDO1. Furthermore, the maximum internal floor to ceiling height associated with the proposed dwellings should not exceed 3.5 metres as specified under this Overlay.

It is also noted that the proposed development would be located well in excess of 4.5 metres of the Chelsea foreshore area, in accordance with the requirements specified under Schedule 7 (Urban Coastal Foreshore Setback Control Area) to the Overlay.

No additional permit triggers are affected by the proposal based on the requirements under Schedule 1 (Urban Coastal Height Control Area) and Schedule 7 (Urban Coastal Foreshore Setback Area) of the Overlay.

### **Particular Provisions**

#### **11.22 Clause 52.06 – Car Parking**

The technical requirements of this Clause have been duly considered by Council's Traffic Engineering department, with appropriate recommendations made. Overall, the application demonstrates a high level of compliance with the design standards for car parking, access and gradients under this section of the Scheme.

Please note, in accordance with Amendment VC148 Clause 52.06 Car Parking has been revised to calculate onsite visitor car parking requirements. The subject site is located within a Principal Public Transport Network (PPTN), that is, this subject site is within 400 metres of Bonbeach Train Station and no onsite visitor car parking is required for this proposal. The application is in surplus of two (2) car spaces.

#### **11.23 Clause 52.29 – Land Adjacent to a Road Zone Category 1**

VicRoads have offered conditional consent to the proposed development, in accordance with its letter dated the 19<sup>th</sup> February, 2018. The proposal includes the removal of the existing crossover located at Nepean Highway and reinstatement of the necessary road works/infrastructure. VicRoads stated that they would not support vehicle access from Nepean Highway, hence the access is proposed to the rear of the site from Wynne Lane.

**12.0 CLAUSE 55 (RESCODE ASSESSMENT)**

- 12.1 The proposal has been assessed against the objectives and standards of Clause 55 (ResCode), including Clause 55.07 – Apartment Development of the Kingston Planning Scheme (refer to *Appendix A*). Clause 55 requires that a development must meet all of the objectives and all of the standards of this clause should be met. Variations to the standards are able to be considered where it is determined that the overall objective is met.
- 12.2 The following assessment gives further discussion to that in the attached appendix, particularly those standards where concessions are sought. Overall, it is noted that the application achieves a reasonable level of compliance with the ResCode provisions with a number of variations sought.

***Standard B1 – Neighbourhood Character***

One of the key objectives of Clause 55.02-1 is “to ensure that the design respects the existing neighbourhood character and responds to the features of the site and surrounding area”. Standard B1 of ResCode suggests that the proposed design should respect the existing or preferred neighbourhood character and respond to the features of the site.

The subject site is located within a predominately residential area where medium density housing is becoming increasingly prevalent, due to the area being within the Chelsea Activity Centre and situated within reasonable walking distance to the Chelsea train station. The surrounding area is also provided with good access to the nearby foreshore reserve, a local commercial precinct, schools, public facilities, etc. Given that the property (to be consolidated) would be larger than most “typical” residential allotments in the surrounding area, it clearly has the capacity to accommodate a more intensive form of residential development on the subject site. A number of submissions received also expressing concern that the proposal is an overdevelopment of the site. However, Council officers consider that the application demonstrates a high level of compliance, with particular respect to car parking, private open space and off-site amenity impacts.

It is also considered that the upper floor levels of the two-storey apartment building fronting Nepean Highway and the double-storey townhouses at Shenfield Avenue have been designed and sited in a manner so as to reduce any adverse amenity impacts for the adjoining residential properties to the north (side) and west (rear). The subject site is also physically separated by a 4 metre wide laneway to the rear (west) from existing properties fronting Shenfield Avenue. Council officers also consider that the built form characteristics associated with the new development are consistent recent examples of medium density housing within this part of Chelsea where multi-dwelling development is more becoming prevalent. Further to this, Council’s Urban Designer has provided the following comments *“The proposed development is a mixed typology multi-unit residential development providing a combination of low rise apartments and townhouses. This is considered a good response to housing policy objectives to provide for greater housing diversity.*

*Furthermore, all but 2 dwellings enjoy a dual aspect which is considered a good outcome in a multi-unit residential development of 9 dwellings.*

*The mixed typology of the development results in a positive presentation to each streetscape with a broad format frontage to Nepean Highway, reflective of some of the commercial presentations found in this streetscape, and a narrower more rhythmic presentation with clearly marked individual addresses responsive of the residential street”.*

Accordingly, the design and siting of the proposed development should not unduly affect the directly adjoining residential properties to the subject land and, as such, offers a good planning outcome for this corner allotment.

***Standard B9 – Permeability***

The objectives under this Standard are “to reduce the impact of increased storm-water run-off on the drainage system” and “to facilitate on-site storm-water infiltration”.

Under the requirements of this Standard, the minimum site permeability to be achieved for new medium housing development is 20%. The proposal would result in a site area of 19%.

The relevant “decision guidelines” for this Standard require consideration (amongst other things) of the design response and the capacity of the site to absorb run-off. Council's Development Approvals Engineer has raised no major issues with the site permeability to be achieved by the proposal, subject to the inclusion of a number of permit conditions relating to on-site storm water management.

***Standard B17 – Side & Rear Setbacks***

The objective of this Standard is “to ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings”.

Based on the requirements under this Standard, a new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1.0 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this Standard.

The considered plans show that the minimum rear first floor level setback of Townhouse 1 from the site's western boundary would be 0 metres where it abuts Wynne Lane, whereas a minimum building setback of 2.05 metres is required under this Standard (based on the proposed wall height of 7.10 metres).

The Design Guidelines for this Standard require the Responsible Authority to consider the design response, including the impact of the reduced building setbacks on the amenity of existing habitable room windows or secluded private open space areas within adjoining properties. A variation to the minimum rear (west) building setback requirements under this Standard is considered reasonable in this instance as parts of the development to encroach within the respective setback area would feature a direct outlook to the existing carport located within the front setback area of No. 3 Shenfield Avenue. As such, a reduction (to zero) in the nominated rear building setback associated with Townhouse 1 should not result in any unreasonable amenity impacts to the existing dwelling at No. 3 Shenfield Avenue.

Accordingly, a variation to this Standard is considered reasonable and warrants support in this instance.

***Standard B18 – Walls on Boundaries***

The objective of this Standard is “to ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of the existing dwellings”.

Under Standard B18 of Clause 55 of the Scheme, the maximum average height of walls to be constructed along any boundary should not exceed an average height of 3.2 metres above the natural ground level and a maximum wall height not greater than 3.6 metres. It is noted that the wall to be constructed along the site’s rear (west) property boundary would feature a maximum overall height of 7.1 metres above the natural ground level.

To provide greater articulation and compliance with Standard B27 Daylight to New Windows a permit condition will require the first floor of townhouse 1 to be setback 1 metre from the western property boundary. This will reduce the height of the wall proposed on the boundary.

The amended wall height would still not comply with the Standard. Council officers consider that a variation to the maximum wall height requirements is appropriate in this instance, given that the location, height and length of the respective boundary wall should not adversely affect the visual amenity of the existing dwellings on the adjoining property at No. 3 Shenfield Avenue. Overall, the proposal is considered to satisfy the objective of this Standard.

***Standard B27 – Daylight to New Windows***

The design objective of this Standard is “to allow adequate daylight into new habitable room windows”.

Of particular relevance to this application is the following requirement, that a window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot.

The west (rear) facing upper floor level bedroom windows of Townhouse 1 would be featured within the boundary wall of the development along the site’s western boundary and, as such, would rely on “borrowed” light from the adjoining laneway. A permit condition will require the first floor of townhouse 1 to be setback 1 metre from the western property boundary to resolve the above mentioned issue.

***Standard B35 – Energy Efficiency***

One of the key design objectives of this Standard is “to ensure dwellings achieve adequate thermal efficiency”.

- The subject site is located within Climate Region 62: Moorabbin. This Standard requires that developments within Climate Zone 62 – Moorabbin should not exceed a maximum NatHERS cooling load of 21 MJ/M2 per annum.

- The Sustainability Management Plan prepared by Lid Consulting identifies that the proposed development will meet the maximum cooling load, stating:

The proposed development commits to achieving the maximum cooling load for the climate zone '62 - Moorabbin Airport' of 21MJ/m<sup>2</sup> per annum per clause '55.07-1 Energy Efficiency'. Cooling loads demonstrated in preliminary energy ratings all fell below the maximum 21MJ/m<sup>2</sup>.

Cooling loads for each dwelling will be assessed during the building certification energy ratings and adjusted as appropriate. Should a reduction in a dwelling cooling loads be required there is potential for this development to adapt through the specification of higher performing glazing and/or improved local shading as appropriate.

A permit condition will require the permit application to demonstrate compliance with Standard B35.

***Standard B38 – Deep Soil & Canopy Trees Objective***

The objective of this Standard is “to promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect”.

A minimum of 7.5% of the site area at a minimum dimension of 3 metres is to be provided where land is between 1001-1500 square metres in size. This equates to a total of 90.6 square metres.

The land enjoys a frontage to the Nepean Highway of 30.48m, and when including space with a minimum width of 3m, a total of 170m<sup>2</sup> of deep soil area is available within the development. This well exceeds the minimum specified by this Standard.

Furthermore, the Standard specifies a *Minimum tree provision* of:

*1 medium tree (8-12 metres) per 50 square metres of deep soil*

*or*

*1 large tree per 90 square metres of deep soil*

Having regard to the provisions, a total of 1 large and 1 medium tree is to be located in this space, OR two medium size trees.

The Landscape Plan prepared by Wallbrink Landscape Architects show the retention of the Eucalyptus Botryoides (Southern Mahogany Gum) in the northeast corner of the allotment. This tree is 10m in height. Furthermore, three Acacia Implexa (Lightwood) are proposed along the Nepean Highway frontage, each able to achieve a mature height of 7m.

In this, whilst the proposal does not satisfy the prescriptive requirements of this Standard, the retention of the established tree will provide an immediate canopy to the site, and when coupled with the proposed trees to be planted, will collectively achieve a greater number of canopy trees than that required by way of this Standard. It is considered the proposal satisfies the objective.

***Standard B40 – Noise Impacts***

The design objectives of this Standard are “to contain noise sources in developments that may affect existing dwellings” and “to protect residents from external and internal noise sources”.

The new apartments would directly front Nepean Highway, which we understand carries minimum of 40,000 Annual Average Daily Traffic Volumes, and be located opposite the Frankston Railway Line. Both of these are identified as being “noise sources” under Table B6 – Noise Influence Area.

A building within a noise influence area specified in Table 1 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as a LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq16h from 6am to 10pm.

A condition has been included to ensure compliance with Clause 55.07-6 (Noise Impacts objective) of the Kingston Planning Scheme. This condition will require the Permit Applicant to demonstrate compliance prior to the issuing of a building permit.

***Standard B41 - Accessibility***

The objective of this Standard is “to ensure the design of dwellings meets the needs of people with limited mobility”, achieved by way of the following:

At least 50 per cent of dwellings should have:

- *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.*
- *A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.*
- *A main bedroom with access to an adaptable bathroom.*
- *At least one adaptable bathroom that meets all of the requirements of either*

As communicated on the architectural plans prepared by Chamberlain Architects (TP0.01), 3 out of 6 apartments (50%) achieve the accessibility requirements expressed in this Standard, and therefore satisfy the Objective expressed above.

***Standard B44 – Storage***

The design objective of this Standard is “to provide adequate storage facilities for each dwelling”.

A 10m<sup>2</sup> storage room/unit would be provided for each apartment within the basement car parking area. However, it is noted that a minimum storage area of 12m<sup>3</sup> is required for each apartment containing three (3) or more bedrooms.

A condition has been included to require all three-bedroom units to have a minimum storage area of 12m<sup>2</sup>.



***Standard B49 – Natural Ventilation***

The objectives of this Standard are “to encourage natural ventilation of dwellings” and “to allow occupants to effectively manage natural ventilation of dwellings”. The Standard specifies the following:

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- *A maximum breeze path through the dwelling of 18 metres.*
- *A minimum breeze path through the dwelling of 5 metres.*
- *Ventilation openings with approximately the same area.*
- *The breeze path is measured between the ventilation openings on different orientations of the dwelling.*

It is noted that 4 Apartments out of 6 (67%) achieve effective cross ventilation. The proposal therefore satisfies this Standard.

12.3 The Residential policy objective seeks to ensure that any proposed development accords with the relevant Planning Policy Framework. An assessment against Kingston’s MSS and Residential Development Policy has been provided at Section 11.2 of this Report, with the proposal found to be generally consistent with the relevant policies.

12.4 It is considered that the proposed development generally complies and satisfies the Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations.

**13.0 RESPONSE TO GROUNDS OF OBJECTIONS**

13.1 The Objector’s concerns have largely been addressed in the attached *Appendix A* and, where necessary, further elaborated on in the assessment above.

**14.0 CONCLUSION:**

14.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.

14.2 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 proposal does not give rise to any significant social and economic effects.

14.3 The proposed development 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; and
- A suitable level of compliance with all relevant policies, including Clause 52.06 (Car Parking) and Clause 55 (ResCode) of the Kingston Planning Scheme.

**15 RECOMMENDATION**

- 15.1 The Council advise the VCAT that in the event that Council was to determine the application it would have issued a Notice of Decision to Grant a Permit to develop the land for the construction of nine (9) dwellings and to alter access to land adjacent to a Road Zone Category 1 at No. 501-502 Nepean Highway, Chelsea, subject to the following conditions:
1. Before the development starts amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on the 23<sup>rd</sup> December, 2017, but modified to show:
    - a. the provision of a landscape plan in accordance with the submitted landscape by Wallbrink Landscape Architecture, issue B, dated 19/12/2017 but amended to show:
      - ii) Substitution of the *Acacia implexa* in the Nepean Highway front setbacks for *Banksia integrifolia* ;
      - iii) Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan and a notation to refer to the endorsed Tree Management Plan;
    - b. The location of tree protection measures illustrated to scale and labeled on the Ground Floor Plan as per the endorsed Tree Management Plan and a notation to refer to the endorsed Tree Management Plan.
    - c. Any changes as required by Condition 5.
    - d. the provision of an improved ESD report, in accordance with Condition 22 of this Permit;
    - e. any laneway works required (Wynne Lane) nominated as matching into existing levels;
    - f. the provision of a longitudinal section of the basement ramp showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004;
    - g. the provision of a notation stating: "the existing Laneway/Right of Way to the west of the subject site from Shenfield Avenue to the Northern property boundary of the subject site including drainage works must be designed with coloured concrete and exposed aggregate feature bands as per Council Standards; drained and constructed at the full cost of the owner/developer as per engineering plans approved by the Council";
    - h. a flood proof apex of minimum 150mm above the existing kerb and channel invert level must be provided along the entire Nepean Highway frontage of the subject site;
    - i. the provision of a one-way traffic management device (stop/go lights, convex traffic mirror or other device approved by Council's Traffic Engineers) at the top of the basement ramp;
    - j. the maximum height of the front fencing for Townhouses 1 to 3 inclusive nominated as 1.2 metres;
    - k. the provision of a Construction Management Plan (CMP) to be submitted to and approved to the satisfaction of the Responsible Authority, in accordance with Condition 20 of the permit;
    - l. the provision of a Waste Management Plan (WMP) to be submitted to and approved to the satisfaction of the Responsible Authority, in accordance with Condition 21 of this permit;
    - m. the surface material of all driveways/accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;

- n. the location of all external heating and/or cooling units and lift overruns for the proposed dwellings;
- o. the provision of a full colour palette, finishes and building materials schedule for all external elevations and driveway/s of the development;
- p. all requirements of VicRoads, as specified under Condition 9 of this permit;
- q. compliance with Standard 22– Overlooking of the Kingston Planning Scheme for the upper level windows and roof decks;
- r. townhouse 1, first floor to be setback 1 metre from the sites west property boundary in accordance with Standard 27 Daylight to New Windows of the Kingston Planning Scheme;
- s. demonstration of compliance with Standard 35 – Energy Efficiency of the Kingston Planning Scheme;
- t. demonstration of compliance with Standard 44 – Storage of the Kingston Planning Scheme; and
- u. the rear property boundary to align with the title boundary, not the existing fence line.

**Endorsed Plans**

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

**Trees to be retained**

- 3. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced
- 4. The retention of the *Eucalyptus botryoides* (Southern Mahogany) located in the north-east corner of the property.

**Tree Management and Protection Plan**

- 5. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
  - a. A Tree Management Plan (written report) must provide details of:
    - ii) Any non-destructive root investigation undertaken to determine the location and distribution of roots of trees nominated on the Tree Protection Plan.
    - iii) Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
    - iv) How excavation impacts, including soil level changes, on trees to be retained will be managed.
    - v) How the canopy of trees nominated on the Tree Protection Plan will be protected.
    - vi) Any other measures required to demonstrate the successful ongoing retention and viability post-construction of any trees nominated on the Tree Protection Plan.

- b. A Tree Protection Plan (scale drawing) must provide details of:
  - ii) The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
  - iii) Tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
  - iv) Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
  - v) Appropriate signage on any tree protection fencing prohibiting access, excavation, changes in soil levels, or any storage within the Tree Protection Zone in accordance with AS4970-2009 unless with the prior written consent and under the direct supervision of the consulting arborist.
  - vi) Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
  - vii) Any pruning to be undertaken being in accordance with AS4373-2007.
  - viii) A notation to refer to the Tree Management Plan.

- 6. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
- 7. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

**Street trees**

- 8. Tree Protection Fencing is to be established around the two street trees in the Shenfield Avenue nature strip prior to demolition and maintained until all works on site are complete.
  - a. The 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
  - b. The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.

**VicRoads**

- 9. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings on Nepean Highway must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.

**Infrastructure Works**

- 10. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Wynne Lane and all internal driveways must align with the existing/proposed vehicle crossing.
- 11. The internal driveway must be at least 500mm from the side boundary at the front boundary.
- 12. Property boundary and footpath levels must not be altered without the prior written consent from Council's Roads & Drains Department.
- 13. All reinstatements and vehicle crossings are to be constructed to the satisfaction of the relevant authority.

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14. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of Council's Roads and Drains Department.
15. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
16. Vehicle crossings and other reinstatements must be constructed to Council's industrial strength specifications.
17. The right-of-way abutting the western boundary must be constructed to the satisfaction of the Responsible Authority.
18. All front and side fences must be constructed wholly within the title property boundaries of the subject land.
19. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.

**Construction Management**

20. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy, July 2015 [and](#) Construction Management Guidelines, 1 November 2015 (and any superseding versions and / or documents). The CMP must specify and deal with, but is not limited to, the following elements:
  - a) Public Safety, Amenity and Site Security
  - b) Traffic Management
  - c) Stakeholder Management
  - d) Operating Hours, Noise and Vibration Controls
  - e) Air Quality and Dust Management
  - f) Stormwater and Sediment Control
  - g) Waste and Materials Re-use.

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

**Waste Management Plan**

21. Prior to the commencement of the Development, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to all to the satisfaction of the Responsible Authority:
  - a) The manner in which waste will be stored and collected including: type, size and number of containers.
  - b) Spatial provision for on-site storage.

c) Details whether waste collection is to be performed by Council's services or privately contracted.

d) The size of the collection vehicle and the frequency, time and point of collection.

The waste management plan must be implemented to the satisfaction of the Responsible Authority. The waste management plan must not be modified unless without the written consent of the Responsible Authority.

**Environmentally Sustainable Design (ESD)**

22. Prior to the endorsement of the Plans required pursuant to Condition 1 of this permit, the provision of an improved ESD report prepared by a suitably qualified professional, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the Report will be endorsed as evidence of its approval and will then form part of the Permit and shall thereafter be complied with to the satisfaction of the Responsible Authority. The ESD report must include, but is not limited to, how the development will achieve a minimum 5 star and average 6 star energy rating, detailed initiatives for stormwater harvesting, insulation, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation, energy efficient concepts, waste and recycling, building materials, glazing and internal/ cross-flow ventilation and the like where appropriate and relevant to the satisfaction of the Responsible Authority.

**Engineering Design**

23. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist to assess any possible impacts the proposed development has on the ground water table, surrounding land and buildings to the satisfaction of Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the responsible authority.
24. The basement structure must be designed to respond to the findings of the GAR and GMP required in the above condition and constructed to the satisfaction of the Responsible Authority.

**Drainage and Water Sensitive Urban Design**

25. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
- a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
  - b. The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".

- c. A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
  - d. The water sensitive urban design treatments as per Conditions 25a, 25b & 25c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
- 26. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
  - a. All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
  - b. The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 11L/s.
  - c. All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.
- 27. Before the occupation of the development commences, the laneway with drainage works as described in Condition 21) must be designed and constructed at the full cost of the owner/developer and maintained in accordance with the plans approved by the Council. Discussion with Council's Development Engineer is recommended prior to submission of a design. A priced schedule of works within the laneway and the payment of Council's engineering fees of 3.25% of the cost of the works are required to be submitted prior to approval.
- 28. A flood proof apex (i.e. ridge level) protecting the property from any overland flows must be provided. This apex is to be a minimum of 150mm above the existing kerb and channel invert level along the entire Nepean Highway frontage of the subject site. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (e.g. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.

**Parking and Traffic Management**

- 29. Prior to the occupation of each dwelling hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
  - a) Constructed to the satisfaction of the Responsible Authority.
  - b) Properly formed to such levels that they can be used in accordance with the plans.
  - c) Surfaced in accordance with the endorsed plans under this permit or in an all-weather coloured concrete seal-coat, to the satisfaction of the Responsible Authority.
  - d) Drained and maintained to the satisfaction of the Responsible Authority.

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- e) Clearly signposted/marked as resident, employee, disabled or visitor parking.
- f) Line-marked to indicate each car space and all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.

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

**Infrastructure and Road Works**

- 30. Any redundant vehicular crossing must be removed and the nature strip, kerb and channel, and footpath must be reinstated to the Responsible Authority's standard specifications and to the satisfaction of the Responsible Authority.
- 31. 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.

**General amenity conditions**

- 32. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must be concealed from the street, unless with the further written consent of the Responsible Authority.
- 33. All piping and ducting above the ground floor storey of the development (other than rainwater guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.
- 34. Service units, including air conditioning/heating units, where incorporated, must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority and if located on the roof of a building, suitable screening and baffling must be provided to the satisfaction of the Responsible Authority.

**Lighting**

- 35. Exterior lighting must be installed in such positions as to effectively illuminate all communal areas to the satisfaction of the Responsible Authority. Such lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on neighbouring land, to the satisfaction of the Responsible Authority.

**Completion of Works**

- 36. Prior to the occupation of each dwelling hereby permitted, all buildings and works and the 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.
- 37. Prior to the occupation of each dwelling hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.
- 38. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.



Time Limits

39. 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 development is 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.

In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

**Note:** The owner(s), occupiers and visitors of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

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

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

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

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

**Note:** Council's Rates Department is responsible for determining and assigning property address details, which include dwelling/unit/apartment and street numbers and/or street names. The onus is on the Permit Applicant/Land Owner to contact Council's Rates Department to determine dwelling/unit/apartment and street numbers, and street name details for the approved development. Any reference to dwelling numbers on endorsed plans is indicative and should not be relied upon for dwelling/unit/apartment and street numbers and/or street name purposes.

**Note:** The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (*Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011*).

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Or

In the event that the Planning Committee wished to oppose the Officers Recommendation to support the application, it can do so on the following grounds:

1. The proposal is contrary to the policy outcome contained within Clause 21.05 and Clause 22.11 of the Kingston Planning Scheme.
2. The proposed design response fails to provide an acceptable outcome with regards to Neighbourhood Character.
3. The proposal fails to provide an appropriate landscape outcome for the subject site.
4. The proposal would detract from the amenity of the locality and the streetscape.

**APPENDIX A – RESCODE ASSESSMENT**

**Standard of the Kingston Planning Scheme**

Two or More Dwellings on a Lot and Residential Buildings (Clause 55 and Schedule 2 to the General Residential Zone) and Clause 55.07 – Apartment Development.

<b>Title and Objective</b>	<b>Complies with Standard?</b>	<b>Requirement and Proposed</b>
<b>B1 Neighbourhood Character</b> Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Development responds to features of the site and surrounding area.	Yes	Complies. Refer to Section 12 of this report for further discussion.
<b>B2 Residential Policy</b> Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies. Support medium densities in areas to take advantage of public transport and community infrastructure and services.	Yes	The proposal is considered to be consistent with all relevant sections of the SPPF, LPPF (including Council's MSS) and local planning policies, namely Council's Residential Development Policy under Clause 22.11 of the Kingston Planning Scheme. The subject site is located within an area targeted for "increased housing diversity" and is located on the southern edge of the Chelsea Activity Centre.
<b>B3 Dwelling Diversity</b> Encourages a range of dwelling sizes and types in developments of ten or more dwellings.	N/A	Less than 10 dwellings proposed.
<b>B4 Infrastructure</b> Provides appropriate utility services and infrastructure without overloading the capacity.	Yes	It is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations, including the formal construction of Wynne Lane where it directly abuts the site's rear property boundary. All reticulated services are currently available to the subject site. No easements are contained within the

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<b>Title and Objective</b>	<b>Complies with Standard?</b>	<b>Requirement and Proposed</b>
		property.
<b>B5 Integration with the Street</b> Integrate the layout of development with the street	Yes	The proposed development would be orientated towards both Nepean Highway and Shenfield Avenue. No high front fencing is proposed for the new townhouses fronting Shenfield Avenue.
<b>B6 Street Setback</b> The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	Yes	The proposed apartments would be setback a minimum distance of 5.07 metres from Nepean Highway, in accordance with the technical requirements for a corner site under this Standard. The new townhouses to front Shenfield Street would feature a minimum front setback of 3.0 metres which complies.
<b>B7 Building Height</b> Building height should respect the existing or preferred neighbourhood character.	Yes	<b>Maximum:</b> 9.0 metres (or a maximum of 11 metres or 3 storeys under the GRZ2). <b>Proposed:</b> 7.60 metres above natural ground level (maximum).  Complies.
<b>B8 Site Coverage</b> Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.	Yes	<b>Maximum:</b> 60% <b>Proposed:</b> 60%  Complies.
<b>B9 Permeability</b> Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.	No	<b>At least:</b> 20% <b>Proposed:</b> 19%  <b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.
<b>B10 Energy Efficiency</b> Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use	Yes	The orientation and layout of the proposed townhouses should make good use of daylight and solar energy. Furthermore,

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Title and Objective	Complies with Standard?	Requirement and Proposed
of daylight and solar energy.		<p>the proposed development should not unreasonably reduce the energy efficiency of existing dwellings on adjoining properties, notably the adjoining dwelling at No. 3 Shenfield Avenue.</p> <p>Refer to <i>Standard B35</i> for the apartment component of this application.</p>
<b>B11 Open Space &amp; B36 Open Space</b> Integrate layout of development with any public and communal open space provided in or adjacent to the development.	N/A	No communal open space areas would be created as a part of the proposal.
<b>B12 Safety</b> Layout to provide safety and security for residents and property.	Yes	Complies. The layout and design of the proposed development would promote a sense of safety and security for the likely residents. Of particular note, the front entry area of the apartments would be at ground level and clearly visible from Shenfield Avenue.
<b>B13 Landscaping</b> To provide appropriate landscaping. To encourage: <ul style="list-style-type: none"> <li>• Development that respects the landscape character of the neighbourhood.</li> <li>• Development that maintains and enhances habitat for plants and animals in locations of habitat importance.</li> <li>• The retention of mature vegetation on the site.</li> </ul>	Yes	Complies. No significant vegetation removal is proposed. Conditional consent has been offered to the proposal which includes a requirement for the provision of a landscape plan and associated planting schedule.
<b>B14 Access</b> Ensure the safe, manageable and convenient vehicle access to and from the development. Ensure the number and design of vehicle crossovers respects neighbourhood character.	Yes	Complies. The existing crossovers located at both Nepean Highway and Shenfield Avenue would be removed, with all vehicle access to the proposed basement car parking area to be provided from Wynne

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Title and Objective	Complies with Standard?	Requirement and Proposed
		Lane. VicRoads has offered conditional consent to the removal of the existing crossover at Nepean Highway.
<b>B15 Parking Location</b> Provide resident and visitor vehicles with convenient parking. Avoid parking and traffic difficulties in the development and the neighbourhood. Protect residents from vehicular noise within developments.	Yes	Complies. Each dwelling would be provided with convenient and accessible car parking within the proposed basement car parking area.
<b>B16 (Parking Provision) no longer exists following Planning Scheme Amendment VC90 approved on 5 June 2012.</b>		
<b>B17 Side and Rear Setbacks</b> Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.	No (part)	<u><b>Ground Floor</b></u> North (Side): 1.07 metres West (Rear): 0 metres South (Side): 2.0 metres  Complies. <u><b>First Floor</b></u> North (Side): 2.0 metres West (Rear): 0 metres. South (Side): 2.0 metres.  <b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.
<b>B18 Walls on Boundaries</b> Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.	No	<b>Maximum:</b> wall height not to exceed 3.6 metres, with a maximum average wall height not to exceed 3.2 metres above NGL.  <b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.
<b>B19 Daylight to Existing Windows</b> Allow adequate daylight into existing habitable room windows.	Yes	All existing habitable room windows would be located more than 1.0 metre from any wall associated with the proposed development.

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<b>Title and Objective</b>	<b>Complies with Standard?</b>	<b>Requirement and Proposed</b>
<b>B20 North Facing Windows</b> Allow adequate solar access to existing north-facing habitable room windows.	N/A	Not applicable, as the subject site is located on the north side of Shenfield Avenue.
<b>B21 Overshadowing Open Space</b> Ensure buildings do not significantly overshadow existing secluded private open space.	Yes	The amount of additional shadowing likely to be generated by the proposed development onto the adjoining properties falls within the maximum allowed under this Standard. Given the east/west orientation of the subject site and the nominated building setbacks, the level of overshadowing generated by the proposal should not be excessive. This is further demonstrated through the provision of at least 5 hours of sunlight for a minimum area of 40m <sup>2</sup> between 9am and 3pm for the directly adjoining properties (namely that at No. 3 Shenfield Avenue).

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<b>Title and Objective</b>	<b>Complies with Standard?</b>	<b>Requirement and Proposed</b>
<b>B22 Overlooking</b> Limit views into existing secluded private open space and habitable room windows.	Yes	The proposed development (including 6 apartments) should not generate any unreasonable overlooking opportunities into any existing habitable room windows or secluded private open spaces areas on the adjoining properties located within a horizontal distance of 9.0 metres. Specifically, the location of the roof-top terrace associated with Townhouse 1 should not directly overlook any sensitive areas of No. 3 Shenfield Avenue. This has been demonstrated in an overlooking diagram submitted as a part of this application. It is also noted that the north (side) and west (rear) property boundaries would feature timber paling fencing at least 1.8 metres high.
<b>B23 Internal Views</b> Limit views into existing secluded private open space and habitable room windows of dwellings and residential buildings within the same development.	Yes	It is unlikely that any internal overlooking would be generated by the proposal.
<b>B24 Noise Impacts</b> Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.	Yes	A condition of any permit issued for the proposal should require details of the location of any external heating and/or cooling units and lift overruns associated with the proposed development.



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<b>Title and Objective</b>	<b>Complies with Standard?</b>	<b>Requirement and Proposed</b>
<b>B25 Accessibility</b> Consider people with limited mobility in the design of developments.	Yes	The design and layout of the proposed development appears to have considered the needs of persons with limited mobility. Notably, an internal lift system is nominated for each townhouse and within the apartment development.
<b>B26 Dwelling Entry</b> Provide a sense of identity to each dwelling/residential building.	Yes	The entry area of the new residential building would be identifiable from Shenfield, via a pedestrian pathway.
<b>B27 Daylight to New Windows</b> Allow adequate daylight into new habitable room windows.	No	<b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.
<b>B28 Private Open Space</b> Provide reasonable recreation and service needs of residents by adequate private open space.	Yes	<b>Required:</b> An area of 40m <sup>2</sup> , with one part of the POS to consist of secluded POS at the side or rear of the dwelling or residential building with a minimum area of 40m <sup>2</sup> , a minimum dimension of 3.0 metres and convenient access from a living room.  Complies. See report for further details.
<b>B29 Solar Access to Open Space</b> Allow solar access into the secluded private open space of new dwellings/buildings.	Yes	Each secluded private open space area, including the roof-top terrace area of the three townhouses, would feature excellent solar access to the north.

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Title and Objective	Complies with Standard?	Requirement and Proposed
<b>B30 Storage</b> Provide adequate storage facilities for each dwelling.	Yes	A minimum 6m <sup>3</sup> storage area is nominated for each townhouse and is located within the basement car parking area.  Refer to <i>Standard B44 – Storage</i> for the consideration of the new apartments.
<b>B31 Design Detail</b> Encourage design detail that respects the existing or preferred neighbourhood character.	Yes	The proposed development is consistent with the evolving residential character associated with existing housing stock located on the periphery of the Chelsea Activity Centre. The design and siting of the proposal ensures that the development should not adversely affect the amenity of the surrounding properties. It is noted that the use of varied external building materials associated with each dwelling would be varied and should minimise any visual bulk generated by the proposed development. Furthermore, the location of a full basement car parking area would ensure that the on-site facilities do not dominate the streetscape character of this section of Nepean Highway.
<b>B32 Front Fences</b> Encourage front fence design that respects the existing or preferred neighbourhood character.  Note: Schedule 2 to the General Residential Zone includes a variation to this Standard.	Yes	A 1.8 metre high solid blockwork fence is proposed at Nepean Highway, whereas a 1.2 metre high fence is to be constructed in front of the new townhouses at Shenfield Avenue.

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<b>Title and Objective</b>	<b>Complies with Standard?</b>	<b>Requirement and Proposed</b>
<b>B33 Common Property</b> Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.	Yes	No likely future body corporate management difficulties are envisaged with the proposed development. However, it is considered that a condition of any permit issued should require the provision of security lighting along the basement car parking area and adjacent to the entrance of the new apartment entry area.
<b>B34 Site Services</b> Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive. Avoid future management difficulties in common ownership areas.	Yes	Complies. A communal mail box facility would be located within the main entry area of the residential building. An internal clothes dryer would also be provided for each apartment.

**CLAUSE 55.07 – APARTMENT DEVELOPMENTS**

<b>B35 Energy Efficiency</b> Achieve and protect energy efficient dwellings and buildings. Ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. Ensure dwellings achieve adequate thermal efficiency.	No	<b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.
<b>B36 Communal Open Space</b> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.	Yes	<p>The proposal does not comprise more than 40 dwellings and therefore the Standard does not apply.</p> <p>The subject site is within 400m walking distance of extensive public open space in the form of the Chelsea foreshore reserve. In addition, sufficient secluded private open space is provided for each of the six (6) apartments proposed on site. As the proposed occupants of the development are not expected to be reliant on communal open space for their future recreational needs, it is considered appropriate not to include communal space in the current proposal.</p>

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<p><b>B37 Solar Access to Communal Outdoor Open Space</b> To allow solar access into communal outdoor open space.</p>	<p>N/A</p>	<p>No communal open space is proposed.</p>
<p><b>B38 Deep Soil Areas and Canopy Trees</b> To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.</p>	<p>No</p>	<p><b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.</p>

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<p><b>B39 Integrated Water and Stormwater Management</b></p> <p>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</p> <p>To facilitate stormwater collection, utilisation and infiltration within the development.</p> <p>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</p>	<p>Yes</p>	<p>Rainwater tanks, their catchments and the proposed reuse of water are required to be nominated as part of the Sustainable Design Assessment, which is required as a condition of approval.</p> <p>Water tanks will be required to be connected to toilets for flushing, in accordance with the Standard.</p> <p>Stormwater is required to be treated as a condition of approval.</p>
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<p><b>B40 Noise Impacts</b> To contain noise sources in developments that may affect existing dwellings. To protect residents from external and internal noise sources.</p>	<p>Can comply subject to condition</p>	<p>The site is located within a noise influence area (80m of the City to Frankston railway line) specified in Table B6 of Clause 55.07-6. In order for the proposal to comply with Standard B40, a condition of approval will require the provision of an acoustic report, demonstrating that the building is designed and constructed to achieve the following noise levels:</p> <ul style="list-style-type: none"> <li>- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.</li> <li>- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.</li> </ul> <p>A condition of approval will require noise levels to be assessed post-construction, to ensure compliance with the Standard.</p>
<p><b>B41 Accessibility</b> To ensure the design of dwellings meets the needs of people with limited mobility</p>	<p>No</p>	<p><b>Does not comply – variation required.</b> Refer to Section 12 of this report for further discussion.</p>

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<p><b>B42 Building Entry and Circulation</b></p> <p>To provide each dwelling and building with its own sense of identity.</p> <p>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</p> <p>To ensure internal communal areas provide adequate access to daylight and natural ventilation</p>	<p>Yes</p>	<p>The proposal demonstrates compliance with the Standard due to the inclusion of the following design elements:</p> <ul style="list-style-type: none"> <li>• The entry to the apartment building is clearly visible and identifiable from Shenfield Avenue.</li> <li>• Non-residential uses are not proposed within the development.</li> <li>• Internal stairwells are visible from the entry and the common areas have access to daylight and ventilation at both levels.</li> </ul>
<p><b>Standard B43 Private Open Space Above Ground Floor</b></p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>Yes</p>	<p>The Standard requires the following:</p> <ul style="list-style-type: none"> <li>• Ground level apartments to be provided with a minimum area of 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.</li> <li>• Two (2) bedroom upper level apartments to be provided with a balcony with a minimum area of 8 square metres and a minimum dimension of 2 metres, or a minimum area of 9.5 square metres and a minimum depth of 2 metres where the balcony contains an air conditioning unit.</li> </ul> <p>Three (3) bedroom upper floor level apartments to be provided with a balcony with a minimum area of 12 square metres and a minimum dimension of 2.4 metres.</p>



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<p><b>Standard B44 Storage</b></p> <p>To provide adequate storage facilities for each dwelling.</p>	<p>Can comply subject to condition</p>	<p>A condition of approval will require storage to be nominated for each apartment, to comply with the Standard.</p>
<p><b>Standard B45 Waste and Recycling</b></p> <p>To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p>	<p>Yes</p>	<p>Council waste collection is available to the site given the limited number of dwellings proposed and the dual frontage to the site.</p> <p>Adequate bin storage facilities have been provided on site for each dwelling.</p>

<p><b>Standard B46 Functional Layout</b></p> <p>To ensure dwellings provide functional areas that meet the needs of residents</p>	<p>Yes</p>	<p><b>Bedrooms</b></p> <p>Bedrooms dimensions should achieve the following minimum dimensions:</p> <table border="1" data-bbox="544 405 1374 528"> <thead> <tr> <th>Bedroom type</th><th>Minimum width</th><th>Minimum depth</th></tr> </thead> <tbody> <tr> <td>Main bedroom</td><td>3 metres</td><td>3.4 metres</td></tr> <tr> <td>All other bedrooms</td><td>3 metres</td><td>3 metres</td></tr> </tbody> </table> <p>Each bedroom within the apartments satisfy the above minimum requirements.</p> <p><b>Living areas</b></p> <p>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified below:</p> <p><b>Table B11 Living area dimensions</b></p> <table border="1" data-bbox="568 837 1398 960"> <thead> <tr> <th>Dwelling type</th><th>Minimum width</th><th>Minimum area</th></tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td><td>3.3 metres</td><td>10 sqm</td></tr> <tr> <td>2 or more bedroom dwelling</td><td>3.6 metres</td><td>12 sqm</td></tr> </tbody> </table> <p>Each living room area within the apartments satisfy the above minimum requirements.</p>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm
Bedroom type	Minimum width	Minimum depth																		
Main bedroom	3 metres	3.4 metres																		
All other bedrooms	3 metres	3 metres																		
Dwelling type	Minimum width	Minimum area																		
Studio and 1 bedroom dwelling	3.3 metres	10 sqm																		
2 or more bedroom dwelling	3.6 metres	12 sqm																		
<p><b>Standard B47 Room Depth</b></p> <p>To allow adequate daylight into single aspect habitable rooms.</p>	<p>Yes</p>	<p>Standard B47 states that single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p>																		
<p><b>Standard B48 Windows</b></p> <p>To allow adequate daylight into new habitable room windows</p>	<p>Yes</p>	<p>No borrowed light is proposed to any bedroom or living area of each apartment. All habitable rooms have a window in an external wall of the building.</p>																		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

<b>Standard B49 Natural Ventilation</b>	No	All dwellings are provided with dual aspect living areas which provide opportunities for appropriate cross ventilation and breeze paths in living/meals areas, with the exception of Apartment G.02 and 1.02.
To encourage natural ventilation of dwellings.		The maximum breeze path (from single aspect bedroom windows to living areas) is approximately 18 metres for any dwelling.
To allow occupants to effectively manage natural ventilation of dwellings		

**Appendices**

Appendix 1 - Council Plans 501-502 Nepean Highway, Chelsea (Ref 18/485214) [↓](#)

Appendix 2 - Traffic letter lane way, council plan (Ref 18/484188) [↓](#)

Appendix 3 - plan of relocation 1 (Ref 18/484190) [↓](#)

Appendix 4 - plan of relocation 2 (Ref 18/484191) [↓](#)

Author/s: Andrew Stubbings, Senior Planner

Reviewed and Approved By: Ian Nice, Manager City Development

# 8.1

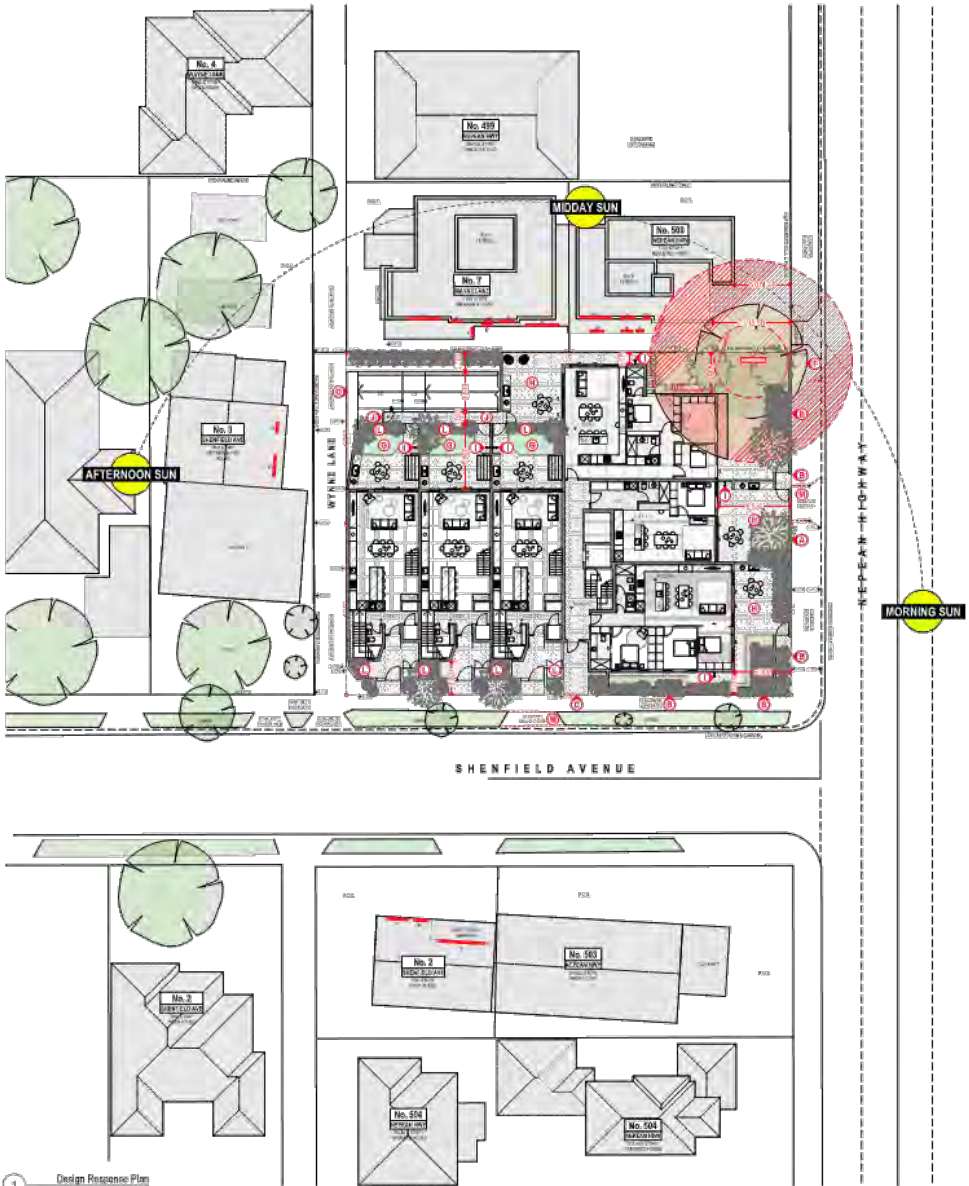
## KP17/1004 - 501-502 NEPEAN HIGHWAY, CHELSEA

1	Council Plans 501-502 Nepean Highway, Chelsea .....	55
2	Traffic letter lane way, council plan .....	71
3	plan of relocation 1.....	73
4	plan of relocation 2.....	75



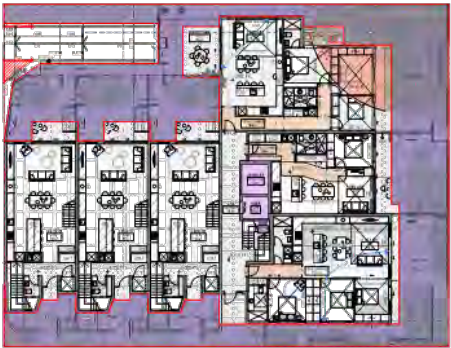






DESIGN RESPONSE SUMMARY

- EXISTING HIGH FENCING TO BE REPLACED BY FENCING WITH HIGH BLACKWOOD TREES TO MAINTAIN VISUAL AND ADJACENT TO SHEDS OF HAY AND TRAIL TRACKS.
- APARTMENT FENCE TO BE REPLACED BY HIGH FENCING WITH BLACKWOOD TREES TO MAINTAIN VISUAL AND ADJACENT TO SHEDS OF HAY AND TRAIL TRACKS.
- APARTMENT ENTRY LOCATED OFF SHENFIELD AVENUE.
- A CONTINGENCY TWO-STORY DESIGN WITH A PALETTE OF DURABLE AND LOW MAINTENANCE MATERIALS SUCH AS SOLID WOOD AND OTHER TEXTURED FINISHES, MATERIALS RESISTANT TO THE WEATHER AND HIGH ENVIRONMENT.
- NATURAL TREES CLIPPED TO THE SOUTH-FACING FACADE OF THE TOWERHOUSE, MAINTAINING VISUAL AND ADJACENT TO SHEDS OF HAY AND TRAIL TRACKS.
- LARGE EXISTING TREE TO NORTH-EAST CORNER OF THE SITE IS RETAINED.
- NORTH-FACING POOL ROOM YARD TO ALL TOWERHOUSES.
- ALL GROUND FLOOR APARTMENT POOL YARD ORIENTED TO SOUTH (NORTHWEST SOLAR ACCESS AND CONVENIENTLY ACCESSIBLE FROM THE BUILDING WING).
- OUTDOOR SHOWERING PROVIDED TO ALL GROUND FLOOR CHILLERS.
- REINFORCED CONCRETE PROVIDED TO ALLOW CONVENIENT ACCESS TO REMAIN OUTDOOR SHOWERING.
- NORTH-FACING WINDOWS MAINTAINED WHERE POSSIBLE.
- PLANTERS CONTAINING LOW LEVEL GREY LANDSCAPING TO PROVIDE VISUAL AND ADJACENT TO SHEDS OF HAY AND TRAIL TRACKS.
- EXISTING SHEDS AND MAINTENANCE YARD ARE MAINTAINED AND REINFORCED WITH FOOTPATH AND NATURAL STEEP.
- OUTLOOKING INTO ADJACENT PROPERTY HABITABLE ROOMS AND PRIVATE SPACES HAVE BEEN ADJUSTED BY HIGH LEVEL SHEDS, CROISSANT CLAYTON, TO MAINTAIN VISUAL AND ADJACENT TO SHEDS OF HAY AND TRAIL TRACKS.
- ALL CHILLERS ARE PROVIDED WITH STORAGE VOLUME EXCEEDING PLANNING GUIDELINES.
- VEHICLE ACCESS TO FACILITY PROVIDED OFF WHEEL AND 2 MOTOR PAVES PROVIDED IN FRONT OF ALL TOWERHOUSES.



GARDEN AREA CALCULATION

EXISTING OF GARDEN AREA = 45m<sup>2</sup>  
25% of 180m<sup>2</sup> = 45m<sup>2</sup>

1 Design Response Plan  
1:200 @ A1  
1:400 @ A3

CHAMBERLAIN ARCHITECTS  
100/101 Nepean Highway, Chelsea  
VIC 3193  
PH: 03 9594 4300  
WWW.CHAMBERLAINARCHITECTS.COM.AU

Copyright  
This is a preliminary design plan and is not to be used for construction purposes without the written consent of Chamberlain Architects. It is to be used for information only and is not to be used for any other purpose without the written consent of Chamberlain Architects.

Notes  
1. This is a preliminary design plan and is not to be used for construction purposes without the written consent of Chamberlain Architects. It is to be used for information only and is not to be used for any other purpose without the written consent of Chamberlain Architects.

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Design Response  
1:200 @ A1  
1:400 @ A3

TP1.02

A















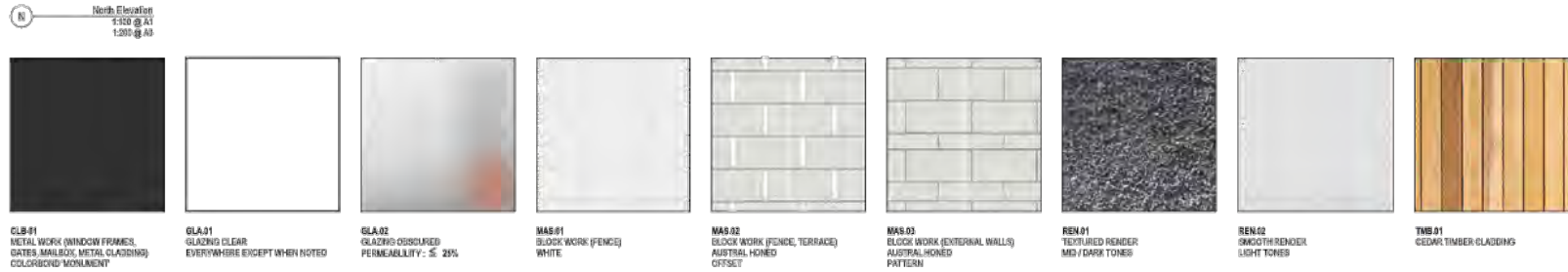
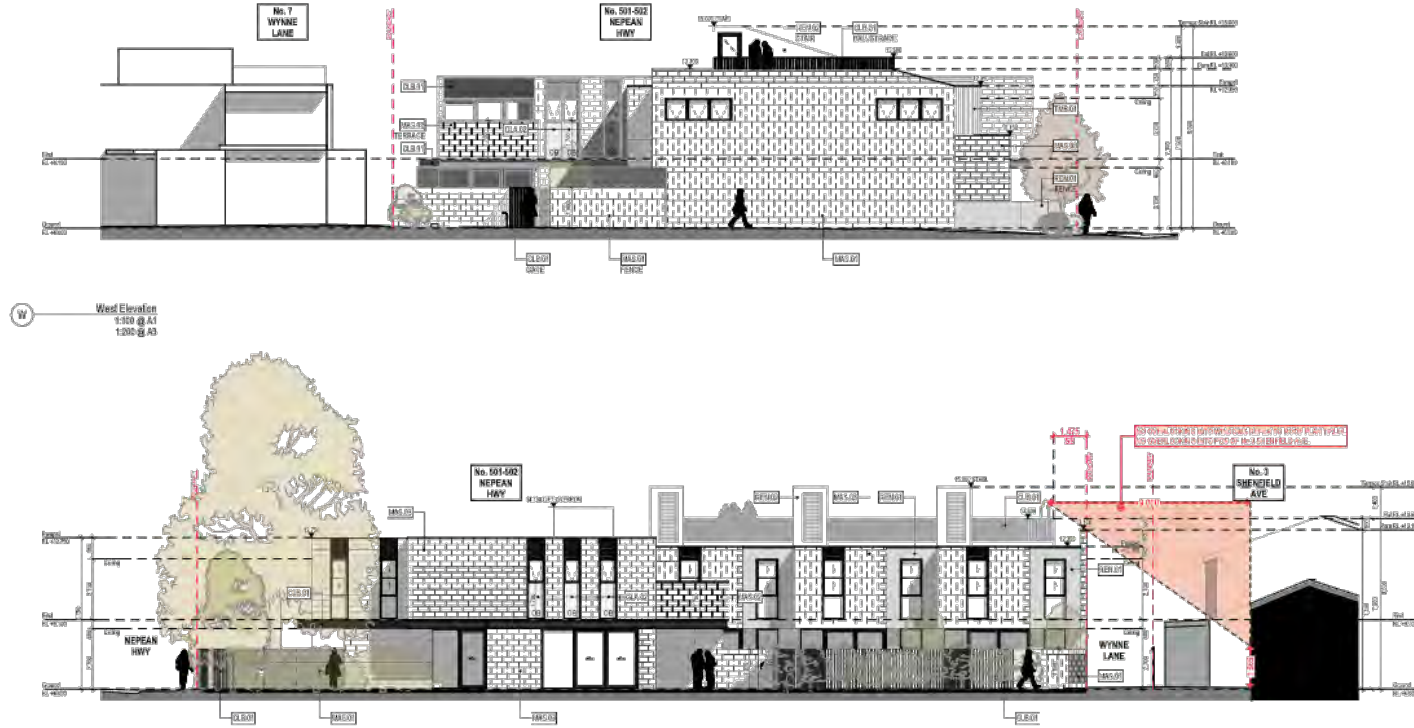
**KEY**

**PROPOSED WINDOWS**  
 CW - PROPOSED GLAZED TO VISUAL APPEARANCE  
 HW - PROPOSED HIGH LEVEL WINDOW TO VISUAL APPEARANCE

**EXISTING NEIGHBOURS WINDOWS**  
 W - WINDOW (VISIBLE FROM ADJACENT)  
 HW - COMPOSED HIGH - VISIBLE WINDOW  
 RW - COMPOSED VISIBLE WINDOW  
 D - COMPOSED DOOR  
 (AS SHOWN - IF FIRST FLOOR)

**GENERAL TIPS:**  
 FP - FIRE PLACE  
 SW - EXTERIOR SWING  
 YOSH - WALL TO TERRACE IS VISUAL APPEARANCE

**GENERAL NOTES:**  
 1. ALL LEVELS TO AND  
 2. REFER TO LANDSCAPE ARCHITECT'S DRAWINGS FOR LANDSCAPE DESIGN

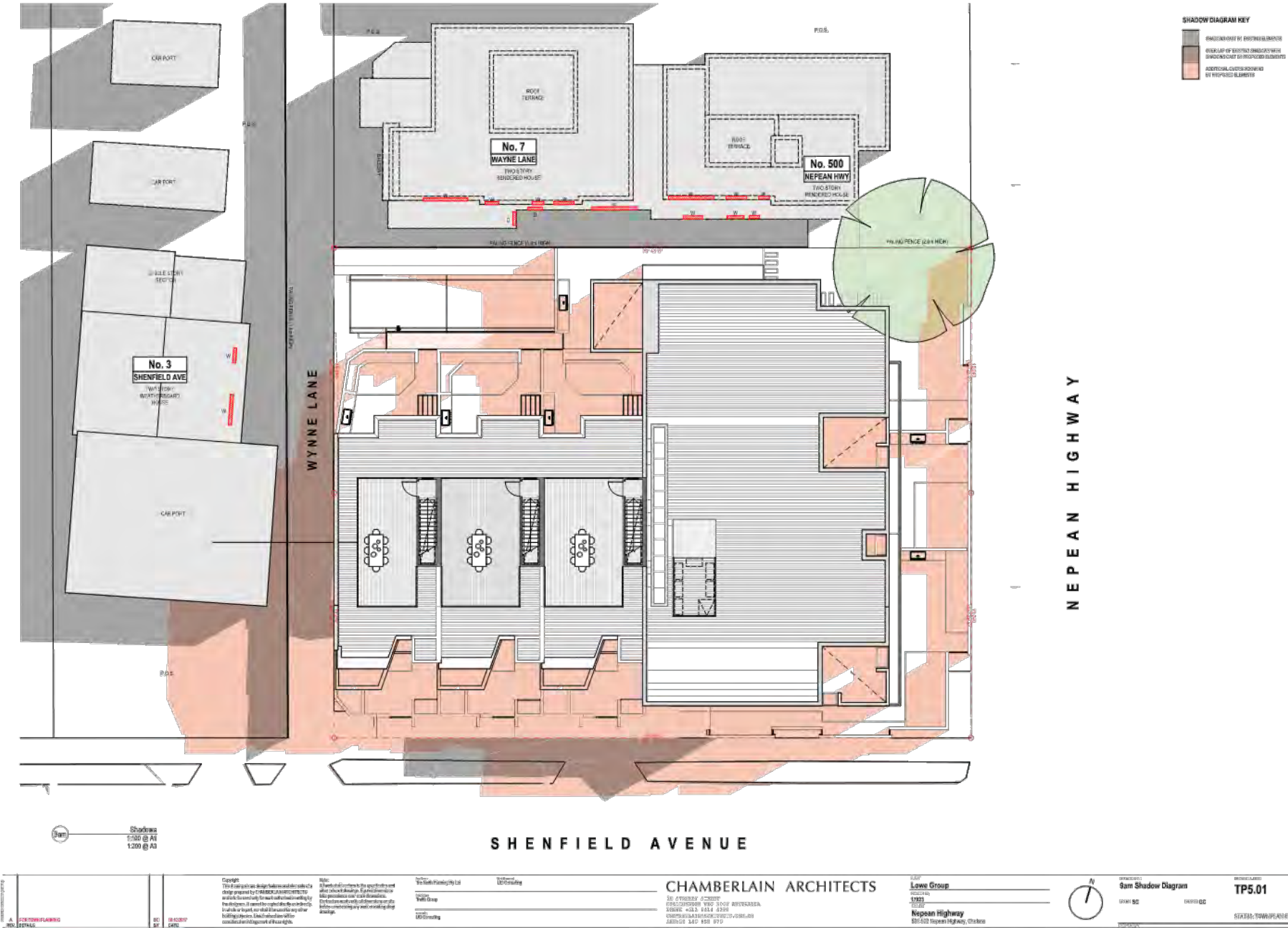




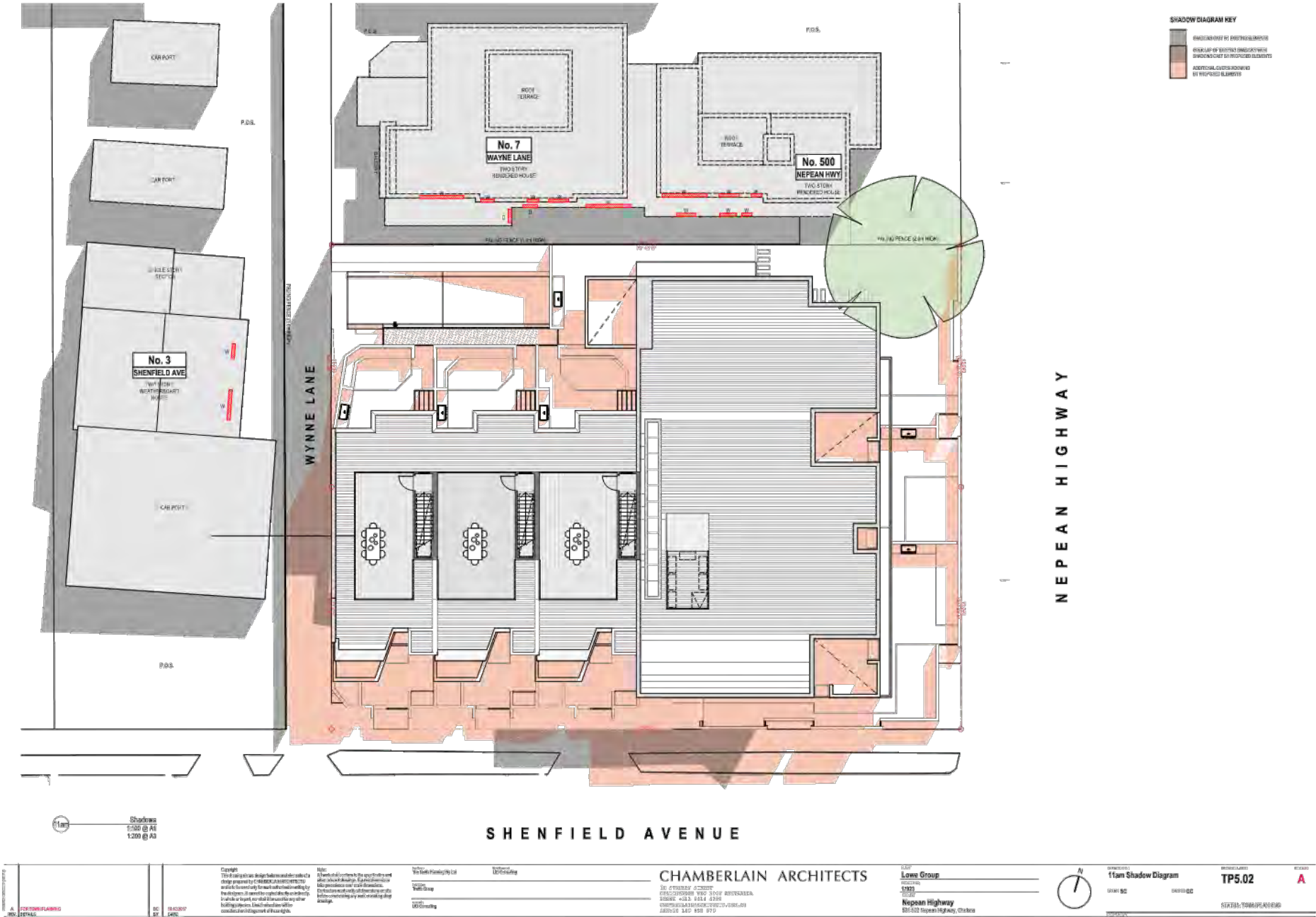


GENERAL NOTES:  
1. ALL LEVELS TO AND  
2. REFER TO LANDSCAPE ARCHITECT'S DRAWINGS FOR LANDSCAPE DESIGN



















Our Reference: G23773L1B

17 July 2018

Lowe Group  
210 Bluff Road  
SANDRINGHAM VIC 3191

Attention: Jared Byass

Traffix Group Pty Ltd

Address:

100/102 Bluff Road  
Sandringham VIC 3191

Contact:

Mr. Jared Byass  
03 9522 3888  
jared@traffixgroup.com.au  
www.traffixgroup.com.au

Dear Jared,

### **501 – 502 Nepean Highway, Chelsea – Residential Development Wynne Lane – Traffic Advice**

Further to our discussions, we have reviewed the survey plan illustrating the existing details for Wynne Lane, and accordingly advise as follows.

Wynne Lane has a north-south alignment connecting Chadwell Grove and Shenfield Avenue. It operates as a laneway predominately providing rear access for properties fronting Nepean Highway.

Wynne Lane is constructed in concrete between Chadwell Grove and the northern boundary of the subject land. For the subject land abuttal, Wynne Lane has a grass / gravel surface.

The survey plan nominates a title width of 3.05 metres for Wynne Lane. However, the existing paling fences on both the east side (subject land) and the west side are constructed slightly off boundary. The east side paling fence is constructed between approximately 310mm at the southern end to 30mm at the northern end within the laneway. The west side is constructed between approximately 120mm at the southern end and 100mm at the northern end within the laneway.

These encroachments result in an effective existing laneway width of 2.62 metres at the southern end of the subject land, increasing to 2.93 metres at the northern end of the subject land. Whilst constrained the existing widths do not preclude vehicle access along this section of the laneway.

We understand that the development will be constructed on boundary, correcting the existing encroachment, realising an effective laneway width of 2.93 metres at the southern end of the laneway, increasing to 2.95 metres at the northern boundary. There is also a splay proposed at the south west corner of the development that will provide relief from the narrowest width of the laneway.

Whilst not strictly applicable to the laneway, Clause 52.06-9 Design Standard 1 recommends a minimum 3 metre width for accessways.

Notwithstanding the Planning Scheme requirement, we are comfortable that the minimum width of the laneway at approximately 2.93 metres will provide for an improvement on existing conditions and will provide for reasonable vehicle access to the subject land.

G23773L1B

Page 1

**Wynne Lane Traffic Advice****501 – 502 Nepean Highway, Chelsea: Residential Development**

---

This is in the context of the relatively low level of traffic projected from the subject development, and realisation that individual garage doors can have a width as low as 2.4 metres. In this regard vehicles will have reasonable clearance on either side of the car as they travel along the laneway. Furthermore, at the northern end of the development, where the access is proposed the laneway width is essentially 3 metres wide (2.95 metres).

In view of the foregoing assessment, we are satisfied that access from Wynne Lane is acceptable.

We trust this is of assistance. Please contact myself at Traffix Group if you require any further information.

Yours faithfully,

TRAFFIX GROUP PTY LTD

A handwritten signature in black ink, appearing to read 'J Walsh'.

Jason Walsh

Director

[www.traffixgroup.com.au](http://www.traffixgroup.com.au)







## NOTATIONS:

CRITICAL DIMENSIONS SHOULD BE VERIFIED ON SITE AND NOT SCALED FROM THIS DRAWING OR TAKEN FROM THE DIGITAL DATA WHICH CREATES IT.

DATE OF SURVEY: 11/10/2017

SURROUNDING CADASTRAL TITLE BOUNDARIES ARE DERIVED FROM VICMAP DIGITAL DATA AND SHOWN IN LIGHT GREY.

DIMENSIONS AND LEVELS SHOWN TO ONE DECIMAL PLACE SHOULD NOT BE RELIED UPON TO HAVE AN ACCURACY GREATER THAN  $\pm 0.2m$ .

DO NOT SCALE DISTANCES TO FENCES OR BUILDINGS. THE POSITION OF THESE FEATURES MAY HAVE BEEN EXAGGERATED FOR CLARITY.

OFFSETS SHOWN ARE FROM THE BOUNDARY TO THE RELEVANT OCCUPATION UNLESS LABELLED OTHERWISE.

LEVELS SHOWN THUS  $\text{m}$  ARE IN METRES TO AUSTRALIAN HEIGHT DATUM BASED ON LYNCHURST PM64, WITH STATED RL: 5.730 AS AT 11/10/17.

SOME BUILDINGS AND SURROUNDING FEATURES ARE POSITIONED FROM AERIAL PHOTOGRAPHY AND ARE APPROXIMATE ONLY.

LAND UNDER SURVEY

## ABBREVIATIONS:

27.56C  
27.56FL  
28.59APR  
7.96m  
12.27Lb  
12.20CB  
12.195B  
12.48EB

CEILING LEVEL  
FLOOR LEVEL  
PARAPET  
INVERT OF CHANNEL  
LIP OF CHANNEL  
CENTRE OF BITUMEN  
SPOT ON BITUMEN  
EDGE OF BITUMEN

## LINE STYLES:

FENCE  
INVERT OF CHANNEL  
BUILDING (MASONRY/OTHER)  
APPROX. BUILDING OUTLINE  
ROOF LINE  
OVERHEAD ELECTRICITY

## SYMBOLS:

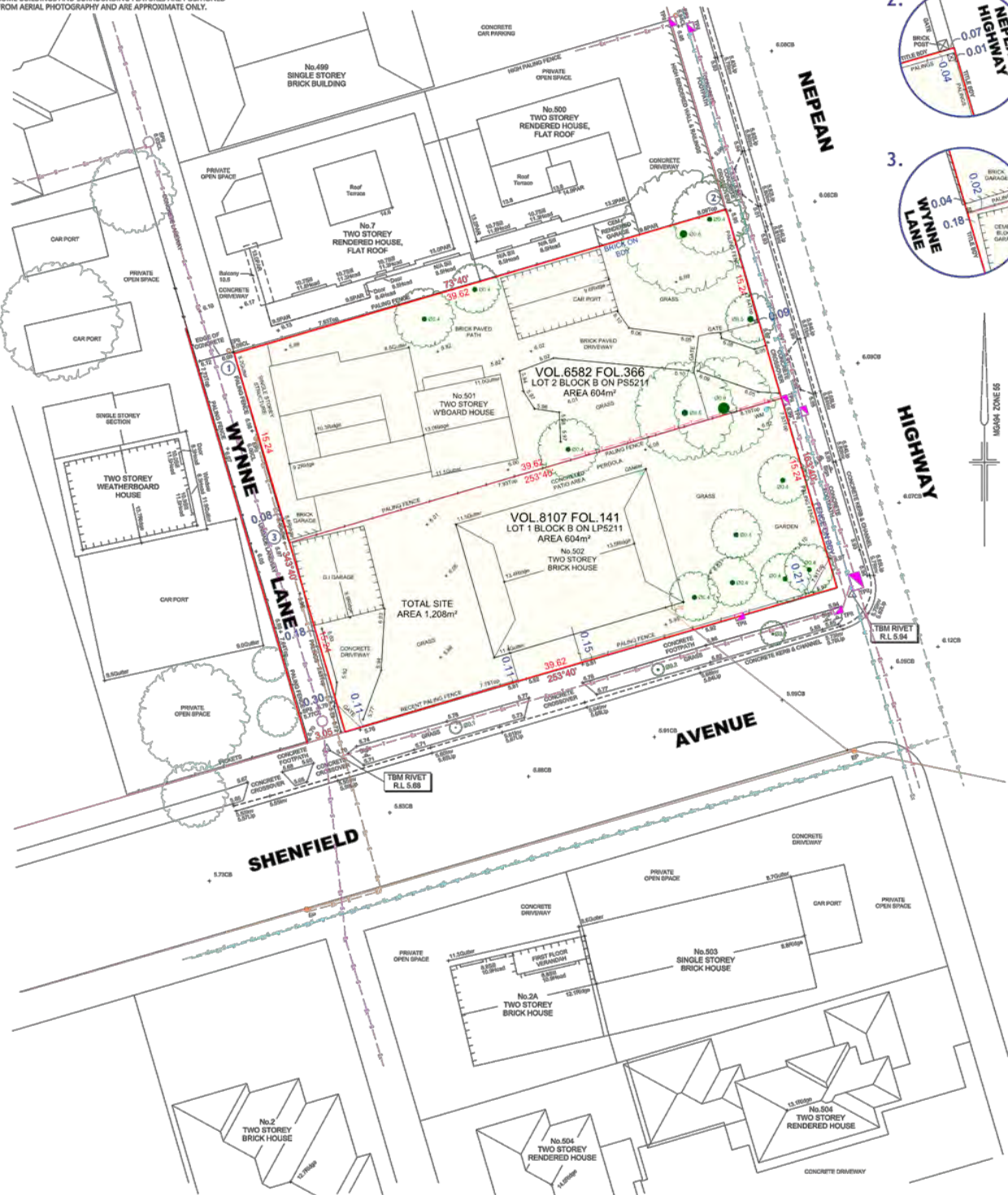
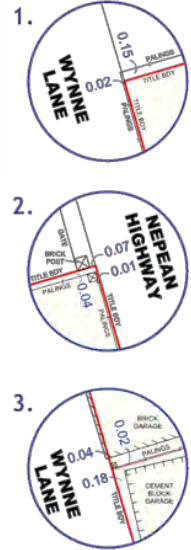
DP- DRAIN DOWN PIPE  
GRATED PIT  
DRAINAGE COVER  
SIDE ENTRY PIT  
GAS METER  
GAS VALVE  
ELECTRICITY POLE  
LIGHT POLE  
POST  
SEAT  
SEWER PIT  
SEWER VENT  
SEWER INSPECTION  
SIGN POST  
STAY

TRAFFIC SIGNAL PIT  
TRAFFIC SIGNAL  
POLE  
TELECOM PIT  
TELECOM POLE  
UTILITY  
UNCLASSIFIED  
FIRE PLUG  
FIRE HYDRANT  
WATER METER  
TAP  
STOP VALVE  
SPRINKLER  
MEASURED TREE  
TREE FROM AERIAL  
PHOTO

## UNDERGROUND UTILITIES:

THE POSITIONS OF SERVICES SHOWN HAVE BEEN TAKEN FROM AUTHORITIES RECORDS. ALL AUTHORITIES STATE THAT SOME VARIATIONS FROM RECORDS DO EXIST AND COMPLETE ACCURACY CANNOT BE GUARANTEED. THEREFORE IT IS ESSENTIAL THAT THE EXACT POSITION OF UNDERGROUND CABLES/PIPES BE PROVIDED BY CAREFUL HAND EXCAVATION UNDER SUPERVISION BY RELEVANT AUTHORITIES.

LINE STYLES:  
U/G DRAINAGE SERVICE  
U/G ELECTRICITY SERVICE  
U/G GAS SERVICE  
U/G SEWER SERVICE  
U/G TELECOM SERVICE  
U/G WATER SERVICE  
U/G DATA TRANSMISSION

ENLARGEMENTS  
NOT TO SCALEPLAN OF RELOCATION,  
FEATURES AND LEVELS

501-502 NEPEAN HIGHWAY, CHELSEA

SCALE 1:1000 SHEET A0

REF 2315B VERSION B DATE 06/23/2018  
C:\projects\Office\Work\Projects\Programs\2315B-0-REL-4.dgn

LEVEL 6  
440 ELIZABETH STREET  
MELBOURNE VIC 3000  
(03) 8660 3000  
SURVEY@REEDSCONSULTING.COM.AU  
WWW.REEDSCONSULTING.COM.AU

**REEDS**  
CONSULTING



# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 8.2

## STORMWATER QUALITY IN-LIEU CONTRIBUTIONS

Contact Officer: Emily Boucher, Environment Officer

### Purpose

The award winning Kingston Stormwater Quality In-Lieu Contributions Scheme was implemented as a two year pilot. This report recommends to Council that the scheme be made permanent.

### 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.

### OFFICER RECOMMENDATION

That Council:

1. Endorse the permanent inclusion of an optional contribution scheme for stormwater quality in planning permit conditions.
2. Note the Stormwater Victoria Award for Excellence in Policy or Education for the Kingston Stormwater Quality In-Lieu Contributions Scheme.
3. Note the contributions payment review and keep the cost per impervious meter at the current rate subject to annual review.

### 1. Executive Summary

The Stormwater Quality In-lieu Contributions Scheme allows developers to voluntarily opt-in to achieve Best Practice Environmental Management Guidelines (BPEMG) compliance through off-site stormwater infrastructure investments. The Scheme applies to all privately owned residential and non-residential properties required to deliver stormwater quality works on-site in accordance with a planning permit or any relevant policy forming part of the Kingston Planning Scheme. The scheme works by allowing developers to contribute cash towards Council stormwater quality projects in-lieu of undertaking stormwater quality initiatives on-site.

On 27 June 2016 Council resolved to initiate a two year pilot of the Kingston Stormwater Quality In-Lieu Contributions Scheme.

Developers began to access the scheme on 1 January 2017. Since then the scheme has attracted just over \$600,000 in payments (as at 30 July 2018).

The Kingston Stormwater Quality In-Lieu Contributions Scheme is now viewed as a trail blazing approach to funding stormwater quality projects. The scheme was recently cited in the Issues Paper for the State Government's Improving Stormwater Management Advisory Committee; has been recognised by winning the Stormwater Victoria Excellence in Policy or Education Category, and is a finalist in the National Awards to be presented in October.

The two year pilot has demonstrated that the Kingston Stormwater Quality In-Lieu Contributions Scheme is an effective and nation leading approach to improving stormwater quality outcomes. This report recommends that Council implement the scheme on a permanent basis.

## **2. Background**

Driven by stormwater quality best practice targets in the Kingston Integrated Water Cycle Strategy 2012 and concerns over the performance and longevity of privately built stormwater quality assets in Kingston, over the past five years Council has explored how it could best improve stormwater quality in the municipality.

Evaluation work undertaken by DesignFlow in 2014 shows that the Council cannot meet the stormwater quality targets in the Strategy or State Environment Protection Policy targets within a reasonable timeframe by relying on privately built stormwater assets and smaller streetscape treatments alone.

It showed the most cost-effective means of achieving stormwater targets is for Kingston to build and manage an alternative type and scale of Water Sensitive Urban Design (WSUD) project compared to lot scale.

DesignFlow identified 31 locations where Council could implement medium scale WSUD projects, primarily located on passive open space within Council reserves. Importantly, modelling work concluded that medium scale projects were more cost effective than smaller scale projects. On average constructing:

- The typical suite of small scale onsite projects (managed by developers or home owners) would require an investment of around \$8 million for every one percent contribution towards achieving Kingston's best practice stormwater targets for the entire municipality,
- Medium scale off-site projects would require an investment of around \$2.2 million for every percent contribution towards achieving the same target.

Construction and maintenance of the 31 medium scale treatments requires an investment in the order of \$27.5 million between now and 2030. Council appointed Marsden Jacob Associates in 2016 to investigate innovative ways to raise revenue required.

A number of funding solutions were investigated such as rates and charges, offsets and developer contributions. The opt-in approach was chosen because it offers flexibility in how fees are set; it did not require a planning scheme amendment; and could be implemented quickly compared to other funding mechanisms.

The Stormwater Quality In-lieu Contributions Scheme allows developers to voluntarily opt-in to achieve Best Practice Environmental Management Guidelines (BPEMG) compliance through off-site stormwater infrastructure investments. The Scheme applies to all privately owned residential and non-residential properties required to deliver stormwater quality works on-site in accordance with a planning permit or any relevant policy forming part of the Kingston Planning Scheme. The scheme works by allowing developers to contribute cash towards Council stormwater quality projects in-lieu of undertaking stormwater quality initiatives on-site. The attachment is provided to all eligible applicants which illustrates what options developers have throughout the planning process.

On 27 June 2016 Council resolved to initiate a two year pilot of the Kingston Stormwater Quality In-Lieu Contributions Scheme.

Developers began to access the scheme on 1 January 2017 once final planning permit wording and administration flows had been resolved. Since then the scheme has attracted just over \$600,000 in payments (as at 30 July 2018).

The rate of take up has been slower than anticipated. Initially take-up was around 15% of eligible applications in the first 12 months. This has now grown to approximately 30%. Based on construction cost analysis performed by STORM Consulting (June 2018), it does not appear to be a contribution cost barrier, rather uncertainty amongst developers on scheme details.

To address this issue, the focus will now turn to ensuring that developers, and most importantly their drainage consultants, understand what Kingston Stormwater Quality In-Lieu Contributions Scheme offers them, how to take-up the offer and what benefits it provides both the developer and the eventual home owner. This will also provide an opportunity to explain how and where their contributions are spent, by understanding the strategic work and seeing real life examples this may give developers greater confidence in the scheme, its validity and practical application. This will be achieved through direct engagement with the development industry.

### **3. Discussion**

The Kingston Stormwater Quality In-Lieu Contributions Scheme is viewed as a trail blazing approach to funding stormwater quality projects. The scheme was recently cited in the Issues Paper for the State Government's Improving Stormwater Management Advisory Committee; has been recognised by winning the Stormwater Victoria Excellence in Policy or Education Category, and is a finalist in the National Awards to be presented in October.

Kingston has promoted its Stormwater Quality In-Lieu Contributions Scheme at many forums including Clearwater Integrated Water Management Planning Seminar (September 2017); Alternative Funding Model for Stormwater Management Forum in Adelaide (November 2017); International Conference on Water Sensitive Urban Design in Perth (February 2018); Stormwater Victoria Conference 2018 (June 2018); along with various other local presentations and discussions.

The construction cost analysis performed by STORM Consulting (June 2018) confirmed that the current cost per impervious square meter is less than what developers would face in order to achieve compliance on-site. The cost per square meter impervious area will need to be monitored to ensure the rate remains attractive to developers and covers Council costs (including construction and maintenance). This should be done as part of the annual budget review of fees and services.

### **4. Conclusion**

The two year pilot has demonstrated that the Kingston Stormwater Quality In-Lieu Contributions Scheme is an effective and innovative approach to improving stormwater quality outcomes and should be adopted on a permanent basis.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

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**Appendices**

Appendix 1 - Stormwater Quality In-lieu Contributions Brochure\_printed version (Ref 17/164122) [↓](#)

Author/s:	Emily Boucher, Environment Officer
Reviewed and Approved By:	Paul Marsden, Manager City Strategy Jonathan Guttmann, General Manager Planning and Development

## 8.2

### STORMWATER QUALITY IN-LIEU CONTRIBUTIONS

1	Stormwater Quality In-lieu Contributions Brochure_printed version.....	83
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# Stormwater quality

## IN-LIEU DEVELOPER CONTRIBUTIONS

Kingston Council & Melbourne Water have launched a two-year pilot project offering flexible options for developers to meet stormwater management obligations.

### Developers can now apply to:

- ✓ continue to provide stormwater treatment measures on-site, business as usual **OR**
- ✓ pay a fixed contribution towards Council-managed off-site stormwater projects.

### Benefits include:



- simplifying the approval process



- flexible options for developers



- better environmental outcomes



- cost effective and efficient stormwater management.



## HOW IS IT CALCULATED?

Depending on the area of pervious and impervious surfaces Council will calculate the in lieu stormwater quality contribution. More details can be found on the website.



## HOW WILL THE MONEY BE SPENT?

Stormwater Quality funds will be used to construct 31 identified Council-managed stormwater projects on public land and sporting reserves.

Projects will improve stormwater quality flowing into Port Phillip Bay and irrigate sportsgrounds.

This will be subject to strict financial management and will be reported in Council's annual financial statements in accordance with the Local Government Act 1989.



## HOW WILL IT WORK?

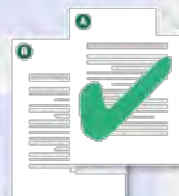


Discuss stormwater requirements with Council\*



Applicant decides to pay stormwater quality in-lieu contribution

OR



Applicant decides to meet stormwater quality requirements on-site

In-lieu contribution calculated and paid for part on-site treatment or full off-site treatment



Applicant submits detailed stormwater quality and quantity designs for approval



Applicant submits detailed stormwater quantity designs for approval



Stormwater quality treatment is constructed by Council off-site. Stormwater quantity treatment is constructed on-site by applicant.



Stormwater quality and quantity treatment is constructed by the applicant on-site.

\*There are no opportunities to make in lieu contributions for stormwater quantity, these requirements must be met on-site.



## Find out more:



[kingston.vic.gov.au/stormwater](http://kingston.vic.gov.au/stormwater)



1300 653 356

This Project has been assisted by the  
Victorian Government through Melbourne  
Water Corporation as part of the Living  
Rivers Stormwater Program

Dec 2016



# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 8.3

## CLIMATE CHANGE STRATEGY 2018-2025

Contact Officer: Emily Boucher, Environment Officer

### Purpose of Report

To seek Council adoption of the Climate Change Strategy 2018-2025

### 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.

### OFFICER RECOMMENDATION

That Council:

1. Adopt the Climate Change Strategy 2018-2025 with the following modifications:
  - a) At the November Budget Review modify the existing capital allocation in Council's Budget and Forward Capital Works Program to \$300,000 per annum over the next five financial years to 'fast track' the installation of solar panels onto Council's highest energy consuming buildings.
  - b) Inclusion of the definition of 'embodied energy' in the glossary of terms.
  - c) Increase in the community emissions target from a 15% to a 20% reduction to ensure its consistency with Victoria's Climate Change Framework 2016.
  - d) Inclusion of references to the Local Government Bill 2018 under Victorian Government Response
  - e) Additional text to clarify that the proposed emissions targets are set relative to the 2016 emissions (baseline).
  - f) Inclusion of an action that seeks to reduce Council's exposure to embodied energy through the procurement process.
2. Advise all submitters of the above resolution.

### 1. Executive Summary

Kingston's commitment to addressing climate change is defined in the 2017-21 Council Plan, with the objective to leave a positive legacy for future generations. Action 2.1.1.1 in the Annual Action Plan requires Council to develop a Climate Change Strategy. At the 23<sup>rd</sup> April 2018 Ordinary Meeting Council resolved to release the draft Climate Change Strategy 2018-2025 for six weeks of community consultation.

A total of 49 responses were received during the consultation period with 47 lodged via the Your Kingston Your Say website and two independent submissions. Throughout the consultation period officers also provided briefings to Transition Kingston and the Public Spaces and Environment Advisory Committee.

The Strategy presented for adoption by Council incorporates much of the feedback provided through the consultation process, including an increase of the community target from 15% to 20%, reference to Council's role in reducing its embodied energy emissions through procurement of goods and services, inclusion of a definition in the glossary for 'embodied energy' and further clarification of the proposed emissions targets.

The Climate Change Strategy provides a framework within which Council can respond to the range of climate related objectives and actions contained within the Council Plan. Having considered all feedback received through the consultation process this report recommends that Council adopt the Climate Change Strategy 2018-2025.

## **2. Background**

It is anticipated that the effects of climate change will be increasingly felt by our community, with an expected increase in hot days and heatwave events, more intense rain, flooding, storm surges and sea level rise.

### Local Policy Context

With Melbourne's population forecast to grow to 7.7 million people by 2051, all local councils are faced with the challenge of how to accommodate more people. The transformative change occurring across the municipality provides both an opportunity and an obligation for Council to ensure that climate mitigation and adaptation measures are integrated into all Council practices to build an adaptive and resilient community.

The Energy Efficiency Strategy (2012-2017) focused on corporate energy use. In 2012 annual emissions were approximately 20,000 tonnes CO<sub>2</sub>e. Through the range of actions this reduced to 18,600 tonnes CO<sub>2</sub>e by 2016 (an 8 per cent decrease) despite a number of new major Council buildings constructed.

In 2017 Council took the TAKE2 Pledge for Climate Change and committed to a range of actions to reduce Council's carbon emissions and strengthen our resilience to climate change through adaptation. TAKE2 is the Victorian Government's collective climate change pledge with the objective of reaching zero net emissions by 2050 and keeping global temperature rise under two degrees.

### State Policy Context

#### *Climate Change Act 2017:*

The Climate Change Act 2017 (Vic) sets a long-term emissions reduction target of net zero greenhouse gas emissions by 2050 and five yearly interim emissions reduction targets. The policy objectives include: building the resilience of the state's infrastructure, built environment and communities through effective adaptation and disaster preparedness; and to promote and support the state's regions, industries and communities to adjust to the changes involved in transitioning to a net zero greenhouse gas emissions economy.

#### *Victoria's Climate Change Framework:*

Victoria's Climate Change Framework (VCCF) articulates the Victorian Government's long-term vision and approach to achieving the targets outlined in the Climate Change Act 2017 (see above).

*Victorian Energy Efficiency Target:*

The Victorian Energy Efficiency Target aims to reduce greenhouse gas emissions by placing liability on large energy retailers to purchase and surrender Victorian energy efficiency certificates (VEECs). The scheme reduces the cost to households and large energy users of implementing recognised energy reduction activities by placing a value on the greenhouse gas emissions and creating a market for the certificates.

*Victorian Renewable Energy Targets*

In June 2016, the Victorian Government committed to renewable energy generation targets for Victoria of 25 per cent by 2020 and 40 per cent by 2050. The Renewable Energy (Jobs and Investment) Bill 2017 legislated the Victorian Renewable Energy Target, demonstrating Victoria's leadership on renewable energy.

In preparing the Climate Change Strategy 2018-2025, Council and community carbon emissions have been evaluated by consulting firm ARUP, with a range of actions that confirms Council's commitment to reducing carbon emissions and supports community reductions.

Renewable Energy Investment Council Buildings

Councillors requested advice just prior to the release of the draft Climate Change Strategy in relation to bringing forward investment on providing for renewable energy for Council's peak energy consuming buildings. This preliminary advice was provided to Councillors on the 12<sup>th</sup> April, 2018. It included a case study in relation the successful installation of solar at the Parkdale Family and Children's Centre and advice on the level of investment anticipated to install solar on key Council buildings. The preliminary assessment indicated that for an investment of approximately \$1,500,000 into solar on Council's largest energy consuming buildings an average return (payback) on this investment would be 6.7 years.

The exhibited draft Climate Change Strategy envisaged an investment of \$100,000 per annum for a period of eight years to begin to progress the installation of solar facilities onto Council Buildings. On the basis of the work now completed that was not available at the time of the drafting of the strategy the report now recommends increasing Councils expenditure to \$300,000 per annum over the coming five financial years to bring forward the installation of solar on key Council's buildings. This recommendation will further assist Council in reducing its corporate emissions and the envisaged payback periods will reduce its exposure to rising energy costs. Officers will be able to provide Councillors periodic feedback on the progress of this program.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 2 - Our sustainable green environment with accessible open spaces  
Direction 2.1 - Environmental resilience and sustainability

The adoption of the Climate Change Strategy 2017/2025 responds directly to Action 2.1.1.1 of the adopted Council Plan which requires Council to:

*Develop a climate change strategy that builds resilient environments, infrastructure, facilities and communities.*

The actions within the Climate Change Strategy 2018-2025 would provide a coordinated response to a range of objectives and actions within the Council Plan including:

- 2.1.1 Reduce environmental impacts on our natural and built environment
- 2.2.4 Expand the urban forest by increasing tree canopy cover in Kingston
- 2.3.3 Respond to effects of climate change along Kingston foreshore

The Climate Change Strategy 2018-2025 will also help deliver on the following Annual Action Plan items:

- 1.3.1.1 Plan and build appropriate improvements to civil infrastructure to meet current and future needs of the city to respond to the risks of climate change
- 2.1.1.4 Support environmentally sustainable development outcomes for Council buildings to consider their energy, water and waste management performance
- 2.1.1.6 Replace streetlights across the municipality with new energy efficient lighting
- 2.2.1.4 Play a leadership role in facilitating a key opportunity identified in State Planning Policy to provide opportunities for renewable energy generation
- 2.2.4.5 Create urban forests to make Kingston cooler and greener
- 2.3.3 Respond to the effects of climate change along the Kingston foreshore
- 4.5.3.1 Build more resilient communities in Kingston

### **3.2 ARUP Corporate and Community Carbon Emissions Review (2017)**

Consulting firm ARUP was engaged in September 2017 to assess emissions in line with global standards, and work with staff across the organisation to help prioritise actions to reduce both corporate and community emissions.

ARUP assessed both Council corporate emissions and community emissions, and facilitated a series of workshops across Council to help determine priorities for future emissions reduction actions, based on their global experience and informed by Council officer's local knowledge.

The data and expertise provided by ARUP is the foundation on which the Climate Change Strategy 2018-2025 has been formed.

### **3.3 Consultation**

#### *Council:*

In the lead up to the development of the Climate Change Strategy 2018-2025, Environmental Planning staff undertook a thorough internal review of the Energy Efficiency Strategy 2012, consulting with a range of Council teams. Following the appointment of ARUP and the analysis of emissions, a series of workshops, facilitated by ARUP, sought input and direction from a broad cross section of Council departments. Environmental Planning then specifically liaised with departments to ensure actions proposed in the strategy were feasible.

#### *Community:*

The draft Climate Change Strategy 2018-2025 was released for community consultation via the Your Kingston Your Say website on 15<sup>th</sup> May 2018 and closed on 24<sup>th</sup> June.

An email notification was sent to three Council databases: Schools (104); Our Place Environmental (570) and Businesses (144). This was complimented by social media, digital screen, on-hold and leader advertising.

Workshops were also held with Transition Kingston (24<sup>th</sup> May) and the Public Spaces and Environment Advisory Committee (31<sup>st</sup> May).

A total of 49 responses were received during the consultation period with 47 lodged via the Your Kingston Your Say website and two independent submissions. A summary of the submissions received is provided below:

Your Kingston Your Say

The majority (82%) of respondents supported the target of reducing corporate emissions by 30% by 2020. Approximately 70% of respondents supported the community emissions reduction target of 15%, noting that a number of submitters also provided comments that they wanted a more ambitious target or a shorter timeframe for delivery.

Within the responses received through the Your Kingston Your Say platform 'Building climate resilient communities through Environmentally Sustainable Design' was regarded the highest priority action (38); followed by 'Solar for households' (36) and 'Encouraging sustainable transport options' (36).

'Finance opportunities for energy and renewable upgrades' (27), 'Access to climate and energy efficient information' (23), 'Climate and energy workshops' (22), 'Microgrid technology' (22) and 'Uptake of electric vehicles' (22) all also received a high level of support from the community.

Some pertinent comments provided in the feedback received are provided below:

*"Headline figures such as 2 degrees of warming, 1m sea level rise by 2100 mean nothing to people who are focussed on their work, mortgages, kids etc. However, if people understood what climate change meant for their neighbourhood, they might be more engaged"*

*"As a community we should be exploring ways for as many residents, businesses and Council employees as possible to live, shop and work locally. We can control travel emissions in part by reducing the need to travel as far and less often."*

*"Low carbon alternatives and reduction of power usage is critical to reducing power bills and Council should be reflecting best practice."*

*"Climate change is the most pressing issue of our time. Furthermore it's the right thing to do for our responsibility towards future generations"*

Transition Kingston

Recognising that Council emissions account for a small percentage of overall emissions, Transition Kingston expressed a desire for more focussed action on Council's larger emitting facilities stating in their submission that:

*"The Council should instigate a planning process where all capital work activities should include climate change mitigation (notably solar PV installation) and ongoing energy cost reduction as standard."*

The submission from Transition Kingston also indicates that the statement (on page 5 of the draft Strategy) that '*We cannot wait for others to take action on climate change*' is not supported adequately through actions that 'lead', 'educate' and 'initiate'. Their submission outlines the importance of community action, the impact of extreme heat and flooding events, energy and transport efficiency, waste minimisation and urban cooling.

The overall response provided by Transition Kingston on the draft Climate Change Strategy is generally supportive but also encourages Council to expand and accelerate the range of actions.

Public Spaces and Environment Advisory Committee

The Public Spaces and Environment Advisory Committee felt that the 15% community reduction target was too low and that a 30% reduction target better reflects the urgency of the crisis.

Feedback on community actions focused on transport, planning and building. Minutes of the meeting identify the need for Council to support the community through strong leadership and driving behaviour change.

This includes the suggestion that Council should invest more actively in solar panels to deliver emissions reductions quickly. The PSEAC recommended the planned investment of \$800,000 on Councils facilities be increased to \$1,500,000 to provide higher priority on renewable energy investment.

**3.4 Operation and Strategic Issues**

Outcomes of the Consultation Process:

Officers have consulted widely and considered in detail the feedback received through the 6 week consultation period. The feedback received has been overwhelmingly supportive of the recommendations and outcomes proposed in the draft Climate Change Strategy 2018-2025.

As discussed under Section 3.3 of this report, a number of specific suggestions have been made in relation to changes to the scope of recommendations within the draft Strategy. This includes feedback received through the Public Spaces and Environment Committee meeting and the submission from Transition Kingston.

Having now considered all of the feedback received, a number of suggested changes have been incorporated into the Climate Change Strategy 2018-2025 which are summarised below:

1. Increasing the capital allocation of \$100,000 per year over eight years to \$300,000 per annum over the next five financial years to 'fast track' the installation of solar panels onto Council's highest energy consuming buildings.
2. Inclusion of the definition of 'embodied energy' in the glossary of terms.
3. Increase in the community emissions target from a 15% to a 20% reduction to ensure its consistency with Victoria's Climate Change Framework.
4. Inclusion of references to the Local Government Bill 2018 under Victorian Government Response
5. Additional text to clarify that the proposed emissions targets are set relative to the 2016 emissions (baseline).
6. Inclusion of an action that seeks to reduce Council's exposure to embodied energy through the procurement process.

A copy of the final Climate Change Strategy 2018-2025 is provided at Appendix 1 which incorporates the changes as outlined above.

Community Buildings Environmentally Sustainable Design Policy

Concurrent to finalisation of the Climate Change Strategy 2018-2025, the Community Buildings and Environmental Planning Teams have been working together to finalise an Environmentally Sustainable Design Policy for community buildings.

This Policy is the subject of an officer report to be considered at the August Ordinary Council Meeting and has intentionally been scheduled to align with Council's consideration of the final Climate Change Strategy.

The proposed Community Buildings ESD Policy enables Council to play a leadership role in promoting ESD principles by improving the quality and comfort, longevity, sustainability and performance of community buildings, and by using its buildings to promote sustainable practices.

The policy responds directly to the objectives and actions of the Climate Change Strategy 2018-2025 further actions on page 18.

#### **4. Conclusion**

The Climate Change Strategy provides a framework within which Council can respond to the range of climate related objectives and actions contained within the Council Plan. Having considered all feedback received through the consultation process this report recommends that Council adopt the Climate Change Strategy 2018-2025.

##### **4.1 Environmental Implications**

Adopting and implementing the Climate Change Strategy 2018-2025 will ensure that Council is reducing the environmental impact of corporate emissions, as well as ensuring a more resilient and livable Kingston.

##### **4.2 Social Implications**

Addressing climate change issues and assisting the community to adapt to climate change will help build resilient and healthy communities. The relationship between the Climate Change Strategy and Health and Wellbeing Plan is well recognized.

##### **4.3 Resource Implications**

Operational and capital budget has already been allocated for many of the high priority projects, however future budget proposals (subject to detailed project scoping and business case preparation) will be developed. The variation proposed from the exhibited draft Climate Change Strategy is modifying the 'Greenhouse and Sea Level Rise' Capital Works line item to provide for \$300,000 per annum over the coming five financial years for solar installation on Council's Buildings. The envisaged payback of approximately 6.7 years across the buildings identified makes this a sound financial decision for Council given the rising energy costs.

##### **4.4 Legal / Risk Implications**

Changes to the Local Government Act include mitigation and planning climate change risks in the Overarching Principle. Some insurers, financiers and credit agencies are incentivizing municipal governments to appropriately address climate change risk, and liability cases are emerging where municipal governments have not taken reasonable action to mitigate climate risk.



**Appendices**

Appendix 1 - Climate Change strategy 2018-2025 FINAL (Ref 18/480311) [↓](#)

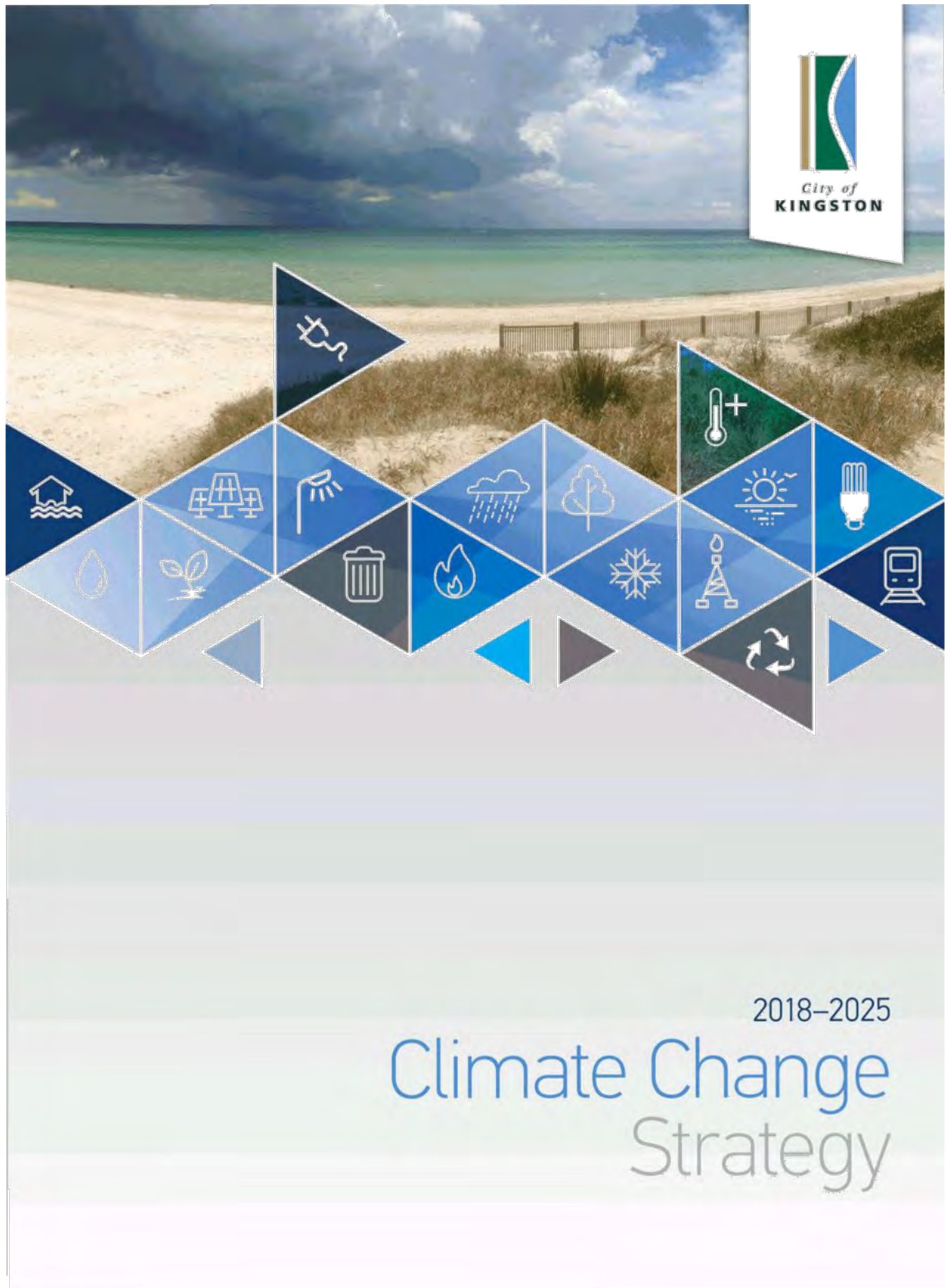
Author/s: Emily Boucher, Environment Officer

Reviewed and Approved By: Paul Marsden, Manager City Strategy  
Jonathan Guttmann, General Manager Planning and  
Development

## **8.3**

### **CLIMATE CHANGE STRATEGY 2018-2025**

<b>1</b>	<b>Climate Change strategy 2018-2025 FINAL .....</b>	<b>97</b>
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## Glossary of terms

**Adaptation** - Climate change adaptation is a response to global warming and climate change, that seeks to reduce the vulnerability of social and biological systems to relatively sudden change and thus offset the effects of global warming.

**Carbon emissions** – Carbon dioxide (CO<sub>2</sub>) is a colourless odour and non-poisonous gas formed by combustion of carbon and in the respiration of living organisms and is considered a greenhouse gas. Emissions means the release of greenhouse gases and/or their precursor into the atmosphere over a specified area or period of time.

**Clean fuels** - Clean fuels are fuels that replace pollutant fuels (petrol and diesel). They include compressed natural gas (CNG), liquefied petroleum gas (LPG), city diesel, hydrogen, alcohol fuels, and rechargeable batteries.

**Embodied energy** – a way of expressing the energy that was used in the making of a product. Also known as embedded energy it is an attempt to measure the total of all energy necessary for the entire product lifecycle. This lifecycle includes raw material extraction, transport, manufacture, assembly, installation, disassembly, deconstruction and/or decomposition.

**Emissions Intensity** - An emission intensity is the emission rate of a given pollutant relative to the intensity of a specific activity.

**Greenhouse gas** - A greenhouse gas (GHG) is a gas in an atmosphere that absorbs and emits radiation within the thermal infrared range. This process is the fundamental cause of the greenhouse effect.

**GWh** – A gigawatt hour is equal to 1000 Megawatt hours (Mwh).

**KWh** – The kilowatt hour is a composite unit of energy equivalent to one kilowatt (1 kW) of power sustained for one hour.

**MWh** – A megawatt hour is equal to 1000 Kilowatt hours (Kwh).

**Mitigate** - Climate change mitigation consists of actions to limit the magnitude or rate of long-term climate change. Climate change mitigation generally involves reductions in human emissions of greenhouse gases.

**Net zero emissions** - Carbon neutrality, or having a net zero carbon footprint, refers to achieving net zero carbon emissions by balancing a measured amount of carbon released with an equivalent amount sequestered or offset, or buying enough carbon credits to make up the difference.

**Offsets** - A carbon offset (or carbon credit) is generated from an activity that prevents, reduces or removes greenhouse gas emissions from being released into the atmosphere to compensate for emissions occurring elsewhere.

**P.V** – A typical photovoltaic system employs solar panels, each comprising a number of solar cells, which generate electrical power.

**Renewable energy** - Renewable energy is energy that is collected from renewable resources that are naturally replenished on a human timescale, such as sunlight, wind, rain, tides, waves, and geothermal heat.

**Storm Surge** - A storm surge, storm flood or storm tide is a coastal flood of rising water commonly associated with low pressure weather systems, the severity of which is affected by the shallowness and orientation of the water body relative to storm path, as well as the timing of tides.

**Tonnes of CO<sub>2</sub>** – a term used to express amount of carbon dioxide emissions equivalent. Equal to 1,000kg.

**Urban heat island effect** – Refers to when an urban area is significantly warmer than its surrounding rural areas due to human activities. The main cause of the urban heat island effect is from the modification of land surfaces.

## 1. Executive summary

Climate change poses one of the biggest threats to our future. How we respond will determine the future wellbeing and prosperity of our organisation and the community. We cannot wait for others to take action on climate change; the science is very clear that we must start to reduce our emissions and prepare for the future now. Kingston's commitment to addressing climate change is defined in the 2017-21 Council Plan, with the objective to leave a positive legacy for future generations. Council needs to respond in a flexible manner to the effects of a changing climate.

The City of Kingston has undertaken a detailed corporate carbon emissions inventory with the intent to mitigate the effects of climate change through the reduction of greenhouse gas emissions. The total current carbon emissions attributable to Kingston's corporate activities were 18,600 tonnes in 2016. Facility electricity and street lighting are the largest sources of emissions.

By implementing the reduction measures identified in this strategy, Council could reduce emissions by up to 30 per cent whilst reducing ongoing corporate energy use and costs.

The total emissions attributable to the Kingston community were 1,610,000 tonnes in 2016. Electricity was the largest source of emissions, with transport, natural gas and waste less significant sources of emissions. There is an opportunity for Council to assist our community to reduce emissions through the delivery of programs.

The Climate Change Strategy sets a clear framework to guide Council and the community towards reduced energy use and carbon emissions to mitigate the effects of and be adaptable to climate change.

The strategy seeks to achieve this by:

- providing a current overview of emissions for the Kingston local government area, including Council's corporate emissions
- setting a benchmark and methodology to report on future emissions
- analysing potential emissions reduction actions
- providing carbon emissions reduction targets
- providing actions and opportunities for Council and the Kingston community to reduce carbon emissions
- providing a clear pathway for the City of Kingston to adapt to climate change.

Through a number of achievable actions, implementation of the strategy will:

- reduce corporate emissions by 30 per cent per cent by 2020
- aim to be completely powered by clean and renewable electricity by 2050
- Aim to achieve corporate zero net emissions by 2050
- support our community to reduce emissions by 20 per cent by 2025.



## 2. Introduction

The City of Kingston recognises the need to act on climate change. Council's Climate Change Strategy incorporates new policy and technological progress since the original Energy Efficiency Strategy (2012) was adopted, and sets ambitious targets for corporate carbon reduction and actions and recommendations to assist our community. The Climate Change Strategy will guide Council and the community towards reducing carbon emissions and outlines the next steps required for Kingston to adapt to the effects of climate change.

The strategy provides a framework within which Kingston can respond to the challenges presented by climate change. The actions contained in the strategy broadly fall under the themes of climate change mitigation and adaptation.

Climate change mitigation refers to efforts to reduce or prevent emission of greenhouse gases. Mitigation can mean using new technologies and renewable energies, making older equipment more energy efficient, or changing management practices or consumer behaviour. This strategy outlines a number of recommendations to reduce greenhouse gas emissions.

Adaptation is the principal way to deal with the impacts of a changing climate. It involves taking practical actions to manage risks from climate impacts, protect communities and strengthen the resilience of the economy. Adaptation is a shared responsibility. Governments at all levels, businesses and households each have complementary roles to play. Individuals and businesses will often be best placed to make adaptation decisions that reduce climate risks to their assets and livelihoods.

The City of Kingston as a municipality is in a transformative phase that presents both opportunities and challenges in preparing for climate change. With Melbourne facing a growing population estimated to increase to 7.7 million people by 2051, all local councils are faced with the challenge of how to accommodate more people. For Kingston, this means planning for an additional 22,641 people by 2031.

As decades-old Council buildings and facilities reach the end of their life, new community buildings take their place. New businesses, including a host of new cafes and restaurants, have opened their doors bringing a renewed life and activity to our shopping strips. Our sporting facilities are being steadily upgraded to meet growing demand. More people living and working in Kingston has seen an increased number of cars on the road and a greater demand for parking in our neighbourhoods.

There is major revitalisation occurring at key sites, including the Clayton Business Park, former Phillip Morris factory, Gas and Fuel in Highett and planned investment at Moorabbin Airport. Council is also investing millions of dollars to ensure our infrastructure is in top shape to keep our city running smoothly.<sup>1</sup>

The transformative change occurring across the municipality provides the opportunity to ensure that climate mitigation and adaptation measures are integrated into all Council practices to build an adaptable and resilient community.

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<sup>1</sup> City of Kingston Council Plan 2017 -2021

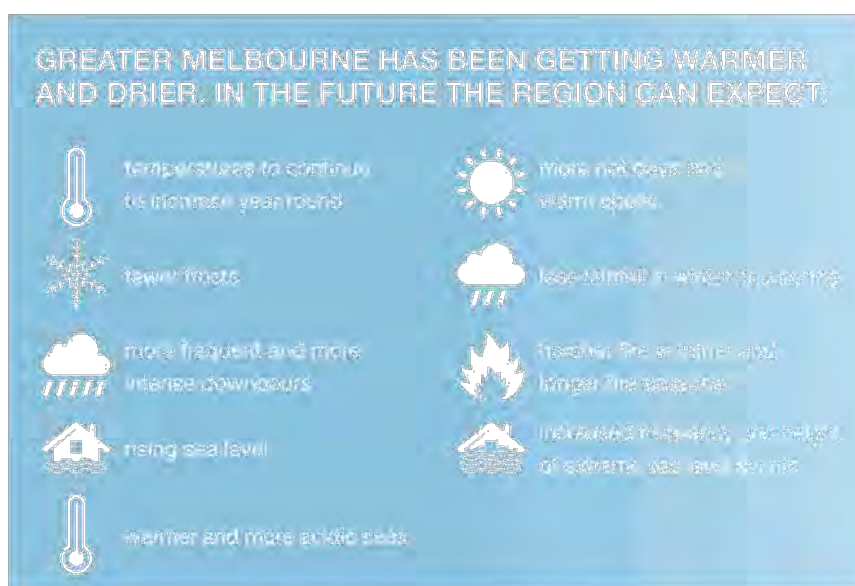


### 3. Context

Countries and communities around the world are already experiencing climate change impacts, these include droughts, floods, more intense and frequent natural disasters, and sea level rise. Our community in Kingston is also vulnerable to these impacts. Locally, the severity and frequency of hot days is predicted to increase, as well as more frequent and intense downpours, leading to the risk of flooding and extreme storm surge events.

Over the past 100 years, global surface air temperatures have risen by almost 1°C. Both the atmosphere and the oceans have warmed. Human activity is causing climate change through our release of greenhouse gases from the burning of fossil fuels, land use change and agriculture. Atmospheric concentrations of carbon dioxide are now more than 40 per cent higher than they were before industrialisation. In the Greater Melbourne region, the rate of warming has increased since 1960. Rainfall has declined since the 1950s, especially in autumn. The sea level today in the Melbourne region is approximately 225 mm higher than in 1880.<sup>2</sup>

Climate change is not just an environmental problem. The effects of climate change present substantial risks to our health and wellbeing, economy and whole society. These impacts are likely to include loss of life, physical and mental health impacts, reduced primary production, property damage, coastal inundation and loss of power, transport and communications infrastructure. There have been and will also be adverse impacts on biodiversity, habitat, health of ecosystems and significant changes to our waterways.<sup>3</sup>



Source: [https://www.climatechange.vic.gov.au/\\_data/assets/pdf\\_file/0019/60742/Greater-Melbourne.pdf](https://www.climatechange.vic.gov.au/_data/assets/pdf_file/0019/60742/Greater-Melbourne.pdf)

At a local level the effects of Climate Change are felt with an increase in hot days and heatwave events, more intense rain and flooding and storm surge and sea level rise. The City of Kingston manages 13km

<sup>2</sup> Victorian State Government. Climate-ready Victoria: Greater Melbourne. November 2015

[https://www.climatechange.vic.gov.au/\\_data/assets/pdf\\_file/0019/60742/Greater-Melbourne.pdf](https://www.climatechange.vic.gov.au/_data/assets/pdf_file/0019/60742/Greater-Melbourne.pdf)

<sup>3</sup>[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Environment\\_and\\_Communications/Completed\\_inquiries/2010-13/extremeweather/report/c03](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/Completed_inquiries/2010-13/extremeweather/report/c03)

of low lying foreshore that is increasingly vulnerable to sea level rise. There is development pressures for tourism, recreation, residential and commercial uses both on and adjacent to the foreshore. The impacts of climate change are likely to reshape the Bay as we know it. Increased wave action, storm surges and sea level rise will alter sand movements and increase erosion rates. Combined with population pressures, catchment degradation and ageing infrastructure the impacts on our coastline will escalate in coming years.

Increased flooding as a result of major storm events also poses a significant risk to Kingston with the projection of more intense rain and flooding. This poses a risk both to council infrastructure and the community health and safety.

The frequency and severity of heatwaves is anticipated to increase posing a serious threat to vulnerable members of our community including the elderly and those on low incomes. Coupled with rising electricity and gas prices it is expected that this will have a significant impact on the ability for some members of our community to heat and cool their properties.

Mindful of the above, it is considered that Kingston has both an opportunity and an obligation to mitigate carbon emissions and also adapt to climate change. By building our community's resilience to climate change, we will be able to better navigate the uncertainties and effects of a warming planet.

### **Federal Government Response**

In late 2015, 195 countries made a landmark agreement at the United Nations Climate Change conference in Paris to avoid dangerous climate change by limiting global warming to well below 2°C. Under the Paris Agreement, Australia has committed to reduce emissions by 26 to 28 per cent below 2005 levels by 2030. Australia's domestic climate change policies includes the Emissions Reduction Fund, which involves incentives for emissions reduction activities across the Australian economy.

Australia's energy sector is undergoing a transition to a lower emissions future, and this involves several initiatives: The Renewable Energy Target; The National Energy Productivity Plan; The Australian Renewable Energy Agency; and the Clean Energy Finance Corporation.

Due to a range of market and other factors, energy analysts are now forecasting significant price increases in the coming years.<sup>4</sup> The Federal Government has released forecasts indicating further increases in wholesale electricity prices of 27-33 per cent. It is important for local governments to reduce their exposure to the risks of energy price increases by using less energy and generating localised renewable energy.

### **Victorian Government Response**

#### ***Climate Change Act 2017***

The *Climate Change Act 2017* (Vic) sets a long-term emissions reduction target of net zero greenhouse gas emissions by 2050 and five yearly interim emissions reduction targets. The policy objectives include building the resilience of the state's infrastructure, built environment and communities through effective adaptation and disaster preparedness action, and to promote and support the state's regions, industries and communities to adjust to the changes involved in the transition to a net zero greenhouse gas emissions economy.

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<sup>4</sup> Clean Energy Council <http://www.cleanenergycouncil.org.au/policy-advocacy/electricity-prices.html>

### **Victoria's Climate Change Framework**

Victoria's Climate Change Framework (VCCF) articulates the Victorian Government's long-term vision and approach to climate change, including an interim emissions reduction target for 2020 and net zero target by 2050, the *Climate Change Act 2017* (see above). The VCCF also describes the transition required across different sectors of the economy and challenges to be addressed in doing this.

### **Victorian Energy Efficiency Target**

The Victorian Energy Efficiency Target aims to reduce greenhouse gas emissions by placing a liability on large energy retailers to purchase and surrender Victorian energy efficiency certificates (VEECs). Each VEEC represents one tonne of greenhouse gas reduction, and can be created through undertaking energy saving activities. The scheme reduces the cost to households (and large energy users from August 2017) of implementing recognised energy reduction activities by placing a value on the greenhouse gas reduction and creating a market for the certificates.

### **Victorian Renewable Energy Targets**

In June 2016, the Victorian Government committed to renewable energy generation targets for Victoria of 25 per cent by 2020 and 40 per cent by 2025. The *Renewable Energy (Jobs and Investment) Bill 2017* will legislate the Victorian Renewable Energy Targets, demonstrating Victoria's leadership on renewable energy.

### **TAKE2 Pledge**

TAKE2 is the Victorian Government's collective climate change initiative. It supports Victorian individuals, business, government, educational and community organisations to take meaningful action to reduce climate change. It starts by making the TAKE2 pledge online, which is a promise to take action on climate change. Using lists of tailored actions on the website, individuals and businesses select what they can, will or already have done to reduce climate change.

Council has recently demonstrated its commitment to tackling climate change by taking the pledge. The mitigation measures in this strategy demonstrate councils efforts to limit global warming below the 2°C threshold as set at the United Nations Climate Change conference Paris Agreement.

### **Local Government Bill 2018**

The Local Government Bill 2018 includes in its overarching principles "the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risk, is to be promoted"

## 4. Our journey

Kingston has a long history of responding to climate change through improved energy efficiency, with the most recent strategy released in 2012 with a focus on reducing corporate energy use. Council recognised the need to build on energy efficiency options to include setting carbon emissions targets, and as such, an emissions profile was developed in 2017 to determine what our corporate and community emissions are and where we should prioritise our actions. This has led to the development of a Climate Change Strategy (this document), and consideration of ways we can help our community adapt to climate change impacts in the future.

OUR JOURNEY				
2012-2017	2017	2017	2018-2025	FUTURE AND ONGOING
Energy Efficiency Strategy 2012-2017	Emissions profile	TAKE2 Pledge	Climate Change Strategy 2018-2025	Climate Change Adaptation
» Implementation of corporate energy use reduction projects	» Corporate emissions » Community emissions	» Council commitment to tackling climate change	» Corporate emissions reduction » Community emissions reduction	» Urban forests » Coastal management » Resilient infrastructure » Emergency management » Sustainable development » Health and Wellbeing » Flooding » Green infrastructure » Biodiversity

**Figure 1: Our Journey**

In 2012, annual emissions were approximately 20,000 tonnes CO<sub>2</sub>e, reducing to 18,600 tonnes CO<sub>2</sub>e in 2016. This represents a reduction in emissions of approximately 8 per cent through the life of the 2012-2017 Energy Efficiency Strategy. This reduction has been achieved despite a number of new major Council buildings being constructed that have accumulatively contributed additional energy use and emissions across the organisation.

Some key achievements in emissions reduction through 2012 - 2017 include:

- Energy efficiency upgrades at Kingston Arts Centre and Town Hall,

with a resulting 175 tonnes CO<sub>2</sub>e per annum reduction.

- Major Heating, Ventilation and Air Conditioning (HVAC) upgrades at the 1230 Nepean Highway, Cheltenham office. This included installation of high efficiency chillers and new building management controls installed and commissioned, resulting in 545 tonnes CO<sub>2</sub>-e per annum reduction.

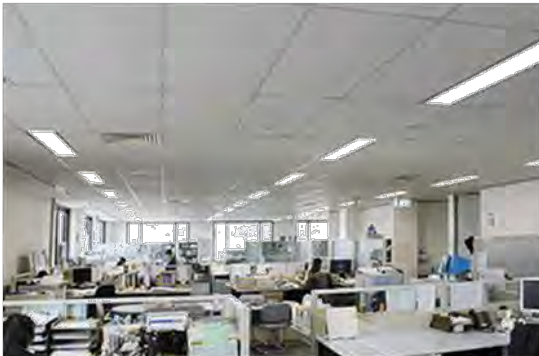


Efficient chiller at the 1230 Nepean Hwy, Cheltenham Municipal Office.



Parkdale Hub solar system, Warren Road.

- 152kw of solar installed across Council assets. (190 tonnes CO<sub>2</sub>-e in reductions annually).



LED lights, Cheltenham Municipal Office

- Internal lighting upgrades at 1230 Nepean Highway, with state of the art LEDs, with organic response sensors resulting in 302 tonnes CO<sub>2</sub>-e reduction per annum.

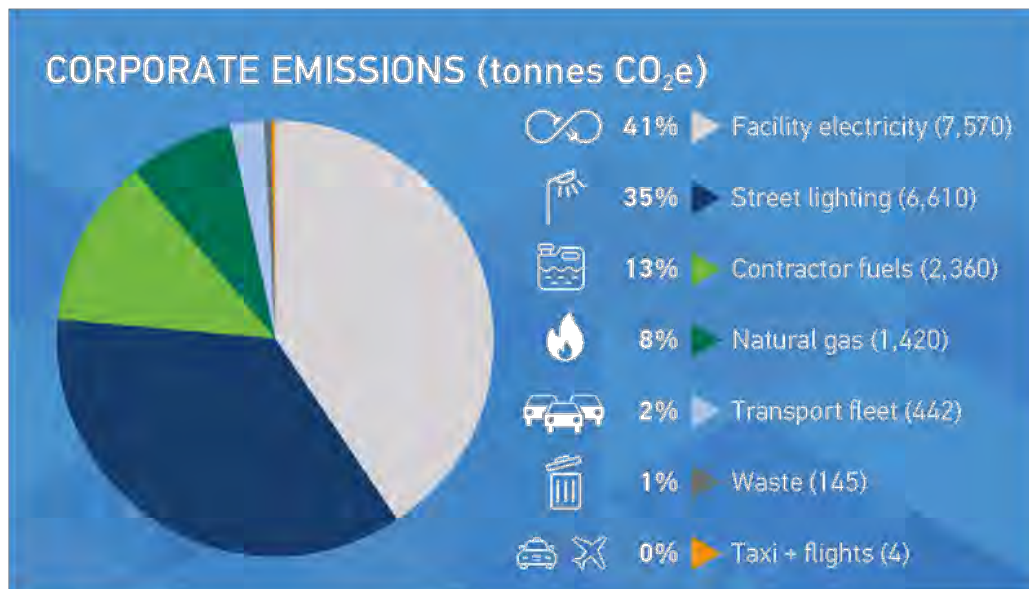


## 5. Our emissions

### Corporate emissions

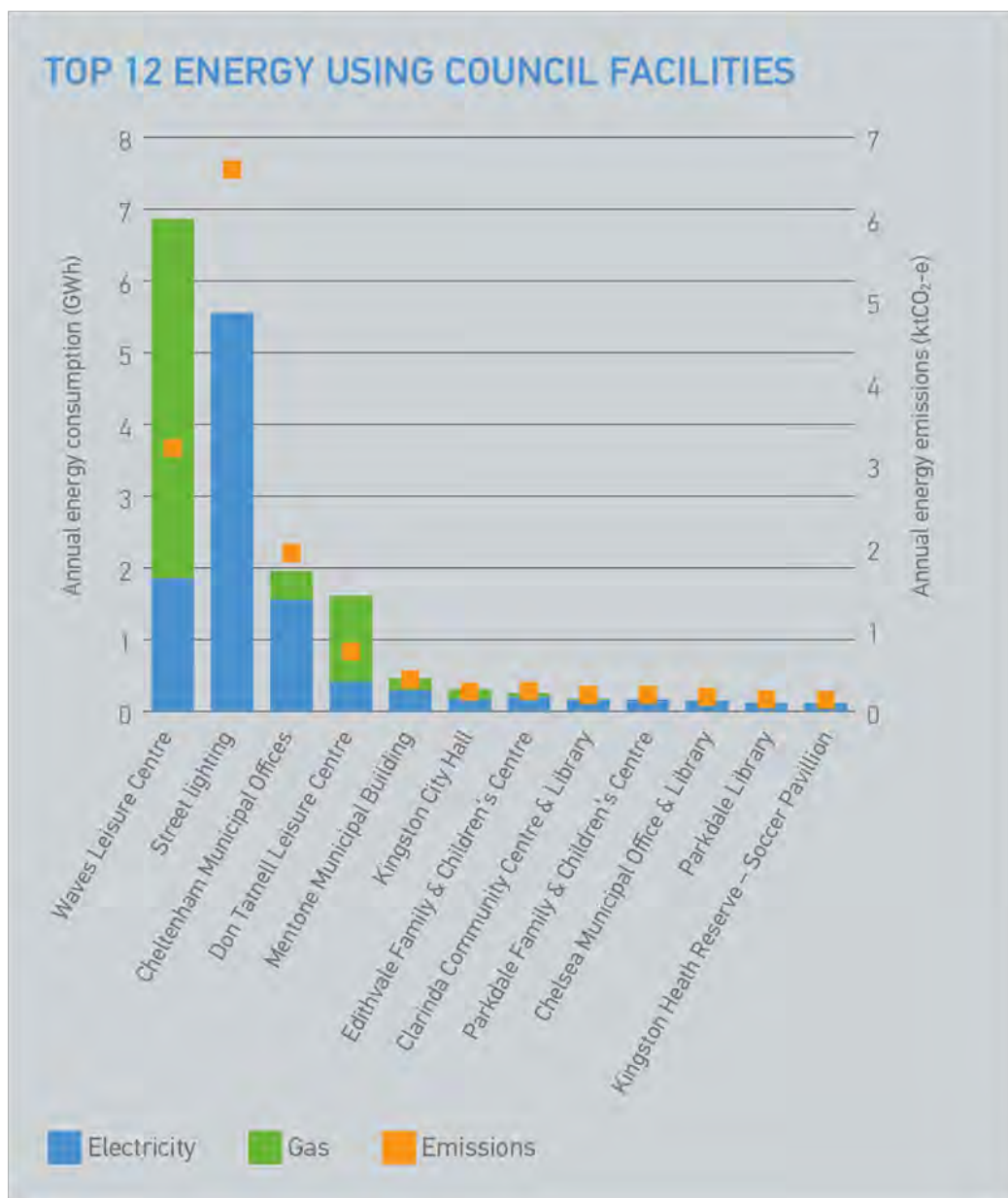
The total emissions attributable to Council's corporate activities were 18,600 tonnes CO<sub>2</sub>e in 2016. This is equivalent to the annual emissions of almost 4,000 cars. The key sources of emissions were:

- **Facility electricity** – Council manages over 200 facilities including municipal offices, child care centres, leisure centres, community buildings and public amenities such as toilet blocks and BBQs. The cumulative electricity consumption from these facilities was the largest source of corporate emissions, representing an annual cost of approximately \$762,000. This is a significant cost risk to council as council is exposed to rising electricity costs through its contracts.
- **Street lighting** – the largest single consumer of electricity, making it a primary focus for emissions reduction action. It represents an annual cost of approximately \$459,000. A project to transition to efficient LED luminaires begins in 2018
- **Contractor fuels** – this includes direct emissions from contractor vehicles including cleaning, mowing, street sweeping and tree removal services. The majority (62 per cent) of these emissions were from municipal waste collection contractors
- **Natural gas** – many of the facilities managed by Council also consume natural gas. While gas consumption makes up 37 per cent of the energy consumed by the facilities (annual cost approximately \$212,000), it contributes less to the overall emissions inventory due to the relatively lower emissions intensity compared to electricity. Leisure centres were the primary consumers of natural gas at over 85 per cent of the total consumption. This represents a significant cost risk with gas prices projected to increase drastically over the next five years
- **Vehicle fleet, waste, taxis and flights** – together these emissions sources contributed just over three per cent to the corporate emissions inventory.



**Figure 2:** Council emissions breakdown

When examining Council facilities (see figure 3) there are a range of high energy users. The two leisure centres, Waves and Don Tatnell, consume a large amount of natural gas from pool heating. They also require a significant amount of electricity to run pumps and other associated equipment. Large office buildings such as the municipal offices, city hall, family and children's centres, pavilions and libraries are also high energy users. Street lighting accounts for a significant amount of emissions (which, as discussed above, is being addressed as a high priority).



**Figure 3: Top 12 energy using Council facilities**

### Community emissions

The total emissions attributable to the Kingston community were 1,610,000 tonnes CO<sub>2</sub>e in 2016.

Key sources of emissions included:

- Electricity - contributing the majority of emissions at 68 per cent. Over half of this was from the commercial sector (see Figure 5).
- Transport - Fossil-fuel powered transportation modes (including cars, motorcycles and public transport) contributing the second largest source of emissions in Kingston. Of these emissions, almost 90 per cent were due to journeys in cars, reflecting the dominant use of this mode (cars were used for 82 per cent of all kilometres travelled).
- Natural gas - Equating to over half of all energy consumed by the community in Kingston. Natural gas has a lower emissions intensity than electricity, so contributes less to the overall emissions inventory
- Waste - The lowest contributor of emissions at 3 per cent. This includes emissions from waste generated by residents and businesses and collected by Council waste contractors. It does not include the total emissions from landfills within the municipality, where the landfills are receiving waste from outside of the municipality. It also excludes commercial waste.

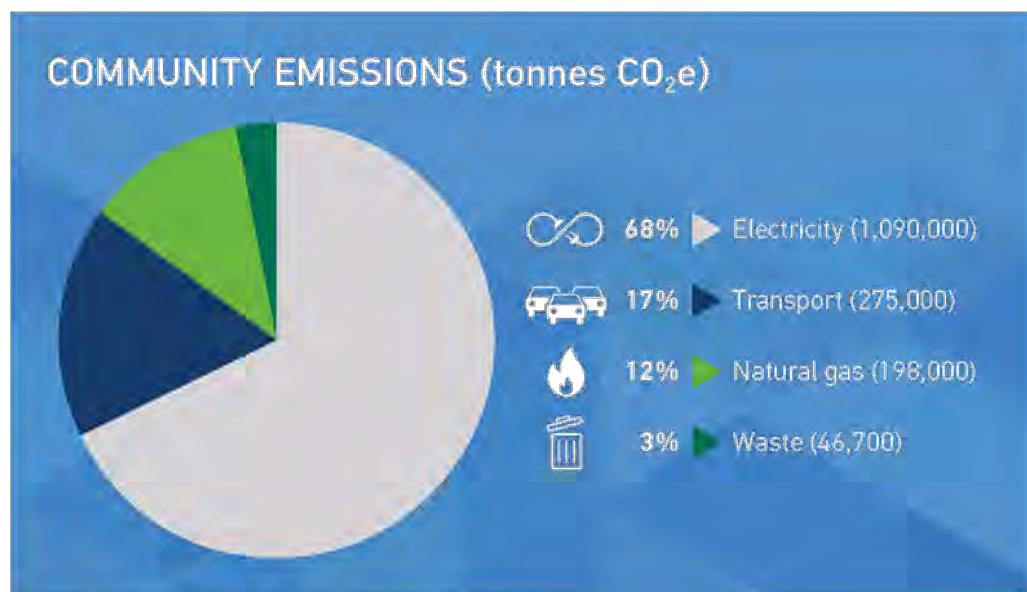
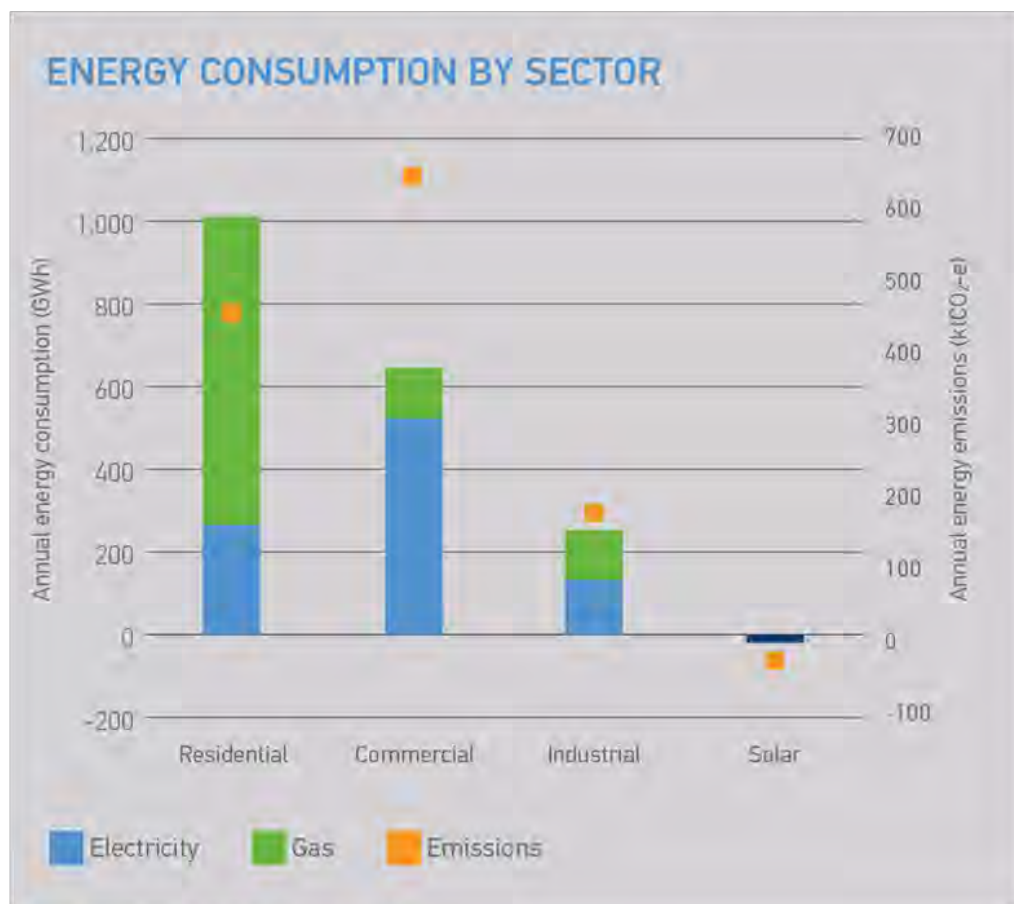


Figure 4: Community emissions breakdown



The commercial sector is the highest contributor to community emissions. It has a lower overall energy consumption compared to residential but a higher emissions intensity due to its high use of electricity. Residential gas use is high in the Kingston area, but has a lower intensity than electricity. In 2016 there were 5,650 residential solar PV installations. Solar PV energy was estimated to contribute approximately 21 GWh across the community.<sup>5</sup> Note that this is shown as a negative value in Figure 5, as it represents energy generation and emissions abatement (rather than energy consumption and emissions generation).



**Figure 5:** Energy consumption by sector.

<sup>5</sup> Clean Energy Regulator (2017) Postcode data for small-scale installations. Accessed 1 June 2017 at <http://www.cleanenergyregulator.gov.au/RET/Forms-and-resources/Postcode-data-for-small-scale-installations#Postcode-data-files>. This value was based on the deemed Small Generation Units from the installation of solar PV systems (SGUs) in Kingston postcodes to the end of June 2016.

## GREENHOUSE GAS EMISSIONS FROM ENERGY

Electricity consumed in Kingston is from the Victorian electricity grid. This electricity is highly emissions intensive, as the majority is sourced from the combustion of brown coal. As a result, every unit of energy sourced from electricity results in almost six times the emissions compared to sourcing the same amount of energy from natural gas, as shown from the emissions factors below:

Electricity – 1.19 kgCO<sub>2</sub>-e/kWh  
Natural gas – 0.20 kgCO<sub>2</sub>-e/kWh

Note that renewable energy sources such as solar panels provide the opportunity for very low emissions energy. The emissions factor for the Victorian electricity grid has slowly and steadily decreased in recent years (compare the above 2016 figure to 1.45 kgCO<sub>2</sub>-e/kWh in 2000).

## 6. Our vision

Based on the global climate change context, national and state priorities, as well as local issues and our current carbon emissions, Council has developed a vision to;

*Build climate resilient environments, infrastructure, facilities and communities through the reduction of carbon emissions and an increasing focus on renewable energy generation.*

**OBJECTIVE 1:** To reduce carbon emissions throughout our municipality from Council's corporate emissions, and our community's emissions.

**OBJECTIVE 2:** To build a climate resilient organisation and community.

## 7. Our priorities

### Emissions Reduction

- Increase energy efficiency and productivity.
- Transition to a clean and renewable electricity supply.
- Switch to clean fuels.
- Purchase offsets where required.

### Adaptation

- Embed climate change considerations into Council's operations, policies and plans.
- Manage risks to Council built and natural assets and services from climate change.
- Mitigate and adapt to the effects of climate change for future generations.

## 8. Our commitment to reduce emissions

To demonstrate our leadership, Council is committing to the following three targets; (utilising 2016 emissions as baseline)

- a. *To reduce corporate emissions by a minimum of 30 per cent by 2020,*
- b. *Aim to achieve corporate zero net emissions by 2050 in line with current State Government Policy.*  
  
*The aim of zero net emissions is to achieve Carbon neutrality, or having a net zero carbon footprint. This could be done through the purchase of clean energy through our procurement of renewable electricity and gas, then using offsets to buy carbon credits to make up the difference.*
- c. *To support our community to reduce emissions by 20 per cent by 2025.<sup>6</sup>*

## 9. Meeting our commitments

Council is committed to reducing our corporate emissions by 30% by 2020. Council has direct control over its emissions. Reducing corporate emissions demonstrates leadership, improves financial sustainability, and reduces future exposure to energy price increases. This commitment will be achieved through the following actions:

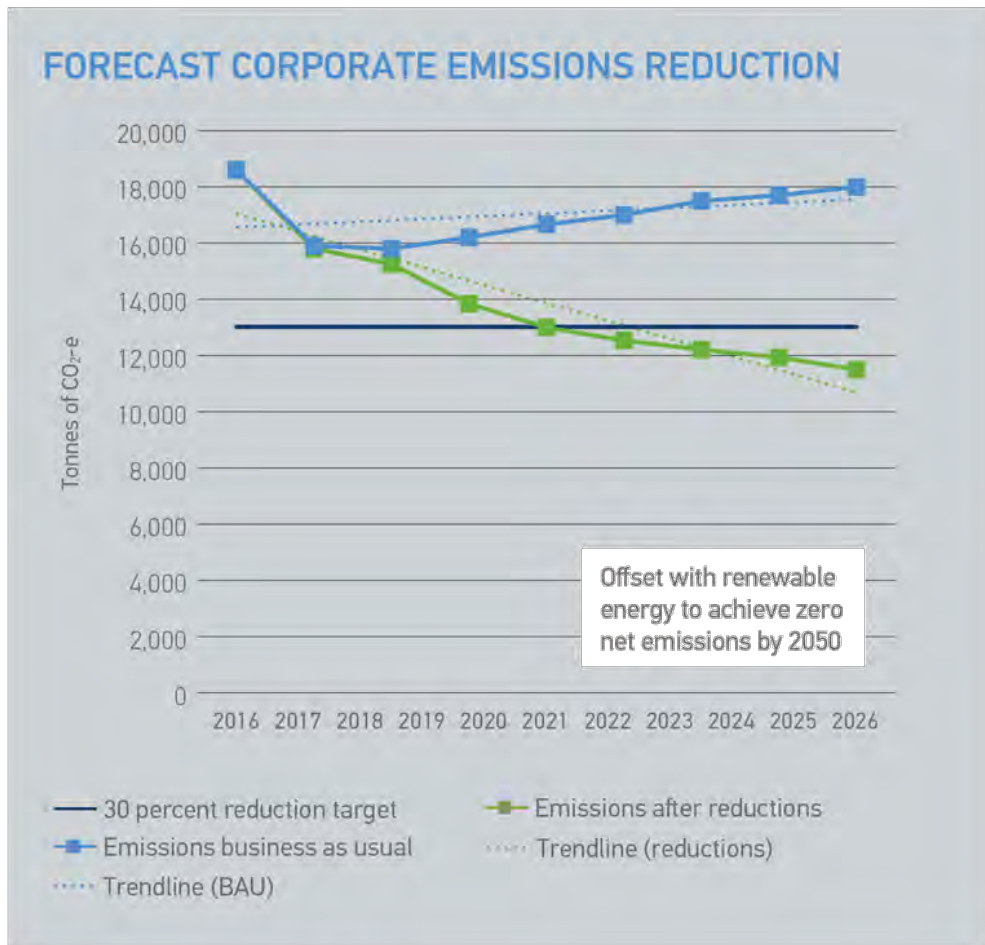
ACTION	EMISSIONS REDUCTION
Street lighting upgrade – stage 1 – replacing 7000 public street lights (2018)	14.8%
Street lighting – stage 2 – replacing 1000 decorative lights and 4000 VicRoads lights (2019-2020)	7.52%
Council offices lighting upgrades	2.75%
Install 1MW of solar PV on Council buildings A rooftop solar feasibility assessment will priorities the order of installations	6.45%
<b>TOTAL Emissions reduction</b>	<b>31.52%</b>

<sup>6</sup> This is consistent with the Victorian Government 2020 emissions reduction target of 15-20% below 2005 levels as outlined in Victoria's Climate Change Framework

### **Best Practice and Policy Development - Further actions**

A range of additional projects will be undertaken by Council with a view to further contributing to emissions reduction across Council's operations and the achievement of zero net emissions by 2025. These projects include;

- **Developing and implementing a new internal Environmentally Sustainable Policy for new Council buildings and renovations**  
The existing internal ESD policy will be reviewed and updated and applied to all new Council buildings, maintenance and renovations, along with allocation of resources to ensure effective implementation.
- **Setting emissions standards for contractor vehicles**  
Contractor vehicles were identified as making a significant contribution to Council's carbon emissions. Procurement opportunities to specify improved standards will be investigated.
- **Continuing improved efficiency of Council fleet vehicles**  
Council will continue to downsize fleet vehicles, improve fleet efficiency and investigate the feasibility of electric or more efficient heavy fleet vehicles.
- **Ongoing monitoring and reporting of energy use across Council buildings**  
Council will continue to monitor and report on energy use across all buildings and identify opportunities for improvement.
- **Ongoing efficiency upgrades across Council buildings.**  
Investigation of energy efficiency upgrades will continue. Approximately 100 tonnes of carbon emissions can be saved for every \$100,000 invested (along with associated electricity cost savings). Projects with a return on investment within 10 years will be investigated.
- **Reduce embodied energy exposure**  
Ensure that reduce, reuse and repair principles are used when considering procurement.  
Creating processes, tools and systems that facilitate sharing across the organisation (where possible).



**Figure 6:** Forecast emissions reduction

Figure 6 demonstrates that our emissions reduction target of 30 per cent by 2020 is achievable by implementing the actions described.

## 10. Towards zero net emissions

To achieve carbon neutrality (zero net emissions), Council would need to obtain offsets or invest in large scale renewables.

The purchasing of renewable electricity has the ability to offset all energy related emissions (up to 70%). Approximately 6-8MW of energy can be purchased for a reduction of 8-10kt CO<sub>2</sub>-e. However, purchase of renewable electricity (e.g. green power) comes at a higher cost, and as such investing in actions that reduce electricity demand and therefore save money, are considered a higher priority.

### Large scale solar

Council has committed in the Green Wedge Plan (2012) and the Council Plan, to investigate the feasibility of large scale solar PV on closed landfills in the green wedge. Other local government areas are investing in similar schemes, such as Sunshine Coast Council in Qld, and Newcastle City Council in NSW. Pre-feasibility work has demonstrated that delivering a 5MW large scale solar plant is viable within the City of Kingston. This could provide a variety of options for Council to either generate or purchase renewable electricity.

### Offsets

A carbon offset is used to assign a value to a metric ton of greenhouse gas emissions.

Council could purchase carbon offsets from a third party helping to fund a project that will either reduce or sequester carbon emissions from the atmosphere in another location. As a result of purchasing a carbon offset from a third party you are effectively 'offsetting' some or all of your own carbon emissions. This cost however would be on top of the existing (and potentially increasing) cost of electricity.



## 11. Supporting our community – emissions reduction and adaptation

Council is committed to supporting our community to reduce emissions and reduce energy use (and therefore power bills), but Council's direct influence is limited. However we heard through the consultation process that the community wants strong leadership and support to take immediate action. Council also has a role in supporting our community to adapt to a climate change future.

### ***Policy and Advocacy***

- **South eastern Councils Climate Change Alliance (SECCCA) - ongoing**

Council will continue membership with the South eastern Councils Climate Change Alliance and participation in projects relevant to the Kingston community.

- **Environmentally Sustainable Design (ESD) Local Policy – Amendment C165**

Council is developing an Environmentally Sustainable local planning policy to ensure new developments/buildings are energy efficient and climate resilient.

- **Urban Cooling – 2018/19**

An urban cooling strategy will be developed to ensure our city is resilient and liveable in light of future climate change.

- **Climate Change Adaptation – 2018/19**

Council will develop a climate change adaptation plan to support our community to adapt to the effects of climate change, such as more frequent heatwaves and increased storm intensity.

### ***Facilitation, information and support***

- **Microgrid Technology**

Council will investigate the potential application and feasibility of Microgrid technology across households and businesses in the City of Kingston.

- **Renewable electricity**

Council will support and encourage community owned renewable energy projects where appropriate.

- **Finance mechanisms**

Council will investigate ways to support our commercial and industrial sector to improve energy efficiency, and increase renewable energy generation, such as retrofit assistance and finance mechanisms.



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- **Residential solar**

Council will continue to investigate avenues to increase the uptake of residential solar, including solar and renewables promotion, solar facilitation for renters, solar purchase though rates for low income earners, and bulk buy schemes.

Target: Number of community solar PV installations to increase from 5,650 (17,500kw approx.) in 2016 to 10,000 (30,000kw approx.) in 2025.

### MICROGRID TECHNOLOGY

Microgrids are one way to enable solar PV and battery storage sharing. Microgrids are small scale private local electric power grids or networks with the capacity to be controlled and coordinated. As with other grids, they consist of distribution (e.g. electrical cabling), electricity generation and grid regulation.

Sharing solar PV generation and battery storage across a number of households or businesses has the potential to leverage opportunities and help manage some of the risks inherent in the changing electricity sector.

It can help sidestep network limits on distributed energy resources and enable residential customers to generate, store and use more of their own solar PV.

Moreover, aggregated storage capacity has the ability to reduce peak demand, thus actively assisting network utilities to manage challenging periods of variable power production and overall activity on the grid.

Microgrids can also provide other benefits, such as reducing the total capital costs for households and utilities. An example is where a new residential development uses on-site generation and storage to reduce consumption and guarantee a maximum peak demand. This in turn can reduce both the sizing of distribution infrastructure (the poles and wires) and the costs associated with connecting to the broader network.

Source: <https://arena.gov.au/assets/2017/11/here-comes-the-sun-moreland-energy-foundation.pdf>

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### CLIMATE CHANGE ADAPTATION

We need to prepare for anticipated climate change impacts so that the City of Kingston remains a healthy, prosperous, safe and vibrant place to work, live, and play, and maintains a thriving natural environment.


Adaptation is a complex challenge for Council and the community. The impacts of climate change are unlike anything we have experienced before, and what we know about the scale and timing of impacts is constantly evolving. As such, we need flexible and robust policies, plans and actions that will equip us to successfully adapt to a range of possible futures.

## 12. Monitoring evaluation and reporting

Delivery of the broader objectives of this Strategy, as well as individual Actions identified in this report, will require ongoing evaluation and reporting. It is proposed that:

- An internal Action Plan be developed to map out operational and financial obligations over the life of the Strategy (2018 – 2025).
- Council continue to monitor and report on both community and corporate emissions on a biannual basis as well as promote progress on key actions to the community.
- Regular feedback and emissions data will be provided to key facility managers within the organisation.
- Undertake biannual review of the economic viability of solar PV on Council Buildings to ensure new technology is considered and, where appropriate, incorporated into the delivery program
- An evaluation and review of this strategy and associated priorities will be completed before 2025.



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27 August 2018

Agenda Item No: 8.4

## COMMUNITY BUILDINGS ENVIRONMENTALLY SUSTAINABLE DESIGN (ESD) POLICY

**Contact Officer:** Paul Marsden, Manager City Strategy  
Steve Lewis, Manager Community Buildings

### Purpose of Report

This report seeks Council approval to formally adopt the Community Buildings Environmentally Sustainable Design (ESD) Policy.

### 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.

### OFFICER RECOMMENDATION

That Council:

1. Adopt the revised Community Buildings Environmentally Sustainable Design (ESD) Policy; and
2. Agree to the implementation of the proposed Community Buildings Environmentally Sustainable Design (ESD) Policy for all future Council building projects, as outlined in Appendix 1 of this report.

## 1. Executive Summary

The Community Buildings Environmentally Sustainable Design Policy (ESD Policy) aims to apply consistent Environmentally Sustainable Design (ESD) principles and quality standards to the design, construction and maintenance of Council owned community buildings.

The ESD Policy enables Council to play a leadership role in promoting ESD principles by improving the quality and comfort, longevity, sustainability and performance of community buildings, and by using its buildings to promote sustainable practices.

Subject to adoption, this policy will assist Council in achieving the goals outlined in the Council Plan 2017-2021 as well as commitments set out in the Kingston City Council (2008) Biodiversity Strategy (under review); Kingston City Council (2012) Integrated Water Cycle Strategy and Kingston City Council draft Climate Change Strategy (2018-2025). Leadership in sustainability also aligns with climate change adaptation planning including the management of risks to Council's assets.

## **2. Background**

During 2014/15 an initial draft Community Buildings Environmentally Sustainable Design (ESD) Policy was developed by officers for internal use and has been utilised to guide sustainable building design of new developments on a pilot basis. This report now seeks approval from Council to formally adopt the amended Policy to guide all future Council building projects on achieving improved ESD outcomes.

Kingston City Council is committed to promoting environmental sustainability through its own practices and its role as a community leader. This is reflected in the Kingston City Council Plan 2017-2021.

In response to this, officers have developed a revised Community Buildings Environmentally Sustainable Design (ESD) policy, following consultation with stakeholders involved in the development of Council buildings and independent review of the outcomes achieved during the pilot process.

The revised ESD Policy details performance standards for all new Council buildings, refurbishments, maintenance and demolition. Performance targets have been established according to project scale and type, with higher level targets established for large new projects. The new ESD policy fully aligns with Council's Sustainable Design Assessment in the Planning Process (SDAPP) Program.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs

Direction 1.2 - Effectively influence the urban and architectural design of the City

Goal 2 – Our Sustainable Green Environment with Accessible Open Spaces.

2.1.1.4 Support environmentally sustainable development outcomes for Council buildings to consider their energy water and waste management performance

The ESD Policy aligns with Goal 1 and 2 of the Kingston City Council Plan 2017-2021. Goal 1 seeks to influence the urban and architectural design of the City. Council has the ability to lead by example in building comfortable and sustainable places. Goal 2 recognises the need to consider energy, water and waste management performance in council buildings.

### **3.2 Consultation/Internal Review**

A review of 2014/15 draft ESD Policy was performed by the independent ESD consultant. As part of this review sophisticated energy simulation showed that the initially forecast 30% energy saving at Mentone Activity Hub and Mordialloc Lifesaving Club was not entirely met predominantly due to building sealing issues, however changes to window orientation, shading and operability during the design phase saw this target close to being achieved. Other successful examples include solar panel included as part of the initial design of Westall Hub.

The ESD consultant also worked with relevant departments and stakeholders to assess the outcomes achieved through the pilot process and to develop a modified policy that responded to any lessons learnt through the review process.

Workshops with relevant staff and stakeholders were facilitated by the independent consultant, which reviewed the existing draft ESD policy and provided input into the revised policy. In general, feedback from the stakeholder workshop was that the policy content and sustainability design targets contained within the policy were appropriate and achievable, but identified some minor modifications to the process for implementation of some ESD measures. This has been reflected in the attached updated ESD policy through the inclusion of an ESD checklist for project managers and an ESD assessment matrix for use through the detailed design process.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Implementation**

Implementation of the ESD Policy will require integration with Council's project management procedures and Capital Works program. To facilitate implementation, the following have been incorporated into the new ESD Policy:

- ESD design targets and triggers integrated within Project Management procedures;
- ESD budget requirements built into the capital budget of project;
- Simple and clear referral process to ESD consultant at start of project; and
- Review of Council's Community Buildings program to identify relevant projects and provide initial scoping advice.

#### **3.3.2 Monitoring and Review**

This policy will be monitored to ensure its relevance in terms of community needs and expectations, Council goals, Council targets and statutory requirements, strategic direction and regulatory obligations. Subject to approval, a further review will be undertaken during 2021/22 to assess performance and compliance with the Community Buildings ESD Policy. This assessment will consider:

- Percentage (%) of projects meeting the requirements in the ESD Policy;
- Measurement of total efficiency improvements achieved over an initial 3 year period following adoption of the ESD Policy.

## **4. Conclusion**

The revised ESD Policy provides a methodology for the application of consistent ESD principles and quality standards to the design, construction and maintenance of Council's community buildings.

The ESD Policy will enable Council to adopt a leadership role by improving the quality and comfort, longevity, sustainability and performance of its community buildings and by using its buildings to promote sustainable practices to others.

### **4.1 Environmental Implications**

This policy will assist Council in achieving the goals outlined in the Council Plan 2017-2021 as well as commitments set out in the Kingston City Council (2008) Biodiversity Strategy (under review); Kingston City Council (2012) Integrated Water Cycle Strategy and Kingston City Council draft Climate Change Strategy (2018-2025). Leadership in sustainability also aligns with climate change adaptation planning including the management of risks to Council's assets.

The proposed Community Buildings Environmentally Sustainable Design (ESD) Policy and Community Buildings Design Guidelines recommend consideration of ten ESD criteria including:

- Indoor environment quality (IEQ);
- Energy efficiency;
- Water efficiency;
- Storm-water;
- Building materials;
- Transport;
- Waste management;
- Urban ecology;
- Innovation; and
- Building construction and management.

Implementation of the updated ESD Policy will ensure that ESD considerations are incorporated into Council owned community buildings (including new buildings, extensions and refurbishments) and will provide a number of benefits, including:

- Helping to mitigate climate change, reducing potable water consumption, improving the water quality of our creeks, rivers and bays, reducing the impact from materials and also promoting more sustainable transport and waste practices;
- Improving the performance of individual buildings above minimum legal requirements; and
- Contributing to the delivery of organisational and community environmental expectations of Council as a leader in this area.

#### **4.2 Social Implications**

The updated Community Buildings ESD Policy will help to enable better quality urban design, accessibility and public safety outcomes that will help to ensure that Council buildings are safe for staff and visitors and provide equitable access for all members of the community.

#### **4.3 Resource Implications**

Practical implementation of the Community Buildings ESD Policy will from time to time require the use of a specialist ESD consultant to provide independent advice on ESD opportunities for certain categories of projects under the reviewed policy. For example, an ESD consultant will be required to form part of a project design team on larger new Council building projects to provide independent advice to Council and the other building consultants on opportunities to improve overall ESD outcomes through the design process.

In these circumstances, consultancy fees may be incurred for activities such as energy modeling in order to optimise building performance and to achieve, or exceed, compliance with the Building Code of Australia (BCA). These costs will be met through the project budget but will help to generate ongoing longer term savings to Council in energy and water consumption. Subject to adoption, these ongoing savings will be assessed and measured in 2021/22 after an initial three year period of operation for the reviewed ESD Policy.



Ongoing expenses associated with operating and maintaining Council owned community buildings are likely to increase due to rising utility costs. Strategies aimed at improving energy and water efficiency will contribute to reduced costs for Council and tenants of Council community buildings. Information obtained from other municipalities suggests that tenants are increasingly requesting that energy efficiency measures be incorporated into Council buildings to assist them with managing the financial burden of providing essential community services and activities.

**4.4 Legal / Risk Implications**

In order to meet increasing community expectations in relation to environmental sustainability, it is important that Council demonstrates leadership through the design, construction and maintenance of its community buildings. The community expects that Council provide facilities that are efficient and that are designed to be robust, durable and which minimise the use of finite resources.

**Appendices**

Appendix 1 - Community Buildings Environmentally Sustainable Design (ESD) Policy  
Draft (New 2018) (Ref 18/123202) [↓](#)

Author/s:	Paul Marsden, Manager City Strategy Steve Lewis, Manager Community Buildings
Reviewed and Approved By:	Jonathan Guttmann, General Manager Planning and Development

# 8.4

## COMMUNITY BUILDINGS ENVIRONMENTALLY SUSTAINABLE DESIGN (ESD) POLICY

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# ESD (Environmentally Sustainable Design) Policy for Community Buildings

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APPROVAL	TBC – 30 <sup>th</sup> July 2018
VERSION NO:	1
TRIM REF:	18/53291
REVIEW	31 <sup>st</sup> December 2021
RESPONSIBLE EXECUTIVE	General Manager – Community Sustainability
POLICY OWNER	Manager – Community Buildings

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

The purpose of this policy is to apply Environmentally Sustainable Design principles to the design, construction, operation and management of Council community buildings.

## 2. Background

Kingston City Council is committed to environmental sustainability through its own practices and its role as a community leader. This is reflected in the Kingston City Council Plan 2017-2021, Goal 2.1 Environmental resilience and sustainability 2.1.1:

- To reduce environmental impacts on our natural and built environment.

The Council Plan Annual Action Plan 2017-2021 has the aim to:

- 2.1.1.4 Support environmentally sustainable development outcomes for Council buildings to consider their energy water and waste management performance.

Council owns and operates approximately 200 community buildings. These cover a vast range of uses including Council offices, libraries, aquatic centres, lifesaving clubs, sports pavilions and hostels. Collectively, Council's community buildings have an important role to play in achieving sustainability because they are large consumers of energy, water and other resources, and because they are used by many members of staff and the community.

Kingston City Council expects that community buildings will be high quality, responsive to changing community needs, and able to be maintained within operational budgets.

Council acknowledges that achieving more sustainable outcomes in community buildings will involve balancing environmental objectives, life cycle performance and economic factors. For this reason, passive design initiatives, flexible design, robust construction techniques and specification of durable materials should be considered as a priority when designing and constructing community buildings.

This policy will assist Council in achieving the goals outlined in the Council Plan 2017-2021 as well as commitments set out in the Kingston City Council (2008) Biodiversity Strategy (under review); Kingston City Council (2012) Integrated Water Cycle Strategy and Kingston City Council draft Climate Change Strategy (2018-2025). Leadership in sustainability also aligns with climate change adaptation planning including the management of risks to Council's assets.

The policy will enable Council to adopt a leadership role by improving the sustainability performance of Council owned community buildings, and by using its buildings to promote and educate the community about the design and use of sustainable buildings generally.

## 3. Vision

The policy is ensuring that the construction or major refurbishment of Council buildings minimizes adverse environmental impacts in the areas such as energy use, water use and waste generation during both the construction and operational phases of a building's life.

#### 4. Objectives

The objectives of this policy are:

- To demonstrate leadership to the community, improve internal comfort and amenity, and reduce operational costs of buildings.
- To reduce peak energy demand, increase energy efficiency, increase use of renewable energy and reduce greenhouse gas emissions associated with buildings.
- To reduce consumption of mains potable water, increase water efficiency and achieve best practice stormwater management outcomes.
- To reduce waste sent to landfill, increase the reuse and recycling of construction waste, and increase reusability of materials in buildings.
- To reduce the environment impact of materials by prioritizing materials with a favorable lifecycle assessment.
- Incorporate passive solar design features to enhance natural ventilation, heating, cooling and lighting and improve thermal performance
- Design for ease of maintenance and long life across the lifecycle of a building
- Install solar power on Council buildings (where feasible)
- Create a healthy indoor environment by using materials that are not harmful to the health, safety and wellbeing of building occupants
- Provide access to efficient and cleaner transport options to the building, by encouraging use of public transport, walking and cycling
- Manage the building efficiently once occupied, to reduce the operational impacts on the environment
- Having full consideration for future effects of climate change.

#### 5. Scope

The policy, and associated design guidelines, should be referred to when planning for, or carrying out, physical changes to Council's buildings.

The policy is of relevance to all Council staff involved in the design, construction, renewal, maintenance, or disposal of Council's community buildings.

Projects are categorised according to type and scale and environmental performance targets and key sustainability stakeholder involvement is defined, based on project category.

#### 6. Definitions

##### **Environmentally Sustainable Design**

Environmentally Sustainable Design results in community buildings that are:

- built to have a long life
- accessible to people of all abilities, and by a range of transport modes
- easily adaptable for a range of uses, and designed for easy access to those components that need to be replaced more frequently
- efficient, minimising the use of non-renewable resources such as energy, water and materials during construction, operation and deconstruction
- clean, minimising and carefully managing waste and pollution of air and water during construction, operation and deconstruction
- made from building materials that have been responsibly sourced, for example materials with environmental accreditations
- healthy for occupants, with good lighting, air quality, and temperature.

**Asset:** A physical component of a facility which has value enables services to be provided and has an economic life of greater than 12 months.

**Asset Management:** The systematic and coordinated activities and practices of an organisation to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of assets.

**Buildings:** A building is a construction with walls, a roof and stands permanently in one place, whereas a structure is defined as a construction without a solid roof or walls. For entry into the building asset register, the minimum floor space of a building is two m2, and the minimum dollar value of a building is \$5,000. For the purpose of this policy, the definition of a building includes the property and the land that the building is located on.

**Building Operations and Maintenance Guide (O&M Guide):** This is a source of up-to-date, relevant information for the facilities manager to ensure smooth operation of the building.

**Building User Guide (BUG):** This is a source of up-to-date, relevant information for the building user to ensure smooth operation of the building.

**Built Environment Sustainability Scorecard (BESS):** Is an assessment tool created by local governments in Victoria, managed by CASBE. It assesses the sustainability of a building's design at the planning stage.

**Council Alliance for a Sustainable Built Environment (CASBE):** Is an association of Victorian councils committed to the creation of a sustainable built environment.

**Facilities:** Are ancillary assets other than buildings within the property boundary such as carparks, off street access roads, off street lighting, bollards, signage, pathways, street furniture and garbage bins, garden beds, trees and vegetation.

**Green Star:** Is a voluntary sustainability rating system for buildings in Australia, managed by the Green Building Council of Australia. It assesses the sustainability of buildings at the design, construction and operational stages.

**Lifecycle:** The time interval that commences with the identification of the need for an asset and terminates with the decommissioning of the asset or any liabilities thereafter.

**NABERS:** Is an environmental rating tool that measures the energy, water, waste and indoor environment performance of existing buildings during operation. It is managed by the NSW Department of Environment & Heritage on behalf of the Federal, State and Territory Governments.

**ESD: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.**



**Sustainable Design Assessment in the Planning Process (SDAPP)**

Kingston City Council's planning permit application process includes Environmentally Sustainable Design (ESD) Considerations. In December 2009 Council endorsed the implementation of Sustainable Design Assessment in the Planning Process (SDAPP). It is expected that new and major refurbishment Council building projects will meet Council's SDAPP requirements.

**7. Responsible Executive**

General Manager – Community Sustainability

**8. Policy owner**

Manager – Community Buildings

**9. Related Documents****Internal policies & documents:**

Kingston City Council (2017), *Council Plan 2017-21*

Kingston City Council (2012), *Community Services and Facilities Strategic Review 2012*

Kingston City Council (2007), *Asset Management Plan Community Facilities 2007*

Kingston City Council (2007), *Biodiversity Strategy 2007-2012*

Kingston City Council (2018), *Draft Climate Change Strategy 2018-25*

Kingston City Council (2012), *Integrated Water Cycle Strategy 2012*

Kingston City Council (2009), *Public Health and Wellbeing Plan 2017-2021*

Kingston City Council (2013), *Civil Design Requirements for Developers Part A: Integrated Stormwater Management*

Kingston City Council (2009), *Cycling and Walking Plan 2009 – 2013*

Kingston City Council (2012), *Open Space Strategy Update 2012*

Kingston City Council (2018), *Take Two Pledge. Sustainability Victoria*

**Federal and State Legislation:**

*Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

*Victorian State Government Climate Change Act 2017 provides the framework that outlines the role and responsibility of councils in response to climate change;*

*The Local Government Act 1989 provides the framework for the establishment and operation of councils, who's primary objectives include ensuring the social, economic and environmental viability and sustainability of the municipality;*

*The Planning and Environment Act 1987 provides the framework for planning the use, development and protection of land in the interest of the community both now and in the long-term; And*

*The National Construction Code identifies the minimum requirements (including energy and water measures) for the design, construction and performance of buildings*

**Other documents:**

Australian Government (1992), *National Strategy for Ecologically Sustainable Development*



Where proceeding with design and development of community buildings projects, the policy should be considered in conjunction with:

- Kingston City Council Community Buildings Design Guidelines,
- Kingston City Council Community Buildings Project Brief and associated design review checklist as relevant to specific project,
- Building User Guide (BUG) as relevant to specific project

#### 10. Delegation Authority

Financial Delegations: Instrument of Purchase Delegations Trim (14/73336[v1])

#### 11. Policy Statement

It is the policy of Kingston City Council to construct, refurbish, maintain and demolish Council buildings in such a manner that they contribute to Council's environmental objectives, and demonstrate leadership to the community. To achieve this, each project should meet defined goals aimed at minimising the environmental impacts of Council Buildings over the building lifecycle.

#### 12. Policy Details

It is Council policy that:

- It is expected that Council owned building projects achieve sustainable design targets and additional criteria defined in Appendix B to this policy.
- ESD principles are applied throughout all stages of project procurement, as outlined under Appendix B to this policy

#### 13. Implementation

This policy is to be implemented as follows:

- Determine the relevant project classification, by referring to *Table 1*, in Appendix A to this policy.
- Determine the relevant Sustainable design targets by referring to *Table 2*, in Appendix B to this policy.
- Integrate ESD principles in the design and construction of Council's Community Buildings at all stages of project procurement, as outlined in *Table 2*, in Appendix B to this policy and appendix C checklist. **(Use ESD Checklist and ESD Matrix for guidance)**

#### 14. Monitoring

This policy will be monitored to ensure its relevance in terms of community needs and expectations, Council goals, Council targets and statutory requirements, strategic direction and regulatory obligations. Council shall undertake audits to monitor compliance with ESD Buildings Policy.

Key performance indicators include:

- Percentage (%) of projects meeting the requirements in the ESD Policy
- measurement of total efficiency improvements

## 15. Decision Guidelines

Decisions relating to ESD are to be based upon project type as contained within Appendix A.

## 16. Review

Policy to be reviewed by 31<sup>st</sup> December 2021

## Appendix A

### Project Category

Opportunities to improve efficiency or introduce other environmental initiatives vary according to the type and scale of a building project. Defining a project's classification is therefore the first step in establishing relevant performance targets and project processes.

**Table 1 – Project Category**

Category	Building Project Type	Building Project Inclusions	Project Examples
<b>A</b>	<b>Major new</b>	New projects as determined by the Manager, Community Buildings or designated representative	Construction of a new Community Hub or Civic Centre
<b>B</b>	<b>New</b>	All new building works	Construction of a new kindergarten or sports pavilion.
<b>C</b>	<b>Major refurbishment</b>	All refurbishment works involving greater than 50% replacement of existing building fabric.	Refurbishment/renewal of a childcare centre or sports pavilion.
<b>D</b>	<b>Minor refurbishment</b>	All refurbishment works involving less than 50% replacement of existing building fabric.	Providing a new kitchen to an existing sports pavilion.
<b>E</b>	<b>Maintenance</b>	All routine maintenance work	Application of new finishes, replacement of appliances and equipment.
<b>F</b>	<b>Demolition</b>	All major demolition work that includes 10m <sup>3</sup> or more of waste.	The complete or partial demolition of a building.

## Appendix B

### Sustainable Design Targets

Opportunities to improve efficiency or introduce other environmental initiatives vary according to the type and scale of a building project. Evaluation using a comprehensive building rating tool is appropriate for new projects, whilst refurbishment projects should be comprehensively assessed with less rigorous criteria and maintenance projects should meet defined sustainability objectives and targets.

This document outlines minimum sustainability standards, however, where possible, higher efficiency targets should be applied. Where defined sustainability benchmarks cannot be achieved, written justification is to be provided.

### Stakeholder Involvement

It is relatively straightforward to recommend efficiency targets for *New* buildings, however establishing ESD objectives for *Major and Minor Refurbishment, Maintenance and Demolitions* projects requires stakeholder input to define appropriate targets and priorities. For these classifications, the ESD component of the project brief should be determined through stakeholder collaboration.

**Table 2 – Sustainable Design Targets, Procedures and Stakeholder Involvement** The table below outlines the minimum sustainable design targets, procedures and involvement of key sustainability stakeholders for each project phase.

## Appendix B

**Table 2 – Sustainable Design Targets, Procedures and Stakeholder Involvement...continued**  
**Category A - Building Project Type – Major New >\$2m**

Sustainable Design Target	Define		Plan		Implement	Close
	Scoping	Project Brief	Concept Design Design Development	Documentation	Construction Project Handover	Monitoring Evaluation
<p>Minimum Green Star 'As Built' 4 star or equivalent</p> <p><i>Built Environment Sustainability Scorecard (BESS) – 'Excellent' rating</i></p> <p>Compliance with Kingston City Council <i>Civil Design Requirements For Developers Part A: Integrated Stormwater Management</i></p> <p>Energy Monitoring System (EMS) to Council guidelines</p> <p>All materials /products will be manufactured under any of the following:</p> <ul style="list-style-type: none"> <li>o Ecospecifier Green Tag Green Rate V3.1;</li> <li>o Good Environmental Choice (GECA); and / or</li> <li>o The Institute for Market Transformation to Sustainability (MTS) Sustainable Materials Rating Technology standard Version 4.0 – SmaRT 4.0.</li> </ul> <p>Alternatively, materials and products must be durable, include some eco-preferred content, be modular and / or come from a manufacturer with product stewardship programs and ISO 14001 certification</p>	<p><b>Procedures</b>  <b>Scoping workshop</b> to determine site specific constraints and opportunities and project methodology</p> <ul style="list-style-type: none"> <li>• Passive design</li> <li>• ESD budget</li> <li>• Site opportunities</li> <li>• Existing buildings on site</li> <li>• Strategic objectives for site /surrounds</li> </ul>	<p><b>Procedures</b>  <b>Project brief</b> to identify ESD opportunities and performance objectives, including:</p> <ul style="list-style-type: none"> <li>• Site specific ESD constraints and opportunities</li> <li>• ESD budget</li> <li>• Performance objectives and targets</li> <li>• ESD submission requirements</li> <li>• Requirement for ESD consultant</li> <li>• Information relating to ESD/Design process</li> </ul>	<p><b>Procedures</b>  <b>ESD Management Plan</b> to be prepared by consultant. Must meet Council's SDAPP requirements as a minimum, and consider (as relevant):</p> <ul style="list-style-type: none"> <li>• Passive design e.g. orientation/natural ventilation</li> <li>• Relationship of building to site and surrounds – native vegetation, habitat and topography</li> <li>• Siting/building footprint to minimise site disturbance</li> <li>• Site microclimate</li> <li>• Conceptual services design</li> <li>• Feasibility of active technology</li> <li>• Preliminary energy ratings</li> <li>• Requirements necessary to achieve efficiency targets defined at Appendix A</li> </ul> <p>Consultant brief will detail requirements for specific project Report to be approved by Council before proceeding</p> <p><b>Additional requirements</b> to be addressed include:</p> <ul style="list-style-type: none"> <li>• Provide a report (SMP) to Council regarding the costs/benefits of achieving a 5 or 6 star Green Star 'As Built' rating.</li> <li>• Compliance with the <i>Kingston City Council Procurement policy</i></li> </ul>	<p><b>Procedures</b>  <b>Documentation</b> to include all ESD initiatives outlined in ESD report.</p> <p><b>Achievement of previously defined targets</b> to be confirmed prior to commencing tender documentation</p> <p><b>Tender documents</b> to include:</p> <ul style="list-style-type: none"> <li>• Requirement for construction management plan (CMP)</li> <li>• Construction waste recycling targets</li> <li>• Submission requirements to enable preparation of Building User's Guide (BUG) Environmental credentials required of contractors</li> </ul>	<p><b>Procedures</b>  Contractor to comply with all ESD aspects of project documentation/ Construction Management Plan.</p> <p>Contractor to hand over all material relevant to the Building User's Guide.</p> <p><b>Building User's Guide</b> is to be prepared by Council's ESD advisor or Council's Environmental Planning Team.</p>	<p><b>Procedures</b>  <b>air tightness values tested.</b> Blower test.</p> <p><b>Post occupancy evaluation (POE)</b> is to be conducted within the timeframe determined in the project brief.</p> <p>Active systems are to be evaluated for performance, and fine building tuning undertaken to ensure that the building operates as intended.</p> <p>Information obtained through the POE process is to be considered at scoping stage of future projects of a similar type and scale.</p>
	<p><b>Stakeholders</b>  Manager Community Buildings or designated representative  Project Manager  Internal ESD advisor</p>	<p><b>Stakeholders</b>  Manager Community Buildings or designated representative  Project Manager  Internal ESD advisor  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  External ESD consultant  Consultant Architect  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  External ESD consultant  Consultant Architect</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  Consultant Architect  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  External ESD consultant  End Users</p>



## Appendix B

**Table 2 – Sustainable Design Targets, Procedures and Stakeholder Involvement...continued**  
**Category B - Building Project Type – Major New <\$2m**

Sustainable Design Target	Define		Plan		Implement	Close
	Scoping	Project Brief	Concept Design Design Development	Documentation	Construction Project Handover	Monitoring Evaluation
<p>Minimum Green Star 'As Designed' 5 stars or equivalent.</p> <p><i>Built Environment Sustainability Scorecard (BESS) – 'Excellent' rating</i></p> <p>Compliance with <i>Kingston City Council Civil Design Requirements For Developers Part A: Integrated Stormwater Management</i></p> <p>Materials and products must be durable, include some eco-preferred content, be modular and / or come from a manufacturer with product stewardship programs and ISO 14001 certification</p>	<p><b>Procedures</b>  <b>Scoping workshop</b> to determine site specific constraints and opportunities and project methodology</p> <ul style="list-style-type: none"> <li>• Passive design</li> <li>• ESD budget</li> <li>• Site opportunities</li> <li>• Existing buildings on site</li> <li>• Strategic objectives for site /surrounds</li> </ul>	<p><b>Procedures</b>  <b>Project brief</b> to identify ESD opportunities and performance objectives, including:</p> <ul style="list-style-type: none"> <li>• Site specific ESD constraints and opportunities</li> <li>• ESD budget</li> <li>• Performance objectives and targets</li> <li>• ESD submission requirements</li> <li>• Requirement for ESD consultant</li> <li>• Information relating to ESD/Design process</li> </ul>	<p><b>Procedures</b>  <b>ESD Management Plan</b> to be prepared by consultant. Must meet Council's SDAPP requirements as a minimum. To include (as relevant):</p> <ul style="list-style-type: none"> <li>• Passive design e.g. orientation/natural ventilation</li> <li>• Relationship of building to site and surrounds – native vegetation, habitat and topography</li> <li>• Siting/building footprint to minimise site disturbance</li> <li>• Site microclimate</li> <li>• Conceptual services design</li> <li>• Feasibility of active technology</li> <li>• Preliminary energy ratings</li> <li>• Requirements necessary to achieve efficiency targets defined at Appendix A</li> </ul> <p>Report to be approved by Council before proceeding</p> <p><b>Additional requirements</b> to be addressed include:</p> <ul style="list-style-type: none"> <li>• Provide a report to Council regarding the costs/benefits of achieving a 4 star Green Star 'As Built' rating.</li> <li>• Compliance with the <i>Kingston City Council Procurement policy</i></li> </ul>	<p><b>Procedures</b>  <b>Documentation</b> to include all ESD initiatives outlined in ESD report.</p> <p><b>Achievement of previously defined targets</b> to be confirmed prior to commencing tender documentation</p> <p><b>Tender documents</b> to include:</p> <ul style="list-style-type: none"> <li>• Requirement for construction management plan (CMP)</li> <li>• Construction waste recycling targets</li> <li>• Submission requirements to enable preparation of Building User's Guide (BUG)</li> <li>• Environmental credentials required of contractors</li> </ul>	<p><b>Procedures</b>  Contractor to comply with all ESD aspects of project documentation/ Construction Management Plan.</p> <p>Contractor to hand over all material relevant to the Building User's Guide.</p> <p><b>Building User's Guide</b> is to be prepared by Council's ESD advisor or Council's Environmental Planning Team.</p>	<p><b>Procedures</b>  <b>Post occupancy evaluation (POE)</b> is to be conducted within the timeframe determined in the project brief.</p> <p>Active systems are to be evaluated for performance, and fine building tuning undertaken to ensure that the building operates as intended.</p> <p>Information obtained through the POE process is to be considered at scoping stage of future projects of a similar type and scale.</p>
	<p><b>Stakeholders</b>  Manager Community Buildings or designated representative  Project Manager  Internal ESD advisor</p>	<p><b>Stakeholders</b>  Manager Community Buildings or designated representative  Project Manager  Internal ESD advisor  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  External ESD consultant  Consultant Architect  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  External ESD consultant  Consultant Architect</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  Consultant Architect  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor  External ESD consultant  End Users</p>

## Appendix B

**Table 2 – Sustainable Design Targets, Procedures and Stakeholder Involvement...continued**  
**Category C - Building Project Type – Major Refurbishment**

	Define		Plan		Implement	Close
Sustainable Design Target	Scoping	Project Brief	Concept Design Design Development	Documentation	Construction Project Handover	Monitoring Evaluation
Minimum NABERS rating (if applicable) 4.0 stars for: • Energy: • Water: <i>Built Environment Sustainability Scorecard (BESS) – 'Best Practice' rating</i> Compliance with Kingston City Council <i>Civil Design Requirements For Developers Part A: Integrated Stormwater Management</i> Materials and products must be durable, include some eco-preferred content, be modular and / or come from a manufacturer with product stewardship programs and ISO 14001 certification	<b>Procedures</b> <b>Scoping workshop</b> to determine site specific constraints and opportunities and project methodology • Passive design • ESD budget • Site opportunities • Existing buildings on site • Strategic objectives for site /surrounds	<b>Procedures</b> <b>Project brief</b> to identify ESD opportunities and performance objectives, including • Site specific ESD constraints and opportunities • ESD budget • Performance objectives and targets • ESD submission requirements • Requirement for ESD consultant • Information relating to ESD/Design process	<b>Procedures</b> <b>ESD Management Plan</b> to be prepared by consultant. Must meet Council's SDAPP requirements as a minimum, and consider (as relevant): • Passive design e.g. orientation/natural ventilation • Siting/building footprint to minimise site disturbance • Site microclimate • Existing building fabric – environmental performance • Air tightness • Conceptual services design • Feasibility of active technology • Preliminary energy ratings • Requirements necessary to achieve efficiency targets defined at Appendix A Report to be approved by Council before proceeding <b>Additional requirements</b> to be addressed include: • Compliance with the <i>Kingston City Council Procurement policy</i>	<b>Procedures</b> <b>Documentation</b> to include all ESD initiatives outlined in ESD report. <b>Achievement of previously defined targets</b> to be confirmed prior to commencing tender documentation <b>Tender documents</b> to include: • Requirement for construction management plan (CMP) • Construction waste recycling targets • Submission requirements to enable preparation of Building User's Guide (BUG) • Environmental credentials required of contractors	<b>Procedures</b> Contractor to comply with all ESD aspects of project documentation/ Construction Management Plan. Contractor to hand over all material relevant to the Building User's Guide. Building User's Guide is to be prepared by Council's ESD advisor or Council's Environmental Planning Team.	<b>Procedures</b> <b>Post occupancy evaluation (POE)</b> is to be conducted within the timeframe determined in the project brief. Active systems are to be evaluated for performance, and fine building tuning undertaken to ensure that the building operates as intended. Information obtained through the POE process is to be considered at scoping stage of future projects of a similar type and scale.
	<b>Stakeholders</b> Manager Community Buildings or designated representative Project Manager Internal ESD advisor	<b>Stakeholders</b> Manager Community Buildings or designated representative Project Manager Internal ESD advisor End Users	<b>Stakeholders</b> Project Manager Internal ESD advisor External ESD consultant Consultant Architect End Users	<b>Stakeholders</b> Project Manager Internal ESD advisor External ESD consultant Consultant Architect	<b>Stakeholders</b> Project Manager Internal ESD advisor Consultant Architect End Users	<b>Stakeholders</b> Project Manager Internal ESD advisor External ESD consultant End Users



## Appendix B

**Table 2 – Sustainable Design Targets, Procedures and Stakeholder Involvement...continued**  
**Category D - Building Project Type – Minor Refurbishment**

Sustainable Design Target	<div>Define</div> <div>Plan</div> <div>Implement</div> <div>Close</div>					
	Scoping	Project Brief	Concept Design Design Development	Documentation	Construction Project Handover	Monitoring Evaluation
<p>New appliances within one Energy Star of best available</p> <p>New water fixtures and fittings within one WELS star of best available</p> <p>Materials selection to comply with the ESD requirements of the project brief</p> <p>Heating and cooling systems where designed by a mechanical specialist to include:</p> <ul style="list-style-type: none"> <li>o Full compliance with minimum energy performance standards (MEPS) and BCA requirements</li> <li>o Time switches</li> <li>o Zoning</li> <li>o Dampers</li> <li>o Insulated ductwork</li> <li>o Variable speed fans</li> <li>o Outdoor air economy cycle</li> <li>o Not to operate when external door or window open more than 1 minute</li> <li>o Where package systems are utilised, they are to have an energy star rating of within one star of the best available system. <p>Materials and products must be durable, include some eco-preferred content, be modular and / or come from a manufacturer with product stewardship programs and ISO 14001 certification</p> </li></ul>	<p><b>Procedures</b>  <b>Scoping workshop</b> to determine site specific constraints and opportunities and project methodology</p> <ul style="list-style-type: none"> <li>• Passive design</li> <li>• ESD budget</li> <li>• Existing buildings on site</li> </ul>	<p><b>Procedures</b>  <b>Project brief</b> to identify ESD opportunities and performance objectives, including:</p> <ul style="list-style-type: none"> <li>• Site specific ESD constraints and opportunities</li> <li>• ESD budget</li> <li>• Performance objectives and targets</li> <li>• ESD submission requirements</li> </ul>	<p><b>Procedures</b>  <b>ESD statement</b> to be prepared by Consultant Architect. Must meet Council's SDAPP requirements as a minimum, and to consider (as relevant):</p> <ul style="list-style-type: none"> <li>o Passive design e.g. orientation/natural ventilation</li> <li>o Existing building fabric – environmental performance</li> <li>o Air tightness</li> <li>o Feasibility of active technology</li> </ul> <p><b>Additional requirements</b> to be addressed include:</p> <ul style="list-style-type: none"> <li>• Compliance with the <i>Kingston City Council Procurement policy</i></li> </ul>	<p><b>Procedures</b>  <b>Documentation</b> to include all ESD initiatives outlined in ESD statement</p> <p><b>Achievement of previously defined targets</b> to be confirmed prior to commencing tender documentation</p> <p><b>Tender documents</b> to include:</p> <ul style="list-style-type: none"> <li>• Construction waste recycling targets</li> </ul>	<p><b>Procedures</b>  Contractor to comply with all ESD aspects of project documentation/ Construction Management Plan.</p>	<p><b>Procedures</b>  Information obtained through the POE process is to be considered at scoping stage of future projects of a similar type and scale.</p>
	<p><b>Stakeholders</b>  Project Manager  Internal ESD advisor</p>	<p><b>Stakeholders</b>  Project Manager</p>	<p><b>Stakeholders</b>  Project Manager  Consultant Architect  End Users</p>	<p><b>Stakeholders</b>  Project Manager  Consultant Architect</p>	<p><b>Stakeholders</b>  Project Manager  Consultant Architect  End Users</p>	<p><b>Stakeholders</b>  Maintenance team  End Users</p>

**Appendix B****Table 2 – Sustainable Design Targets, Procedures and Stakeholder Involvement...continued**  
**Category E and F - Building Project Type – Maintenance and Demolition**

Sustainable Design Target	Define		Plan		Implement	Close
	Scoping	Project Brief	Concept Design Design Development	Documentation	Construction Project Handover	Monitoring Evaluation
New appliances within one Energy Star of best available  New water fixtures and fittings within one WELS star of best available  Materials selection to comply with the ESD requirements of the project brief	Procedures	Procedures	Procedures	Procedures	Procedures	Procedures
	Targets pre-determined	Contractor brief to articulate targets	N/A	N/A	Contractor to comply with brief requirements	N/A
	Stakeholders Project Manager Internal ESD advisor	Stakeholders Project Manager	Stakeholders N/A	Stakeholders N/A	Stakeholders Project Manager	Stakeholders N/A
Minimum target for reuse and recycling of construction waste 60%	Procedures	Procedures	Procedures	Procedures	Procedures	Procedures
	Targets pre-determined	Contractor brief to articulate targets	N/A	N/A	Contractor to comply with brief requirements	N/A
	Stakeholders Project Manager Internal ESD advisor	Stakeholders Project Manager	Stakeholders N/A	Stakeholders N/A	Stakeholders Project Manager	Stakeholders N/A

## Appendix C

Table 3 – Sustainable Design checklist (Guidance for Project Manager)

Project:				
Date:				
	ACTION	COMPLETION		COMMENTS
SCOPING	<p>Scoping workshop to determine site specific constraints and opportunities and project methodology. To include Environment Unit.</p> <ul style="list-style-type: none"> <li>• Passive design</li> <li>• ESD budget</li> <li>• Site opportunities</li> <li>• Existing buildings on site</li> <li>• Strategic objectives for site /surrounds</li> </ul>	Y	N	
PROJECT BRIEF	<p>Project brief to identify ESD opportunities and performance objectives, including:</p> <ul style="list-style-type: none"> <li>• Site specific ESD constraints and opportunities</li> <li>• ESD budget</li> <li>• Performance objectives and targets</li> <li>• ESD submission requirements</li> <li>• Requirement for ESD consultant</li> <li>• Information relating to ESD/Design process</li> </ul>	Y	N	
CONCEPT DESIGN	<p>ESD Management Plan to be prepared by consultant. Must meet Council's SDAPP requirements as a minimum.</p> <p>To include (as relevant):</p> <ul style="list-style-type: none"> <li>• Passive design e.g. orientation/natural ventilation</li> <li>• Relationship of building to site and surrounds – native vegetation, habitat and topography</li> <li>• Siting/building footprint to minimise site disturbance</li> <li>• Site microclimate</li> <li>• Conceptual services design</li> <li>• Feasibility of active technology</li> <li>• Preliminary energy ratings</li> </ul>	Y	N	

## Appendix C

Table 3 – Sustainable Design checklist (Guidance for Project Manager)

Project:				
Date:				
	ACTION	COMPLETION		COMMENTS
DOCUMENTATION	<ul style="list-style-type: none"> <li>Requirements necessary to achieve efficiency targets defined at Appendix A</li> </ul> <p><b>Report to be approved by Project Manager before proceeding</b></p> <p>Additional requirements to be addressed include:</p> <ul style="list-style-type: none"> <li>Provide a report to Council regarding the costs/benefits of achieving a 4 star Green Star 'As Built' rating.</li> <li>Compliance with the <i>Kingston City Council Procurement policy</i></li> </ul>			
	<p>Documentation to include all ESD initiatives outlined in ESD report.</p> <p>Achievement of previously defined targets to be confirmed prior to commencing tender documentation</p> <p>Tender documents to include:</p> <ul style="list-style-type: none"> <li>Requirement for construction management plan (CMP)</li> <li>Construction waste recycling targets</li> <li>Submission requirements to enable preparation of Building User's Guide (BUG)</li> <li>Environmental credentials required of contractors</li> </ul>	Y	N	

## Appendix C

Table 3 – Sustainable Design checklist (Guidance for Project Manager)

Project:				
Date:				
	ACTION	COMPLETION		COMMENTS
CONSTRUCTION – PROJECT HANDOVER	Contractor to comply with all ESD aspects of project documentation/ Construction Management Plan.	Y	N	
	Contractor to hand over all material relevant to the Building User's Guide.			
	Building User's Guide is to be prepared by Council's ESD advisor or Council's Environmental Planning Team.			
MONITORING & EVALUATION	Post occupancy evaluation (POE) is to be conducted within the timeframe determined in the project brief.	Y	N	
	Active systems are to be evaluated for performance, and fine building tuning undertaken to ensure that the building operates as intended.			
	Information obtained through the POE process is to be considered at scoping stage of future projects of a similar type and scale.			

27 August 2018

Agenda Item No: 8.5

## **PLANNING COMPLIANCE IN THE GREEN WEDGE - QUARTERLY REPORT AUGUST 2018**

**Contact Officer:** Jaclyn Murdoch, Team Leader - Planning Appeals & Compliance

### **Purpose of Report**

The purpose of this report is to provide Councillors with a summary of enforcement activity in the Kingston Green Wedge that has occurred in the previous quarter.

### **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 receives the report.

### **Background**

This report is in response to Notice of Motion No. 50/2016 relating to Enforcement Activity in the Kingston Green Wedge. This will summarise some of the activity that has occurred in the previous quarter.

### **Discussion**

A summary of the compliance action that has occurred is as follows:

1. Council have been liaising with land owners to remove an unauthorised vehicle storage / transfer station in Dingley Village. Clean up is progressing and tenants are on track to vacate the land mid-August.
2. Council refused a planning application for a landscape supplies business. The company is currently storing bins on the property without approval and Council have negotiated with the tenants to remove items by mid-August.
3. A site in Clayton South is conducting materials recycling / transfer station business. In response to correspondence from compliance, a planning application has been lodged for the use. Council planners are liaising with the owner to ensure an outcome consistent with the Kingston Green Wedge Plan.
4. Council have been liaising with the owners of a site in Heatherton with an existing leisure and recreation facility to ensure landscaping works are completed in accordance with the endorsed plans. Main canopy trees along the front of the site are due to be planted early August. There is currently a secondary consent amendment pending for this site, to ensure the plans reflect what has been constructed on the property.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

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5.

**Appendices**

Appendix 1 - Green Wedge Spreadsheet for Council - Confidential - Aug 2018 (Ref 18/483961) - Confidential

Author/s:	Jaclyn Murdoch, Team Leader - Planning Appeals & Compliance
Reviewed and Approved By:	Ian Nice, Manager City Development Jonathan Guttman, General Manager Planning and Development



# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 8.6

## PANEL REPORT- AMENDMENT C163- 19 TARELLA ROAD, CHELSEA

Contact Officer: Sarah Capenerhurst, Principal Strategic Planner

### Purpose of Report

The purpose of this report is to provide the Planning Committee with the findings of the Independent Panel that considered Planning Scheme Amendment C163 to the Kingston Planning Scheme. This report recommends that the Planning Committee adopt the Planning Scheme Amendment with minor changes and submit it to the Minister for Planning for approval.

### 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.

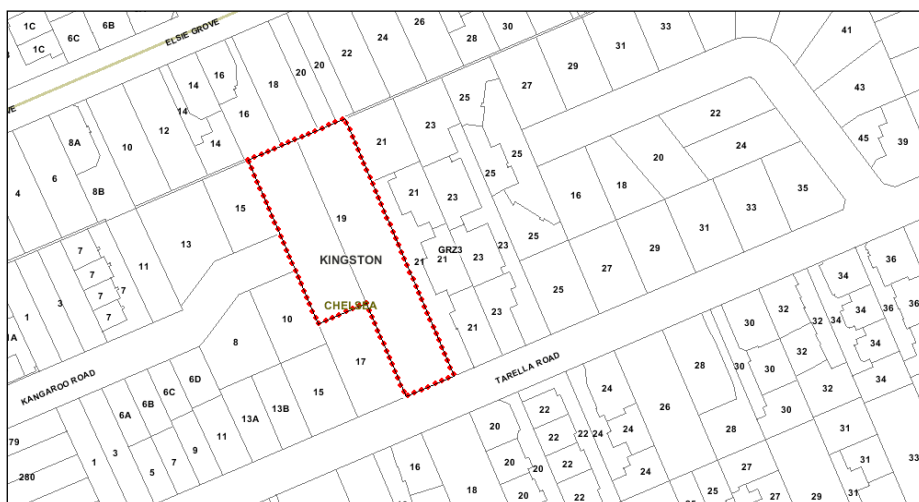
### OFFICER RECOMMENDATION

That Council:

1. Adopt Amendment C163 to the Kingston Planning Scheme subject to minor changes.
2. Submit Amendment C163 to the Minister for Planning for approval.
3. Notify submitters to Amendment C163 of the above resolutions.
4. Make the Planning Panel Report available for public viewing.

### 1. Executive Summary

As exhibited, Amendment C163 applies a permanent Environmental Significance Overlay (with a new Schedule 5 - ESO5) to 19 Tarella Road Chelsea, as identified on the map below.



Specifically the Amendment:

- Inserts a new Schedule 5 at Clause 42.01; and
- Inserts new Planning Scheme Map 8ESO.

On 30 November 2017 Council officers, acting under delegation, requested that the Minister for Planning approve an interim ESO for the site. This request followed Council and VCAT consideration of a Planning Permit application seeking approval for the construction of 14 two storey dwellings on the subject site. The VCAT decision (Appendix 1) acknowledged the significance of the vegetation on site and flagged the threat posed to that vegetation in the absence of an appropriate statutory control.

Council's request for interim controls (Amendment C162) was approved by the Minister for Planning's delegate on the 23 February 2018 and these controls currently apply to the subject site. In the accompanying 'Reasons for Decision to Exercise Power of Intervention' the Ministers delegate noted that:

*'Amendment C162 provides interim protection of the vegetation at 19 Tarella Road, Chelsea, until 1 February 2019.*

*Identical controls are proposed to be introduced via a full amendment process under Amendment C163. This amendment was authorised on 14 December 2017 and is due to be placed on exhibition in early 2018.*

*The interim controls are considered necessary while the permanent controls are considered through the normal amendment process to prevent vegetation being removed prior to the permanent controls taking effect.'*

The landowner of the site was notified both verbally as well as in writing of this decision.

A separate Planning Scheme Amendment (C163) was prepared concurrently to consider the permanent application of the ESO on the site, and is the subject of this report. The amendment has been prepared in conjunction with expert advice prepared by an independent Arborist (Biosis) and was supported by a peer review undertaken by Council's Senior Vegetation Officer.

This report recommends that Council adopt Planning Scheme Amendment C163 in accordance with the Panel's recommendation, and submit it to the Minister for Planning for approval.

## **2. Background**

The Amendment was prepared following a Tribunal Decision (VCAT Reference No. P623/2017) to refuse a permit to construct fourteen double storey dwellings on the basis of the extent of the vegetation proposed to be removed from the site.

At the Ordinary Council Meeting on 28<sup>rd</sup> May 2018, Council resolved to request the Minister for Planning appoint a Panel to consider and report on the Amendment. The Panel hearing was held on the 19<sup>th</sup> and 20<sup>th</sup> of July 2018. A copy of the Panel report is provided at Appendix 1. The Panel has recommended the adoption of Amendment C163 with one minor change to the wording of Schedule 5 and to ensure the clause aligns with the recently gazetted VC148 Council Officers have undertaken a review of the proposed changes and are satisfied that these minor changes do not change the intent of the Schedule. A track changed Schedule is provided at Appendix 2.

On the 5 June 2018, the Minister for Planning appointed a one person Panel, Peter Gaschk, under delegation to consider the Amendment. A Directions Hearing on held on 28 June 2018 and the Panel Hearing was held on the 19<sup>th</sup> and 20<sup>th</sup> of July 2018.

Eight (8) submitters advised the Panel that they wished to be heard (including the Kingston City Council). Over the course of the Panel Hearing, HWL Ebsworth represented the City of Kingston, who called Dr. Jeff Yugovic, Ecology/Native Vegetation from Biosis Consulting Pty Ltd. Six (6) submitters made submissions to the Panel in support of the Amendment.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs

Direction 1.2 - Effectively influence the urban and architectural design of the City

The Amendment will encourage the retention of existing vegetation and assist in improving and preserving the landscape character of the subject site and surrounds. The area has been identified as an area with valued character through its natural landscape.

#### **3.2 Consultation**

Amendment C163 was placed on public exhibition for a period of one (1) month between 29 March and 1 May 2018. In total, fifteen (15) submissions were received; thirteen (13) in support, one (1) against (the landowner) and one (1) from the EPA which expressed no position.

#### **3.3 Panel Recommendations**

Council have received a favourable Panel report on Amendment C163. The Panel concluded that:

- Prior to adoption of the Amendment, the planning authority should review and cross check the clause numbers, policy names and provisions to ensure consistency with Amendment VC148.
- Delete the last sentence of Clause 1.0 of Schedule 5 to the Environmental Significance Overlay.

##### **3.3.1 Panel Recommendations Discussion- Schedule 5 to the ESO**

The Panel recommended that *'Delete the last sentence of Clause 1.0 of Schedule 5 to the Environmental Significance Overlay'* which reads 'this suggest the original vegetation may have been an inland vegetation community into which coastal species have colonized.

On page 25 of the Panel Report, the Chair notes that he preferred the evidence of Dr. Yugovic with regards to discussion had around an assumption that the EVC may have been an 'inland vegetation community'. However was not convinced by the evidence that this sentence could be substantiated and therefore recommended that the last sentence as contained in the Statement of Environmental Significance be deleted.

Officers have undertaken a review in response to the recommendation and recommends that this option be removed. Deleting this sentence is not considered to be critical as the overall intent of the Schedule remains as is. Furthermore no changes to the decision guidelines or objective of the ESO has changed.

**3.3.2 Amendment VC148**

Amendment VC148 was gazetted on 31 July 2018. The Environmental Significance Overlay was amended to improve the structure and operation of the control. The main change included the addition of 'application requirements' in the Schedule. Whilst no new content has been included in the Schedule, there are two decision guidelines that have being moved to under the header of 'application requirements'. This assists both the applicant and Councils Planner should any application be made and follows best practice planning.

Please note minor changes (such as to clause numbers) may be made to the drafting by the DELWP Planning Systems Officers, to the Schedule in line with Amendment VC148 when the amendment is submitted for approval.

**3.4 Options**

Section 27 of the Planning and Environment Act 1987 directs that the Planning Authority must consider the Panel's report before deciding whether or not to adopt the Amendment with or without changes. Having considered the report, Council may:

**3.4.1 Option 1**

Abandon the Amendment pursuant to section 28 of the Planning and Environment Act 1987.

**3.4.2 Option 2**

Adopt the Amendment without changes pursuant to Section 29 of the Planning and Environment Act 1987.

**3.4.3 Option 3**

Adopt the Amendment with changes pursuant to Section 29 of the Planning and Environment Act 1987.

Officers have considered and acted upon the Panel's recommendations. Officers recommend that Council proceed with Option 3 above, and adopt the Amendment with changes to the drafting of Schedule 5 to Clause 42.01 to the Kingston Planning Scheme, in accordance with the Panel's recommendation.

**4. Conclusion**

Amendment C163 has now been considered by a Planning Panel which has recommended the adoption of the Amendment with changes. This report recommends that Council adopt the Planning Scheme Amendment as recommended by the Panel and submit it to the Minister for Planning for approval.

**Appendices**

Appendix 1 - Kingston C163 Panel Report (Ref 18/501649) [↓](#)

Appendix 2 - Final version 143\_1\_Schedule 5 to 42 HWEL version 20\_08\_18  
(Ref 18/501641) [↓](#)

Author/s:	Sarah Capenerhurst, Principal Strategic Planner
Reviewed and Approved By:	Paul Marsden, Manager City Strategy Jonathan Guttmann, General Manager Planning and Development

# 8.6

## PANEL REPORT- AMENDMENT C163- 19 TARELLA ROAD, CHELSEA

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*Planning and Environment Act 1987*

**Panel Report**

**Kingston Planning Scheme Amendment C163**

**No. 19 Tarella Road, Chelsea**

**16 August 2018**



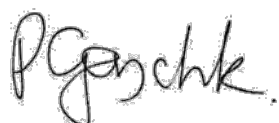
*Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the Act

Kingston Planning Scheme Amendment C163

No. 19 Tarella Road, Chelsea

16 August 2018



Peter Gaschk, Chair

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## List of Abbreviations

The Act	<i>Planning and Environment Act 1987</i>
DELWP	Department of Environment, Land, Water and Planning
EPA	Environment Protection Authority
ESO	Environmental Significance Overlay
EVC	Ecological Vegetation Class
GRZ3	General Residential Zone, Schedule 3
HO	Heritage Overlay
LPPF	Local Planning Policy Framework
NVIM	Native Vegetation Information Management
PPF	Planning Policy Framework
PPN	Planning Practice Note
SLO	Significant Landscape Overlay
SPPF	State Planning Policy Framework
VCAT	Victorian Civil and Administrative Tribunal
VPO	Vegetation Protection Overlay
VPP	Victoria Planning Provisions

## Overview

Amendment summary	
<b>The Amendment</b>	Kingston Planning Scheme Amendment C163
<b>Common name</b>	No. 19 Tarella Road, Chelsea
<b>Brief description</b>	The Amendment proposes to apply a permanent Environmental Significance Overlay, Schedule 5 (ESO5) to No. 19 Tarella Road, Chelsea
<b>Subject Land</b>	No. 19 Tarella Road, Chelsea
<b>The Proponent</b>	Kingston City Council
<b>Planning Authority</b>	Kingston City Council
<b>Authorisation</b>	AO3687: 14 December 2017
<b>Exhibition</b>	Between 29 March and 1 May 2018
<b>Submissions</b>	Number of Submissions: 15 Opposed: 1 Support: 13 No View: 1 The submitters are listed in Appendix A.

Panel process	
<b>The Panel</b>	Peter Gaschk, Chair
<b>Directions Hearing</b>	Cheltenham Library, 12/18 Stanley Avenue, Cheltenham, 28 June 2018
<b>Panel Hearing</b>	Kingston City Council, Cheltenham Offices, No. 1230 Nepean Highway, Cheltenham, 19 and 20 July 2018
<b>Site inspections</b>	Unaccompanied, 28 June 2018
<b>Date of this Report</b>	14 August 2018

## Executive summary

### (i) Summary

Amendment C163 to the Kingston Planning Scheme (the Amendment) seeks to apply a permanent Environmental Significance Overlay with a new Schedule 5 to the Subject Land at No. 19 Tarella Road, Chelsea.

Specifically the Amendment proposes to:

- Insert a new Schedule 5 at clause 42.01; and
- Insert a new Planning Scheme Map 8ESO.

The purpose of the Amendment is to protect the identified ecological system that is located at the Subject Land. The vegetation on the site is providing a rare and scarce ecological resource within the locality that requires ongoing planning protection and clarity for future development applications.

The Amendment proposes to replace the existing interim ESO5 approved under Amendment C162 that expires on 1 February 2019.

The central issue with the Amendment is whether the permanent application of an ESO is strategically justified and appropriate to the identified native and indigenous vegetation on the Subject Land. Key issues raised in submissions to the Amendment have been considered and addressed by the Panel under the following headings:

- Planning policy context
- Ecological values and appropriateness of the control
- Form and content of the ESO Schedule 5.

The Panel concludes:

- The application of the exhibited Amendment is strategically justified.
- The Subject Land contains significant native and indigenous vegetation that requires protection under the Scheme through the application of a permanent ESO.
- Amendment C163 is appropriate and should be adopted with some minor wording changes as detailed in the body of this Report and expressed in the Recommendations.
- Consideration should be given to the preparation of an ongoing vegetation management plan for the Subject Land.

### (ii) Recommendations

**Based on the reasons set out in this Report, the Panel recommends that Amendment C163 to the Kingston Planning Scheme be adopted as exhibited subject to the following:**

1. Prior to adoption of the Amendment, the planning authority should review and cross check the clause numbers, policy names and provisions to ensure consistency with Amendment VC148.
2. Delete the last sentence of Clause 1.0 of Schedule 5 to the Environmental Significance Overlay.

**Further recommendation**

Whilst not part of the Amendment, the Panel recommends that consideration should be given to the preparation of an appropriate Vegetation Management Plan for the Subject Land to be included in the Decision Guidelines of Schedule 5 of the Environmental Significance Overlay.

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

Amendment C163 (the Amendment) seeks to apply a permanent Environmental Significance Overlay with a new Schedule 5 to the Subject Land at No. 19 Tarella Road, Chelsea.

Specifically the Amendment proposes to:

- Insert a new Schedule 5 at clause 42.01; and
- Insert a new Planning Scheme Map 8ESO (See Figure 1 below).

Figure 1 Exhibited Amendment Map





**(ii) Purpose of the Amendment**

The purpose of the Amendment is to protect the ecological system which is located at the Subject Land. Council submitted the ecological system on the site is providing a rare and scarce resource within the locality that requires protection under the Kingston Planning Scheme (the Scheme). The Amendment proposes to replace the existing interim ESO5 approved under Amendment C162 which will expire on 1 February 2019.

**(iii) The Subject Land**

The Amendment applies to land at No. 19 Tarella Road, Chelsea. More specifically the Subject Land consists of two lots described as Lot 2 on PS738459H and Lot 18 on PS005846 as shown in Figure 2 below.

Figure 2 Locality Map



The Subject Land is located on the north side of Tarella Road, approximately 160 metres east of Station Street, which runs adjacent to the Frankston Railway Line. It is a relatively large parcel of land in a mid-block location with a maximum depth of 105 metres, maximum width of 40.5 metres and approximate area of 3,517 square metres.

The site is irregular in shape, owing to the subdivided parcel of land at No. 17 Tarella Road. No. 17 Tarella Road is occupied by a single dwelling. This lot was created pursuant to Planning Permit KP887/2015, issued by Council 28 January 2016, to subdivide No. 17 Tarella Road from the Subject Land.

The site can be accessed from both Tarella Road at its south boundary and Kangaroo Road at its west boundary.

The Subject Land's immediate abuttals include:

- West – No. 10 Kangaroo Road and No. 15 Kangaroo Road are both single storey dwellings located at either end of the Kangaroo Road cul de sac.
- North – Nos. 16, 18 and 20 Elsie Grove. No. 16 Elsie Grove includes a tandem dual occupancy development and No. 20 Elsie Grove includes a side-by-side dual

occupancy development. All are single storey dwellings with rear gardens adjoining the shared boundary.

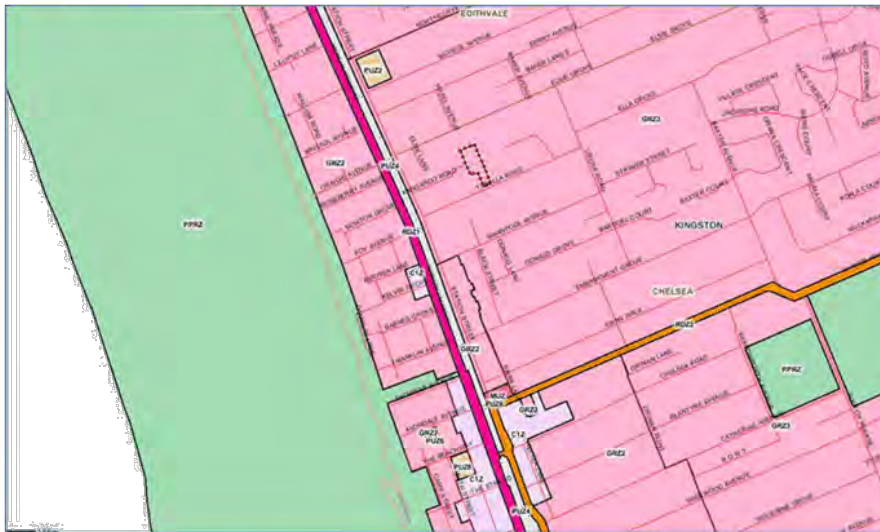
- East – No. 21 Tarella Road includes a collection of 4 villa units arranged longitudinally down the lot, with a driveway adjacent to the boundary of the Subject Land. These units are set back approximately 4 metres from the Subject Land.

The subject site also includes a single storey derelict dwelling located to the rear of No. 17 Tarella Road. The panel was informed by Submitter 15, that this dwelling formed the original landowner's residence on the site.

Further detail on the vegetation/ecological assessments and associated evidence from the submitters is provided later in this Report. The Panel acknowledges the detailed list of vegetation species on the Subject Land, included with the existing ESO Schedule 5, prepared as part of the interim overlay control approved under Amendment C162.

The Subject Land is located within an established residential area comprised mostly of one and two storey-detached dwellings. This also includes some medium density housing. The site is located approximately 680 metres north of Chelsea Railway Station and the Chelsea Activity Centre, and approximately 440 metres east of the Chelsea foreshore reserve (see Figure 3 below).

**Figure 3** Locality to Key Infrastructure and Services Map



## 1.2 Panel process

Those in attendance at the Panel Hearing are listed in Table 1 below.

Table 1 Parties attending the Panel Hearing

Submitter	Represented by
Kingston City Council	Mr James Lofting solicitor HWL Ebsworth Lawyers, with Sarah Capenerhurst of Council, who called the following expert witness: - Dr Jeff Yugovic, Ecology/Native Vegetation, Biosis Consulting Pty Ltd.
Kingston Residents Association Inc.	Ms Robyn McRae
Friends of Dent Reserve	Mr Mike Eising
Ms Nina Earl	
Ms Clare McPhee	
Mr Ivor Donohue	
Mordialloc Beaumaris Conservation League Inc.	Ms Mary Rimmington
Hamilton Snowdon Pty Ltd	Mr Nick Robbins, Senior Planner, Taylors Development Strategists Pty Ltd, who called the following expert witness: - Aaron Organ, Ecology/Native Vegetation, with Ecology and Heritage Partners.

### 1.3 Amendment VC148

Amendment VC148 was gazetted on 31 July 2018. Amendment VC148 is part of the State Government Smart Planning program that is seeking to simplify and modernise Victoria's planning policy and rules, to make planning schemes more efficient, accessible and transparent. This Amendment affects all planning schemes across Victoria.

In summary the Amendment:

- Introduces a new Planning Policy Framework (PPF).
- Enables the future introduction of a Municipal Planning Strategy (MPS).
- Seeks to simplify the Victoria Planning Provisions by:
  - restructuring Particular Provisions;
  - integrating VicSmart into applicable zones, overlays and Particular Provisions; and,
  - consolidating operational and administrative provisions.
- Amends specific Zones, Overlays and Particular Provisions to improve their structure and operation.
- Introduces a new Specific Controls Overlay.
- Deletes out-dated Particular Provisions.
- Deletes permit requirements for low-impact uses in industrial zones.
- Reduces car-parking requirements for uses in commercial areas and sites located within walking distance of high quality public transport.

For purposes of retaining clarity and consistency with the particular submissions made to Amendment C163, references used in this Report will continue to use the clause numbers

and policy names of planning scheme provisions pre-Amendment VC148. New clause numbers, provisions and policy names introduced under Amendment VC148 will be cross-referenced as and where relevant.

### Recommendation

The Panel recommends that:

- 1. Prior to adoption of the Amendment, the planning authority should review and cross check the clause numbers, policy names and provisions to ensure consistency with Amendment VC148.**

### 1.4 Background to the proposal

On 30 November 2017 Council officers, acting under delegation, requested that the Minister for Planning approve an interim ESO for the Subject Land (Amendment C162). This request followed Council and VCAT consideration of a planning permit application seeking approval for the construction of 14 two-storey dwellings on the Subject Land (see *Hamilton Snowden Pty Ltd v Kingston CC [2017] VCAT 1677*).

The VCAT decision acknowledged the significance of the vegetation on site and flagged the threat posed to that vegetation in the absence of an appropriate statutory control.

The Minister for Planning's delegate approved the Planning Authority's request for interim controls on the 23 February 2018. These controls currently apply to the Subject Land.

In the accompanying 'Reasons for Decision to Exercise Power of Intervention' the Minister's delegate noted that:

- *Amendment C162 provides interim protection of the vegetation at 19 Tarella Road, Chelsea, until 1 February 2019.*
- *Identical controls are proposed to be introduced via a full amendment process under Amendment C163. This amendment was authorised on 14 December 2017 and is due to be placed on exhibition in early 2018.*
- *The interim controls are considered necessary while the permanent controls are considered through the normal amendment process to prevent vegetation being removed prior to the permanent controls taking effect.*

A separate Planning Scheme Amendment (C163) was prepared concurrently to consider the permanent application of an ESO on the Subject Land. This Amendment is the subject of this Panel hearing.

The Panel notes that both Amendment C162 and C163 were prepared having regard to the expert advice prepared for Council by ecologists consultants, Biosis Pty Ltd.

In total fifteen (15) submissions were received during the exhibition of the Amendment; thirteen (13) in support, one (1) against (the Landowner) and one (1) from the EPA which expressed no position on the Amendment.

Council resolved at its meeting on 28 May 2018 to refer all submissions to a Panel.

## 1.5 Summary of issues raised in submissions

A summary of the key issues of the planning authority, agency and individual submitters follow:

### (i) Planning Authority

The key issues for Council are:

- The permanent application of the ESO planning tool is justified and reinforced by the Minister of Planning's approval of an interim ESO (Amendment C162) on the Subject Land.
- The VCAT decision under *Hamilton Snowdon Pty Ltd v Kingston CC [2017]* supports the application of vegetation planning controls on the Subject Land.
- The proposed ESO Schedule 5 outlined under Am C163 is appropriate and strategically justified outcome for the Subject Land.
- An interim ESO now applies to the Subject Land; therefore any request for removal of any vegetation on site requires a planning permit on the Subject Land. However this control expires on 1 February 2019.
- If a permanent ESO is not placed over the Subject Land, no vegetation controls would apply to any further redevelopment sought for the site.

### (ii) Relevant agencies

The Environment Protection Authority (EPA) (Submitter 4) had no view on the exhibited Amendment.

### (iii) Individual submitters or groups of submitters

Key issues by submitters supporting the Amendment included:

- Protection of rare and vulnerable ecological systems found within the region is important (Submitter 1 - City of Greater Dandenong).
- The site offers an invaluable asset and oasis for the benefit of Kingston residents (Submitter 2).
- Preservation of a unique area of native coastal bush through an ESO is strongly supported (Submitters 3, 4, 6, 7).
- The site contains a range of rare and ecological values in the form of indigenous trees and ground cover that will add to the existing natural reserves in the City of Kingston (Submitter 5).
- Patches of native bushland throughout the suburbs act as a *green oasis* in the midst of built up suburbia (Submitter 8).
- The site contains remnant vegetation and three EVC's including native vegetation species (15), some severely depleted/rare and/or endangered in the City of Kingston. The site also provides a vital food, shelter, nesting and habitat resource for fauna of the area (Submitters 10 and 11).
- The site provides a *fine example* of indigenous vegetation that was common across the region and is now one of the last remaining examples of this indigenous vegetation in the local area (Submitter 12).

- Clearing of native vegetation is a major factor contributing to loss of biodiversity. The site could provide an important space for the health and enjoyment of future Kingston residents, as well as protecting remnant indigenous vegetation from inappropriate development (Submitter 13).
- The site is a rare reminder of what has been lost of our heritage and bushland (Submitter 14).
- The site is in original and unique condition in terms of vegetation and setting; with little, if any, change since the 1940's (Submitter 15).

The Panel also noted a number of supporting submissions referred to the protection of the Subject Land in the form of an Open Space Reserve. Some of these submitters used the terms *Dent Reserve* as a historical reference point. The Panel explained to the submitters that the Subject Land was under private ownership. This was not a matter before it and did not form part of the exhibited Amendment. The Panel therefore makes no findings on this issue.

One (1) submission (Hamilton Snowdon Pty Ltd – Landowner) opposed the Amendment and raised the following concerns:

- The vegetation on the Subject Land is not of high significance within the State of Victoria.
- It is not appropriate to apply the ESO to 19 Tarella Road, Chelsea.
- It was acknowledged that there is a presence of a small number of locally significant flora species; however the extent of locally significant flora species represents a limited portion of the Subject Land and the vegetation is degraded and weed infected.
- The site is not connected to any larger ecological areas.
- The ESO on the Subject Land is considered an excessive planning tool that will have limited benefit for protection of the vegetation on the site.

These individual submissions remain outstanding and are the subject of this Panel Hearing.

## 1.6 Issues dealt with in this Report

The Panel has considered and reviewed all written submissions and statements made in response to the exhibition of the Amendment. The panel has also been assisted by observations from its site visit and other material and evidence presented to it during the course of the Hearing.

Given the quantity of material presented, the Panel has had to be selective in referring to the more relevant or determinative material in the Report. Nevertheless, all submissions, evidence and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

The Panel deals with the key issues under the following headings:

- Planning policy context
- Ecological values and appropriateness of the controls
- Form and content of the ESO Schedule 5.



## 2 Planning policy context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment and has made a brief appraisal of the relevant zone and overlay controls and planning strategies below.

### 2.1 Policy framework

#### (i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the State Planning Policy Framework (SPPF):

- Clause 11 (Settlement) including clauses 11.06-5 (Neighbourhoods) and 11.06-6 (Sustainability and Resilience).
- Clause 12 (Environmental and Landscape Values including clauses 12.01-1 (Protection of Biodiversity), 12.01-2 (Native Vegetation Management), 12.04-1 (Environmentally Sensitive Areas) and 12.04-2 (Landscapes).
- Clause 15 (Built Environment and Heritage) including clauses 15.01-1 (Urban Design), 15.01-2 (Urban Design Principles), 15.01-5 (Cultural Identity and Neighbourhood Character) and 15.03-3 (Heritage Conservation).

The Panel notes under Am VC148, aligned provisions are now found in the new Planning Policy Framework (PPF).

The Panel notes a key purpose of the new PPF is to provide a clear and consistent framework within which decisions about the use and development of land can be made. In respect to the Amendment the Panel notes the following relevant policy settings.

Under Clause 11 (Settlement), amongst other matters,

*... planning is to recognise the need for, and as far as practicable contribute towards:*

- *Protection of environmentally sensitive areas and natural resources.*

At clause 12 (Environmental and Landscape Values), a key objective states: *"planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values."*

Under clause 12.01 (Biodiversity) key strategies include the following:

- *Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:*
  - *Cumulative impacts.*
  - *Fragmentation of habitat.*
  - *The spread of pest plants, animals and pathogens into natural ecosystems.*



- *Avoid impacts of land use and development on important areas of biodiversity.*

At clause 12.01-2S (Native Vegetation Management) the objective is to *“ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.”*

At clause 15.01-5S (Neighbourhood Character) planning is to:

*...ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*

- *Pattern of local urban structure and subdivision.*
- *Underlying natural landscape character and significant vegetation.*
- *Heritage values and built form that reflect community identity.*

The Panel also notes at clause 16 (Housing) that *“planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.”*

In addition, under this clause, *“planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.”*

The Panel is satisfied that Council’s analysis of the SPPF and the Panel’s own assessment against the new PPF provisions, demonstrates a strong and clear policy setting that encourages planning authorities to actively identify, protect and appropriately manage places with significant natural landscape character, vegetation and ecological values.

## **(ii) Local Planning Policy Framework**

Council submitted that the Amendment supports the following local planning objectives of the Local Planning Policy Framework (LPPF) at clauses 21.05, 21.09 and 22.11-2:

- *Clause 21.05 (Residential Land Use) seeks to preserve and enhance well landscaped/vegetated environments and protect identified significant vegetation by encouraging the retention of existing vegetation wherever possible;*
- *Clause 21.09 (Environment, Wetlands and Waterways) seeks to maintain the diversity of flora and fauna habitats and promote opportunities for reinstating local native flora by promoting the values and significance of existing flora and fauna habitats, and support initiatives that aim to protect and restore the integrity of these; and*
- *Clause 22.11-2 (Residential Development Policy) seeks to ensure that landscaping and trees remain a major element in the appearance and character of the municipality’s residential environments by encouraging the retention of existing semi-mature and mature canopy trees wherever possible.*

The Panel considers the Amendment responds to these policy objectives by seeking to retain the Subject Land under a site specific ESO, based on the identified presence of *environmental values*. The Panel is satisfied that the local policies of the LPPF referred to

above, place a strong focus on the planning authority, to identify, protect and appropriately manage significant vegetation identified at the local level. The Panel notes this responsibility applies to both public and private land.

## 2.2 Planning scheme provisions

### (i) Zone

The Subject Land is located within the General Residential Zone (Schedule 3) (GRZ3).

The purposes of the General Residential Zone are listed as:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The Panel notes that under this zone, diversity of housing type and growth must be considered in the context of neighbourhood character and locations offering good access to services and transport.

### (ii) Overlay

The Subject Land is presently covered by an interim ESO5 that triggers the need for a planning permit for the removal, destruction or lopping of any vegetation, with some minor exemptions.

Importantly, the Schedule to the ESO includes the following *Statement of Environmental Significance*:

*This site supports rare native coastal vegetation on the inland part of the Kingston coastal sand belt. A significant amount of vegetation is found within the site including individual trees and communities of native trees, shrubs and plants. Removal of vegetation may affect the ecological and biodiversity value of the land.*

*The rare vegetation species that are threatened within the site are:*

- *Coastal Dune Scrub (vulnerable)*
- *Coast Banksia Woodland (endangered)*
- *Common Correa Correa reflexa (vulnerable)*
- *Sieber Crassula Crassula sieberiana (rare)*
- *Bundled Guinea-flower Hibbertia fasciculata (rare)*
- *New Zealand Spinach Tetragonia tetragonioides (endangered)*

*Showy Bossiaea Bossiaea cinerea is also prevalent on the site and is rare in the Chelsea area.*

The requirements of this overlay will cease to have effect after 1 February 2019.

Council submitted that if the Panel recommended the Amendment should be abandoned, the Subject Land would effectively lose any planning scheme protection in respect to native vegetation after 1 February 2019. It submitted that exemption provisions for planning permits under native vegetation controls in clause 52.17 would also apply to the Subject Land as the site is under the minimum 4,000 square metres lot size.

The Panel agrees with Council's conclusions on these particular matters (see part (iii) below).

The submission on behalf of the landowner (Submission 9) does not contest the position of Council on clause 52.17 exemption provisions. However it highlights that there are other mechanisms already in place that protect vegetation on the site. This includes a local law that requires a permit to remove a *protected tree*<sup>1</sup> of a certain height and trunk diameter within the municipality, Standard B13 (Landscaping) under clause 55 of the planning scheme and future planning application requirements that will need to be addressed in the context of the previous VCAT proceedings.<sup>2</sup>

The Panel makes further comment on these matters in Chapter 3 of this Report.

### **(iii) Other provisions**

Clause 52.17 (Native Vegetation) also plays an important role in the State Government's Native Vegetation Management Framework. The clause reinforces the established planning policy approach expressed around "*no net loss to biodiversity*" resulting from native vegetation removal.

This clause also refers to the DELWP's *Guidelines for the Removal, Destruction or Lopping of Native Vegetation [2017]* (the Guidelines) that provides specific guidance to councils and planning scheme users regarding the removal of identified native vegetation. In summary this assessment uses Ecological Vegetation Classes (EVC's) to help establish the conservation status of identified native vegetation from *endangered* through to "*vulnerable, depleted, rare and least concern*". It also rates the *conservation status* of the vegetation through a specific "*habitat hectare assessment and species habitat value*". These ratings or values are again rated from Very High, High, Medium and Low.

The Panel notes that Mr Aaron Organ, the expert witness appearing for the landowner (Submitter 9), has used this approach to establish a conservation rating for the native vegetation identified on the Subject Land.

Council does not agree with Mr Organ's use of this native vegetation assessment to determine the *value* of the existing native vegetation on the Subject Land, submitting that

<sup>1</sup> Under the City of Kingston Community Local Law (Consolidated) *Protected Tree* means a tree with a trunk circumference greater than 110 centimetres (cm) measured at its base, multi-stemmed tree where the circumference of its exterior stems measures at its base is greater than 110cm or a tree planted as required by a replanting condition of a permit issued for the removal of a protected tree (excluding species which are environmental weeds or noxious weeds).

<sup>2</sup> See *Hamilton Snowdon Pty Ltd v Kingston CC [2017] VCAT 1677*.

this approach is best used to assess larger native vegetation areas, not a smaller parcel of land under the 4,000 square metres exemption threshold set in clause 52.17.

The Panel considers this is an important issue and makes further comment on this in Chapter 3 of this Report.

## **2.3 Ministerial Directions and Practice Notes**

### **Ministerial Directions**

Council submitted that the Amendment meets the relevant requirements of:

- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987* (the Act).
- Ministerial Direction 11 (Strategic Assessment of Amendments).
- Ministerial Direction 9 Metropolitan Strategy (Plan Melbourne 2017 – 2050).

In particular Council noted that Plan Melbourne 2017 – 2050 also *“contains significant directions on protecting biodiversity through the greening of places and it is considered that the proposed Amendment supports these directions”*. It also submitted that Directions 4, 5 and 6 of the Plan are relevant and been satisfied by the Amendment.

Based on its assessment of these Directions the Panel is satisfied the relevant provisions of these Ministerial Directions have been met by the Amendment.

### **Planning Practice Notes**

Council submitted that the Amendment is also consistent with:

- Planning Practice Note 7 (PPN7) *Vegetation Protection in Urban Areas* (1999).
- Planning Practice Note 46 (PPN46) *Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments*, (June 2015).

The Panel makes further comment on PPN7 below and in Chapter 3 of this Report.

## **2.4 Discussion**

The submission on behalf of the landowner (Submission 9) raised concerns that Council's expert witness (Dr Jeff Yugovic), failed to assess the merits of the Amendment against the relevant provisions of PPN7.

More particularly it submitted that Dr Yugovic's evidence did not include:

- An appropriate vegetation survey or study
- A recognised assessment criteria that justified protection of the vegetation on the Subject Land
- A comparative analysis undertaken to establish the significance of the vegetation.

Council did not agree with this assessment and submitted that Dr Yugovic's evidence was based on a very detailed *'forensic style'* analysis and investigation of the site's vegetation and biodiversity status. Council submitted that Dr Yuogovic's evidence addresses all relevant matters in accordance with the respective requirements of the PPN7.

The Panel considers this a key issue and makes further comment on this particular matter in Chapter 3 of this Report.

## **2.5 Conclusion**

The Panel concludes that the Amendment is generally supported by, and implements, the relevant sections of the State (SPPF) and Local Planning Policy Framework (LPPF), and is generally consistent with the relevant Ministerial Directions and Practice Notes as noted above.

The Panel considers the Amendment is generally well founded and strategically justified. The specific issues raised in submissions are discussed in the following Chapter of this Report.

### 3 Ecological values and appropriateness of the control

#### 3.1 Ecological Values

##### (i) The issue

The key issue is whether the ecological values of the native and indigenous vegetation identified on the Subject Land warrant protection through the planning system; more particularly through the use of the ESO Schedule 5 as exhibited in the Amendment.

##### (ii) Evidence and submissions

Council submitted that the ecological values on the Subject Land require ongoing protection through the planning scheme. This conclusion was based on the matters described under the following sub headings.

##### Ecological communities

Council submitted that of the species identified on the Subject Land (as described under the existing ESO Schedule 5), the Coast Banksia Woodland is 'vulnerable' in the Gippsland Plain bioregion and 'endangered' in the City of Kingston and the Coastal Dune Scrub is 'depleted' in the bioregion and 'vulnerable' in the City of Kingston.

In terms of specific plant species identified on the Subject Land, Council also said two plant species are threatened in the City of Kingston:

- New Zealand Spinach *Tetragonia tetragonioides* – endangered; and
- Common Correa *reflexa* – vulnerable.

It also said that two species on the Subject Land are rare in the City of Kingston:

- Bundled Guinea-flower *Hibbertia fasciculata* – rare; and
- Sieber Crassula *sieberiana* – rare.

Council also submitted that one species identified on the Subject Land is not known elsewhere in Chelsea:

- Showy Bossiaea *cinerea*.

Council submitted that the site is therefore locally and regionally significant in the City of Kingston context. It supports rare, native vegetation of the inland section of the Kingston coastal sand belt between Port Phillip Bay and the former Carrum Swamp.

Council submitted that prior to the application of interim controls imposed under Amendment C162, vegetation on the site was vulnerable to removal. It submitted that local laws do not address the majority of vegetation on the Subject Land. Nor do planning permit requirements apply with respect to the removal of native vegetation under clause 52.17 of the planning scheme.

The Panel has acknowledged that the size of the Subject Land at 3517 square metres falls below the 4,000 square metres planning permit requirement for native vegetation removal controls under that clause.

Council submitted that there is a significant and relatively healthy amount of native and indigenous vegetation on the site. This has been established by vegetation assessments undertaken by its consultants, Biosis Pty Ltd.<sup>3</sup> Biosis' 2017 assessment established a total of 14 (indigenous) and 15 (introduced) recorded plant species on the site, classified under two Ecological Vegetation Classes (EVC's): Coastal Dune Scrub and Coast Banksia Woodland. Dominant species of these EVC's include Coast Tea-Tree (most of the site) and Coast Banksia (central area of the site).

Further site investigations undertaken in July 2018, by Dr Yugovic from Biosis Pty Ltd, has now recorded 17 indigenous and 16 introduced plant species identified on the site. This includes the following understorey plants: Flax-Lily, Spreading Crassula, Common Cotula, Large Kangaroo Apple, Showy Bossiaea and Seaberry Saltbush.<sup>4</sup>

An aerial photo showing the vegetation areas on the Subject Land is shown below at Figure 4.

Figure 4 Aerial Map showing specific vegetation areas on the Subject Land – Source: Expert Witness Statement from Biosis Pty Ltd – 11 July 2018



<sup>3</sup> The expert witness statement prepared by Mr Stephen Mueck from Biosis Pty Ltd for VCAT Hearing No. P623/2017, dated 6 September 2017.

<sup>4</sup> The expert witness statement prepared by Dr Jeff Yugovic from Biosis Pty Ltd, dated 11 July 2018, for the C163 Panel Hearing.



**Previous VCAT decision and findings**

Council submitted that Senior VCAT Member Baird noted important findings in respect to identified vegetation on the Subject Land, in *Hamilton Snowdon Pty Ltd v Kingston CC [2017] VCAT 1677*. In refusing to support a proposal for 14 double storey dwellings on the Subject Land, Senior Member Baird stated that:

*It is clear that the land has values that are significant locally and regionally, even though there are weeds, and it [Subject Land] is not currently actively managed to protect its values.*

Council submitted that this finding by Senior Member Baird was based on extensive site investigation analysis that was provided to VCAT during the proceeding held between 20 to 22 September 2017. Council submitted that this evidence included both arborist and ecological assessments on behalf of Council and applicant/landowner, including a vegetation assessment by Council's own Senior Vegetation Management Officer.

Council submitted that these assessments were tested through "vigorous" cross-examination, ultimately concluding that there was a level of significant vegetation existing on the Subject Land.

Council submitted that recent site assessment undertaken on 8 July 2018, identified additional plant species that takes the overall plant species identified on the Subject Land up to 17 indigenous and 16 introduced species.

The Panel notes that Ms McPhee (Submitter 10) also supports this assessment, noting that vegetation on the Subject Land is demonstrating physical signs of *self-regeneration and recruitment* from 2017 to 2018. Ms McPhee also noted that important seed-bank opportunities arise from the regenerating plant species on the Subject Land and that biodiversity occurs at multiple scales and levels, not only on large areas as stated by Hamilton Snowdon Pty Ltd (Submitter 9).

Friends of Dent Reserve (Submitter 12) echoed similar support, noting there was a strong community attachment to the ecological values of the identified vegetation on the site, stating:

*We strongly believe that Dent's Reserve (Subject Land) is a significant, important and unique site and that the vegetation contained thereon must be afforded the maximum possible protection that will result from approval of the ESO.*

**Evidence on behalf of Council**

In his evidence statement to the Panel, Dr Yugovic stated that the Subject Land supports residual flora of rare native vegetation of the inland section of the Kingston coastal sand belt between Port Phillip Bay and the former Carrum Swamp. He acknowledged the site is modified from original condition, but in his expert opinion, said there may be more indigenous significant plant species dormant on the Subject Land. His inspection on 8 July 2018 revealed an increase in plant species found on the site over this period.

Dr Yugovic gave evidence that the native coastal vegetation identified on the site is classified into two EVC's:

- *Coastal Dune Scrub, most of site dominated by Coast Tea-tree. Understorey includes Flax-lily (two species), Spreading Crassula, Common Cotula, Large Kangaroo and Showy Bossiaea.*
- *Coast Banksia Woodland, central area of the site dominated by Coast Banksia. Understorey includes Coast Tea-tree, Seaberry Saltbush, Spreading Crassula, Common Cotula and Showy Bossiaea.*

He noted that introduced weed cover exists over the site, but is very confident that the existing native vegetation identified on the Subject Land to date will continue to thrive. He accepted that some site management of the native and indigenous vegetation would also assist.

He said the site has values that are significant locally and regionally. Noting that little of the coastal sand belt and Carrum Swamp vegetation remains within Kingston, largely due to urbanisation and ongoing development pressure.

He noted that no identified plant species or ecological community on the Subject Land is listed as ‘threatened’ at the State level. Mr Lofting also drew the Panel’s attention to the extensive list of documents used by Dr Yugovic in his assessment of the native and indigenous vegetation on the Subject Land.

To establish the *conservation status* of the vegetation on the Subject Land, Dr Yugovic referred to the *Kingston Flora Database 2017* that indicates:

- *Two plant species are threatened in the City of Kingston (New Zealand Spinach – endangered and Common Correa – vulnerable).*
- *Two species are rare in the City (Bundled Guinea-flower and Sieber Crassula).*
- *Coast Banksia Woodland is vulnerable in the Gippsland Plain bioregion and endangered in the City of Kingston.*
- *Coastal Dune Scrub is depleted in the bioregion and vulnerable in the City of Kingston.*
- *Sand Heathland is rare in the bioregion.*
- *Showy Bossiaea is not known elsewhere in Chelsea.*

His evidence was that the majority of native vegetation on the Subject Land is healthy. He noted that the Coast Tea-tree has a natural leaning habit that is *normal* and these trees are in ‘good structural condition’ for this species.

Based on his detailed site investigation, analysis and expert opinion, Mr Yugovic concluded his evidence stating:

*The retention and management of all of the native vegetation [on the Subject Land] would be appropriate to prevent its identified values from becoming more threatened at the local level.*

### (iii) **Opposing submission**

The submission on behalf of the landowner (Submission 9) considered that the ecological values of vegetation on the Subject Land have been overstated. It submitted that Council

has relied too heavily on the evidence of Dr Yugovic to justify the importance of vegetation on the Subject Land.

It submitted that:

- The ecological assessments forming the basis of the amendment in its view, do not comply with relevant sections of PPN7.
- Ecological values that Dr Yugovic said are *locally and/or regionally significant* are not properly documented, assessed or justified.
- The Subject Land contains no trees that are identified on the *City of Kingston Register of Significant Trees* (May 2007).
- No comparative analysis has been undertaken of the aesthetic value of the identified trees against Council's Register of Significant Trees.
- Local conservation significance of plant species on the Subject Land has been assessed against Council's *Kingston Flora Database* (2017). This is not a reference or incorporated document in the Planning Scheme.
- Application of the conservation significance of the Subject Land using EVC's in the *City of Kingston Biodiversity Strategy* (2007 – 2012) is out of date. This Strategy is also not a reference or incorporated document in the Planning Scheme.
- The Subject Land contains a relatively small area of vegetation in biodiversity terms (0.286 hectares) that is not connected to a larger ecological corridor.

#### **Evidence on behalf of Hamilton Snowdon Pty Ltd**

Mr Aaron Organ from Ecology and Heritage Partners was instructed to undertake a review of the relevant ecological documentation and provide expert advice on the proposed Amendment. Mr Organ was involved as an expert witness for the landowner in the previous VCAT appeal. In his evidence statement Mr Organ indicated he did not undertake further species investigation, but acknowledged he had inspected the site a few weeks before the formal Panel Hearing. He therefore relied on the previous site inspections that he undertook as part of the previous VCAT hearing.

The Panel notes that Mr Organ's vegetation species assessment in 2017 is generally consistent with those identified by Biosis as part of the VCAT proceedings.

Mr Organ did not provide any specific comment on the content of the exhibited Schedule 5 of the ESO and was not instructed to undertake this level of assessment.

To help inform his expert opinion on the ecological status and value of the vegetation on the Subject Land, Mr Organ relied on the *DELWP Native Vegetation Information Management (NVIM) Tool* (DELWP 2017) and the *DELWP Nature Kit* (DELWP 2017). He also referred to a number of other sources including the *Victoria Biodiversity Atlas 2017*, *Flora Information System 2013*, *Atlas of Victorian Wildlife 2013*, *Planning Maps Online* and the *Biosis* site assessments.

Mr Organ acknowledged that the Coast Banksia Woodland Ecological Vegetation Class (EVC) identified by Dr Yugovic in his Witness Statement, is "*now principally restricted to the Port Phillip Bat Coastal strip and occurs as small isolated remnants*". However, he said the overall

size of this EVC on the Subject Land is very small (i.e. approximately 0.286 hectares).<sup>5</sup> In his opinion, the EVC is:

*Highly degraded, is of low quality, and is not significant (i.e. critically endangered, endangered, vulnerable) under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, nor is it listed as threatened ecological community under the State Flora and Fauna Guarantee Act 1988.*

On this basis, Mr Organ concluded that the Coast Banksia Woodland identified on the Subject Land “*makes a limited contribution to the State’s and region’s biodiversity*”. He did not agree with Dr Yugovic’s assessment that the ‘Coastal Dune Scrub’ EVC applies to the site.

In respect to other identified flora species on the Subject Land, including the Coastal Banksia, Common Correa, Sieber Crassula, Bundled Guinea-flower, New Zealand Spinach and Showy Bossiaea, Mr Organ said none of these species have a restricted distribution, or are significant at a National, State or regional level. He also questioned how the conservation status of the identified species on the Subject Land was derived, submitting that many of the species can be found in the City of Kingston conservation reserves, public open space areas and planted along roadsides and rail reserves.

He concluded his evidence by stating:

*Given the fragmented and isolated nature of the remnant native vegetation (i.e. limited connectivity to higher quality woodland remnants), the high weed cover and poor condition of the understorey, it is likely that the condition of native vegetation within the study area will continue to degrade ... the vegetation within the study area is not considered to make a ‘significant contribution’ to biodiversity at the region or local scale ... to introduce an Environmental Significance Overlay – Schedule 5 would not be justified.*

#### **(iv) Discussion**

The Panel notes there is general consensus between the expert witnesses with regard to the identified native vegetation species on the Subject Land; including the classification of at least one EVC, that being the Coast Banksia Woodland EVC.

The key differences noted by the Panel between the experts occur on the following matters:

- The ‘threatened’ or ‘rare’ conservation status level given to some species by Dr Yugovic through the use of the *Kingston Flora Database* (2017).
- The condition of the vegetation within the Subject Land and ongoing threats from weed invasion.
- The lack of Commonwealth, State or regional recognition of the identified species on the Subject Land.

Both Council and Hamilton Snowdon Pty Ltd referred to the VPP Practice Note that deals specifically with *Vegetation Protection in Urban Areas* (PPN7).

<sup>5</sup> Based on the habitat hectare assessment described under clause 52.17 and contained in the *DELWP Native Vegetation Information Management (NVIM) Tool* (DELWP 2017) and the *DELWP Nature Kit* (DELWP 2017).

In order to assess the significance of vegetation in urban areas, PPN7 highlights the following identification process that should be considered and addressed:

- Identify the value of vegetation to the community and the factors that contribute to its value.
- Establish a reliable and consistent methodology to evaluate vegetation.
- Identify criteria for assessing vegetation for its natural and cultural value.

PPN7 also outlines that the 'significance' of vegetation can be determined on an:

- Objective assessment of scientific information and research, considered on merit rather than community opinion
- Subjective assessment of aesthetic aspects, requiring a variety of community opinion, or
- A combination of the two.

Based on an assessment and review of the evidence provided on this matter during the hearing, the Panel is satisfied that the assessment and evaluation undertaken by Council to establish the significance of the native vegetation on the Subject Land has been systematic and rigorous.

Mr Lofting described the vegetation assessment work undertaken by Biosis as *forensic* in nature and detail. The Panel generally agrees with this description and notes that relevant information has now been gathered from a range of recognised sources on the site's native vegetation over a 12-month period. This has occurred with additional expert ecologists and local arborists/vegetation management officers. The Panel notes there is some consistency in vegetation species type identified on the Subject Land by the landowner's own expert Mr Organ.

The Panel notes that assessments by Biosis included a historical analysis of the Subject Land and surrounds. Dr Yugovic explained that this helped establish the physical setting and any associated change of the site conditions over time. The Panel also notes this historical setting has been verified through other community submissions, particularly Submitter 15 *'who can bear witness to this land for close to 80 years'* and stated *'this land with its remnant vegetation is the last vestige of what this area looked like 80 years ago.'*

The Panel accepts the submissions made on behalf of the landowner, that the previous VCAT proceeding has limited relevance in establishing whether an ESO should be placed over the Subject Land. The consideration of an amendment to the scheme is a different process to that of a VCAT proceeding considering a particular development proposal on the Subject Land. However, the VCAT proceeding is relevant, to the degree that it shows a level of consistency in the vegetation descriptions found on the Subject Land over time. It also shows that the vegetation continues to flourish on the Subject Land with little, if any on-site management of that vegetation.

Submissions and evidence provided on behalf of Hamilton Snowdon Pty Ltd highlighted that suitable comparative analysis has not been undertaken to establish what vegetation is significant on the Subject Land. The Panel does not agree with this assessment of the comparative assessment undertaken by Council.

During cross-examination on this point, Dr Yugovic explained that comparative analysis was based on the detailed and current work undertaken as part of the Kingston Flora Database (2017). The Panel notes the Flora Database records all flora (indigenous and introduced species) that is/has been found/identified in the City of Kingston. The Database classifies the vegetation species in terms of the vegetation type is *endangered* through to *secure*. Dr Yugovic explained this Database was preferred over out-dated information and data included in the *City of Kingston Biodiversity Strategy (2007 – 2012)*.<sup>6</sup>

Dr Yugovic also explained the Flora Database had been compiled through extensive workshops with community and working practitioners over a period of time. It is his view that this process ensures the data was both current and tested over time.

Dr Yugovic also stated the classification process and terminology used in the Database was consistent with other State and Commonwealth criteria used to describe the status and significance of vegetation types. The Panel is therefore satisfied the Flora Database provides a strong and comparative vegetation database that meets the relevant guidelines of PPN7.

The Panel does not accept Hamilton Snowdon Pty Ltd's submission and evidence from Mr Organ, that the vegetation assessment on the Subject Land requires a much broader comparative of vegetation types at State and/or Commonwealth level. The application of the ESO in this case is seeking to establish what, if any, vegetation is significant at a local level to the City of Kingston. Having established and compared this level of local significance against the Flora Database, further comparative analysis can also be undertaken to determine if the identified vegetation has also some level of State or Commonwealth significance. However, the Panel does not consider this State and Commonwealth comparison is required to establish if the vegetation is considered significant at the local level.

The Panel is therefore satisfied the survey work, classification process and testing undertaken of the native and indigenous vegetation for the Subject Land, is consistent with the guidelines contained in PPN7. The Panel is confident that the results of the vegetation assessment and classification process have established an appropriate level of vegetation significance on the Subject Land to warrant ongoing planning controls.

#### **(v) Conclusions**

The Panel concludes:

- The survey work, vegetation identification and classification process undertaken by Council is consistent with the relevant guidelines found under PPN7 to establish vegetation significance at the local level.
- The ecological values of the biodiversity and associated vegetation identified on the Subject Land warrant protection through the planning system.

<sup>6</sup> Dr Yugovic advised that the City of Kingston Biodiversity Strategy 2007 – 2012 was also in the process of review.

### **3.2 Is the ESO the appropriate planning scheme tool?**

#### **(i) The issue**

The key issue centres on whether the ESO is the most appropriate planning scheme tool over the Subject Land to protect the site from the inappropriate loss of indigenous and native vegetation.

#### **(ii) Evidence and submissions**

In its submission on this matter, Council referred the Panel to Amendment C96 to the Whitehorse Planning Scheme. In this matter, Panel Member Harty also considered whether the permanent application of an ESO over an individual site was the correct tool. As is the case here, the Subject Land had an interim ESO applied over the land. The Panel found this reference helpful.

In the context of the findings and recommendations made in Amendment C96 to the Whitehorse Planning Scheme, Council submitted the following:

- *The application of a permanent ESO on the Subject Land will encourage future planning permit applications to provide an appropriate design response that balances the need to develop dwellings as well as preserving ecological values.*
- *Without an ESO on the Subject Land consideration of ecological values will be left to disparate policy references within the Municipal Strategic Statement and Local Planning Policies.*

In this context Council therefore concluded that the ESO is the correct tool for the Subject Land and satisfies relevant provisions of PPN7.

Community submissions concurred with Council's proposed use of the ESO as the most appropriate planning tool to protect the significant vegetation identified on the Subject Land.

#### **Evidence on behalf of Council**

Dr Yugovic's evidence also supported the use of the ESO as the appropriate planning mechanism to protect and manage the identified biodiversity that exists on the Subject Land. It was his evidence that with the application of the ESO5 over the Subject Land, relevant decision guidelines can be triggered and applied under clause 55 of the planning scheme for new residential development proposals. He considered that the ESO would also add another level of guidance for future development proposals, consistent with the necessary ongoing management and protection of biodiversity values on the Subject Land.

#### **Opposing submission**

Hamilton Snowdon Pty Ltd said that the proposition put by Council, that approval of an interim ESO control on the Subject Land reinforces a permanent control should be applied, is not consistent with the approved reasons for intervention by the Minister for Planning in approving Amendment C162. Hamilton Snowdon Pty Ltd said that Amendment C163 is required to be considered separately and on its own planning merits.



Hamilton Snowdon Pty Ltd also submitted that the current State and local planning policy frameworks do not automatically provide a strategic basis to apply an ESO on the Subject Land. Particularly in the absence, in its view, of any vegetation values that are considered to be locally or regionally significant. It also noted that the Subject Land is not identified in the *Strategic Land Use Framework Plan* at clause 21.04 of the Scheme as an area of identified environmental significance, further reinforcing that existing planning controls do not recognise the site as environmentally significant at the local level.

#### **Evidence on behalf of Hamilton Snowdon Pty Ltd**

In his evidence statement, Mr Organ found that the overall size of the habitat area on the Subject Land was quite small and fragmented. This conclusion was based on the habitat hectare assessment he had undertaken for the site during the VCAT proceedings. On that basis, his evidence was that the application of an ESO on the Subject Land was unlikely to have any substantial ecological benefit, or make a significant contribution to the biodiversity at the regional of State level.

#### **(iii) Discussion**

PPN7 provides practical guidance on the use of a number of related vegetation planning tools available in the planning scheme. This includes:

- Vegetation Protection Overlay (VPO)
- Environmental Significance Overlay (ESO)
- Significant Landscape Overlay (SLO)
- Heritage Overlay (HO).

In addition, PPN7 also provides commentary on other vegetation controls that can be considered according to particular circumstances, including variations to clause 55 of the Scheme through zone schedules, section 173 Agreements, Design and Development Overlay (DDO) and Local Government Local Laws.

The Practice Note identifies that the ESO has broader application than a Vegetation Protection Overlay, noting the ESO may contain requirements for the construction of buildings and the carrying out of works as well as fence construction. It can also include requirements for subdivision and the removal, destruction or lopping of vegetation. Given Council is seeking to protect identified biodiversity values on the Subject Land, the Panel considers the ESO is the most appropriate tool for the Subject Land. This overlay will enable a more comprehensive level of planning control and protection, noting evidence to the Panel that vegetation on the site also provides for some habitat opportunities.

The Panel also notes submissions from Council, indicating that some vegetation species on the site was to some degree, reliant on other vegetation species for survival and a suitable growth environment. The ESO enables this to be addressed through the preparation of a Statement of Environmental Significance.

The Panel has not been convinced by submissions and evidence on behalf of Hamilton Snowdon Pty Ltd that other controls are available to protect this significant vegetation. The Panel considers that the proposed use of the local law to require permits for removal of trees over a particular trunk circumference, is a relatively blunt tool and does not help explain to landowners or the community, why protection of particular trees/vegetation is

important. In this case the Panel acknowledges that the Subject Land contains a wide range of significant trees, plant species and understorey, that all contribute to the biodiversity values of the land itself.

For the same reasons, the Panel does not consider the use of clause 52.17 provisions appropriate, noting in any event, that the size of the Subject Land under 4000 square metres, means permit exemption provisions in the clause would apply.

On balance, the Panel considers the application of the ESO on the Subject Land is the most appropriate form of planning tool for this site. This planning overlay will ensure that significant vegetation is considered in the context of a Statement of Environmental Significance, ensuring the responsible authority, landowner/developer and broader community understand the significance of the biodiversity values on the site.

Of equal importance, the Panel also considers that the application of the ESO will ensure that future development proposals can be considered in a transparent and practical planning context, with clear guidance about what is significant on the site.

#### **{iv) Conclusions**

The Panel concludes:

- The ESO is the most appropriate planning tool for the Subject Land
- The Statement of Significance and Decision Guidelines included in the exhibited ESO Schedule 5 will assist in the consideration of future development applications that may be lodged for the Subject Land.

### **3.3 Form and content of the ESO Schedule 5**

#### **{i) The issue**

Following the Directions Hearing, as per instructions from the Panel, Hamilton Snowdon Pty Ltd circulated a revised Schedule 5 to the Panel, Council and all submitters. The submitter wished to discuss and substitute this Schedule for the exhibited Schedule 5 proposed under the Amendment. The Hamilton Snowdon Pty Ltd preferred version of ESO5 is included as Appendix D of this Report.

#### **{ii) Evidence and submissions**

Council submitted that the proposed changes proposed by Hamilton Snowdon Pty Ltd will effectively change the content, direction and capacity of the ESO to protect the significant biodiversity identified on the Subject Land.

Hamilton Snowdon Pty Ltd provided a written range of reasons, applicable to each proposed change, to support the revised Schedule. Complete details of these changes were included with Hamilton Snowdon Pty Ltd's written submission.

#### **{iii) Discussion**

The Panel has considered the reasons provided by Hamilton Snowdon Pty Ltd in support the respective changes to the exhibited ESO5. The Panel agrees with Council's submission that

the changes in total will effectively reduce the capacity of the Schedule to adequately protect the identified significant vegetation.

Based on the findings of the Panel that the vegetation on the Subject Land is significant, the Panel considers it is important to ensure the Schedule continues to provide the level of detail and direction to ensure ongoing vegetation management and protection on the site is achieved.

However, the Panel accepts submissions by the landowner, that the original EVC may have been an '*inland vegetation community*', is an assumption. The Panel has not been convinced by the evidence that this claim can be substantiated. The Panel therefore recommends the last sentence contained in the Statement of Environmental Significance be deleted.

The Panel acknowledges that the respective experts did not agree on the EVC classifications. The Panel does not consider this agreement is critical given the groupings of significant vegetation types each contain some similar plant species that have been identified as locally significant on the Subject Land.

The Panel acknowledges that Hamilton Snowdon Pty Ltd did not agree with the findings and recommendations made by Dr Yugovic on the conservation status of significant vegetation on the Subject Land. However, for reasons provided above, the Panel prefers the evidence of Dr Yugovic on these key matters. The Panel is generally satisfied that Dr Yugovic's vegetation assessment and conclusions is consistent with the policy intent and relevant provisions of PPN7. The Panel can therefore see no reason why the range of vegetation species identified on the Subject Land, provides sufficient evidence that two distinct EVC's apply.

The Panel does not agree with submissions that the Schedule would effectively prohibit redevelopment of the Subject Land. The Panel notes the provisions of the ESO do not include any prohibition for the removal of vegetation on the Subject Land. This was a matter also acknowledged by Mr Lofting on behalf of Council. The ESO simply triggers a need for a planning permit application. Any application will need to address the specific Statement of Environmental Significance in the ESO Schedule and provide appropriate responses to the Decision Guidelines that Council as responsible authority, will consider and then determine on its merits.

The Panel accepts Council's and supporting submissions that the vegetation on the site also relies on its immediate physical context and setting for ongoing protection and regeneration. The Panel considers further investigation and consideration should be given to the preparation of an appropriate Vegetation Management Plan for the Subject Land. This could also form a useful part of any subsequent planning application lodged for future redevelopment of the Subject Land. This could also be added into the Decision Guidelines of the Schedule if deemed appropriate by the Planning Authority.

#### **(iv) Conclusions**

The Panel concludes:

- The exhibited ESO5, apart from the reference that the original vegetation may have been an inland vegetation community, can be adopted without any further changes.

- The last sentence of the Statement of Environmental Significance in Clause 1 of the ESO5 that states *“This suggests the original vegetation may have been an inland vegetation community into which coastal species have colonised”* should be deleted from the exhibited Schedule 5.
- Consideration should be given to the preparation of an appropriate Vegetation Management Plan for the Subject Land.

### **3.4 Recommendations**

The Panel recommends that the ESO should be adopted as exhibited, subject to the following:

- 2. Delete the last sentence of Clause 1.0 of Schedule 5 to the Environmental Significance Overlay.**

### **3.5 Further Recommendation**

Whilst not part of the Amendment, the Panel recommends that consideration should be given to the preparation of an appropriate Vegetation Management Plan for the Subject Land to be included in the Decision Guidelines of Schedule 5 of the ESO.

## Appendix A Submitters to the Amendment

No.	Submitter
1	City of Greater Dandenong
2	Dr Elizabeth Flan
3	Dingley Village Community Association
4	EPA
5	Ms Nina Earl
6	Ms Judy Fields
7	Mr Peter Krause
8	Ms Genevieve Bond
9	Hamilton Snowdon Pty Ltd
10	Ms Clare McPhee
11	Kingston Residents Association
12	Friends of Dent Reserve
13	Mordialloc Beaumaris Conservation League Inc.
14	Mr David and Mrs Valerie McGrath
15	Mr Ivor Donohue

## Appendix B Document list

No.	Date	Description	Provided by
1	19/07/2018	Council Part A Submission	James Lofting
2	19/07/2018	Subdivision Planning Permit 17-19 Tarella Road, Chelsea	Sarah Capenerhurst
3	19/07/2018	Submission – Kingston Residents Association	Robyn McRae
4	20/07/2018	Amendment C96 Whitehorse Planning Scheme	James Lofting
5	20/07/2018	Planning Practice Note. 7 <i>Vegetation Protection in Urban Areas</i> (1999)	James Lofting
6	20/07/2018	Certified Subdivision 17-19 Tarella Road, Chelsea	James Lofting
7	20/07/2018	Submission - Earl	Nina Earl
8	20/07/2018	Cultural Heritage Map	Nina Earl
9	20/07/2018	Submission - McPhee	Clare McPhee
10	20/07/2018	Submission – Friends of Dent Reserve	Mike Eising
11	20/07/2018	Submission - Donohue	Ivor Donohue
12	20/07/2018	Submission – Mordialloc Beaumaris Conservation League Inc	Mary Rimmington
13	20/07/2018	Map – Historical Recollections - Donohue	Ivor Donohue
14	20/07/2018	Submission and Attachments – Hamilton Snowdon Pty Ltd	Nick Robbins
15	20/07/2018	Council Part B Submission	James Lofting
16	20/07/2018	Council Expert Witness Statement – Dr Yugovic	James Lofting
17	20/07/2018	Hamilton Snowdon Pty Ltd Expert Witness Statement – Aaron Organ	Nick Robbins

## **Appendix C   Exhibited ESO Schedule 5**



## KINGSTON PLANNING SCHEME

23/02/2018  
Proposed  
C163

## SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

### 19 TARELLA ROAD, CHELSEA

#### 1.0 Statement of environmental significance

This site supports rare native coastal vegetation on the inland part of the Kingston coastal sand belt. A significant amount of vegetation is found within the site including individual trees and communities of native trees, shrubs and plants. Removal of vegetation may affect the ecological and biodiversity value of the land.

The rare vegetation species that are threatened within the site and the City of Kingston are:

- Coastal Dune Scrub (vulnerable)
- Coast Banksia Woodland (endangered)
- Common Correa *Correa reflexa* (vulnerable)
- Sieber Crassula *Crassula sieberiana* (rare)
- Bundled Guinea-flower *Hibbertia fasciculata* (rare)
- New Zealand Spinach *Tetragonia tetragonioides* (endangered).

Showy Bossiaca *Bossiaea cinerea* is prevalent on the site and is rare in the Chelsea area.

The understorey is a mixture of coastal and inland species, with coastal elements including Seaberry Saltbush *Rhagodia candolleana* and New Zealand Spinach *Tetragonia tetragonioides* and inland elements including Showy Bossiaca *Bossiaea cinerea* and Bundled Guinea-flower *Hibbertia fasciculata*. This suggests the original vegetation may have been an inland vegetation community into which coastal species have colonised.

#### 2.0 Environmental objectives to be achieved

23/02/2018  
Proposed  
C163

To protect the site from the loss of indigenous and native vegetation.

##### Permit requirement

23/02/2018  
Proposed  
C163

A permit is required to construct a fence.

##### Decision guidelines

23/02/2018  
Proposed  
C163

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed.
- The impact of the proposal on the native and indigenous vegetation and fauna habitat on site and the immediate locality.
- The results of any arborist report, flora and fauna survey and assessment of the ecological values of the land and consideration of whether the surveys and assessments have been adequately completed under appropriate seasonal conditions.
- Whether any replacement planting is proposed to address the loss of vegetation, having regard to the conservation significance of the vegetation, including local and regionally significant vegetation.
- The results of the report by Biosis titled 'Vegetation assessment of 19 Tarella Road, Chelsea' and dated 28 November 2017.

**KINGSTON PLANNING SCHEME**

- The benefits of requiring an ongoing vegetation management plan for the site.
- The guidelines and principles of AS4970-2009 – Protection of Trees on Development Sites
- The effect of the proposed removal of vegetation on the habitat value and long term viability of remnant and revegetated areas.
- The environmental significance of the site, including significance of plant communities or significance of plant and animal species supported.
- The reasons for removing the vegetation and the practicality of alternative options which do not require or minimise the removal of the indigenous and native vegetation.

## **Appendix D   Marked-up ESO Schedule 5 – Hamilton Snowdon Pty Ltd**

## KINGSTON PLANNING SCHEME

~ / ~ / 20 ~  
Proposed C-  
163

## SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO5**.

### 19 TARELLA ROAD, CHELSEA

#### 1.0 Statement of environmental significance

~ / ~ / 20 ~  
Proposed C-  
163

~~This site~~ No. 19 Tarella Road, Chelsea ~~supports contains rare native coastal vegetation on the inland part of the Kingston coastal sand belt, in an area that has been extensively cleared. A significant amount of vegetation is found within the site including individual trees and communities of native trees, shrubs and plants. Removal of native vegetation may affect the ecological and biodiversity within the City of Kingston value of the land.~~

The ~~rare~~ vegetation species and plant community recorded on site ~~that that~~ are threatened within the ~~site and the~~ City of Kingston are:

- ☐ ~~Coastal Dune Scrub (vulnerable)~~
- ☐ Coast Banksia Woodland (endangered)
- ☐ Common Correa *Correa reflexa* (vulnerable)
- ☐ Sieber Crassula *Crassula sieberiana* (rare)
- ☐ Bundled Guinea-flower *Hibbertia fasciculata* (rare)
- ☐ ~~New Zealand Spinach~~ *Tetragonia tetragonioides* (endangered).

~~Other native vegetation species recorded on site include Showy Bossiaea *Bossiaea cinerea*, is prevalent on the site and is rare in the Chelsea area.~~

~~The understorey is a mixture of coastal and inland species, with coastal elements including Seaberry Saltbush *Rhagodia candolleana* and New Zealand Spinach *Tetragonia tetragonioides* and inland elements including Showy Bossiaea *Bossiaea cinerea* and Bundled Guinea-flower *Hibbertia fasciculata*. This suggests the original vegetation may have been an inland vegetation community into which coastal species have colonised.~~

#### 2.0 Environmental objectives to be achieved

~ / ~ / 20 ~  
Proposed C-  
163

To protect vegetation that makes a locally significant contribution to ecological diversity within the City of Kingston ~~the site from the loss of indigenous and native vegetation.~~

#### 3.0 Permit requirement

~ / ~ / 20 ~  
Proposed C-  
163

A permit is required to construct a fence.

A permit is not required to remove, destroy or lop vegetation where:

- ☐ The vegetation is not native.
- ☐ ~~\_\_\_\_\_~~

#### 4.0 Decision guidelines

~ / ~ / 20 ~  
Proposed C-  
163

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- ☐ ~~The conservation significance of any vegetation to be removed.~~
- ☐ The effect of the proposal on impact of the proposal on the ecological diversity within the City of Kingston native and indigenous vegetation and fauna habitat on site and the immediate locality.

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## KINGSTON PLANNING SCHEME

- ☐ ~~Any relevant report prepared by a qualified arborist, ecologist, or botanist. The results of any arborist report, flora and fauna survey and assessment of the ecological values of the land and consideration of whether the surveys and assessments have been adequately completed under appropriate seasonal conditions.~~
- ☐ Whether any replacement planting is proposed to mitigate address the removal of native loss of vegetation having regard to the local conservation significance of the existing vegetation, ~~including local and regionally significant vegetation.~~
- ☐ ~~The results of~~ The report prepared by Biosis titled 'Vegetation Assessment of 19 Tarella Road, Chelsea' and dated [INSERT DATE OF ANY UPDATED REPORT IF APPLICABLE] 28 November 2017.
- ☐ The benefits of requiring an ongoing vegetation management plan for the site.
- ☐ The guidelines and principles of AS4970-2009 – Protection of Trees on Development Sites.
- ☐ ~~The compatibility of the proposal with the long-term protection and enhancement of retained native vegetation, effect of the proposed removal of vegetation on the habitat value and long-term viability of remnant and revegetated areas.~~
- ☐ ~~The environmental significance of the site, including significance of plant communities or significance of plant and animal species supported.~~
- ☐ ~~Whether alternatives to native vegetation removal, including the redesign or relocation of buildings and works, have been considered.~~
- ☐ ~~The reasons for removing the vegetation and the practicality of alternative options which do not require or minimise the removal of the indigenous and native vegetation.~~

## KINGSTON PLANNING SCHEME

~1~/20~  
Proposed C-  
163

## SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO5**.

### 19 Tarella Road, Chelsea

#### 1.0 Statement of environmental significance

~1~/20~  
Proposed C-  
163

This site supports rare native coastal vegetation on the inland part of the Kingston coastal sand belt. A significant amount of vegetation is found within the site including individual trees and communities of native trees, shrubs and plants. Removal of vegetation may affect the ecological and biodiversity value of the land. The rare vegetation species that are threatened within the site and the City of Kingston are:

- Coastal Dune Scrub (vulnerable)
- Coast Banksia Woodland (endangered)
- Common Correa *Correa reflexa* (vulnerable)
- Sieber Crassula *Crassula sieberiana* (rare)
- Bundled Guinea-flower *Hibbertia fasciculata* (rare)
- New Zealand Spinach *Tetragonia tetragonioides* (endangered).

Showy Bossiaea *Bossiaea cinerea* is prevalent on the site and is rare in the Chelsea area.

The understorey is a mixture of coastal and inland species, with coastal elements including Seaberry Saltbush *Rhagodia candolleana* and New Zealand Spinach *Tetragonia tetragonioides* and inland elements including Showy Bossiaea *Bossiaea cinerea* and Bundled Guinea-flower *Hibbertia fasciculata*.

#### 2.0 Environmental objectives to be achieved

~1~/20~  
Proposed C-  
163

To protect the site from the loss of indigenous and native vegetation.

##### Permit requirement

~1~/20~  
Proposed C-  
163

A permit is required to construct a fence.

#### 4.0 Application requirements

~1~/20~  
Proposed C-  
163

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority

- An arboriculture and ecological report detailing the impact of the proposal on the native and indigenous vegetation on the site and the immediate locality and on the fauna habitat on the site and the immediate locality.
- Landscape plan which includes but is not limited to whether any replacement planting is proposed to address the loss of vegetation having regard to the conservation significance of the vegetation, including local and regionally significant vegetation.

#### 5.0 Decision guidelines

~1~/20~  
Proposed C-  
163

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

## KINGSTON PLANNING SCHEME

- The conservation significance of any vegetation to be removed.
- The results of any arborist report, flora and fauna survey and assessment of the ecological values of the land and consideration of whether the surveys and assessments have been adequately completed under appropriate seasonal conditions.
- Whether any replacement planting is proposed to address the loss of vegetation having regard to the conservation significance of the vegetation, including local and regionally significant vegetation.
- The results of the report by Biosis titled 'Vegetation assessment of 19 Tarella Road, Chelsea' and dated 28 November 2017.
- The benefits of requiring an ongoing vegetation management plan for the site.
- The guidelines and principles of AS4970-2009 – Protection of Trees on Development Sites.
- The effect of the proposed removal of vegetation on the habitat value and long term viability of remnant and revegetated areas.
- The environmental significance of the site, including significance of plant communities or significance of plant and animal species supported.
- The reasons for removing the vegetation and the practicality of alternative options which do not require or minimise the removal of the indigenous and native vegetation.



# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 8.7

## RESPONSE TO NOTICE OF MOTION NO. 23/2018 - CR WEST - ADDITIONAL COMMUNITY PANEL FOR THE NEIGHBOURHOOD CHARACTER STUDY AND HOUSING STRATEGY

**Contact Officer:** Megan O'Halloran, Manager Communications & Community Relations

### Purpose of Report

This report is in response to a Notice of Motion (NoM) from the 23 July Ordinary Council Meeting relating to the request for an additional advisory panel to assist in the development of Council's Neighbourhood Character Study and Housing Strategy.

### 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.

### OFFICER RECOMMENDATION

That Council:

1. Receive the information on community engagement done to date on the development of Council's Neighbourhood Character Study (NCS) and Housing Strategy.
2. Receive the information on the perception risks associated with the appointment of a Neighbourhood Character Advisory Group.
3. Note the further broad consultation to be completed following Council approval of the draft Neighbourhood Character Study and Housing Strategy.
4. Accept the advice of Ethos Urban that should Council wish to invite selected residents to participate in a further discussions, this is appropriately arranged prior to the engagement period on the draft Neighbourhood Character Study and Housing Strategy in the form of a workshop.

### 1. Executive Summary

The community engagement completed to date to support the development of Council's Neighbourhood Character Study (NCS) and Housing Strategy has incorporated both broad and deliberative engagement and has been some of the most extensive engagement Council has undertaken on any project.

At the Ordinary Council Meeting in July, Council requested consideration of a Councillor-appointed advisory group, nominated on the basis of a persons' previous involvement with the project.

After consultation with both Ethos Urban (the developer of the NCS and Housing Strategy) and Capire (appointed to undertake the deliberative consultation process), it is recommended that a manageable group could be established to discuss the draft NCS and Housing Strategy documents. This group would be facilitated by Ethos Urban likely in the form of a workshop and would be engaged just prior to the commencement of the second phase of the broad engagement.

## **2. Background**

The resolution of the Council at its Ordinary Meeting on 23 July was:

1. *That Council invite residents who have previously taken an interest in maintaining or enhancing the neighbourhood character of their street or area to be appointed to an independent Neighbourhood Character Advisory Group.*
2. *That such residents be nominated by Councillors or officers or by the Neighbourhood Character consultants on the basis of their record of involvement in Neighbourhood Character issues or of comments or submissions they have made during the NC consultation or to last year's ward meetings.*
3. *That parts 1 and 2 be subject to a report being brought to Council and that within two weeks Councillors and officers nominate residents.*

Council is currently developing a Housing Strategy and Neighbourhood Character Study in part via a collaborative engagement process with the community.

The process to date has incorporated both broad and deliberative engagement. The broad engagement phase sought to include a wide range of perspectives through engagement with people from all walks of life, and every Kingston resident has the opportunity to get involved and have their say. The Ward Meetings held last year were a component of this engagement.

The deliberative engagement phase, the Community Panel, involves collaboration with a representative sample of the wider community by convening a Community Panel to co-design a series of principles on housing and neighbourhood character that speaks to and reflects the views of the community.

Establishing a Community Panel is one method of running a 'deliberative' community engagement process.

A deliberative process puts the community and stakeholders at the centre of a decision. This process involves a randomly and independently selected group of everyday people that are broadly representative of the demographics of a wider community coming together to discuss and make recommendations on an issue.

These representatives have access to all the information they need to have an in-depth conversation, are given sufficient time to properly consider that information and directly present their findings to decision makers, having a real impact on the issue or decision at hand.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs

Direction 1.1 - Intergenerational land use planning for a sustainable community Kingston, along with Melbourne more broadly, is expected to experience significant demand for new and different types of housing over the next twenty years. A Housing Strategy is required to plan for how we accommodate this type of growth, and where it should be located, while a Neighbourhood Character Study will help us determine what this new housing should look like, and how it will be integrated into our existing residential areas.

**3.2 Consultation/Internal Review**

Council is developing a Housing Strategy and Neighbourhood Character Study via a collaborative engagement process with the community.

The process to date has incorporated both broad and deliberative engagement.

**3.3 Operation and Strategic Issues**

**3.3.1 Broad community engagement to date**

The broad community engagement that has taken place to assist in the development of the NCS and the Housing Strategy has been widespread and was designed to provide the whole of the Kingston community to have their say. The methods used in the broad engagement included:

- Ward meetings in all 3 Wards
- Listening posts (1 per Ward)
- Online survey/feedback
- Guided neighbourhood walking tours; and
- Self-guided neighbourhood walking tours.

Participant numbers from the broad engagement phase was approximately 1000.

Ethos Urban, the consultant selected to undertake this project have said that:

*“The engagement process that we have undertaken so far for Kingston is one of the most extensive that we have ever undertaken for a neighbourhood character and housing strategy, particularly when combined with the Ward Meetings last year. We are pleased with the outcomes and feel that the extent and quality of input to date has been excellent. The addition of the deliberative engagement exercise will provide information that will be useful in framing and confirming the housing strategy direction, priorities and implementation, and may assist in emphasising some already documented concerns and priorities regarding neighbourhood character”.*

**3.3.2 Deliberative community engagement**

A Community Panel was established for this project in part to better reflect the principles of engagement as outlined by the Victorian Auditor General and with the principles anticipated to be part of the new Local Government Act.

Council engaged community engagement specialists (Capire Consulting) to work closely with Ethos Urban and Council's City Strategy team to design and deliver the Community Panel.

The Community Panel were independently and randomly selected by Capire Consulting. Invitations to participate were distributed by mail to approximately 15,000 random addresses in Kingston in late June; those who received an invitation were asked to register their interest to participate via Council's website or by phoning Capire.

Using census data to ensure the final panel was broadly representative of the City of Kingston in terms of age, gender and geography, around 45 panel members were randomly selected. Council had no influence over the selection process.

The over-arching objectives of the Community Panel to assist in the development of the NCS and the Housing Strategy are to:

- Test the broader engagement findings and findings of the technical work with a representative sample of the Kingston community.
- Build the community's understanding of the complex nature of planning for housing and neighbourhood character in Kingston; and
- Deliberate on difficult challenges that arise through the community engagement and technical work.

The work of the Community Panel commenced on 24 July 2018 and they met for the fourth time on Saturday 25 August at which a series of principles on housing and neighbourhood character will be developed that speaks to and reflects the views of the community panel.

#### **3.3.3 Broad engagement – phase two**

The next stage of the project requires engaging on the draft strategies. In the case of neighbourhood character the Preferred Character Statements and Design Guidelines for each precinct will be provided for community comment. The statements and guidelines for each Precinct will contain the variables to reflect the Housing Change Areas identified in the Housing Strategy, and the differing responses required as a result.

The proposed engagement will involve mailing all those who have contributed through the various means so far, on-line and hard copy surveys and drop-in sessions to provide the opportunity for residents to enquire and comment about their area / property and the impact of the proposed housing change and neighbourhood character statement on their area of interest.

This second phase of broad consultation will be widely promoted and will include both online engagement as well as community drop-in information sessions.

#### **3.3.4 Risks in appointment of a second Community Panel**

Officers have sought advice from Capire Consulting in relation the proposed establishment of a separate, Councillor nominated, Neighbourhood Character Advisory Group. Their feedback highlights a number of issues for Council's consideration:

- Ability to describe and defend the nomination and selection process is a critical governance activity  
There are risks with nominating known members to participate in a community group, especially if that group has some influence in council decision making; if the proposed members are technical specialists e.g. independent planners, architects etc. there is merit on appointment, however, if the nominations are clearly linked to pro or anti-development agendas, there will be governance and reputational risks for Council.
- Public perception  
There is a risk that the new group is perceived as hand selected, agenda driven, and non-democratic and may be perceived as contrary to the message the CEO gave to the Community Panel group – that Council is listening to the Panel and we take this process seriously.

### **3.4 Option**

#### **3.4.1 Small Group discussion**

Having spoken with Ethos Urban it is recommended that the participants identified by Councillor(s) be invited to a discussion just prior the next phase of broad community engagement i.e. on completion and Council approval of the draft NCS and Housing Strategy. This will allow the participants to engage prior to the consultation with Ethos Urban and provide feedback during the consultation period. It will allow sufficient time for participants to go through the documents in detail with the consultants who prepared them.

The composition of the group will not be a representative sample, but Officers will ensure that those identified by Councillors will be invited to participate.

## **4. Conclusion**

The community engagement completed to date to support the development of Council's NCS and Housing Strategy has incorporated both broad and deliberative engagement and has been some of the most extensive engagement Council has undertaken on any project.

To ensure timelines for the project are met and to avoid governance and reputational risks for Council, it is recommended that Council proceed by asking Ethos Urban to undertake a small group discussion with the parties nominated by Councillors. This would be held just prior to the next phase of the broad public consultation i.e. on completion and Council approval of the exhibition of the draft NCS and Housing Strategy.

### **4.1 Resource Implications**

The establishment of this small group will have an indicative cost of \$3,000 to \$5,000 as it will involve required preparatory work and a variation to the proposal put forward by Ethos Urban to undertake this work.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

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Author/s: Megan O'Halloran, Manager Communications & Community Relations

Reviewed and Approved By: Jonathan Guttman, General Manager Planning and Development

## Ordinary Meeting of Council

27 August 2018

**Agenda Item No: 8.8**

### **HERITAGE VICTORIA CORRESPONDENCE - POMPEI'S LANDING (ATTACHMENTS)**

**Contact Officer: Paul Marsden, Manager City Strategy**

The attachments contained in this report relate to Confidential Item 14.2 of tonight's Ordinary Council Meeting.

#### **Appendices**

- Appendix 1 - Heritage Victoria Letter - Pompei's Landing (Ref 18/482845) [↓](#)
- Appendix 2 - Heritage Victoria full assessment - Pompei's Landing (Ref 18/482846) [↓](#)
- Appendix 3 - Bryce Raworth heritage assessment 2001 - Pompei's Landing (Ref 18/482850) [↓](#)
- Appendix 4 - KP18 398 - Application for Planning Permit - 557 - 561 Main Street Mordialloc (Ref 18/482890) [↓](#)

Author/s: Paul Marsden, Manager City Strategy  
Reviewed and Approved By: Jonathan Guttmann, General Manager Planning and Development



## **8.8**

### **HERITAGE VICTORIA CORRESPONDENCE - POMPEI'S LANDING (ATTACHMENTS)**

<b>1</b>	<b>Heritage Victoria Letter - Pompei's Landing .....</b>	<b>211</b>
<b>2</b>	<b>Heritage Victoria full assessment - Pompei's Landing .....</b>	<b>213</b>
<b>3</b>	<b>Bryce Raworth heritage assessment 2001 - Pompei's Landing</b>	<b>241</b>
<b>4</b>	<b>KP18 398 - Application for Planning Permit - 557 - 561 Main Street Mordialloc .....</b>	<b>243</b>



## Department of Environment, Land, Water & Planning

8 Nicholson Street  
East Melbourne Victoria 3002  
Telephone: 03 9938 6894  
[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)

20 July 2018

To whom it may concern,

### RECOMMENDATION TO THE HERITAGE COUNCIL OF VICTORIA – POMPEI'S MARINE BOAT WORKS AND LANDING, 557-561 MAIN ROAD MORDIALLOC

I am writing to advise that an assessment of the cultural heritage significance of the above place has now been completed. As a result of this assessment, I will be recommending to the Heritage Council that Pompei's Marine Boat Works and Landing not be included in the Victorian Heritage Register.

#### Recommendation report

My recommendation report is enclosed and sets out the reasons for my recommendation. Notice of my recommendation will be published in the *Age* newspaper on Friday, 20 July 2018. The recommendation report can also be found on the Heritage Council of Victoria website: <http://heritagecouncil.vic.gov.au/registrations-reviews/executive-director-recommendations>.

#### Obligations of owners

Owners of a place subject to an Executive Director recommendation must be aware of a number of obligations. Section 42 of the *Heritage Act 2017* sets out these obligations to ensure that the place is protected prior to the Heritage Council making a decision about whether it should or should not be included in the Victorian Heritage Register. These obligations include that owners must advise me **within 10 days of receiving this letter** if:

- any works are currently being carried out on the place/object; or
- any other activities are being carried out or are proposed to be carried out on a place/object; or
- any application for a planning or building permit or for an amendment to a planning permit has been made but has not yet been determined.

Owners must also provide a copy of this letter and the accompanying documents to any person who is contracted to acquire the place and advise me of the intended sale.

#### Registration information

In the event that the Heritage Council determines to include this place in the Victorian Heritage Register, you will need to be aware of how the registration will impact on you. Please refer to the brochures 'What does registration mean?' and 'Works and Alterations to Registered Heritage Places and Objects' for this information.

#### Do you wish to make a submission?

You or any other interested party may make a written submission regarding my recommendation to the Heritage Council of Victoria, an independent statutory body, within 60 days of the recommendation notice being published. It must reach the Heritage Council Secretariat **5pm, 17 September 2018**. The submission form can be downloaded from the Heritage Council of Victoria website. You may also request that the Heritage Council conduct a hearing into my recommendation by ticking the relevant box on the submission form. If no submissions are received by **17 September 2018**, the Heritage Council will consider my recommendation at its October 2018 meeting.

Please note that all submissions received by the Heritage Council will be treated as public documents and will be circulated to interested parties in the event of a Heritage Council registration hearing. Submitters should also be aware that, even if a hearing is not held, the Heritage Council is bound by the *Freedom of Information Act 1982*. While the Heritage Council will endeavour to respect any privacy wishes of which it is informed, you should expect your submission to be freely and wholly available to anyone seeking access to it.

All queries about submissions should be directed to the Heritage Council Secretariat on 03 9651 5060 or [heritage.council@delwp.vic.gov.au](mailto:heritage.council@delwp.vic.gov.au).

Please be aware that under s.40 of the Act I am obliged only to advise the owner, nominator and relevant municipal council of this recommendation. If you are aware of any person or organisation who has an interest in this matter and would like to receive correspondence, I would be grateful if you could ensure they make themselves known to Heritage Victoria so that they may be included on our mailing list.

If you have any queries, please contact Dr Marina Larsson, Principal, Assessments on 03 9938 6881 or email [heritage.registrations@delwp.vic.gov.au](mailto:heritage.registrations@delwp.vic.gov.au).

Please note that all queries about submissions should be directed to the Heritage Council Secretariat on 03 9208 3666 or [heritage.council@delwp.vic.gov.au](mailto:heritage.council@delwp.vic.gov.au).

Yours sincerely



**STEVEN AVERY**  
Executive Director  
Heritage Victoria

Attachments:

- Executive Director Recommendation Report
- Brochure - Obligations of Owners (s.42 *Heritage Act 2017*)
- Brochure - Heritage Council Decision Making Process (s.49 *Heritage Act 2017*)
- Brochure – What does registration mean?
- Brochure - Works and Alterations to Registered Heritage Places and Objects

*Privacy Statement*

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



## Recommendation of the Executive Director and assessment of cultural heritage significance under Part 3 of the *Heritage Act 2017*



**Name** Pompei's Marine Boat Works and Landing  
**Location** 557-561 Main Road Mordialloc, Kingston City  
**Hermes Number** 201522  
**Heritage Overlay Number** No Heritage Overlay



Pompei's Marine Boat Works and Landing, 2018

### EXECUTIVE DIRECTOR RECOMMENDATION TO THE HERITAGE COUNCIL:

- That the place NOT be included in the Victorian Heritage Register under Section 37(1)(b) of the *Heritage Act 2017*.
- The Heritage Council may wish to consider exercising its powers under s.49(1)(c) of the *Heritage Act 2017* to refer the recommendation to the City of Kingston for inclusion of the place in the local Heritage Overlay.

**STEVEN AVERY**

**Executive Director**

**Recommendation provided to the Heritage Council of Victoria: 12 July 2018**

**Recommendation publicly advertised and available online: From 20 July 2018 for 60 days**

This recommendation report has been issued by the Executive Director, Heritage Victoria under s.37 of the *Heritage Act 2017*. It has not been considered or endorsed by the Heritage Council of Victoria.

## EXTENT OF NOMINATION

### Date that the nomination was accepted by the Executive Director

21 May 2018

### Written extent of nomination

The three buildings/slipways that are included in the areas leased from the City of Kingston.

### Nomination extent diagram



### COMMENTS

The nomination for Pompei's Marine Boat Works and Landing referred to buildings and structural elements only. It did not mention objects such as boats or boat building equipment or other materials contained within the buildings or located externally.



## EXECUTIVE DIRECTOR RESPONSE SUMMARY

It is the view of the Executive Director that this place should not be included in the Victorian Heritage Register for the reasons outlined in this report.

The information presented in this report demonstrates that Pompei's Marine Boat Works and Landing may be of potential local significance, rather than state level significance. The Heritage Council may wish to consider exercising its powers under s.49(1)(c) of the *Heritage Act 2017* to refer the recommendation to the City of Kingston for inclusion in the Heritage Overlay of the planning scheme; or determine under s.49(1)(c)(ii) that it is more appropriate for steps to be taken under the *Planning and Environment Act 1987* or by any other means to protect or conserve the place.

## BACKGROUND

### WHAT IS THE HISTORY OF THE PLACE?

Salvatore Pompei arrived in Melbourne from Sicily in the early 1900s and settled in Mordialloc with his family. He began building boats at their Beach Road property and later taught boat building to his sons. Together they constructed timber clinker and carvel boats and also had fishing boats for hire from Mordialloc Creek. In the 1930s, the boat building business was relocated to the existing site where three to four boats were constructed each year. Jack Pompei, one of Salvatore's sons became known as 'Mr Mordialloc' and was awarded an OAM in 1987 for Service to Marine Search and Rescue Activities in Port Phillip Bay. He rescued hundreds of people from Port Phillip Bay and was an advocate for the conservation and rejuvenation of Mordialloc Creek. Following Jack's death in 2008, his brother Joe carried on the boat building business until the premises were sold in 2017. A new bridge constructed across Mordialloc Creek in 2009 was named Pompei Bridge and a sculpture was erected to acknowledge the Pompei family's contribution to the Mordialloc community.

### WHAT IS AT THE PLACE?

Pompei's Marine Boat Works and Landing is located between the railway line and Mordialloc Creek, Mordialloc. A two-storeyed c.1970s brick building incorporating part of an earlier building is located adjacent to the railway line. Boat moorings, slipways and five small scale buildings of varying size and materials are located opposite along the Mordialloc Creek. Most structures have signage incorporating the Pompei name. A wide dirt road runs between the creek and the c.1970s building, and boats of various materials, shapes and sizes in various states of repair are located on the land in front of and between the buildings.

## RECOMMENDATION REASONS

### REASONS FOR **NOT** RECOMMENDING INCLUSION IN THE VICTORIAN HERITAGE REGISTER [s.37(1)(b)]

Following is the Executive Director's assessment of the place against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines (2014)*.

#### CRITERION A

**Importance to the course, or pattern, of Victoria's cultural history.**

##### STEP 1: A BASIC TEST FOR SATISFYING CRITERION A

The place/object has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history.

##### Plus

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

##### Plus

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

#### **Executive Director's Response**

Pompei's Marine Boat Works and Landing has a clear association with:

- a) The process of timber carvel and clinker boat building.  
Carvel boats have hull planks which are joined edge to edge to form a smooth surface. Clinker boats have overlapping planks with a light timber frame.
- b) The custom of bayside recreation.  
In the late nineteenth century, a particular beachside culture developed which saw people travel to destinations close to Melbourne to take in the unpolluted air, and to bathe, picnic, promenade, boat and fish.

#### a) The process of timber carvel and clinker boat building.

Like all timber boat building premises, the process of boat building is evident at the place through the timber boats in various stages of repair, signage attached to the buildings, and boat building equipment and materials. The association is also evident in documentary resources and oral history. The process of timber boat building has made a strong contribution to Mordialloc and to the boating community of Victoria. Pompei's Marine Boat Works and Landing was one of a number of boat building businesses established around Port Phillip Bay in the nineteenth and twentieth centuries. The process of timber carvel and clinker boat building is clearly evident in many extant boats across Victoria built using these techniques.

#### b) The custom of bayside recreation.

Like many bayside places such as Williamstown, Mornington, Queenscliff, Brighton and Eastern Beach, Geelong, Mordialloc has a long association with the custom of bayside recreation. Mordialloc increased in popularity as a recreational destination from the 1860s with a focus on fishing, hunting and picnics on the banks of the creek. From the early twentieth century, the Pompei family contributed to these leisure activities by providing a boat hire service and the creek-side area of Pompei's Marine Boat Works and Landing still retains slipways, signage and sheds which indicate this use. The boat hire service is no longer operational. The association with the custom of bayside recreation is now more evident in documentary resources and oral history, but can still be read to some extent in the physical fabric of the place.

Criterion A is likely to be satisfied.



**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION A**

The place/object allows the clear association with the event, phase etc. of historical importance to be *UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION.*

**Executive Director's Response****a) The process of timber carvel and clinker boat building**

Timber boat building no longer occurs at Pompei's Marine Boat Works and Landing and the reading of the cultural heritage values of the place is now reliant on the boat building equipment, signage and boats which are located in and around the buildings. The place no longer allows the process of boat building to be better understood than most other places in Victoria with substantially the same association.

There were a number of timber boat building businesses established around Port Phillip Bay from the late nineteenth to mid twentieth centuries including Lacco, Albutt, Cayzer and Blunts (VHR H1885). While most of these businesses have closed, Blunts remains operational. New businesses associated with the process of timber boat building including the Wooden Boat Shop at Sorrento and Frechville Heany Boatbuilders at Paynesville were opened in the late twentieth century. These places now allow the process of timber boat building to be understood better than Pompei's Marine Boat Works and Landing does.

**c) The custom of bayside recreation**

The custom of bayside recreation can be better understood at other places around Port Phillip Bay than it can at Pompei's Marine Boat Works and Landing including Williamstown, Mornington, Queenscliff, Brighton and Eastern Beach, Geelong. The banks of the Mordialloc Creek have changed substantially since the early twentieth century and there is little surviving physical fabric at the place which allows the custom of late nineteenth and early twentieth century bayside recreation to be understood.

Criterion A is not likely to be satisfied at the State level.

**CRITERION B**

**Possession of uncommon, rare or endangered aspects of Victoria's cultural history.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION B**

The place/object has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

**Plus**

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

**Plus**

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc.

**OR**

The place/object is *RARE OR UNCOMMON*, containing unusual features of note that were not widely replicated

**OR**

The existence of the *class* of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing is associated with the process of timber boat building and the custom of bayside recreation. It has a clear association with both processes which are evident in the fabric of the place and in documentary resources and oral history.

The popularity of fibreglass boats from the 1950s resulted in the decline of the timber boat building industry and businesses gradually closed. Pompei's Marine Boat Works and Landing was one of the few remaining places in Victoria continue producing timber carvel and clinker boats and following Jack Pompei's death in 2008, his brother Joe carried on the business. The process of boat building no longer takes place at Pompei's Marine Boat Works and Landing and the c.1970s building has recently been sold. At the time of assessment, the boat building equipment and materials were being sold through auction and private sale. The process of timber boat building is now uncommon, but this process is no longer evident at Pompei's Marine Boat Works and Landing.

The custom of bayside recreation is not rare or uncommon and is demonstrated at many places around the Victorian coastline.

Criterion B is not likely to be satisfied.

**CRITERION C**

Potential to yield information that will contribute to an understanding of Victoria's cultural history.

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION C**

<p>The:</p> <ul style="list-style-type: none"> <li>• visible physical fabric; &amp;/or</li> <li>• documentary evidence; &amp;/or</li> <li>• oral history,</li> </ul> <p>relating to the place/object indicates a likelihood that the place/object contains <i>PHYSICAL EVIDENCE</i> of <i>historical interest</i> that is <i>NOT CURRENTLY VISIBLE OR UNDERSTOOD</i>.</p>	
<b>Plus</b>	
From what we know of the place/object, the physical evidence is likely to be of an <i>INTEGRITY</i> and/or <i>CONDITION</i> that it <i>COULD YIELD INFORMATION</i> through detailed investigation.	

**Executive Director's Response**

The process of timber boat building is well documented and understood. The patterns, materials, tools and equipment of Pompei's Marine Boat Works and Landing are of historical interest but there is little likelihood that these items could yield information which is not currently visible or understood.

There is no likelihood that the place contains physical fabric which demonstrates the custom of bayside recreation that is not currently visible or understood.

Criterion C is not likely to be satisfied.

**CRITERION D**

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION D**

The place/object is one of a *CLASS* of places/objects that has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

**Plus**

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

**Plus**

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a clear association with the process of timber boat building and the custom of bayside recreation.

The process of timber boat building has made a strong contribution to Victoria which has many port cities and towns around its coastline including Melbourne, Geelong and Port Fairy. Pompei's Boat Works produced boats which remain in use for recreational and commercial purposes. The principal characteristics of the class are evident in the physical fabric of the place. But as timber boat building no longer occurs at the place, the reading of the cultural heritage values now relies on the boat building equipment, signage and boats which are located in and around the buildings.

The custom of bayside recreation has made a strong contribution to Victoria. Boating and fishing facilities are still evident at Pompei's Marine Boat Works and Landing but the main focus for bayside recreational activities is now further east along Mordialloc Creek towards Port Phillip Bay.

Criterion D is likely to be satisfied.

**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION D**

The place/object is a *NOTABLE EXAMPLE* of the class in Victoria (refer to Reference Tool D).

**Executive Director's Response**

Pompei's Marine Boat Works and Landing is no longer a notable example of a boat building business. It has no features that are of a higher quality or historical relevance than are typical of the class. It is not a pivotal or influential example in its class at a State level. Notable examples which demonstrate the process of timber boat building include Blunts Boatyard and Slipway, Williamstown (VHR H1885) where the boats have been built and repaired since the 1880s.

Pompei's Marine Boat Works and Landing is no longer a notable example of a bayside recreational place. It has no features that are of a higher quality or historical relevance than are typical of the class. It is not a pivotal or influential example in its class at a State level. Notable examples include the Eastern Beach Bathing Complex and Reserve, Geelong (VHR H0929) where the activities associated with the custom of bayside recreation are cohesive and clearly understood.

Criterion D is not likely to be satisfied at the State level.

**CRITERION E****Importance in exhibiting particular aesthetic characteristics.****STEP 1: A BASIC TEST FOR SATISFYING CRITERION E**The *PHYSICAL FABRIC* of the place/object clearly exhibits particular aesthetic characteristics.***Executive Director's Response***

At the time of its establishment, Pompei's Marine Boat Works and Landing was located in a more visually pleasing setting. But this has been compromised over time through changes to the landscape. In the 1930s, Mordialloc Creek had natural banks lined with mature trees. The creek now has concrete and stone walls with contemporary moorings so that it now has the appearance of a canal rather than a natural waterway. The road bridge has been widened and now encroaches on the area once occupied by Pompei's Marine Boat Works and Landing.

Under the exclusion guidelines for Criterion E, the following applies:

- XE1: Lacks distinctiveness.  
The place has aesthetic qualities but they do not exceed those of the general class to which the place belongs.
- XE3 Degraded aesthetic qualities.  
The aesthetic characteristics of the place have been irreversibly degraded through changes to the fabric of the place and the changes to the setting of the place.

Criterion E is not likely to be satisfied.

**CRITERION F****Importance in demonstrating a high degree of creative or technical achievement at a particular period.****STEP 1: A BASIC TEST FOR SATISFYING CRITERION F**The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.**Plus**The physical evidence demonstrates a *HIGH DEGREE OF INTEGRITY*.***Executive Director's Response***

Pompei's Marine Boat Works and Landing contains no physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created. The c.1970s building, and the moorings, slipways and structures adjacent to the creek all exhibit common designs, materials and construction methods. The timber boats constructed at the place are highly regarded, but use similar construction methods and materials to other timber boats constructed during the same period.

Criterion F is not likely to be satisfied.

**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 people as part of their continuing and developing cultural traditions.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION G**

Evidence exists of a *DIRECT ASSOCIATION* between the place/object and a *PARTICULAR COMMUNITY OR CULTURAL GROUP*.

(For the purpose of these guidelines, '*COMMUNITY or CULTURAL GROUP*' is defined as a sizable group of persons who share a common and long-standing interest or identity).

**Plus**

The *ASSOCIATION* between the place/object and the community or cultural group is *STRONG OR SPECIAL*, as evidenced by the regular or long-term use of/engagement with the place/object or the enduring ceremonial, ritual, commemorative, spiritual or celebratory use of the place/object.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a direct association with the boating community in Victoria, the Mordialloc community, and with the community more broadly.

Pompei's Marine Boat Works and Landing has been part of the social and built fabric of Mordialloc since the 1930s. The buildings, the signage, the boats outside the buildings and the boats lining the creek are appreciated as a landmark within the Mordialloc community and by people travelling to the Mornington Peninsula by road or rail.

Pompei's Marine Boat Works and Landing engenders varying degrees of attachment. The boating community are passionate about Pompei boats and hold them in high regard. This is demonstrated through numerous websites acknowledging their craftsmanship and the contribution they have made to the boating industry. There is attachment to the place itself and what has been produced there. But there is stronger attachment to the boats themselves.

The community more broadly also has a sense of attachment to the place which is demonstrated through the Facebook group 'Save Pompei's Landing'. It was created approximately six months ago and has 1,703 members. Posts indicate that members have lived or do live in the area, or are boating enthusiasts. There is a certain sense of nostalgia around the posts with many members sharing boating experiences and posting photos of the place and boats which were made there.

The association between Pompei's Marine Boat Works and Landing and the community is acknowledged through the naming of the bridge in recognition of the contribution the Pompei family has made to the Mordialloc community and by the sculpture located adjacent to the bridge.

Criterion G is likely to be satisfied.



**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION G**

The place/object represents a *PARTICULARLY STRONG EXAMPLE* of the association between it and the community or cultural group by reason of its *RELATIONSHIP TO IMPORTANT HISTORICAL EVENTS* in Victoria and/or its *ABILITY TO INTERPRET EXPERIENCES* to the broader Victorian community.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a particularly strong association to Mordialloc and to the Victorian boating community. It also has an association with the custom of bayside recreation. But due to the changed conditions of the place, the ability to interpret these experiences has been diminished.

The association between Pompei's Marine Boat Works and Landing and the boating community is in the appreciation of the high quality craftsmanship of the boats the Pompei's built. This association is better demonstrated through the boats themselves than through the place.

The social significance of Pompei's Marine Boat Works and Landing does not strongly resonate beyond the Mordialloc community or Victoria's boating community.

Criterion G is not likely to be satisfied at the State level.

**CRITERION H**

**Special association with the life or works of a person, or group of persons, of importance in Victoria's history.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION H**

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

**Plus**

The *ASSOCIATION* of the place/object to the person(s) *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources and/or oral history.

**Plus****The ASSOCIATION:**

- directly relates to *ACHIEVEMENTS* of the person(s) at, or relating to, the place/object; or
- relates to an *enduring* and/or *close INTERACTION* between the person(s) and the place/object.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a direct association with the Pompei family and with Jack Pompei in particular. Jack Pompei was a well known identity in Mordialloc and was known further afield for his numerous rescues from Port Phillip Bay for which he was awarded an OAM in 1987. The association is evident in the physical fabric of the place through signage and surviving boat building equipment but is more evident in documentary resources and oral history. The association with the Pompei family has been acknowledged through the renaming of the bridge as Pompei Bridge and through the commissioning of a sculpture by Julie Squires which is located adjacent to the bridge but not on land associated with Pompei's Marine Boat Works and Landing.

Criterion H is likely to be satisfied.

**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION H**

The place/object allows the clear association with the person or group of persons to be *READILY APPRECIATED BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA*.

***Executive Director's Response***

The association between Pompei's Marine Boat Works and Landing and the Pompei family is reliant on the existence and survival of the signage, boat building equipment, and boats in various stages of repair located around the site. The c.1970s building in which boat building took place has recently been sold and the materials and equipment associated with boat building are for sale. Apart from signage, there is little evidence on the creek side of the place which demonstrates the legacy of the Pompei family in a tangible way. The association between timber boat building and the Pompei family is arguably better demonstrated and more readily appreciated through the many boats they constructed. Their contribution to Mordialloc is acknowledged in the naming of Pompei Bridge and the visually dominant sculpture by Julies Squires located adjacent to the bridge

Criterion H is not likely to be satisfied at the State level.



## ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

### EXECUTIVE DIRECTOR'S ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE [s.40(1)(3)(c)]

Pompei's Marine Boat Works and Landing is significant for its association with the Pompei family and their highly respected boat building business. It also has a strong association with Jack Pompei who was known as 'Mr Mordialloc' and was awarded an OAM in 1987 for his Service to Marine Search and Rescue Activities in Port Phillip Bay. Pompei's Marine Boat Works and Landing has a strong association with Mordialloc and the Victorian boating community, but not with Victoria more broadly. Boat building no longer occurs at the place and the reading of the cultural heritage values of the place is now reliant on the boat building equipment, signage and boats which are located in and around the buildings.

## RELEVANT INFORMATION

<b>Local Government Authority</b>	City of Kingston
<b>Heritage Overlay</b>	No
<b>Other Overlays</b>	No
<b>Victorian Aboriginal Heritage Register</b>	The area is covered by an area of Aboriginal cultural heritage sensitivity associated with Mordialloc Creek.
<b>Other Listings</b>	No

### Comments

Heritage Victoria staff did not view the interior of the c.1970s building.

## HISTORY

### The establishment of Mordialloc

Pompei's Marine Boat Works and Landing is located on the Mordialloc Creek which was an outlet from the former Carrum Swamp to Port Phillip Bay. Prior to British settlement, the Boon Wurrung people camped in the sand dunes each summer where they harvested eels and shellfish, and hunted in the Karrum Karrum (Carrum) swamp. In 1852, 832 acres including the land on which Pompei's Marine Boat Works and Landing is located was set aside as an Aboriginal reserve which was closed in the 1860s.

The first bridge across Mordialloc Creek was constructed in the 1850s to allow travellers easy access to the Mornington Peninsula. By the early 1860s a fishing industry had been established which provided fish to Melbourne and the gold fields. In the late 1860s, Mordialloc saw an increase in popularity as one of the many recreational destinations around Port Phillip Bay. Like other places, Mordialloc offered sea bathing, but was also popular for fishing and hunting. Visitors arrived by road or bay steamer and after 1881, by rail. The permanent population began to increase after World War II and bayside recreational pursuits including fishing and boating continued.

### History of the Pompei family

Salvatore Pompei arrived in Melbourne from Sicily in the early 1900s and settled in Mordialloc with his wife Edna and their children in 1912. He began building boats at their Beach Road property and the first Pompei boat was registered in 1914. Salvatore taught boat building to his sons and together they constructed timber clinker and carvel boats including recreational boats, sailboats and working fishing boats. The Pompei family also had fishing boats for hire from Mordialloc Creek and all the family worked in the boat building or hire businesses. In the 1930s, the boat building business was relocated to the site adjacent to the railway line at what is now 557-561 Main Road, Mordialloc. Approximately three to four boats were constructed each year, in a range of lengths up to 50 feet. Jack Pompei, one of Salvatore's sons became known locally as 'Mr Mordialloc' and was awarded an OAM in 1987 for Service to Marine Search and Rescue Activities in Port Phillip Bay. He was highly regarded for rescuing hundreds of people from Port Phillip Bay and was an

advocate for the conservation and rejuvenation of Mordialloc Creek. Following Jack's death in 2008, his brother Joe carried on the boat building business until the premises were sold in 2017. When the new bridge across Mordialloc Creek was completed in 2009, it was renamed Pompei Bridge and a sculpture by Julie Squires was erected in a visually prominent site near the bridge to acknowledge the Pompei family's contribution to the Mordialloc community. Jack's son Leon Pompei continues to operate boat related businesses adjacent to the Mordialloc Creek.

### **PHYSICAL DESCRIPTION**

Pompei's Marine Boat Works and Landing is located between the railway line and Mordialloc Creek, Mordialloc. A two storeyed c1970s brick building incorporating part of a c.1940s building is located adjacent to the railway line and boat moorings, slipways and five small scale buildings of varying size and materials are located opposite along the Mordialloc Creek. Most structures have signage incorporating the Pompei name. A wide dirt road separates the creek and the c.1970s building, and boats of various materials, shapes and sizes and in various states of repair are located on the land in front of and between the place.

### **INTEGRITY/INTACTNESS**

Intactness – The intactness of the place is fair/poor. Pompei's Marine Boat Works and Landing has undergone many changes. A c.1940s building double gabled building appears to have been incorporated into the existing c.1970s brick building. The area around the creek has changed significantly from a natural creek bank lined with mature pine trees to a stone and concrete walled waterway with new moorings. (June 2018).

Integrity – The integrity of the place is fair/poor. The cultural heritage values of the place can be read in the extant fabric to some degree but are more readily understood through documentary resources and oral history. The reading of the cultural heritage values of the place is reliant on the boat building equipment, signage and boats which are located in and around the buildings. (June 2018).

### **CONDITION**

The place is in fair condition. The c.1970s brick building is showing signs of deterioration with brickwork missing from the upper section on the southern end and there appears to be holes in the cladding material to the upper walls. The remainder of the place is in working order, with sheds around the creek in various states of repair and boats and materials scattered across the site. (June 2018).

## COMPARISONS

### Places in the VHR associated with boating or boat building

#### **Blunts Boatyard and Slipway, Williamstown (VHR H1885)**

Blunts Boatyard and Slipway is of historical significance to the State of Victoria. It is a rare surviving example of the many boat building businesses which once operated around Port Phillip Bay from the 1850s on. The Blunt family began boat building in Geelong in 1858 and have operated continuously from the Williamstown site since the 1880s. The use, equipment and layout of Blunts has not significantly changed since the early twentieth century, while many other yards have been substantially altered or have disappeared altogether. Blunts Boatyard and Slipway comprises timber sheds and a slipway system which occupies most of the yard and leads to a three-rail traverser system. There are several cradles of various ages in the yard and the timber pier and moorings are of a height suited to small vessels.



Blunts Williamstown (VHR H1885)

#### **Lifeboat Station, Port Fairy (VHR H1431)**

The Port Fairy Lifeboat Station is of historical, technical and architectural significance to the State of Victoria. It is of historical importance as a rare and remarkably intact reminder of the important role of oared lifeboats with volunteer crews in the days of sail-powered shipping and of the economic importance of coastal shipping to Port Fairy before the spread of railways. The lifeboat, the 1861 boat shed built to house it and the 1886 rocket shed with hand rescue equipment, form an exceptional collection of artefacts and structures. The lifeboat is of technological significance for its innovative design features. The lifeboat shed and bluestone rocket house contain a large amount of associated early rescue equipment and are of architectural importance as fine intact examples of rare building types.



Lifeboat Station, Port Fairy (VHR H1431)

**Melbourne University Boat Club Shed (VHR H0682)**

The Melbourne University Boat Club Shed is of historical significance to the State of Victoria for its associations with the University Boat Club, the oldest rowing club in Australia and with many of Victoria's and Australia's best rowers. It opened in 1908, coinciding with the 50th anniversary of the forming of the University Boat Club and is a two-storey building with oregon studs and jarrah weatherboards. The shed is a rare example of a substantial early twentieth century Rowing Club building, and is picturesquely designed to complement the river setting. A small hipped-roof belvedere stands on the north-east corner, overlooking the river. The verandahs are composed of three bays with a very simple triple arched valance with plain lattice pattern balusters on the first floor. The southern verandah has stilted segmental arches on the ground floor. The roof of the small lookout tower on the north-east corner has similar detailing.



Melbourne University Boat Club Shed (VHR H0682)



***Recreational places in beachside settings*****Eastern Beach Bathing Complex and Reserve, Geelong (VHR H0929)**

Constructed between 1928 and 1939, the Eastern Beach Bathing Complex was the last major enclosed sea bathing facility to be constructed on Port Phillip Bay. Eastern Beach Promenade is also significant in being the only original structure that survives of the many sea-baths which once dominated Port Phillip Bay's foreshore and is unique within Victoria. Eastern Beach represents an innovative example of the work of structural engineer and architect, Harry Hare. The sea-baths are illustrative of the traditional pastime of sea bathing, and are representative of the transition from segregated and private bathing in the nineteenth century to mixed public bathing and pursuit of sport and leisure in the early 20th century.



Eastern Beach Bathing Complex and Reserve (VHR H0929)

***Bells Beach Surfing Recreation Reserve (VHR H2032)***

Bells Beach Surfing Recreation Reserve is significant as an international icon of Australian surfing culture. It comprises a high concentration of quality surfing spots created by swells from the southern ocean which form consistent, rideable waves. The roots of surfing in Victoria began at Lorne in 1920, and pioneer surfers were accessing Bell's Beach from 1939. The first surfing event was held in 1961, followed by the first annual Bells Beach Easter competition in 1962 which is recognised as the world's longest running surfing competition. The creation of the Bells Beach Surfing Recreation Reserve (a world first) in 1973 bears testimony to the special place of surfing and Bells Beach in Victorian social history. Bells Beach Surfing Recreation Reserve has historic significance to the development of surfboard and wetsuit technology. The Bells Beach conditions led to important developments in the surfing industry.



Bells Beach Surfing Recreation Reserve (VHR H2032)

## SUMMARY OF COMPARISONS

### Places in the VHR associated with boating or boat building

Unlike Pompei's Marine Boat Works and Landing, Blunts Williamstown (VHR H1885), the Lifeboat Station, Port Fairy (VHR H1431) and the Melbourne University Boat Club Shed (VHR H0682) all have substantial intact physical fabric which readily demonstrate their former uses and their cultural heritage values. Blunts Williamstown is directly associated with timber boat building. It remains operational and therefore more readily demonstrates the process of boat building than Pompei's Marine Boat Works and Landing. The other two places are not directly linked to boat building, but are easily readable places associated with other aspects of marine activity. The Lifeboat Station contains a lifeboat constructed at Williamstown, as well as buildings and objects associated with lifesaving. Unlike Pompei's Marine Boat Works and Landing it tells a complete story and the cultural heritage values are clearly evident in the physical fabric of the place. The Melbourne University Boat Club Shed is also not directly linked to the process of boat building but recreational activities associated with boating are clearly demonstrated through the physical fabric of the place.

### Recreational places in waterside settings

Eastern Beach Bathing Complex and Reserve (VHR H0929) and Bells Beach Surfing Recreation Reserve (VHR H2032) are of cultural heritage significance for their enduring association with outdoor activities and recreational pursuits, which increased in popularity in the late nineteenth century. Although the same could be said for Pompei's Marine Boat Works and Landing these places have a cohesiveness and intactness that is lacking at Pompei's Marine Boat Works and Landing.

The Eastern Beach Bathing Complex and Reserve comprises a range of elements which were all designed and constructed at the same time, creating a cultural landscape which concentrates beach side activities at a single location. There is a clearly defined boundary which encapsulates significant elements.

Bells Beach Surfing Recreation Reserve is well known as a place intrinsically connected to surf and beach culture. Although there are no permanent structures at Bells Beach, it is a landscape associated with the development of world renowned surfing events, beach culture and associated industries during the twentieth century.

Both of these places have a long and enduring association with the development of waterside recreational pursuits which attracted visitors, initially from around the State and now internationally. The various elements at each place have developed concurrently, forming cohesive and tangible cultural landscapes. In comparison, the elements which contribute to Pompei's Marine Boat Works and Landing are located across an undefined site which has lost intactness and integrity.

## KEY REFERENCES USED TO PREPARE ASSESSMENT

Eidelson, Meyer (1997) *Melbourne Dreaming* Aboriginal Studies Press

<http://pompeismarine.com/est1914/jack-pompei-boats-at-mordialloc/>, retrieved 18.06.2018

[http://www.boatregister.net/Builders\\_Victoria\\_2010.htm](http://www.boatregister.net/Builders_Victoria_2010.htm), retrieved 18.06.2018

<https://www.tradeboats.com.au/tradeboat-news/features/1205/historical-feature-aged-in-wood>, retrieved 20.06.2018

The History of Mordialloc, The Standard Newspapers Pty Ltd, Cheltenham, 1926. via [http://localhistory.kingston.vic.gov.au/img/article/228\\_1.jpg](http://localhistory.kingston.vic.gov.au/img/article/228_1.jpg), retrieved 12.06.2018

<http://www.classicwoodenboat.com.au>, retrieved 12.06.2018

<http://www.emelbourne.net.au/biogs/EM01008b.htm>, retrieved 13.06.2018

<http://pompeismarine.com/est1914/jack-pompei-boats-at-mordialloc/>, retrieved 29.06.2018

**ADDITIONAL IMAGES**

2017, Aerial view of site with Pompei's Boat Works Building circled in green. The Landing is circled in red.





2017, Front view of Pompei's Marine Boat Works and Landing.



2017, Looking south-east along Pompei's Landing.



2017, Looking towards creek.



2017, Looking west, with Pompei Bridge at right.



2017, Looking north, with Pompei's Boat Building on left at rear.





Looking east across Mordialloc Creek to Pompei's Landing.



2017, Looking south east along Mordialloc Creek.

2017, Looking north west along Mordialloc Creek.



2017, Signage on road side of creek side buildings.



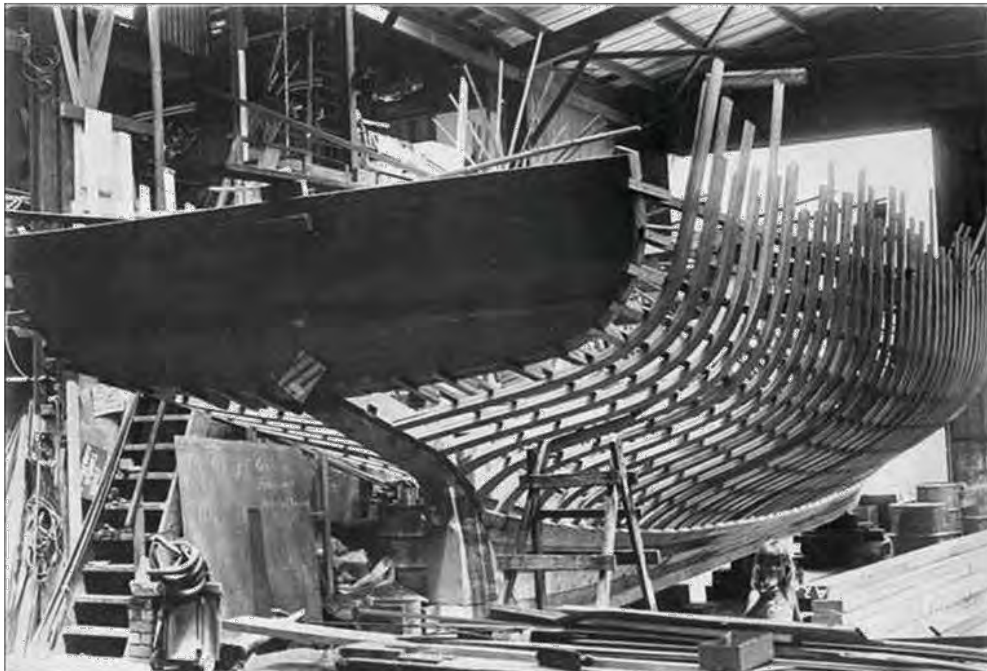
2017, Graffitied signage.

2017, Sculpture by Julie Squires on northern approach to Pompei Bridge.





2018, Interior of Pompei's Boat Works  
Source: [www.commercialrealestate.com.au](http://www.commercialrealestate.com.au).



n.d., Boat skeleton inside Pompei's boat building premises.  
Source: [www.localhistory.kingston.vic.gov.au](http://www.localhistory.kingston.vic.gov.au).



1985, Jack Pompei boat building.  
Source: *The Sun*.



1976, Jack Pompei advocating for creek rehabilitation.



n.d., Pompei boats for hire.  
Source: [www.localhistory.kingston.vic.gov.au](http://www.localhistory.kingston.vic.gov.au).



c.1970s, Front view of Pompei's Boat Works  
Source: <https://www.youtube.com/watch?v=aDHtJFtwJfw>.

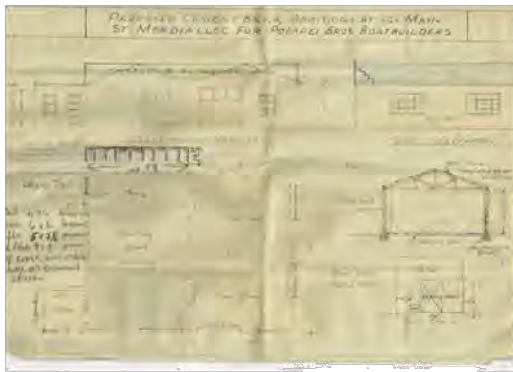


n.d., Pompei's boat hire.



c.1970s, Pompei's Boat Works, lower left and Pompei's landing below the creek in centre.





c.1970s, Plans for additions to Pompei's Boat Works.



c.1940s, Pompei's Boat Works.

Source: <https://www.youtube.com/watch?v=aDhtJFtwJfw>

c.1940s, Mordialloc looking west. Pompei's Boat Works is circled in red.





c.1940s, Lowering a Pompei boat into the Mordialloc Creek. Note the 1919 bridge, now replaced.  
Source: Submitted with nomination.



c.1920s, Mordialloc Bridge.  
Pompei's Landing is located to the left.  
Source: State Library of Victoria.



c.1900s, Bridge across Mordialloc Creek.  
Source: State Library of Victoria.



c.1908, Location of Pompei's landing looking west to the bridge across Mordialloc Creek.  
Source: Victorian Places.

<b>City of Kingston Heritage Study</b> <b>Place Identification Form (2001)</b>		<i>Bryce Raworth Pty Ltd</i> <i>19 Victoria Street, St Kilda 3182, Australia</i>	
<b>Address/Location of Place</b> 557 Nepean Highway, Mordialloc.		<b>Type of Place</b> Factory.	
<b>Name of Place</b> Pompei Boatshed.		<b>Alternate Name(s) of Place</b> None.	

**Listings and Controls**

Victorian Heritage Register

 Yes ☐ No ☒

Register of the National Estate

 Yes ☐ No ☒

Register of the National Trust (Victoria)

 Yes ☐ No ☒
**Construction Date**

Since c.1930

**Source**

Refer History


**History and Description**

Fishing, angling and boating at Mordialloc attracted a small boat building industry from an early period and by 1892, William Kretchmar was living in Mordialloc building and repairing boats for fishermen. Another well-known name associated with boat building at Mordialloc is that of Pompei, a Sicilian family, who settled there in the 1920s. Salvatore Pompei emigrated from Sicily in the 1920s and settled with his large family in Mordialloc. Salvatore Pompei was a professional fisherman. His son Jack had demonstrated a passion for water craft since his schooldays and began a boat building business on the Nepean highway adjacent to the Mordialloc Creek in Mordialloc in the 1930s. Since that time, Jack Pompei has repaired hundreds of boats at his Mordialloc workshop. There are Pompei boats at King Island, New Guinea, Queensland and Westernport Bay and Jack Pompei claims to have built 90 percent of the clinker-built boats on Port Philip Bay. The business continues today and is believed to be the last commercial wooden boat building business in Australia.<sup>1</sup>

In addition, Pompei has worked tirelessly to protect the Mordialloc Creek. He has erected walls on the creek bank where he moors his boats and worked with the Public Works Department to construct walls on the opposite bank. He has been instrumental in arranging for works such as dredging and river realignment and has campaigned vigorously to maintain the river in a healthy and navigable state. Jack Pompei has rescued over 600 people from Port Philip Bay and in 1987 was awarded the Medal of the Order of Australia for his services to marine research and rescue in Port Philip Bay.<sup>2</sup>

Since the 1930s a number of structures have existed on Jack Pompei's boat building site. The current principal structure, known as Pompei's Boatshed is believed to date from c.1960. It is a generic factory building, which has been modified and extended on numerous occasions to meet the demands of the family business. A number of small outbuildings including a small weatherboard shed believed to be of interwar construction but altered in recent years remain on the site as do a number of walkways.

<sup>1</sup> Jill Barnard & Mary Sheehan, City of Kingston Heritage Study, Stage One Report, prepared for the City of Kingston, 2000, p.89.  
<sup>2</sup> Graham J Whitehead, interview with Jack Pompei, November 1998.

**Condition**

 Excellent ☐

 Good ☐

 Fair ☒

 Poor ☐

 Ruins ☐



**Integrity**Substantially Intact ☐ Altered Sympathetically ☒ Altered Unsympathetically ☐ Damaged/Disturbed ☐**Comparative Examples within the City of Kingston**

No comparable boat repair facilities within the City of Kingston although the workshop is a generic structure broadly comparable with various other factories within the municipality.

**Statement of Significance**

Constructed since c.1960 on a site occupied by the Pompei family boat building business since the 1930s, the Pompei boatshed including its environs, outbuildings and boardwalks are of considerable local interest as a historic site but the buildings are, in themselves, of no architectural or historical significance.



*Mordialloc Creek showing the boat sheds*

**Recommendations**

A heritage overlay is not recommended for the site however, it may be appropriate to protect the valued character of the site and its environs through another form of planning control.

**City of Kingston Planning Scheme**

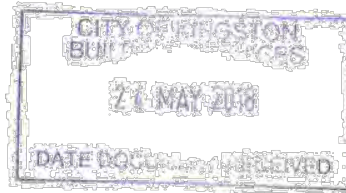
Recommended for inclusion in a heritage overlay to the Planning Scheme Yes ☐ No ☒

18 81641

urbanedge

23 May 2018

Statutory Planning Department  
City of Kingston  
PO Box 1000  
Mentone VIC 3194



Dear Sir/Madam,

**RE: Application for a Planning Permit**

Develop the land for the construction of thirteen (13) apartments, food and drink premises (café), associated buildings and works within a Public Use Zone, Public Park Recreation Zone and Design and Development Overlay Area, and a reduction in required car parking

**Site: 557-561 Main Street, Mordialloc**

We continue to act on behalf of Mr Alister Shenfield representing Shenfield Property Pty Ltd, the future owner of No. 557-561 Main Street, Mordialloc ('the subject site') and we are pleased to submit the enclosed planning permit application.

The enclosed application consists of the following:

- A completed and signed planning permit application form;
- A bank cheque for \$3,915.00 under Class 12 of the Planning & Subdivision Fees based on the combined statutory permit application fee of Class 12 (all other developments both residential and commercial costing between \$1,000,000.00 and \$5,000,000.00) being the highest of the fees plus 50% of each of the other fees Class 1 (use only);
- One (1) hard copy of the Metropolitan Planning Levy (MPL) certificate issued 8 May 2018;
- A recently searched certificate of title (18 May 2018) including title plans/diagrams of the land;
- One (1) A1 sized and one (1) A3 sized hard copy sets of planning drawings prepared by JFK Design Pty Ltd;
- One (1) A1 sized and one (1) A3 sized hard copy sets of Landscape Plan prepared by JFK Design Pty Ltd;
- One (1) A1 sized and one (1) A3 sized hard copy sets of Plan of Existing Site Features & Levels Survey prepared by Nilsson, Noel & Holmes (Surveyors) Pty Ltd;
- One (1) hard copy of the Planning Submission prepared by Urban Edge Consultants Pty Ltd;
- One (1) hard copy of the Clause 55 (ResCode) Assessment prepared by Urban Edge Consultants Pty Ltd;
- One (1) hard copy of the Aboriginal Cultural Heritage Assessment prepared by Andrew Long & Associates;
- One (1) hard copy of the Waste Management Report prepared by SALT<sup>3</sup> and dated May 2018;
- One (1) hard copy of the Traffic Engineering Report prepared by SALT<sup>3</sup> and dated May 2018.

We look forward to Council's consideration of the application for a planning permit.

Should you require any further information please do not hesitate to contact the undersigned.

Yours sincerely,

for Urban Edge Consultants Pty Ltd

**Richard Gillespie-Jones**  
B. App. Sci. (Plan.) (Hons.) RMIT University  
Urban Planner  
Encl.

Urban Edge Consultants Pty Ltd ABN 42 089 959 036 planning, urban design, project management  
Suite 2, 121 Buckhurst Street South Melbourne 3205 Victoria T 03 9696 9944 F 03 9696 9593 E office@urbanedgeconsultants.com W www.urbanedgeconsultants.com



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STATE REVENUE OFFICE  
PLANNING AND ENVIRONMENT ACT 1987**Metropolitan Planning Levy (MPL)  
Certificate**STATE  
REVENUE  
OFFICE  
VICTORIA  
ABN: 76 775 195 331  
[www.sro.vic.gov.au](http://www.sro.vic.gov.au)

Shenfield Property P/L

Certificate Number: MPLCERT9408

G SM 3 158 Chesterville Road

Issue Date: 8 May 2018

CHELTENHAM

Expiry Date: 6 August 2018

AUSTRALIA

**PART 1 - APPLICANT DETAILS****Details of person who applied for this Certificate:**

Name: Shenfield Property P/L

Address: G SM 3 158 Chesterville Road

CHELTENHAM

AUSTRALIA

**PART 2 - LEVIABLE LAND DETAILS****Address of land to which the Metropolitan Planning Levy applies:**

Street Address: 557-561 Main Street

Mordialloc VIC 3195

**Formal Land Description:**

Vol/Folio: 10183 / 683

Lot/Plan: 4A / TP068887F

Block/Subdivision:

**Crown Reference:****Other:**

Municipality: Kingston City Council

Estimated Cost of Development: \$5,000,000

**PART 3 - MPL PAYMENT DETAILS**

MPL Application ID: MPL9408

MPL Paid: \$6,500.00

MPL Payment Date: 3 May 2018

**PART 4 - CERTIFICATION**

The Commissioner of State Revenue confirms that the whole of the amount of the MPL has been paid in respect of the estimated cost of development.

Paul Broderick  
Commissioner of State Revenue



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## PART 5 – EXPLANATORY NOTES

### General

- The Metropolitan Planning Levy (MPL) is imposed for the privilege of making a leviable planning permit application.
- A leviable planning permit application is an application made to a responsible authority or planning authority under sections 47 and 96A of the *Planning and Environment Act 1987* (PEA) for a permit required for the development of land in metropolitan Melbourne, where the estimated cost of the development for which the permit is required exceeds the threshold amount (see MPL threshold amount).
- As a statutory requirement of making a leviable planning permit application, the applicant must give the responsible authority or planning authority a current MPL Certificate. The estimated cost of development stated in the MPL Certificate must be equal to or greater than the estimated cost of the development stated in the leviable planning permit application. If an applicant fails to comply with this requirement, the application for the leviable planning permit is void.
- The applicant for the leviable planning permit application is liable for the MPL.
- The Commissioner of State Revenue (Commissioner) has the general administration of the MPL.

### MPL threshold amount

- The threshold amount is \$1 million for the 2015-2016 financial year.
- For the financial year beginning on 1 July 2016 and each subsequent financial year, the Consumer Price Indexed (CPI) adjusted threshold amount will be calculated in accordance with section 96R of the PEA.
- On or before 31 May each year, the Commissioner must publish the CPI adjusted threshold amount for the following financial year on the SRO website.

### How MPL is calculated

- The amount of MPL is \$1.30 for every \$1000 of the estimated cost of the development for which the leviable planning permit is required.
- If the estimated cost of the development for which the leviable planning permit is required is not a multiple of \$1000, the estimated cost is to be rounded up or down to the nearest \$1000 (and, if the amount by which it is to be rounded is \$500, it is to be rounded up).

### Notification and Payment of MPL to the Commissioner

- Before making a leviable planning permit application, the applicant must submit a completed Application for Metropolitan Planning Levy (MPL) Certificate and pay the whole MPL amount to the Commissioner. This Application must state the estimated cost of the development and any other information required by the Commissioner.
- If, after the Commissioner has issued a MPL Certificate which has not expired (see MPL Certificate), and the estimated cost of the development increases before the leviable planning permit application is made, the applicant must submit an Application for Metropolitan Planning Levy (MPL) Certificate (Revised) and pay the whole additional MPL amount to the Commissioner. This revised Application must state the increased estimated cost of the development and any other information required by the Commissioner.

### MPL Certificate

- The Commissioner must issue a MPL Certificate if he is satisfied that the whole amount of the MPL has been paid in respect of the estimated cost of the development.
- Subject to section 96U(3) of the PEA, a MPL Certificate expires 90 days after the day on which it is issued.

### Revised MPL Certificate

- The Commissioner must issue a revised MPL Certificate if:
  - the Commissioner has issued a MPL Certificate, which has not expired;
  - the estimated cost of the development increases before the application for a leviable planning permit is made; and
  - he is satisfied that the whole amount of the MPL has been paid in respect of the increased estimated cost of the development.
- The Commissioner may also issue a revised MPL Certificate to:
  - Correct any error in the information listed in the MPL Certificate (except the estimated cost of development as explained below); or
  - the estimated cost of the development stated in the MPL Certificate is different from the estimated cost of the development stated in the Application for Metropolitan Planning Levy (MPL) Certificate lodged by the applicant.
- A revised MPL Certificate expires 90 days after the day on which it is issued.

### Refund of MPL

- The only circumstance under which a person who has paid a MPL is entitled to a refund is where there has been a mathematical error in calculating the amount of the MPL by reference to the estimated cost of the development stated in the original or revised Application for Metropolitan Planning Levy (MPL) Certificate. Other than that, a person who has paid a MPL is not entitled to a refund of the whole or any part of the MPL.

### Certificate number

- The Certificate number is on the top right corner on the front of this Certificate.
- Quoting this Certificate number will give you access to information about this Certificate and enable you to enquire about your application by phone.
- You should quote this number in any correspondence.

For more Metropolitan Planning Levy information please contact the State Revenue Office:

#### Mail

State Revenue Office, GPO Box 4376, MELBOURNE VIC 3001 or DX260090 Melbourne

Internet [www.sro.vic.gov.au](http://www.sro.vic.gov.au)  
 Email [mpl@sro.vic.gov.au](mailto:mpl@sro.vic.gov.au)  
 Phone 13 21 61 (local call cost)  
 Fax 03 9628 6856





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**Planning Enquiries**  
Phone: (03) 9581 4131  
Web: [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au)  
Email: [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au)

Office Use Only - Application No:

Date Lodged: / /

# Application for Planning Permit

**Privacy notice** - any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of the planning process under the *Planning and Environment Act 1987*. If you have any concerns please contact Council's Planning Department on 9581 4131.

**Need Help?** - If you need help to complete this form, read: *How to complete the application for planning permit form* available at [www.kingston.vic.gov.au/planning](http://www.kingston.vic.gov.au/planning)

**Questions marked with an asterisk (\*) are mandatory and must be completed**

## 1. Pre-application meeting

Has there been a pre-application meeting with a council planning officer?

☐ No  
☒ Yes

If yes, with whom? **Guillermo Henning & Ian Nice**

Date: **14/3/2018**

dd/mm/yyyy

## 2. The Land \*

Address of the land. Complete the street address and one of the formal land descriptions.

### Street Address \*

Unit No.:

St No.: **557-561**

St Name: **Main Street**

Suburb: **Mordialloc**

Postcode: **3195**

### Formal Land Description \*

Complete either A or B.

This information can be found on the certificate of title.

**A**

Lot No.:

☐ Lodged Plan

☐ Title Plan

☒ Plan of Subdivision

No.:

**OR**

**B**

Crown Allotment No.: **4A**

Section No.: **11**

Parish/Township Name: **City and Parish of Mordialloc**

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**3. Description of Land \***

Describe how the land is used and development now

e.g. vacant, single dwelling, three dwellings, shop, factory, medical centre, with two practitioners, licensed restaurant with 80 seats.

Four (4) existing buildings including warehouse, workshop and storage yard

**4. Plan of the Land \***

Attach a plan of the existing conditions. Photos are also helpful.

**5. The Proposal \***

You must give full details of your proposal and attach the information required to assess the application. Lack of detail, insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit?

If you need help about the proposal, read: *How to complete the application for planning permit form*.

Develop land for the construction (13) apartments, food and drink premises (cafe), associated buildings and works within a Public Use Zone, Public Park Recreation Zone and Design and Development Overlay Area, and a reduction of car parking requirements

**6. Additional Information**

Attach additional information providing details of the proposal, including:



Any information required by the planning scheme, requested by Council or outlined in a council planning permit checklist



Plans and elevations showing the layout and details of the proposal



If required, a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts).

**Note**

Contact council or refer to council planning permit checklists for more information about council's requirements



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**7. Title Information \***

Attach a full, current copy of title information, not older than 90 days, for each individual parcel of land, forming the subject site.

**Encumbrances on title?**

Encumbrances are identified on the certificate of title.

Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?



No, go to Question 8.



Yes, Attach a copy of the document (instrument) specifying the details of the encumbrance.

Does the proposal breach, in any way, the encumbrance on title?



No, go to Question 8.



Yes, contact council for advice on how to proceed before continuing with this application.

**Note**

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61 (4) and 62 of the *Planning and Environment Act 1987*). Contact Council and/or an appropriately qualified person for advice.

**8. Costs of Buildings and Works/permit fee \***

All applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact Council to determine the appropriate fee.

Estimate cost of development for which the permit is required? \*

Cost \$ 5,000,000.00

**Note**

You may be required to verify this estimate

Write 'Nil' if no development is proposed (eg. Change of use, subdivision, removal of covenant, liquor licence)

Is a Metropolitan Planning Levy (MPL) certificate required? \*

Is the estimated cost of the development greater than \$1 million?



No, go to Question 9.



Yes, Attach a valid copy of the MPL Certificate

**Note**

If a MPL is applicable, a planning application must be accompanied by the MPL certificate. This is a requirement of section 3 of the *Planning and Environment Act 1987*. For more information on the MPL visit [www.sro.vic.gov.au](http://www.sro.vic.gov.au)



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**9. Applicant and owner details \***

Provide details of the applicant and owner of the land.

**Applicant \***

The person or organisation who wants the permit.

Name:

Title: Mr

First Name: Peter

Surname: Barber

Organisation (if applicable): Urban Edge Consultants Pty Ltd

Postal Address:

If it is a PO Box, enter the details here:

Unit No.: 2

St No.: 121

St Name: Buckhurst Street

Suburb: South Melbourne

State: VIC

Postcode: 3205

**Contact \***

The person you want council to communicate with about the application.

If same as applicant go to 'contact information' ☒

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

If it is a PO Box, enter the details here:

Unit No.:

St No.:

St Name:

Suburb:

State:

Postcode:

Business Phone: 03 9696 9944

Mobile Phone:

Email: office@urbanedgeconsultants.com

**Contact information \***

Please provide at least one contact phone number and email address.

**Owner \***

The person or organisation who owns the land.

Same as Contact ☐Same as applicant ☐

Name:

Title: Mr

First Name: Alistair

Surname: Shenfield

Organisation: Shenfield Property Pty Ltd

Postal Address:

If it is a PO Box, enter the details here:

Unit No.:

St No.:

St Name: PO Box 274

Suburb: Hampton

State: VIC

Postcode: 3188

Owner's Signature (optional):

Date:

dd/mm/yyyy

**10. Declaration \***

This form must be signed by the applicant



I declare that all the information in this application is true and correct and the owner (if not myself) has been advised of the permit application.

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

*P. Barber*

Date: 23/05/2018

dd/mm/yyyy

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**11. Information checklist**

Have you:

- ☒ Filled in the form completely?
- ☒ Included the application fee? (Contact council to determine the appropriate fee).
- ☒ Provided all necessary supporting information and documents?
  - ☒ Provided a copy of full title, no older than 3 months, for each individual parcel of land forming the subject site?
  - ☒ Provided a plan of existing site conditions?
  - ☒ Included plans showing the layout and details of the proposal?
  - ☒ Provided all information required by the planning scheme, requested by Council or outlined in a council planning permit checklist?
  - ☒ Where required, provided a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts)?
  - ☒ If applicable, included a current MPL Certificate. Note: a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office. Once expired, the certificate becomes invalid and cannot be used. Failure to comply means the application is void.
  - ☒ Completed Kingston's relevant Council Planning Permit Checklist?
  - ☒ Signed the Declaration (section 10 of this form)?

**12. Lodgement**

Lodge the completed and signed form, the fee payment and all documents with:

**By Post**

City Development  
Kingston City Council  
PO Box 1000, Mentone, VIC 3194

**In Person**

Level 1, 1230 Nepean Highway, Cheltenham VIC 3194

**Contact Information**

T (03) 9581 4131  
E [info@kingston.vic.gov.au](mailto:info@kingston.vic.gov.au)



18/81641

**Register Search Statement - Volume 11408 Folio 614**

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958****VOLUME 11408 FOLIO 614**Security no : 124071878508Q  
Produced 18/05/2018 11:09 am**LAND DESCRIPTION**

Crown Allotment 4A Section 11 City of Mordialloc Parish of Mordialloc.  
PARENT TITLE Volume 10183 Folio 683  
Created by instrument AK225608U 06/03/2013

**REGISTERED PROPRIETOR**

Estate Fee Simple

Sole Proprietor

POMPEI'S OF MORDIALLOC PTY LTD of 561 MAIN STREET MORDIALLOC VIC 3195  
AK225608U 06/03/2013

**ENCUMBRANCES, CAVEATS AND NOTICES**

COVENANT as to part V222496H 20/11/2001

**CAVEAT AQ782552H 01/03/2018**

Caveator

557-561 MAIN ST PTY LTD ACN: 624070793

Grounds of Claim

PURCHASERS' CONTRACT WITH THE FOLLOWING PARTIES AND DATE

Parties

THE REGISTERED PROPRIETOR(S)

Date

01/12/2017

Estate or Interest

FREEHOLD ESTATE

Prohibition

ABSOLUTELY

Lodged by

WILLIS SIMMONDS LAWYERS

Notices to

JULIE KERR of UNIT 6 1 NORTH CONCOURSE BEAUMARIS VIC 3193

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP068887F FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS****NUMBER**

AQ571421B

AQ782552H (E)

**REMOVAL OF CAVEAT**

CAVEAT

**STATUS**

Registered

Registered

**DATE**

02/02/2018

01/03/2018

18/81641

**DOCUMENT END****Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd.  
Delivered at 18/05/2018, for Order Number 51075749. Your reference: 557-561 Mordialloc Street.**

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Accapt  
R 63.13  
AR fee: \$600  
Lodging fee: \$220.50

AK225608U

06/03/2013 \$820.50 31



# Application for a New Certificate of Title in Place of One Lost or Destroyed

## Section 31 Transfer of Land Act 1958

**Privacy Collection Statement**  
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

### Lodged by

Name: Richmond &amp; Bennison Lawyers

Phone: 9580 8311

Address: 493 Main Street, Mordialloc VIC 3195

Reference: KAM:Pompei:121062

Customer Code: 3513 B

The applicant applies for the issue of a new Certificate of Title to replace the lost or destroyed Certificate of Title.

Land: (volume and folio)


Volume 10183 Folio 683

Applicant: (full name and address including postcode)

Pompei's of Mordialloc Pty Ltd (ACN 006 436 531) of 561 Main Street, Mordialloc VIC 3195

Date: 4<sup>th</sup> February 2013

Signature of Australian Legal Practitioner under the Legal Profession Act 2004 for applicant:

  
**KENNETH ALLEN MACKINNON**  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Act 2004  
493 Main Street Mordialloc 3195

Order to Register

# Form 10

Please register and issue Certificate of Title to

Page 1 of 1

Signed

Customer Code

**THE BACK OF THIS FORM MUST NOT BE USED**

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010



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Application to record covenant  
Section 88(1) Transfer of Land Act 1958

**Lodged by:**

Name: Victorian Government Solicitor  
Phone: 9651 0444  
Address: DX 300077 Melbourne  
Ref: FD ASS 9514553 (DXC)  
Customer Code: 360R

+3 c/s

**IMAGED**

The applicant applies for the recording in the Register of the covenant in relation to the burdened land.

**Burdened land:** That land hatched on attached plan No. CP112136 being part of Crown Allotment 4A Section 11 Parish of Mordialloc, Crown Grant Volume 10183 Folio 683.

**Applicant:** Public Transport Corporation.

**Benefited land:** Certificate of Title Volume 10095 Folio 215 and Volume 1350 Folio 978 and Volume 1227 Folio 307

**Covenant:** Deed of Covenant

**Date:** 16<sup>th</sup> January 1998

**Signed:** Ronald C. Beazley  
Victorian Government Solicitor  
Solicitor & Agent for the Applicant

per:

**AMENDED****13 APR 1998**

With consent of  
Current Practitioner for  
*Solomon for the Applicant*

91345

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Y222496H

**DEED OF COVENANT**

This Deed is made the 30th day of November 1994,  
 between POMPEIS' MORDIALLOC PTY LTD. (ACN 006 436 531) 561  
 Main Street, Mordialloc ("the Covenantor") and PUBLIC  
 TRANSPORT CORPORATION of 589 Collins Street, Melbourne,  
 ("PTC").

**WHEREAS**

- (a) The Covenantor is registered or entitled to be registered as proprietor of the land <sup>hatched (1)</sup> described in the attached plan No. CP112136 and being <sup>part of (2)</sup> Crown Allotment 4A in the Parish of Mordialloc ("the Servient Tenement"). Crown Grant Volume 10183 Folio 683
- (b) The PTC is the registered proprietor of the land described in Folios of the Register Volume 10095 Folio 215 and Volume 1350 Folio 978 and Volume 1277 Folio 307 ("the Dominant Tenement").
- (c) The Covenantor agrees to create a restrictive covenant over the Servient Tenement which is specified in the Schedule to this Deed ("the Schedule").

**OPERATIVE PART**

1. The Covenantor covenants with the PTC to observe the restrictions specified in the Schedule ("the restrictions") as to the user of the Servient Tenement.
2. It is acknowledged and agreed by the parties to this Deed that:
- (a) The land to which the benefit of the restrictions is appurtenant is the whole and each part of the Dominant Tenement.
- (b) The land which is subject to the burden of the restrictions is the whole and each part of the Servient Tenement.
- (c) The registered proprietor for the time being of the Dominant Tenement has the right to release, vary or modify the restrictions.

6/2/94



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- (d) A recording of this Covenant and of any instrument purporting to affect the operation of this Covenant is intended to be made on the Crown Grant or folio of the Register for the Servient Tenement.
- (e) There are no persons whose consent is required to the creation, release, variation or modification of the restrictions.
- (f) The expressions "Covenantor" and "PTC" include that party's legal personal representatives, successors and assigns.
- (g) Where at any time two or more persons or corporations own an interest in the land which is subject to the burden of the restrictions, their liability under this Deed shall be joint and several.

3. A person or corporation shall not be liable for any breach of the restrictions imposed by this Deed which shall be committed after having transferred his or her or its interest in the Servient Tenement or in that part of the Servient Tenement in respect of which the breach shall have been committed.

4. The Covenantor covenants:

- (1) That it has the power to create the restrictions imposed in the Schedule.
- (2) That it and its successors and assigns will from time to time and at all times after the date of this Deed on the request and at the cost of the owner for the time being of the Dominant Tenement execute all such instruments and consents for further or more perfectly creating the restrictions which such owner shall reasonably require.



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**SCHEDULE**

The covenantor shall not:

- (a) Construct, alter, renovate, re-construct or demolish any building or structure or undertake, permit or authorise any activity of any kind on the Servient Tenement which breaches any Statutory requirement or Code of Practice for the maintenance of electrical clearance from the PTC's power lines and associated structures and fittings, in particular, the requirements set out in the following Codes of Practice copies of which are attached hereto as revised or amended from time to time:
- (1) Working clearances to Metropolitan Transit Authority High Voltage Overhead lines.
  - (2) Code of Practice for Overhead Line Construction - Electrical Supply Association of Victoria, December 1974.
  - (3) Structures near Overhead Power Lines - State Electricity Commission of Victoria, May 1981.
- (b) Undertake, authorise or permit any activity or undertaking upon the Servient Tenement without the prior consent and agreement of the PTC where such activity or undertaking requires the PTC to switch off its high voltage traction power system and any associated equipment within the boundaries of the Dominant Tenement.

**SIGN  
HERE**

The Common Seal of  
POMPEIS' OF MORDIALLOC  
PTY.LTD. (ACN 006 436 531)  
was hereto affixed in  
accordance with its Articles  
of Association in the  
presence of:

Director  
Director  
Director

*[Handwritten signatures]*  
Gail Pompei  
D J Pompei - O.A.S.

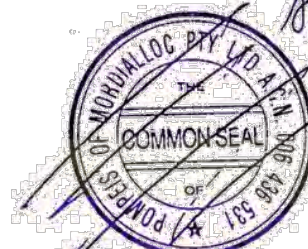


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The Official Seal of the  
Public Transport Corporation  
was hereto affixed in the  
presence of:

*[Signature]*  
*[Signature]*  
Authorised Officers



*Initial*

*[Signature]*

This Deed was re-executed with amendments on July 1997 by the  
Covenantor and the Public Transport Corporation.

(4) *[Signature]*  
THE COMMON SEAL of POMPEIS OF MORDIALLOC PTY LTD  
A.C.N.006436 531) was hereto affixed in  
accordance with its Articles of Association  
in the presence of:

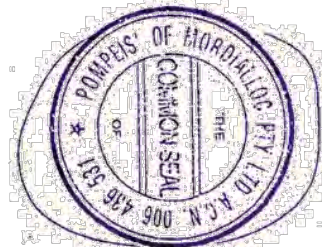
*[Signature]*  
Director

*[Signature]*  
Director

Director

THE OFFICIAL SEAL of the PUBLIC TRANSPORT  
CORPORATION was hereto affixed in the  
presence of:

*[Signature]*  
*[Signature]*  
Authorised Officers









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**WORKING CLEARANCES TO MTA HIGH VOLTAGE OVERHEAD LINES****FOR CRANE NON CRANE OPERATIONS****(A) 1500 Volt Traction System.****(i) 0 - 3m.**

No work is permitted above the traction wiring or within a horizontal distance of 3m from the centre of the nearest track, without approval of the Overhead Maintenance Engineer on (telephone: 610-7062). Minimum notice of 48 hours is required and may necessitate isolation of the traction wiring, with work permitted only after train operations have ceased.

It should be noted that some overhead masts carry live fittings right out to the mast. In this case work should not approach closer than 2m from the mast. Where work must approach closer than 3m and "power off" is required see paragraph C below for procedures to be followed.

**(ii) 3m - 6m.**

Work between 3m to 6m is to be at the discretion of MTA site supervisor. The MTA site supervisor will usually be a nominated representative of the Manager Track Works, (telephone: 610-7240). If cranes are to be used between 3m and 6m from the overhead, then a Safety Observer nominated by the Overhead Maintenance Engineer (telephone: 610-7062) should be in attendance.

In addition the Electrical Systems Control Centre (Electrol) must be advised (telephone: 610-7138) with 24 hours notice that works will be carried out.

A telephone contact is required with the crane site for the period of the work. This is to allow Electrol to confirm with the Works Manager that all equipment and crew are clear of the H.V. lines prior to re-energising after an automatic circuit breaker opening.

...2/...



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- 2 -

The costs involved in disruption of rail traffic due to a breakdown in communication will be met by the developer.

To assist any crane operators, it is recommended that a barrier be erected on the construction site to clearly indicate the clearance restrictions. This would be erected by the Overhead Section.

#### Costs.

All Departmental costs associated with the project are to be met by the Developer.

#### (iii) Working beyond 6m.

When works are carried out further than 6m from H.V. lines no special precautions need to be taken.

However, the Works Manager must ensure himself that neither his plant nor personnel can come closer than 6m to the H.V. lines.

#### (C) Procedure For Having H.V. Lines Isolated and Earthed.

Where the proximity of works to H.V. lines (1500V and 22000V) requires that the lines should be isolated and earthed the following procedures should be followed.

- (1) The works site manager should request the MTA site supervisor (Manager Track Works, Representative - telephone 610-7240) to organise for the particular H.V. lines to be isolated and earthed.
- (2) The MTA site Supervisor will then apply to the Overhead Section on behalf of the Works Manager for a "Permit to Work".
- (3) The "Permit to Work" will be issued to the MTA site Supervisor by the Overhead Section after the required lines have been isolated and earthed.
- (4) It should be noted that due to operational constraints some lines may only be isolated after train traffic has ceased or a track occupation is booked.

Track occupations usually require 4 weeks notice, however if a new time table alteration is also required this lead time will increase to 3 months.

- (5) Track occupations will be organised with the Manager Time Tables by the MTA Site Supervisor.

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(D)

General

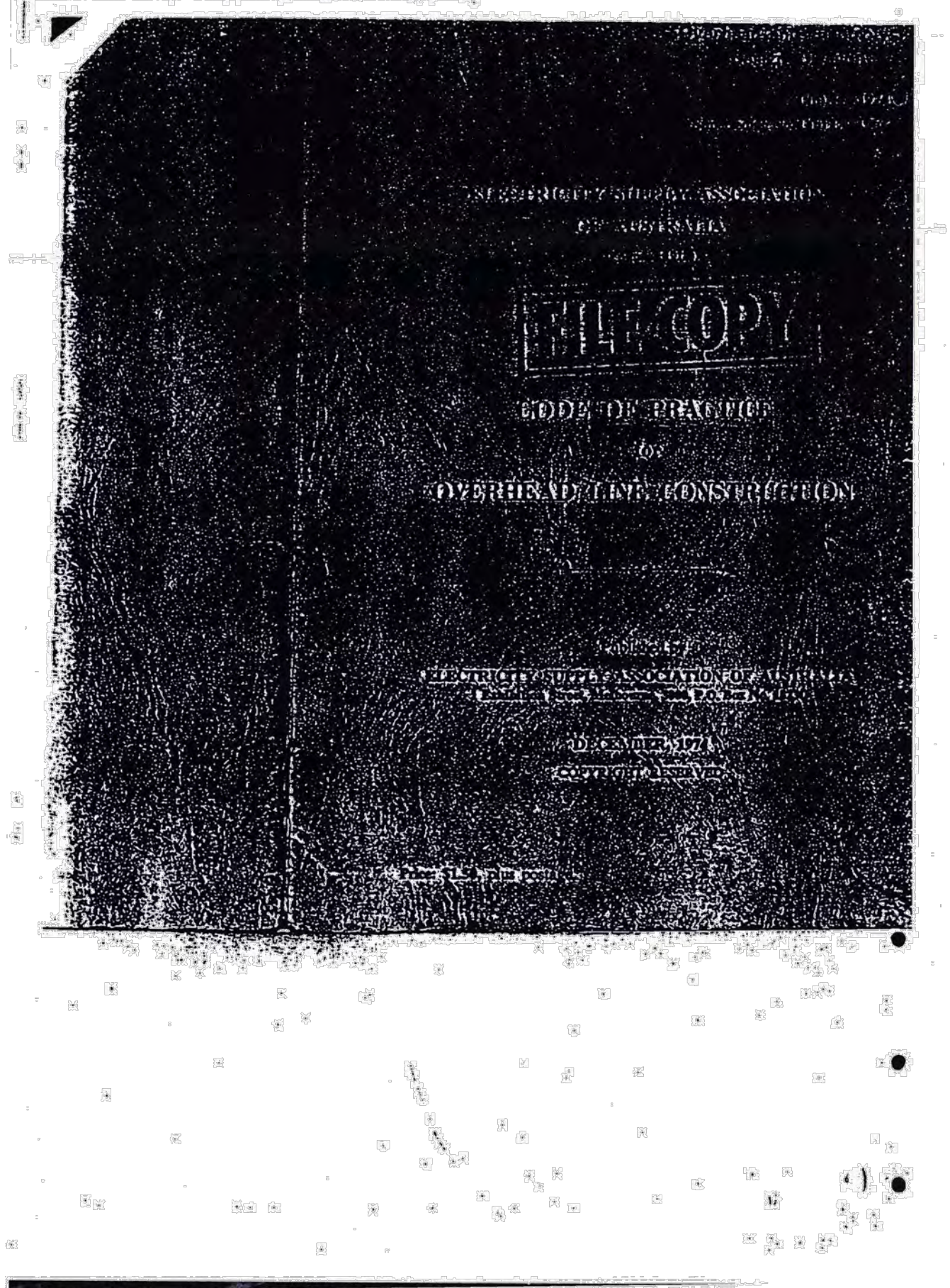
Staff must be warned to take great care in the handling of long objects such as pipes, scaffolding, metal ladders and survey staffs, when working near H.V. lines.

If and when work is to be carried out for an extended period close to the overhead lines then solid barriers may be erected to within 2m of the live wires.



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12

No. C(b) 1.—1974  
Superseding No. C(b) 1.—1962

Type of Support	Strength Limit
Wood poles and crossarms (not preserved by full length pressure treatment or equivalent means).	Sustained load—15 per cent of the strength corresponding to the modulus of rupture.
Insulators (including stay insulators), stays and fabricated or forged fittings.	Maximum wind load—25 per cent of the strength corresponding to the modulus of rupture.
Cast fittings.	40 per cent of ultimate strength.
	33⅓ per cent of ultimate strength.

Note: The lower strength limits listed for wood poles and crossarms which are not preserved by full length pressure treatment or equivalent means are necessary to allow for deterioration during service.

#### INSULATORS

9. Strain or shackle insulators should be used in all cases for the terminating or anchoring of conductors, and at angles where the load is too great for pin type insulators.

#### PROTECTION AGAINST CORROSION

10. All steel structural members, steel cables and ferrous fittings, such as insulator pins, shackle bolts, straps, cable clamps, clevises, bolts and the like, should be protected by hot dip galvanising or equivalent means, against atmospheric corrosion. All bolts, etc., where they pass through wood poles or crossarms, should preferably be coated also with a compound for protection against wood acids.

#### CLEARANCES FROM GROUND

11. For the purposes of this clause the term "ground" includes any unroofed elevated area accessible for plant, vehicles or equestrians.

The clearance of conductors from ground—

(a) At an ambient temperature of 50°C and zero current loading; and

13

No. C(b) 1.—1974  
Superseding No. C(b) 1.—1962

(b) Under ordinarily expected worst combination of weather conditions and anticipated maximum current loading should not be less than those given in the following table:

Column 1 Voltage	Column 2 over roads	Column 3 over other than roads	Column 4 over locations not negotiable by vehicles
Not exceeding 650 volts	5.5 m	5.5 m	4.6 m
Exceeding 650 volts but not exceeding 33 000 volts	6.7 m	5.5 m	4.6 m
Exceeding 33 000 volts but not exceeding 132 000 volts	6.7 m	6.7 m	5.5 m
Exceeding 132 000 volts	7.6 m	7.6 m	6.7 m

The clearances of conductors from the ground in Column 4 of the above table should be used only over country which, because of its rough nature, cannot be traversed by a vehicle.

Clearances of conductors of rural lines from the ground may be 0.6 m less than those specified in Column 3 of the above table.

#### CLEARANCES FROM STRUCTURES, ETC.

12. The minimum clearances from any structure, building, post or line support other than a support in the line under consideration, to any position to which a conductor in an overhead line may swing or sag, should be as given hereunder.

For the purposes of this clause the term "covered conductor" means a conductor provided with a covering not regarded as affording 250 volt grade insulation (refer BS 6485). The term "insulated conductor" means a conductor provided with insulation of appropriate grade (refer AS C116 and C147).

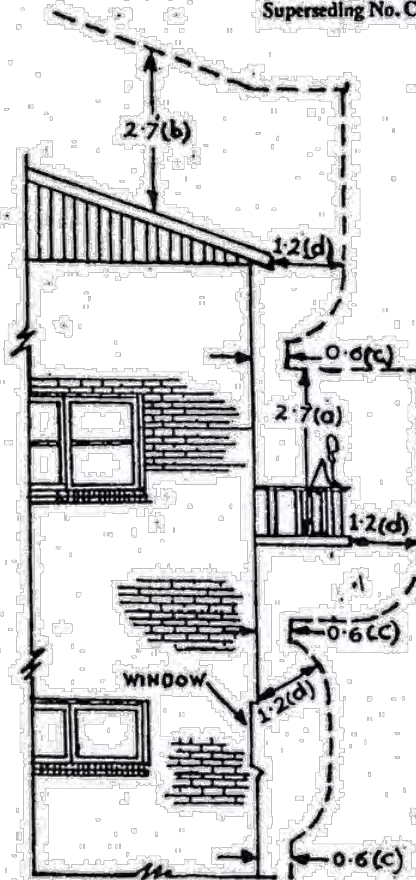


No. C(b) 1.—1974  
Superseding No. C(b) 1.—1962

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
	Voltage not exceeding 650 volts Neutral and insulated active conductor	Voltage not exceeding 650 volts Covered and bare active conductor	Voltage exceeding 650 volts but not exceeding 33 000 volts	Voltage exceeding 33 000 volts
* (a) Vertically above any part of any floor of an unroofed structure normally accessible to pedestrian traffic only.	2.7 m	3.7 m	4.6 m	5.5 m
* (b) Vertically above any part of any roof or similar structure not normally accessible, but on which a person may stand.	2.7 m	2.7 m	3.7 m	4.6 m
(c) In any direction from blank walls or other structures not normally accessible to persons.	0.6 m	0.6 m	2.1 m	3.0 m
(d) In any direction from any part of a structure normally accessible to persons, including window openings, balconies and similar places of resort.	1.2 m	1.5 m	2.1 m	3.0 m

\* Provided that these clearances must also be maintained to the horizontal projection of the structure on which a person may stand, within the limits specified in (d).

No. C(b) 1.—1974  
Superseding No. C(b) 1.—1962



Clause 12 — Clearances from Structures, etc. (metres)

Illustration showing application of clearances for 650 V. Neutral and Insulated Active Conductor (Col. 2). Letters after clearance figures refer to appropriate category of tabulation.

Clearance for Cols. 3, 4 & 5 may be determined similarly.



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Minimum clearance distances from overhead power lines apply to all STRUCTURES, BUILDINGS and POSTS, including the following:

- Temporary structures such as scaffolding.
- Exterior display signs or similar advertising structures.
- Television antennas and radio aerials.
- Flag poles, and also any flag which is flown from a flag pole.
- Travelling cranes, excavators or other similar vehicles and equipment.

If you are in doubt regarding any aspects of these requirements, or if any emergency arises, consult the SEC, 238 Flinders Street, Melbourne, telephone 653 2222, or any local office of the SEC or electricity supply authority.



Issued by the State Electricity Commission of Victoria.  
15 William St, Melbourne 3000  
May 1981

SEC

74 595 2940

CEU30681058

# STRUCTURES NEAR OVERHEAD POWER LINES





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This brochure is published for the information of all persons concerned with the erection of structures near overhead electricity supply lines in Victoria.

Regulations in Victoria concerning the minimum clearance distance, which must be maintained between structures and overhead power lines, make it illegal for any person to contravene the requirements in any of the ways set out in this brochure.

### No person shall without the express consent of the SEC or supply authority in writing—

1. build, erect or maintain any structure, building or post so that any part of such structure, building or post is within the respective distances given hereunder of any point to which any live portion of any electrical line of the SEC or supply authority other than a service line with insulated active conductor or conductors may sag or sway, that is to say, in the case of—

#### Vertical distances

	Voltage not exceeding 650 volts	Voltage exceeding 650 volts but not exceeding 33,000 volts	Voltage exceeding 33,000 volts
(a) the relevant part of the structure or building being normally accessible to pedestrian traffic	3.66 m (12 ft)	4.58 m (15 ft)	4.58 m (15 ft)
(b) the structure, building or post not being normally accessible but being such that a person can stand on it	2.75 m (9 ft)	3.66 m (12 ft)	4.58 m (15 ft)
(c) the structure, building or post being one on which a person normally cannot stand	2.14 m (7 ft)	2.14 m (7 ft)	3.05 m (10 ft)

#### and Horizontal distances

	Voltage not exceeding 650 volts	Voltage exceeding 650 volts but not exceeding 33,000 volts	Voltage exceeding 33,000 volts
any structure, building or post, or any point on the upward vertical projection thereof within the limits specified in (a), (b) or (c) of the preceding table	1.52 m (5 ft)	2.14 m (7 ft)	3.05 m (10 ft)

2  
3

stack, place or maintain any material within the distances specified under 1, of any point to which any live portion of any electrical line of the SEC or supply authority may sag or sway;

stack, place or maintain any timber or inflammable material within the distances given hereunder of any live portion of any electrical line of the SEC or supply authority

Voltage of line	Minimum distance
Not exceeding 415 volts	2.14 m (7 ft)
Exceeding 415 volts and not exceeding 11,000 volts	4.58 m (15 ft)
Exceeding 11,000 volts	10.67 m (35 ft)

4

drive or operate a travelling crane, excavator or other machine or vehicle equipped with a boom or shear legs, so that any portion of the machine, vehicle or load approaches within 1.52 m (five feet) of any point at which live equipment of the SEC or supply authority may be installed;

5

deposit any corrosive or deleterious material above any underground cable of the SEC or supply authority, without safeguarding against penetration of such materials to such cable;

6

fly any flag or bunting so that it may come within 2.14 m (seven feet) of any electrical line or works of the SEC or supply authority;

7

place any wireless or television aerial or staywire above any electrical line or works of the SEC or supply authority, or in such location or of such type or height that the line or works would be endangered by collapse of the aerial structure due to wind or other cause, but in no case shall any portion of the structure be closer than the limits specified in 1.



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**VICTORIAN  
GOVERNMENT  
SOLICITOR**

Your Reference: V222496H

Level 2, 55 St. Andrews Place

East Melbourne, Vic. 3002

P.O. Box 4356QQ

Melbourne 3001

Tel: (03) 9651 0444

Fax: (03) 9651 0449

DX 300077

When Replying  
Please Quote: 9514553.dxc

Domenic Cristiano

Tel: 9651 0496

25 March 1998

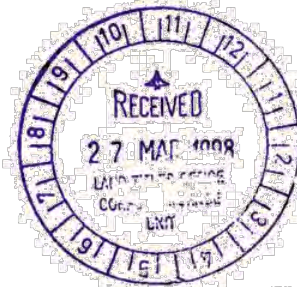
Rosalyn Hunt

Registrar of titles

Land Titles Office

DX 250639

MELBOURNE



Dear Ms Hunt

**Registration of restrictive covenant: Pompei's of Mordialloc**

I refer to your letter of 3 March 1998.

Please amend the Application to Record Covenant so that the benefited land includes  
Certificate of Title Volume 1277 Folio 307 instead of Volume 1227 Folio 307.

I have taken steps to have the Certificate of Titles of the benefited land made available.

Please contact Domenic Cristiano on 9651 0496 if you have any further enquiries in this  
matter.

Yours faithfully,  
Ronald C. Beazley  
Victorian Government Solicitor

per: 

*Handwritten note:*  
EXAM 8500 0303

108237-1.DOC



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## Department of Environment, Land, Water & Planning

### Electronic Instrument Statement

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Produced 18/05/2018 11:10:48 AM

Status	Registered	Dealing Number	AQ782552H
Date and Time Lodged	01/03/2018 04:35:29 PM		

#### Lodger Details

Lodger Code	16653L
Name	WILLIS SIMMONDS LAWYERS
Address	
Lodger Box	
Phone	
Email	
Reference	Shenfield:2017/1465

### CAVEAT

Jurisdiction	VICTORIA
--------------	----------

#### Privacy Collection Statement

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#### Land Title Reference

11408/614

#### Caveator

Name	557-561 MAIN ST PTY LTD
ACN	624070793

#### Grounds of claim

Purchasers' contract with the following Parties and Date.

##### Parties

The Registered Proprietor(s)

##### Date

01/12/2017

#### Estate or Interest claimed

Freehold Estate

#### Prohibition

Absolutely

#### Name and Address for Service of Notice

Julie Kerr

Reference: Shenfield:2017/1465  
 LAND USE VICTORIA, 2 Lonsdale Street Melbourne Victoria 3000  
 GPO Box 527 Melbourne VIC 3001, DX 250639  
 Telephone: (03) 9194 0601 Facsimile: 9194 0616  
 ABN 90 719 052 204

AQ782552H Page 1 of 2



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## Department of Environment, Land, Water & Planning

### Electronic Instrument Statement

Address  
Unit Type UNIT  
Unit Number 6  
Street Number 1  
Street Name NORTH  
Street Type CONCOURSE  
Locality BEAUMARIS  
State VIC  
Postcode 3193

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

#### Execution

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator.

Executed on behalf of 557-561 MAIN ST PTY LTD  
Signer Name JOANNE MARY SIMMONDS  
Signer Organisation WILLIS SIMMONDS LAWYERS  
Signer Role LAW PRACTICE  
Execution Date 01 MARCH 2018

#### File Notes:

NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

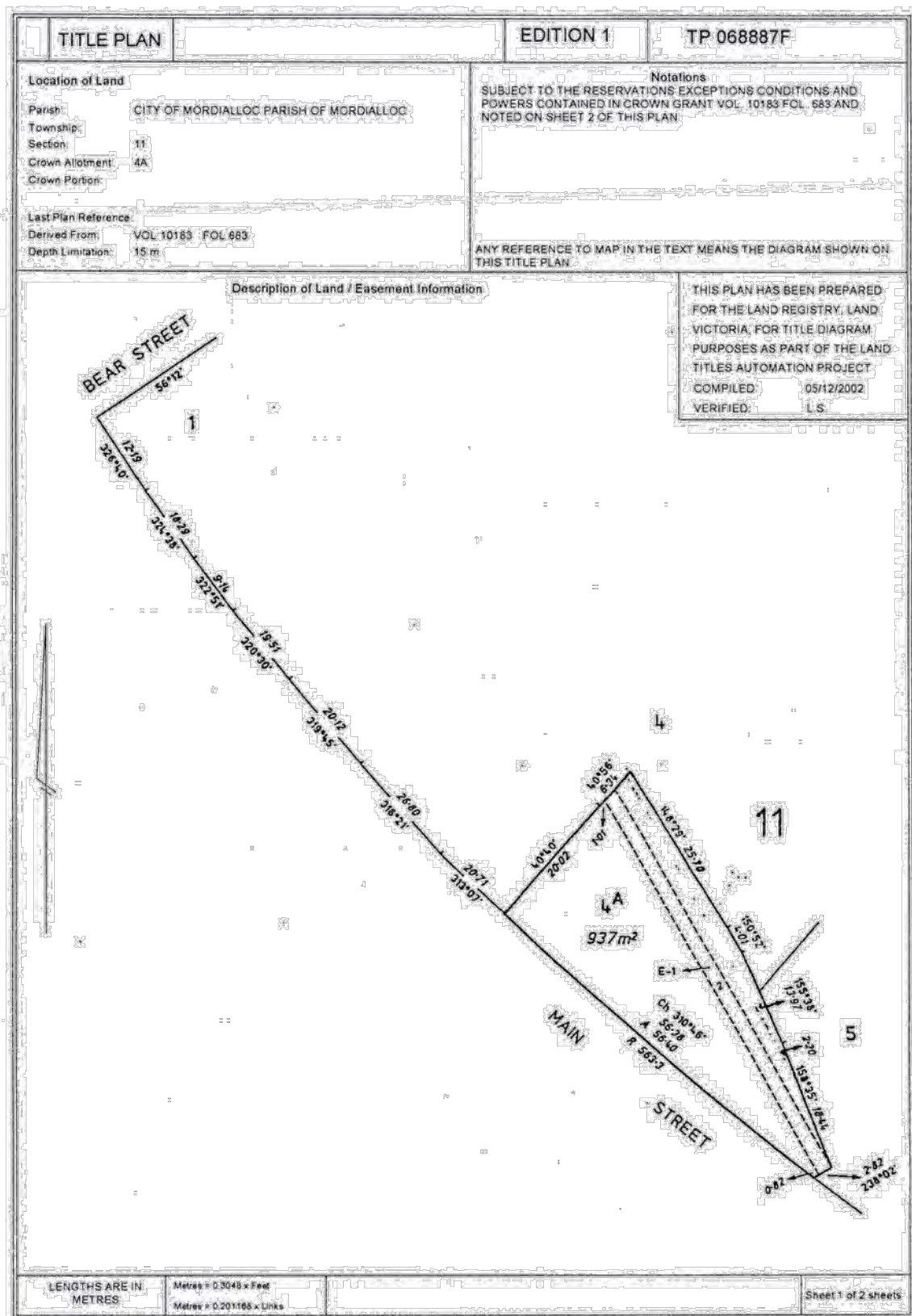
Statement End



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TITLE PLAN		TP 068887F
<b>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</b>		
<p>all that piece of land in the said State being Allotment FOUR A of Section ELEVEN in the CITY OF MORDIALLOC Parish of Mordialloc County of Bourke and being the land shown enclosed by continuous lines in the map and identified by that allotment number</p> <p>Provided that this Grant is made subject to -</p> <p>(a) the reservation to Us Our heirs and successors of -</p> <p>(i) any minerals within the meaning of the <i>Mineral Resources Development Act 1990</i> and petroleum within the meaning of the <i>Petroleum Act 1958</i> (hereinafter called "the reserved minerals");</p> <p>(ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;</p> <p>(iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;</p> <p>(b) the right to resume the said land for mining purposes pursuant to section 205 of the <i>Land Act 1958</i>;</p> <p>(c) the right of any person being a licensee under the <i>Mineral Resources Development Act 1990</i> or any corresponding previous enactment to enter on the said land and to do work within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to do such work in and upon Crown lands provided that compensation as prescribed by Part 8 of that Act is paid for surface damage to be done to the said land by reason of doing such work on it.</p> <p>(d) the right of the Municipal or other Authority or body for the time being concerned with the control and management of public or municipal watercourses or drains in the vicinity of the land hereby granted and its officers agents servants contractors and workmen to cut make and construct and from time to time use maintain repair cleanse and enlarge a drain for the purpose of conveying surface and other waters from any adjoining or adjacent land upon over under and along that portion of the land hereby granted shown marked E-1 in the said map.</p>		
<p>LENGTHS ARE IN METRES</p> <p>Metres = 0.3048 x Feet Metres = 0.201168 x Links</p> <p>Sheet 2 of 2 sheets</p>		



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The objective of Clause 11.02-3, relating to Planning for growth areas is:

*To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.*

The relevant strategies within this policy are:

- *Concentrate urban expansion into growth areas that are served by high-capacity public transport.*
- *Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.*
- *Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.*
- *Meet housing needs by providing a diversity of housing type and distribution.*
- *Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.*

The proposed development is considered to be consistent with the objective and strategies of this Clause as it will:

- ✓ The proposal provides for the enhancement of built form and supplements the existing urban growth suited to the periphery of the Mordialloc Activity Centre. The subject site has excellent access to public transport, primarily in the form of train services which operate from Mordialloc railway station, located a short walk (approx. 5-minutes) from the subject site.

#### 5.4.3 Activity Centres (Clause 11.03)

The objective of Clause 11.03-1, relating to Activity Centre Networks is:

*To build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres.*

The relevant strategies within this policy are:

- *Develop a network of activity centres that:*
  - *Comprises a range of centres that differ in size and function.*
  - *Is a focus for business, shopping, working, leisure and community facilities.*
  - *Provides different types of housing, including forms of higher density housing.*
  - *Is connected by public transport and cycling networks.*
  - *Maximises choices in services, employment and social interaction.*
  - *Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.*

The proposed development is considered to be consistent with the objective and strategies of this Clause as it will:

- ✓ The proposal actively supports the activity centre networks by providing for a new development, which provides a comfortable fit with the surrounding mixed-use urban context in terms of built form, massing, and scale of the development.

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The objective of Clause 11.03-2, relating to Activity Centre planning is:

*To build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres.*

The relevant strategies within this policy are:

- *Undertake strategic planning for the use and development of land in and around the activity centres.*
- *Give clear direction in relation to preferred locations for investment.*
- *Encourage a diversity of housing types at higher densities in and around activity centres.*
- *Reduce the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres.*
- *Improve access by walking, cycling and public transport to services and facilities for local and regional populations.*
- *Broaden the mix of uses in activity centres to include a range of services over longer hours appropriate to the type of centre and needs of the population served.*
- *Provide a focus for business, shopping, working, leisure and community facilities. Encourage economic activity and business synergies.*
- *Improve the social, economic and environmental performance and amenity of activity centres.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ *The proposal activates the street frontage along Main Street to encourage patrons, employees, residents and visitors to access and egress the site via pedestrian and bicycle networks from the wider road network, including the users of Mordialloc railway station; and,*
- ✓ *The proposal integrates the food and drink premises and residential land uses to offer a broader range of mixed use in activity centre.*

#### 5.4.4 Open Space (Clause 11.04)

The objective of Clause 11.04-1, relating to Open Space planning is:

*To assist creation of a diverse and integrated network of public open space commensurate with the needs of the community.*

The relevant strategies within this policy are:

- *Ensure that open space networks:*
  - *Are linked through the provision of walking and cycle trails and rights of way.*
  - *Are integrated with open space from abutting subdivisions.*
- *Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.*
- *Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction and peace and solitude.*

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The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal integrates with the open space networks by activating the front setback to integrate with the nearby pedestrian networks and cycling paths.

#### 5.4.5 Metropolitan Melbourne (Clause 11.06)

The objective of Clause 11.06-1, relating to **Jobs and Investment** is:

*To create a city structure that drives productivity, attracts investment, supports innovation and creates jobs.*

The relevant strategies within this policy is:

- Plan for adequate commercial land across Melbourne.
- Improve access to jobs across Melbourne and closer to where people live.
- Support the development of a network of activity centres linked by transport.
- Support the development and growth of Metropolitan Activity Centres by ensuring they:
  - are able to accommodate significant growth for a broad range of land uses.
  - are supported with appropriate infrastructure.
  - provide high levels of amenity.
  - are hubs for public transport services and offer good connectivity for a regional catchment.
- Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.
- Plan for and facilitate the development of urban-renewal precincts as high amenity mixed use neighbourhoods that offer a range and choice of housing and other services.
- Plan for new development and investment opportunities on the existing and planned transport network.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal will broaden the choice and diversity of commercial space in Mordialloc Activity Centre, which in-turn creates local job, attract investment and support innovation to support the wider local economy; and,
- ✓ The proposal supports the provision of a wide range of goods and services within the Mordialloc Activity Centre, which serves the local community.

The objective of Clause 11.06-2, relating to **Housing choice** is:

*To provide housing choice close to jobs and services.*

The relevant strategies within this policy are:

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Facilitate increased housing in the established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.

Support housing growth and diversity in defined housing change areas and redevelopment sites.

Direct new housing to areas with appropriate infrastructure.

Deliver more housing closer to jobs and public transport.

Facilitate well-designed high density residential development in Melbourne's central city that supports a vibrant public realm.

Direct new housing and mixed-use development to urban renewal precincts and sites.

Support new housing in activity centres and other places that offer good access to jobs, services and public transport.

Facilitate diverse housing that offers choice and meets changing household needs through:

- provision of a greater mix of housing types.
- adaptable internal dwelling design.
- universal design.

Provide a range of housing types in growth areas through a variety of lot sizes and housing types.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal will expand housing choice to the current housing market by providing one, two, and three-bedroom apartments of different layouts and sizes, which can provide housing options for elderly people, key workers and families; and,
- ✓ Reduce the cost of living by increasing housing supply near very well serviced commercial areas with access to extensive bus and train public transport networks.

The objective of Clause 11.06-3, relating to Integrated transport is:

To provide an integrated transport system connecting people to jobs and services, and goods to market.

The relevant strategy within this policy are:

Encourage increased diversity and density of development along the Principal Public Transport Network.

Improve transport in Melbourne's outer suburbs by ensuring land use and transport planning are integrated.

Provide for increased density of development, particularly around transport nodes, to support the viability of services.

Plan for and deliver public transport in outer suburban areas that is integrated with land use and development. Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

Create pedestrian friendly neighbourhoods by supporting development of continuous, high quality walking routes and streets that are safe, pleasant and attractive.

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The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provide a substantial increase in housing density at a strategic location in close proximity to high-capacity public transport; and,
- ✓ Improve access by walking, cycling and public transport to services and facilities for local and regional populations.

The objective of Clause 11.06-4, relates to Integrated transport planning is:

*To create a distinctive and liveable city with quality design and amenity.*

The relevant strategy within this policy are:

- ✗ Promote urban design excellence in the built environment and create places that:
  - are accessible, safe and diverse
  - are enjoyable, engaging and comfortable to be in and move around
  - accommodate people of all abilities, ages and cultures
  - celebrate of the city's social, cultural and natural heritage.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal seeks to integrate with the public realm by activating the street frontage; and,
- ✓ Be of a form that responds to the character of the surrounding neighbourhood through appropriate setbacks, visual breaks and scale.

The objective in Clause 11.06-5, relates to Neighbourhoods is:

*To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.*

The relevant strategy within this policy are:

- ✗ Create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip of their home.
- ✗ Create mixed-use neighbourhoods at varying densities that offer more choice in housing, create opportunities for local businesses and jobs and deliver better access to services and facilities.
- ✗ Create neighbourhoods that support safe communities and healthy lifestyles.
- ✗ Create neighbourhoods that enable and promote walking and cycling as a part of daily life.
- ✗ Ensure social infrastructure is designed to be accessible; and in growth areas, is delivered early in the development process and in the right locations.
- ✗ Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

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- ✓ Help meet the State's goal of creating a City of 20-minute Neighbourhoods through the proposed development's proximity to retail, parks, public transportation, pedestrian and cycling networks;
- ✓ Be of a form that responds to the emerging character of the surrounding neighbourhood through appropriate setbacks, visual breaks and scale; and,
- ✓ Facilitate the ongoing creation of healthy lifestyles through the development close to bicycle and pedestrian networks that promote active forms of transportation.

The objective of Clause 11.06-6, relates to Sustainability and resilience is:

*To create a more sustainable and resilient city that manages its land, biodiversity, water, energy and waste resources in a more integrated way.*

The relevant strategy within this policy are:

- ✓ *Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades.*
- ✓ *Reduce pressure on water supplies by ensuring development makes the best use of all water sources, including stormwater, rainwater, recycled water and drinking water.*
- ✓ *Protect significant water, drainage and sewerage assets from encroaching sensitive and incompatible uses by putting in place appropriate land area buffers.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Has been designed in accordance with best practice environmental design guidelines in terms of dwelling orientation, construction materials, and waste and stormwater management within the constraints of the site.

#### 5.4.6 Coastal Areas (Clause 12.02)

The objective of Clause 12.02-2, relates to Appropriate development of coastal areas is:

*To ensure development conserves, protects and seeks to enhance coastal biodiversity and ecological values.*

The relevant strategies within the policy are:

- ✓ *Ensure development is sensitively sited and designed and respects the character of coastal settlements.*
- ✓ *Encourage revegetation of cleared land abutting coastal reserves.*
- ✓ *Maintain the natural drainage patterns, water quality and biodiversity within and adjacent to coastal estuaries, wetlands and waterways.*
- ✓ *Avoid disturbance of coastal acid sulfate soils.*
- ✓ *Protect cultural heritage places, including Aboriginal places, archaeological sites and historic shipwrecks.*

The objective of Clause 12.02-3, relates to Coastal Crown Land is:

*To achieve development that provides an environmental, social and economic balance.*

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The relevant strategies within the policy are:

- Ensure that use and development on or adjacent to coastal foreshore Crown land:
  - Maintains safe, equitable public access and improves public benefit whilst protecting local environmental and social values.
  - Demonstrates need and coastal dependency.
  - Is located within a defined activity or recreation node.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal takes accounts of the nearby marina allowing for an enhancement of the Coastal Crown Land separating Pompei's Marine and boat ramp to ensure safe and equitable public access to Mordialloc Creek, whilst providing a nexus between the Hull of the 'Seeker' landmark element and the recreation node.

#### 5.4.7 Built Environment (Clause 15.01)

The objective of Clause 15.01-1, relates to Urban Design is:

*To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

The relevant strategies within this policy are:

- Promote good urban design to make the environment more liveable and attractive.
- Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
- Require development to include a site analysis and descriptive statement explaining how the proposed development responds to the site and its context.
- Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provide for an aesthetically pleasing and architecturally well-resolved mixed-use development that achieves high standards in architecture and urban design, which will an individually significant building within Mordialloc, which pays tribute to Pompei's legacy of local boatbuilding.

The objective of Clause 15.01-2, relates to Urban Design principles is:

*To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties*

The relevant strategies within the policy are:

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- Apply the following design principles to development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56:

**Context**

- Development must take into account the natural, cultural and strategic context of its location.
- Planning authorities should emphasise urban design policies and frameworks for key locations or precincts.
- A comprehensive site analysis should be the starting point of the design process and form the basis for consideration of height, scale and massing of new development.

**The Public Realm**

- The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, should be protected and enhanced.

**Safety**

- New development should create urban environments that enhance personal safety and property security and where people feel safe to live, work and move in at any time.

**Pedestrian spaces**

- Design of interfaces between buildings and public spaces, including the arrangement of adjoining activities, entrances, windows, and architectural detailing, should enhance the visual and social experience of the user.

**Consolidation of sites and empty sites**

- New development should contribute to the complexity and diversity of the built environment.
- Site consolidation should not result in street frontages that are out of keeping with the complexity and rhythm of existing streetscapes.

**Light and shade**

- Enjoyment of the public realm should be enhanced by a desirable balance of sunlight and shade.
- This balance should not be compromised by undesirable overshadowing or exposure to the sun.

**Energy and resource efficiency**

- All building, subdivision and engineering works should include efficient use of resources and energy efficiency.

**Architectural quality**

- New development should achieve high standards in architecture and urban design.
- Any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design.

**Landscape architecture**

- Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.

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The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provide a comfortable fit with the incorporation of an active frontage along Main Street and providing a sensitive transition, which graduates the development to the adjoining residential properties to the north by stepping down in terms of built form, massing and scale of development;
- ✓ Incorporate a palette of building materials, finishes and colours that does not detract from or compete with designs of surrounding properties; and,
- ✓ Provide for ample landscaping opportunities to assist in integrating the built form into its surrounds.

The objective of Clause 15.01-3, relates to Neighbourhood and Subdivision Design are:

*To ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.*

The relevant strategies within this policy are:

- ✗ *In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:*
  - *Contributing to an urban structure where networks of neighbourhoods are clustered to support larger activity centres on the regional public transport network.*
  - *Developing activity centres that integrate housing, employment, shopping, recreation and community services, to provide a mix and level of activity that attracts people, creates a safe environment, stimulates interaction and provides a lively community focus.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provide a suitable and high-quality contribution to the built environment that contributes to the complexity and diversity of the neighbourhood.

The objective of Clause 15.01-4, relates to Design for safety are:

*To improve community safety and encourage neighbourhood design that makes people feel safe.*

The relevant strategies within this policy are:

- ✗ *Ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety.*
- ✗ *Support initiatives that provide safer walking and cycling routes and improved safety for people using public transport.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal actively supports design for safety by encouraging a mix of food and drink premises and residential uses, which encourages employees, residents and visitors to regularly walk and cycle to and from the site. The complementary uses contribute to the perceptions of safety by providing continuity of use throughout the working day. Passive surveillance techniques

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throughout the apartment building in order to promote safer neighbourhoods outside of business hours.

The objective of Clause 15.01-6, relates to Healthy neighbourhoods are:

*To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

The relevant strategies within this policy are:

*Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:*

- *Connected walking networks and cycling networks.*
- *Streets with direct, safe and convenient access to destinations.*
- *Conveniently located public spaces for active recreation and leisure.*
- *Accessibly located public transport stops.*
- *Amenities and protection to support physical activity in all weathers.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provides for newly designed neighbourhoods which are designed to encourage healthy lifestyles and regular physical activity by providing convenient access to walking and cycling networks, public parks and recreation facilities available in nearby open space areas as well as convenient access to the foreshore. The site also has excellent access to all-weather public transport services with connectivity with the Mordialloc Activity Centre and the wider Melbourne metropolitan area.

#### 5.4.8 Sustainable Environment (Clause 15.02)

The objective of Clause 15.02-1, relates to Energy and resource efficiency are:

*To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

The relevant strategies within this policy are:

- *Promote consolidation of urban development and integration of land use and transport.*
- *Improve efficiency in energy use through greater use of renewable energy.*
- *Support low energy forms of transport such as walking and cycling.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provides energy efficiency through maximisation of northerly aspect through the detailed design, site layout and design;
- ✓ Support the use of low energy forms of transportation due its proximity to high quality neighbourhood services, pedestrian and cycling networks.

#### 5.4.9 Heritage (Clause 15.03)

The objective of Clause 15.03-1, relating to Aboriginal Heritage is:

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*To ensure the protection and conservation of places of Aboriginal cultural heritage significance*

The relevant strategies contained within this policy are:

- *Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.*
- *Provide for the protection and conservation of pre- and post-contact Aboriginal cultural heritage places.*
- *Ensure that permit approvals align with recommendations of a Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.*

#### **5.4.10 Residential Development (Clause 16.01)**

The objective of Clause 16.01-1, relating to Integrated Housing is:

*To promote a housing market that meet community needs.*

The relevant strategies contained within this policy are:

- *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*
- *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ *Increase housing yield within an area identified as suitable for increase housing diversity;*
- ✓ *Result in greater housing choice and yield in a well-established residential and commercial area; and,*
- ✓ *Create housing that is well-integrated with infrastructure and services within an existing suburb.*

The objective of Clause 16.01-2, relating to Location of Residential Development are:

*To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.*

The relevant strategies contained within this policy are:

- *Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

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- ✓ The proposed development provides an opportunity for the consolidation, redevelopment and intensification of an existing urban areas, this reduces the demand for urban sprawl through greenfield development and provides housing close to existing services and infrastructure.

The objective of Clause 16.01-3, relates to Housing opportunity areas is:

*To identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.*

The relevant strategies contained with this policy are:

Identify housing development opportunities that are:

- Areas near existing and proposed railway stations that can support transit oriented development.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal actively supports transit-oriented development by seeking an intensification of high-density housing near the existing Mordialloc railway station.

The objective of Clause 16.01-4, relates to Housing Diversity is:

*To provide for a range of housing types to meet increasingly diverse needs.*

The relevant strategies contained with this policy are:

- Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
- Encourage the development of well-designed medium-density housing which:
  - Respects the neighbourhood character.
  - Improves housing choice.
  - Makes better use of existing infrastructure.
  - Improves energy efficiency of housing.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Contributes to the broadening of housing choice for the diverse population and mix of households in Mordialloc.

The objective of Clause 16.01-5, relates to Housing Affordability is:

*To deliver more affordable housing closer to jobs, transport and services.*

The relevant strategies within this policy are:

- Improve housing affordability by:
  - Ensuring land supply continues to be sufficient to meet demand.
  - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.

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- Promoting good housing and urban design to minimise negative environmental impacts and keep down costs for residents and the wider community.
- Encouraging a significant proportion of new development to be affordable for households on low to moderate incomes.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provide thirteen (13) apartments on the subject site. This could enable a range of people in various life cycles; singles, young professionals, students and couples with or without children to remain in the local community and would assist in creating a diverse community;
- ✓ Assist in increasing affordable housing within the area, as it would provide accommodation for those who cannot afford a detached dwelling within close proximity of the well-served Mordialloc Activity Centre; and,
- ✓ Provide for a compact living environment, minimising corridors and circulation spaces thereby providing for an efficient and cost-effective housing opportunity.

#### 5.4.11 Commercial (Clause 17.01)

The objective of Clause 17.01-1, relates to Business is:

*To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

The relevant strategies within this policy are:

- Locate commercial facilities in existing or planned activity centres.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Broaden the range of commercial tenancies available in Mordialloc serving the wider population of Mordialloc and surrounding suburbs.

#### 5.4.12 Integrated Transport (Clause 18)

The objective of Clause 18.01-1, relates to Land uses and transport planning is:

*To create a safe and sustainable transport system by integrating land-use and transport.*

The relevant strategies within this policy are:

- Develop integrated transport networks to connect people to jobs and services and goods to market.
- Plan urban development to make jobs and services more accessible by:
  - Coordinating improvements to public transport, walking and cycling networks with the ongoing development and redevelopment of the urban area.

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The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal will encourage the use of public transport services given the close proximity of the site to Mordialloc railway station and to feeder bus services operating on the major arterial roads; and,
- ✓ The proposal promotes active transport linkages with convenient access to nearby pedestrian and cycling networks to Mordialloc railway station.

The objective of Clause 18.01-2, relates to Transport system is:

*To coordinate development of all transport modes to provide a comprehensive transport system.*

The relevant strategies to this policy are

- ✗ *Consider all modes of travel, including walking, cycling, public transport, taxis and private vehicles (passenger and freight) in providing for access to new developments.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal actively supports coordinating all transport modes to provide a comprehensive transport system. The proposal takes account of all modes of travel with an emphasis placed on sustainable transport modes to meet the State's goal of promoting healthy lifestyles and minimising impacts on the environment.

#### 5.4.13 Movement Networks (Clause 18.02)

The objective of Clause 18.02-1, relates to Sustainable transport modes is:

*To promote the use of sustainable personal transport.*

The relevant strategies within this policy are:

- ✗ *Encourage the use of walking and cycling by creating environments that are safe and attractive.*
- ✗ *Develop high quality pedestrian environments that are accessible to footpath-bound vehicles such as wheelchairs, prams and scooters.*
- ✗ *Ensure development provides opportunities to create more sustainable transport options such as walking, cycling and public transport.*
- ✗ *Ensure cycling routes and infrastructure are constructed early in new developments.*
- ✗ *Improve access to the public transport network by:*
  - ✗ *Ensuring integration with walking and cycling networks.*
  - ✗ *Providing end of trip facilities for pedestrians and cyclists at public transport interchanges.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal aims to encourage the use of walking and cycling by providing ample bike storage facilities for employees, patrons, residents and visitors across the development; and,

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- ✓ The proposal incorporates D.D.A compliant car parking space with connectivity to high quality pedestrian environments to encourage elderly and disabled persons with a footpath-bound vehicle such as wheelchairs, prams and scooters.

The objective of Clause 18.02-2, relates to Cycling is:

*To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

The relevant strategies within this policy are:

- ✗ *Direct and connected bicycle infrastructure should be provided to and between key destinations including activity centres, public transport interchanges and major attractions.*
- ✗ *Ensure provision of bicycle end of trip facilities in commercial buildings.*
- ✗ *Develop local cycling networks and new cycling facilities that support the development of 20-minute neighbourhoods and that link to and complement the metropolitan-wide network of bicycle routes - the Principal Bicycle Network.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ The proposal exceeds the required bicycle facilities under the requirements of Clause 52.34 (Bicycle Facilities) is discussed in more detail in Section 5.6.2 of this Submission and a traffic impact assessment prepared by SALT3 accompanies this application.

The objective is Clause 18.02-2, relates to Principle Public Transport Network is:

*To facilitate greater use of public transport and promote increased development close to high-quality public transport routes in Metropolitan Melbourne.*

The relevant strategies within this policy are:

- ✗ *Support the Principal Public Transport Network with a comprehensive network of local public transport.*
- ✗ *Plan for local bus services to meet the need for local travel as well as providing for connections to the Principal Public Transport Network.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Helps meet the State's goal of maximise the use of existing infrastructure and increase the diversity and density of development along the Principle Public Transport Networks; and
- ✓ The proposal aims to support local public transport by facilitating development close to feeder bus services and promotes walking and cycling to transport interchanges such as Mordialloc railway station.

The objective of Clause 18.02-5, relates to Car Parking is:

*To ensure an adequate supply of car parking that is appropriately designed and located.*

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The relevant strategies within this policy are:

- ✱ Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
- ✱ Prepare plans for the design and location of local car parking to:
  - ✱ Protect the role and function of nearby roads, enable easy and efficient use and the movement and delivery of goods.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:

- ✓ Provide on-site car parking to meet the expected demand generated by employees, patrons, residents and visitors. The demand for off-street car parking will be mitigated in large part by sustainable transport modes; and,
- ✓ The proposed reduction of 9 car parking spaces required under Clause 52.06 (Car Parking) is discussed in more detail in Section 5.6.2 of this Submission a traffic impact assessment prepared by SALT3 accompanies this application.

#### 5.5 Local Planning Policy Framework (LPPF)

##### 5.5.1 Residential Land Use (Clause 21.05)

The subject site is located in an 'Major Activity Centre' on the City of Kingston's Residential Land Use Framework Plan map.

##### Activity Centres

Opportunities exist for higher densities within Kingston's activity centres, particularly in the form of shop-top housing and mixed use developments.

It is considered that the proposal accords with intent of the Major Activity Centre— see responses to the objectives and strategies next page over. The Residential Land Use as depicted in **Figure 21**.

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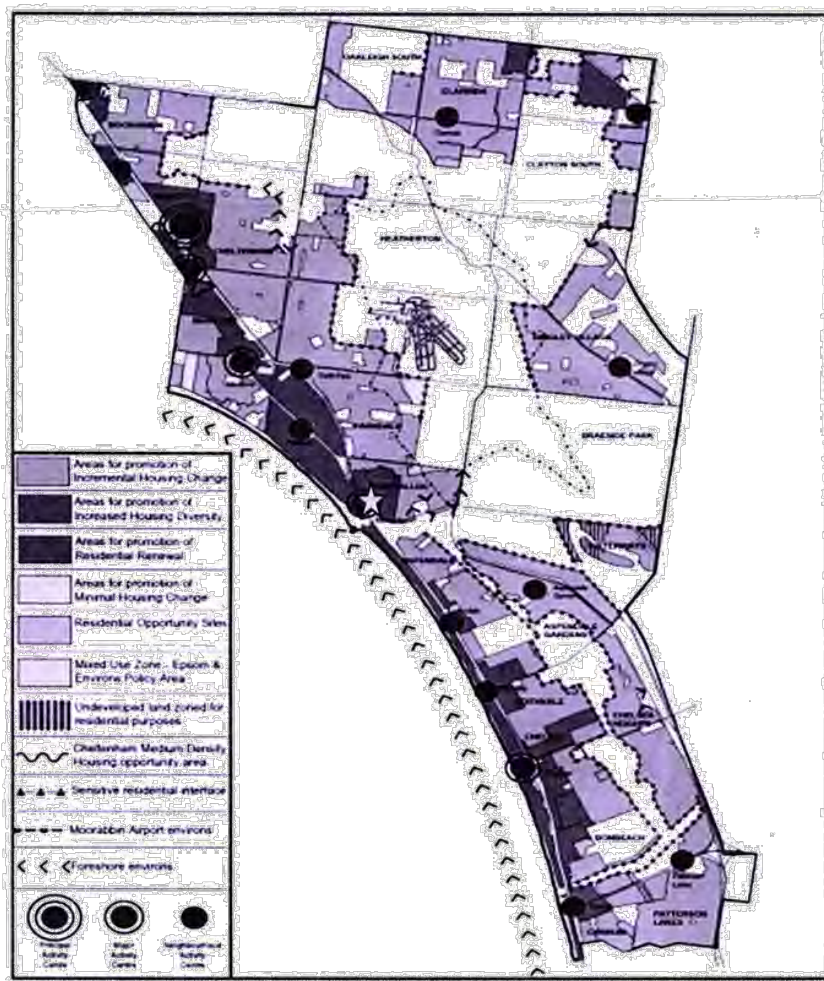


Figure 21: Shows an extract from *Residential Land use Framework Plan, Clause 21.05* with the subject site (highlighted with a yellow star) identified within an area nominated for Major Activity Centre.

Pursuant to Clause 21.05-3 of the Scheme, relates to **Objectives, Strategies and Implementation**. The following objectives and strategies are considered relevant to the proposal includes:

**Objective 1:**

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

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**Strategies to achieve this objective include:**

- ✓ Encourage residential development within activity centres via shop-top housing and mixed use developments, and on transitional sites at the periphery of activity centres. The intensity and scale of such development will need to be in keeping with the scale of these centres.
- ✓ Support innovative residential infill development on former industrial sites adjacent to established residential areas, and on other mixed use or traditionally non-residential sites where appropriate.
- ✓ Ensure development plans are prepared and implemented for all large residential opportunity sites to address the provision of a diversity of housing opportunities and to ensure that other site and contextual issues are addressed.
- ✓ Promote increased housing diversity in residential areas that are within convenient walking distance of public transport and activity nodes (increased housing diversity areas). Such areas will accommodate a variety of medium density housing types and layouts at increased residential densities, responding to the established but evolving urban character.

**The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:**

- ✓ Provides thirteen (13) one-, two-, and three-bedroom apartments on a high-density scale on large residential opportunity infill redevelopment on the former 'Pompei's Boat Building Works' site within an established residential area. The subject site's convenient access to variety of public transport modes and services within Mordialloc ensure the site is an ideal candidate for a more intensive form of development.
- ✓ Provide a diversity of housing types through the development of apartments in a suburb where the existing housing stock is predominantly single and double storey dwelling typologies.

**Objective 2:**

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

**Strategies to achieve this objective include:**

- ✓ Promote new residential development which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.
- ✓ Promote new residential development which provides a high standard of amenity and quality of life for future occupants.

**The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:**

- ✓ Be designed to be responsive to its interface with neighbouring properties by providing appropriate building setbacks, the provision of articulation to elevations, and the screening of balconies/habitable rooms windows to avoid potential overlooking.

**Objective 4:**

*To promote more environmentally sustainable forms of residential development.*

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Strategies to achieve this objective include:

- ✦ Ensure that the planning, design, siting and construction of new residential development responds to best practice environmental design guidelines for energy efficiency, waste and recycling, and stormwater management.
- ✦ Promote medium density housing development in close proximity to public transport facilities, particularly train stations.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ Has been designed in accordance with best practice environmental design guidelines in terms of dwelling orientation, construction materials, and waste and stormwater management within the constraints of the site.

#### Objective 5:

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

Strategies to achieve this objective include:

- ✦ Ensure that where medium and higher density residential areas are proposed adjacent to lower density residential areas, the design of such development takes proper account of its potential amenity impacts.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ Responds to the adjacent density residential buildings to the north by adhering to the built form, amenity and design guidelines outlined with the Scheme that protect the amenity of neighbouring properties.

#### Objective 6:

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

Strategies to achieve this objective include:

- ✦ **Drainage**
  - Ensure that the siting and design of new residential development is consistent with Urban Stormwater Best Practice Environmental Management Guidelines.
  - Ensure that new residential development contributes to the maintenance and upgrading of local drainage infrastructure as required, where such new development will impact on the capacity of such infrastructure.
  - Manage development on land that is identified as being liable to flooding.
- ✦ **Traffic/Car Parking**
  - Require the provision of carparking to satisfy the anticipated demand having regard to average car ownership levels in the area, the environmental capacity of the local street network and the proximity of public transport and nearby on and off street car parking.
- ✦ **Open Space**

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- o Ensure that all new medium density housing provides adequate private open space that is appropriately landscaped.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal provides for adequate protection of local drainage infrastructure such as 2m wide sewerage and drainage easement running throughout the property;
- ✓ The proposal provides sufficient provision of on-site car parking and traffic flows in order to satisfy anticipated demand generated by the development. The proposed reduction of 9 car parking spaces required under Clause 52.06 (Car Parking) is discussed in more detail in Section 5.6.2 of this Submission a traffic impact assessment prepared by SALT3 accompanies this application; and,
- ✓ The proposal provides open space contributions to nearby public open space areas as a result of the proposal.

#### Objective 7:

To ensure all residential neighbourhoods in Kingston are provided with supporting social infrastructure adequate to the population's needs.

Strategies to achieve this objective include:

- o Promote opportunities to improve the physical access of large residential opportunity sites to public transport.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal actively supports social infrastructure which will contribute to a diverse and vibrant community; and,
- ✓ The proposal supports the ongoing improvement of physical access to and from Mordialloc railway station.

In addition to the relevant objectives and strategies as referenced above, the following implementation policies are considered relevant to the proposal including:

These strategies will be implemented by (Policy and Exercise of Discretion):

- o Using local policy to recognise the differential potential of residential areas to accommodate housing change, to promote appropriate differential residential densities and preferred design outcomes, as follows:
  - o To promote integrated medium density housing on large residential opportunity sites.
  - o To promote opportunities for quality medium density housing in locations with good access to public transport/activity nodes (Increased Housing Diversity Areas, Clause 22.11).
- o Using local policy to ensure new residential development respects neighbourhood character, and site features, and that medium density dwellings are of a high design quality (Residential Development Policy, Clause 22.11).

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- ✦ Using local policy to manage the interface between residential development and adjoining or nearby sensitive/strategic land uses.
- ✦ Facilitating shop-top housing and mixed use development within activity centres.
- ✦ Facilitating innovative residential infill development on former industrial sites adjacent to established residential areas, and on other mixed use or traditionally non-residential sites where appropriate.

- ✦ Seeking the views of the relevant Flood Management Authority prior to the approval of development within overland flow paths and known flood prone areas.
- ✦ Ensuring that impervious surfaces are minimised in new developments, particularly in areas which are known to be affected by flooding.

#### Zones and overlays (relevant to this application)

- ✦ Applying the Activity Centre Zone to the identified Activity Centres of Southland, Mentone, Moorabbin, Mordialloc and Cheltenham in accordance with the approved structure plans.
- ✦ Applying the Land Subject to Inundation Overlay and Special Building Overlay to areas which have been identified as being liable to mainstream and stormwater flooding.

The proposed development responds to the implementation policies and strategies relevant to the proposal in the following ways:

- ✓ The proposal has given favourable consideration to the mixed-use food and drink premises (café) and residential development and is consistent with the vibrant mixed-use activity function of the Mordialloc Activity Centre;
- ✓ The proposal provides for a diversity of housing choice of high-density apartments within the activity centres;
- ✓ The proposal takes account of the sensitive interfaces of the lower built form development located to the north of the subject site. The proposal graduates the development by stepping down the four-storey mixed use building in terms of built form, massing and scale with the adjoining residential properties; and,
- ✓ The proposal provides for an aesthetically pleasing and architecturally well-resolved mixed-use development that achieves high standards in architecture and urban design, which will lead the revitalisation of Pompei's Boatshed from a disused site to a mixed-use food and drink (café) and residential development.

#### 5.5.2 Retail and Commercial Land Use (Clause 21.06)

The overview of retail and commercial land uses outlined in Clause 21.06-1 outlines the broader strategic frameworks for encouraging mixed-use commercial and residential developments within the Kingston municipality.

Clause 21.06-2 elaborates further on Kingston's overview for future land use planning and development is expressed around a number of key issues. The relevant key issues which can be found in Clause 21.06-2 are:

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- In responding to the demographic profile of the municipality, ensure existing and new commercial (office) development provides sufficient differentiation to further diversify Kingston's employment base.

Pursuant to Clause 21.06-3 of the Scheme, relates to **Objectives, Strategies and Implementation**. The following objectives and strategies are considered relevant to the proposal includes:

#### **Objective 1:**

*To protect and strengthen the hierarchy of activity centres within Kingston.*

Strategies to achieve this objective include:

- Promote mixed use precincts around key activity centres which encourage a broader range of cultural, social, commercial and higher density housing opportunities to complement retail functions of activity centres and enhance their economic vitality.
- Improve accessibility to and within all centres through adequate transport infrastructure and services, pedestrian movement networks and connectivity of residential areas and centres with key public transport nodes by calling on public and private infrastructure investment especially through significant development proposals.
- Support the development of activity centre structure plans for all activity centres which promote prosperity, liveability and accessibility by further diversifying the mix of uses within the centres.

The Table Kingston Activity Centre Hierarchy identifies the Mordialloc Activity Centre as a 'major activity centre hierarchy'.

The primary role of major activity centre includes:

- Community retail supported by significant commercial floor space.
- Sizeable employment base through large and strata commercial floor space.

The relevant strategies within this policy are:

- Encourage a substantial new residential population within the centre.
- Diversify the mix of uses particularly on the centre's periphery.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal actively supports the emerging role of the Mordialloc Activity Centre as a major activity centre within the Kingston Activity Centre hierarchy by a mixed-use food and drink premises (café) and residential activities to support the proposed development.

#### **Objective 3:**

*To reinforce the different built form character and function of activity centres consistent*

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with their position in the activity centre hierarchy.

Strategies to achieve this objective include:

- Ensure activity centre structure plans provide direction in respect of:
  - Opportunities to strengthen the role of public transport, walking and cycling as a means of accessing centres.
  - Identification of desired mix and location of land use activity.
- Establish clearly definable activity centre boundaries and reflect those boundaries through the form of development, land use and other design tools.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal is consistent with the built form character and function of activity centres consistent with the role of the Mordialloc Activity Centre as a major activity centre within the Kingston Activity Centre hierarchy; and,
- ✓ The proposal is appropriately design on the periphery of the Mordialloc Activity Centre with the sensitive interface in terms of built form character and functionality to form a clearly definable border with the surrounding character of Pompei's Landing and Pompei's Marine.

In addition to the relevant objectives and strategies as referenced above, the following implementation policies are considered relevant to the proposal including:

These strategies will be implemented by (Policy and Exercise of Discretion):

- Ensure that decision making within activity centres in relation to issues relating to land use/development and further land subdivision are consistent with adopted structure plans and/or reflects a rigorous planning assessment which addresses the optimal long term outcome.

The proposed development responds to the implementation policies and strategies, relevant to the proposal in the following ways:

- ✓ The proposal accords with the Mordialloc Activity Centre by encouraging well-integrated café /apartment/service opportunities with appropriate transitions in height down to adjoining residential development.

### 5.5.3 Foreshore (Clause 21.08)

The overview of open space outlines in Clause 21.08-1 outlines the broader strategic frameworks for future planning of foreshore areas within the Kingston municipality.

Clause 21.08-2 elaborates further on Kingston's overview for future land use planning and development is expressed around a number of key issues. The relevant key issues which can be found in Clause 21.08-2 are:

- Impact of existing tourism/visitor pressure on foreshore eco-systems.
- Increasing development pressures for tourism, recreation, residential and commercial uses both on and adjacent to the foreshore.

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- ✖ Impact of high degree of urbanisation and encroachment of residential development on the coastal environment including beach and dune erosion, environmental weeds, visual and aesthetic degradation.
- ✖ Need to protect environmentally and visually sensitive areas from inappropriate development.
- ✖ Need to protect and where possible restore the integrity of natural ecosystems, coastal processes and the scenic landscape of the coastal environment.
- ✖ Need for sensitive management of tourism/development opportunities in recognised 'activity nodes'.
- ✖ Greater consideration of transport and physical access issues required to ensure accessibility to open space areas for ageing population.

Pursuant to Clause 21.11-3 of the Scheme, relates to Objectives, Strategies and Implementation. The following objectives and strategies are considered relevant to the proposal includes:

Objective 1:

- ✖ To provide fair and equitable access to all coastal areas and to promote a wide range of social, recreational and coastal experiences which seek to optimise community enjoyment of the foreshore.

Strategies to achieve this objective include:

- ✖ Improve accessibility to the foreshore for local residents and visitors by encouraging a range of transport/access options including boat, private motor vehicle, public transport, bicycle, walking and disabled access.
- ✖ Further develop the existing network of pedestrian and cycling trails along the coast and to inland areas such as:
  - Edithvale/Seaford wetlands
  - Braeside Park
  - Local and regional open space and recreational facilities
  - Hinterland activity centres
  - Public transport nodes
  - Community facilities like schools
  - Larger cycling networks, including the Round the Bay Trail provided their use does not threaten fragile coastal environments or fragment narrow strips of coastal vegetation.
- ✖ Encourage the diversification of existing foreshore clubs to accommodate a range of recreational/tourist related development opportunities which are compatible with the long term protection of natural ecosystems.
- ✖ Improve the amenity of existing car parks along the foreshore through selective tree planting and landscaping using species indigenous to Kingston's coastline.
- ✖ Promote Beach Road as a foreshore tourist boulevard by:
  - Enhancing the scenic and landscape qualities of the road.
  - Improving the management of urban design and landscaping adjacent to the road.
  - Improving the management of local/regional traffic issues associated with its function as a Main Road.
  - Encouraging the diversion of freight/heavy traffic from Beach Road onto Nepean Highway.
  - Discouraging any further works to increase the traffic capacity of the road.
- ✖ Ensure that new development adjacent to Beach Road complements the character of the foreshore environment.

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The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal actively supports the broader strategies for fair and equitable access to all coastal areas and to promote a wide range of social, recreational and coastal experiences to strengthen community values to the foreshore areas.

#### Objective 2:

- ✎ To protect and where possible, restore the integrity of natural ecosystems and coastal processes, and to minimise adverse environmental impacts on the coastal and marine environments.

Strategies to achieve this objective include:

- ✎ Develop land use management plans in partnership with DNRE and Parks Victoria for the protection and maintenance of the coastal environment in line with identified environmental objectives, which encompass issues related to:
  - Protection of remnant indigenous vegetation.
  - Facilitation of natural regeneration of indigenous vegetation.
  - Cliff stabilisation.
  - Revegetation using indigenous species.
  - Establishment of paths and cycling trails in appropriate locations.
  - Control of environmental weeds.
  - Refurbishment and/or removal of degraded foreshore structures.
  - Beach renourishment.
  - Monitoring water quality of the Bay, the Mordialloc Creek and the Patterson River.
  - Catchment management.
- ✎ Establish performance standards and monitoring regimes for catchment management to minimise the risk of pollution of the coastal environment and to improve water quality from urban and rural catchment activities entering the Bay.
- ✎ Protect existing remnant vegetation on the foreshore reserve and use only indigenous species for revegetation, erosion control and other coastal plantings in the foreshore reserve.
- ✎ Encourage the protection of remnant vegetation and the use of indigenous species in landscaping and other plantings on private land in coastal areas.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal actively supports the broader strategies for possible, restore the integrity of natural ecosystems and coastal processes, and to minimise adverse environmental impacts on the coastal and marine environments.

#### Objective 3:

- ✎ To promote opportunities for innovative recreational, tourism and commercial development in recognised 'activity nodes' on the foreshore where development is sensitive to natural coastal systems and compatible with the character and scale of the surrounding landscape.

Strategies to achieve this objective include:

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Reinforce the hierarchy of activity nodes along the foreshore recognising Mordialloc as the primary activity node and Aspendale, Edithvale, Chelsea, Bonbeach and Carrum as secondary activity nodes.

Consolidate new recreational/tourism/commercial development opportunities within identified activity nodes along the foreshore which are compatible with the long-term protection of the coastal environment. New development proposals should seek to:

- Achieve high quality urban design outcomes compatible with the scale of the surrounding landscape.
- Minimise the impact on natural coastal systems.
- Maximise community enjoyment of the foreshore.

Develop detailed siting and design guidelines for new development within activity nodes, which encompass issues relating to landscaping, built form, setbacks, building heights, urban design, architectural treatment and integration with the coastal environment. Proposals for new development should be consistent with the requirements of the 'Victorian Siting and Design Guidelines' (1996). Priority will be given to those developments which re-use existing foreshore structures, make positive contributions to the scenic and visual quality of the coastal landscape and result in a substantial net benefit to the community.

Restrict the development of new structures on the foreshore and encourage, where appropriate, the re-use of existing foreshore structures or the relocation of existing building envelopes.

Promote innovation in landscape and urban design for new development proposals within the Mordialloc activity node and the immediate foreshore environs, which strengthen the visual and functional relationship between the Mordialloc pier precinct, the Mordialloc foreshore reserve and the hinterland.

Protect existing height controls along the foreshore reserve and in adjacent residential areas, except at the periphery of the Mordialloc activity node, where the scale of new development may be permitted to exceed existing height limits, subject to the achievement of high quality, site responsive urban design outcomes.

Strengthen the physical and functional relationship between commercial centres on Nepean Highway between Mordialloc and Carrum and foreshore activities, by encouraging traders to develop an active commercial frontage oriented towards the foreshore environs.

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal supports the hierarchy of activity nodes along the foreshore recognising Mordialloc as the primary activity node;
- ✓ The proposal incorporates numerous design cues from the local marine environment such as the materiality of the hulls colour boats and sheet Copper coloured cladding to reference in an abstract contemporary way, the former 'Pompei's Boat Building Works' site as part of the design response;
- ✓ The proposal establishes a permanent area for the hull of the 'Seeker' as the local iconic landmark element, which clearly and positively supports the legacy of Pompei's Boat Building Works; and,
- ✓ The proposal does not substantially increase the building footprint and maximises the redevelopment opportunities for re-use foreshore site.

In addition to the relevant objectives and strategies as referenced above, the following implementation policies are considered relevant to the proposal including:

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These strategies will be implemented by (Policy and Exercise of Discretion):

- Using local policy to promote appropriate activities and development within the Mordialloc Activity Centre, sympathetic to the coastal location (Mordialloc Activity Centre Policy, Clause 22.14).

Zones and overlays (relevant to this application)

- Applying a Public Park and Recreation Zone to the foreshore reserve to recognise its role as a destination for tourism and public recreation, and to provides for its management by Council, Parks Victoria and DNRE.
- Applying a Design and Development overlay to land adjacent to the foreshore reserve to achieve a consistent approach to building heights, setbacks on land near the coastline and the use of indigenous species in landscaping.

The proposed development responds to the implementation policies and strategies relevant to the proposal in the following ways:

- ✓ The proposal has given favourable consideration to the foreshore environs to mixed-use food and drink (café) and residential development and is consistent with the vibrant mixed-use activity nodes of the Mordialloc Activity Centre;
- ✓ The proposal takes account of the sensitive interfaces of the lower built form development located to the north of the subject site. The proposal graduates the development by stepping down the four-storey mixed use building in terms of built form, massing and scale with the adjoining residential properties; and,
- ✓ The proposal provides for an aesthetically pleasing and architecturally well-resolved mixed-use development that achieves high standards in architecture and urban design, which will lead the revitalisation of Pompei's Boatshed along the Mordialloc Foreshore area from a disused site to a mixed-use food and drink (café) and residential development.

#### 5.5.4 Open Space (Clause 21.11)

The overview of open space outlines in Clause 21.11-1 outlines the broader strategic frameworks for future planning of open spaces areas within the Kingston municipality.

Clause 21.11-2 elaborates further on Kingston's overview for future land use planning and development is expressed around a number of key issues. The relevant key issues which can be found in Clause 21.11-2 are:

- Greater consideration of transport and physical access issues required to ensure accessibility to open space areas for ageing population.

Pursuant to Clause 21.11-3 of the Scheme, relates to Objectives, Strategies and Implementation. The following objectives and strategies are considered relevant to the proposal includes:

#### Objective 1:

- To provide fair and equitable access to a range of high quality open space areas located within Kingston's urban and non urban environments which aim to optimise community enjoyment of open space.

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Strategies to achieve this objective include:

*Promote the development of open space linkages including bicycle/pedestrian trails to connect residential, commercial and industrial areas to existing open space, recreational facilities and local and regional trail networks.*

*Ensure that the design and siting of open space maximises community safety and accessibility and provides opportunities for surveillance.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal actively supports the broader strategies for encouraging employees, patrons, residents and visitors to utilise of nearby urban open space areas for enjoyment of open space with convenient access to pedestrian networks and cycling paths.

#### 5.5.5 Transport, Movement and Access (Clause 21.11)

The overview of open space outlines in Clause 21.12-1 outlines the broader strategic frameworks for future planning of open spaces areas within the Kingston municipality.

Clause 21.12-2 elaborates further on Kingston's overview for future land use planning and development is expressed around a number of key issues. The relevant key issues which can be found in Clause 21.11-2 are:

*Inadequate road widths and parking facilities within older industrial areas inhibiting accessibility and movement within and around these areas.*

Pursuant to Clause 21.11-3 of the Scheme, relates to Objectives, Strategies and Implementation. The following objectives and strategies are considered relevant to the proposal includes:

#### Objective 2:

*To integrate public transport, road, pedestrian and cycle systems with activity centres, schools and other community and social infrastructure, as a means of providing equitable and safe vehicular, pedestrian and cyclist movement and access for the community.*

Strategies to achieve this objective include:

*Promote the development of bicycle and pedestrian linkages between residential, commercial, industrial and open space areas recognising the important role east/west alignments play by intersecting the key arterial roads and the rail corridor.*

The proposed development is considered to accord with the objective and relevant strategies of this Clause as it:

- ✓ The proposal actively supports the broader strategies for promoting development with convenient access to public transport via pedestrian networks and cycling paths.

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**5.5.6 Mordialloc Activity Centre (Clause 22.14)**

The overview of open space outlines in Clause 22.14-1 outlines the broader strategic frameworks for future planning of Mordialloc Activity Centre within the Kingston municipality.

Clause 22.14-2 elaborates further on Kingston's overview for future land use planning and development is expressed around a number of objectives. The objectives stipulate the following:

*To protect and enhance the existing character, streetscape and heritage of Mordialloc;*

- *To implement the vision for land use, development and infrastructure within Mordialloc based on the Mordialloc Pride of the Bay: A Structure Plan for the Future of Mordialloc, 2004.*
- *To encourage responsive and sensitively designed development.*
- *To protect and enhance places that reflect Mordialloc's historic maritime, boating and recreational activities.*
- *To protect and enhance current vistas, views and landmarks and where possible and appropriate, to create new views, vistas and landmarks.*
- *To protect the foreshore, dwellings, public and private open space, and pedestrian areas from overshadowing.*
- *To ensure development will contribute to the lively and commercial function of the activity centre.*
- *To improve and enhance existing pedestrian routes and connectivity throughout the centre, residential areas and foreshore.*

Clause 22.14-3 contains general policies, which relate to the following:

**Land use**

*Where a permit is required for the use of land within the policy area, it is policy to:*

- *Encourage active commercial premises at ground level and inactive uses such as offices, and residential at upper levels.*
- *Provide housing opportunities within the Activity Centre to capitalise on the area's transport, open space and retail assets.*
- *Promote a diverse range of housing types and sizes within areas identified for increased residential and mixed development.*
- *Encourage the provision of service and commercial accommodation to address the needs of visitors to Mordialloc and the surrounding region.*
- *Encourage the provision of aged care accommodation.*

**Built form**

*Where a permit is required for the development of land within the policy area, it is policy to:*

- *Ensure development is designed to reinforce Mordialloc's coastal village attributes, heritage features and environmental qualities.*
- *Ensure development preserves important views, vistas and landmarks currently enjoyed of existing heritage built forms and natural attributes.*
- *Encourage buildings to interact with the street by providing entrances, windows and other details that maximise movement and surveillance.*

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- Require balconies and roof decks to integrate with the building and provide minimal visual impact when viewed from the street and surrounding area.
- Balconies and roof decks should not overlook into surrounding private open space areas, habitable room windows or cause overshadowing.
  - Encourage all development to:
    - Be of a high architectural and urban design standard that presents integrated building forms, that have a sense of address and clearly articulated facades, and sensitively designed building form.
    - Apply design techniques and detail that will integrate a building with its surrounding streetscape, natural landscape and heritage without replicating or mimicking historical detailing.
    - Highlight key corners, entries or landmarks through design projection, detailing and massing that presents to both street frontages and the site's surroundings.
    - Ensure that service infrastructure is appropriately sited into the design and obscured from the public domain.
    - Development and design including solar orientation, use of storm water management systems and natural ventilation.
- Ensure building heights, setbacks and massing achieves solar access to pathways, public open spaces and forecourt areas.
- Require developments, where relevant, to respond to the principles, siting and design guidelines set out in the Siting and Design Guidelines for Structures on the Victorian Coast, 1998.

**Access:**

Where a permit is required for the use and development of land within the policy area, it is policy to:

- Encourage the development of an interchange between modes of transport including buses and the station area, commuter drop off points, park and ride, and bike locker facilities.
- Rationalise private vehicle and traffic access through, to and within the Mordialloc Activity Centre.
- Consolidate and simplify vehicular points of access to and off-street car parking facilities.
- Reinforce east-west pedestrian connection between the foreshore area, Main Street and established area east of Albert Street.
- Provide a series of safe and highly amenable pedestrian routes.

Clause 22.14-4 applies precinct policies relate to precincts shown in the Precincts Plan. The subject site is located in an 'Precinct 5: Pompei's Landing' on the City of Kingston's Mordialloc Activity Centre Precinct Plan map on **Figure 22** next page over.

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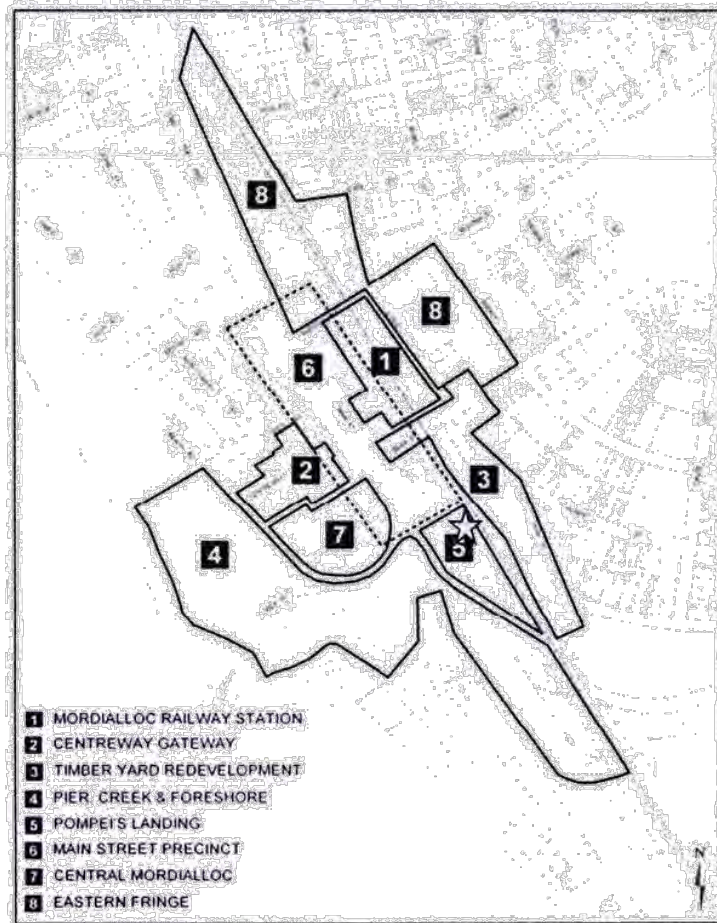
**Mordialloc Activity Centre Precinct Plan**

Figure 22: Shows an extract from *Mordialloc Activity Centre Precinct Plan*, Clause 22.14 with the subject site (highlighted with a yellow star) identified within an area nominated for Major Activity Centre.

The proposed development is considered to accord with the objectives and general policy of this Clause as it will:

- ✓ Provides thirteen (13) one-, two-, and three-bedroom apartments on a high-density scale on large residential opportunity infill redevelopment on the former 'Pompei's Boat Building Works' site within an established residential area. The subject site's convenient access to variety of public transport modes and services within Mordialloc ensure the site is an ideal candidate for a more intensive form of development.

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- ✓ The proposal has given favourable consideration to the mixed-use food and drink premises (café) and residential development and is consistent with the vibrant mixed-use activity function of the Mordialloc Activity Centre;
- ✓ The proposal provides for a diversity of housing choice of high-density apartments within the activity centres;
- ✓ The proposal will not be clearly visible from the surrounding sensitive interfaces (adjoining areas of secluded private open space) due to the upper level setbacks proposed. This along with the use of a varied palette of materials and built form articulation reduces the potential for excessive scale, massing and visual bulk;
- ✓ The proposal has a well-resolved architectural form and design that is respectful of the adjoining properties and surrounding character, whilst creating an attractive exterior that is consistent with the significant character of the Mordialloc Activity Centre;
- ✓ The proposal will not result in unreasonable adverse amenity impacts to adjoining or nearby properties;
- ✓ The proposal will enhance views, vistas and landmarks by incorporates numerous design cues from the local marine environment as well as establishing a permanent area for the hull of the 'Seeker' as the local iconic landmark element;
- ✓ The proposal takes account of the sensitive interfaces of the lower built form development located to the north of the subject site. The proposal graduates the development by stepping down the four-storey mixed use building in terms of built form, massing and scale with the adjoining residential properties;
- ✓ The proposal takes accounts of the nearby marina allowing for an enhancement of the Coastal Crown Land separating Pompei's Marine and boat ramp to ensure safe and equitable public access to Mordialloc Creek, whilst providing a nexus between the Hull of the 'Seeker' landmark element and the recreation node; and,
- ✓ The proposal provides for an aesthetically pleasing and architecturally well-resolved mixed-use development that achieves high standards in architecture and urban design, which will lead the revitalisation of Pompei's Boatshed from a disused site to a mixed-use food and drink (café) and residential development.

## 5.6 Particular Provisions

### 5.6.1 Advertising Signs (Clause 52.05)

Pursuant to Clause 52.05-5 of the Scheme, no permit is required to remove the existing floodlit major promotion signage. As noted in Section 3.2 of this Submission, future business identification signage would be subject to a separate planning permit application.

### 5.6.2 Car Parking (Clause 52.06)

Clause 52.06 of the Scheme applies to a new use.

Clause 52.06-2 states that before a new use commences, must provide car parking spaces by the measure specified in Column C of Table 1 under Clause 52.06-5 for that use, the car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the Responsible Authority in or more of the following ways:

- ✓ On the land; or,
- ✓ In accordance with a permit issued under Clause 52.06-3; or,

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- In accordance with a financial contribution requirement specified in the schedule to the Parking Overlay.

It is noted that the subject site is not affected by a Parking Overlay or listed in a Schedule to Clause 52.06. Pursuant to Table 1 at Clause 52.06-5, *a dwelling requires 1 car space for each one and two bedrooms, and 2 spaces for each three or more bedroom dwelling (with studies or studios that are separate room are counted as a bedroom)*. The proposal provides on-site for four (4) one- and two-bedroom apartments and nine (9) three-bedroom apartments. Each one- and two- bedroom apartment has been provided with one car space in at the undercroft car park area and each three-bedroom apartment is provided with two car spaces in the undercroft car parking area, and therefore accords with the requirements of Clause 52.06. It is noted that eleven (11) car stackers are proposed to accommodate 22 car spaces, which accords with Design Standard 4: Mechanical Car Parking standards under Clause 52.06-9.

Pursuant to Table 1 at Clause 52.06-5, also states that *1 visitor space is required to every 5 or more dwellings*. The proposal provides for a total of 13 dwellings, and thus the calculated visitor car parking rate equates to two (2) visitor car spaces are required. There are no car parking spaces allocated to the visitor's car spaces are to be provided on-site. Accordingly, a car parking reduction of a total of seven (7) car spaces under the requirement of Clause 52.06-5.

Pursuant to Table 1 at Clause 52.06-5, also states that *a food and drink premises (other than listed in this table) requires 4 car spaces to each 100 square metres of net floor area*. The proposal provides for a net floor area of 230m<sup>2</sup>, and thus the calculated car parking rate is 9.2 car spaces and is rounded down to nine (9) car spaces are required. There are two (2) car parking spaces allocated to the food and drink premises. Accordingly, a car parking reduction of a total of seven (7) car spaces under the requirement of Clause 52.06-5.

Accordingly, the car parking allocation does not comply with the car parking requirement outlined in Table 1 of Clause 52.06-5.

Pursuant to Clause 52.06-7 states that the application must be accompanied by a Car Parking Demand Assessment, which has been included as part of the traffic engineering assessment prepared by SALT 3 in support of this application.

It is consideration that the proposal to reduce the car parking requirement by a total of nine (9) car spaces of Clause 52.06-5 is considered acceptable based on in the professional opinion of SALT 3. Please see traffic engineering assessment prepared by SALT 3, which accompanies this application.

Additionally, the development must meet the design requirements of Clause 52.06-8 because:

- The proposed accessway has a minimum width of 3m.
- All vehicles will be able to exit in a forward direction.
- All car spaces have sufficient length and width for cars to park securely.
- All garage doors are substantially setback and will not dominate the streetscape.
- No unsafe spaces are created.

### 5.6.3 Bicycle Facilities (Clause 52.34)

Pursuant to Clause 52.34-1 of the Scheme, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. Also, pursuant to Clause 52.34-2 of the

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Scheme, a permit may be granted to vary, reduce or waive any requirement of Clause 52.34-3 and Clause 52.34-4.

The proposed use of the land being a food and drink premises (café) and dwelling development pursuant to Clause 52.34-3 with Table 1. Pursuant to Table 1 at Clause 52.34-3, a dwelling in developments of four or more storeys, 1 to each 5 dwellings for residents and in developments of four or more storeys, 1 to each 10 dwellings. A calculated bicycle space rate applies to the apartment building exceeding four or more storey comprising thirteen (13) apartments, and therefore requires the provision of two (2) residents and one (1) visitors as required in Clause 52.34-3.

Pursuant to Table 1 at Clause 52.34-3, a food and drink premises is included in 'retail premises' and thus a retail premises 1 bicycle space to each 300m<sup>2</sup> of net floor area for employees and 1 bicycle space to each 1000m<sup>2</sup> of net floor area for visitors. A calculated bicycle space rate applies to 1 bicycle space employees to the café component, and therefore requires the provision of one (1) bicycle space each for employees as required in Clause 52.34-3. It is noted that there are no requirements for showers and change rooms as Table 2 and 3 applies only to uses with 5 or more employee bicycle spaces.

The development plans prepared by JFK Design Pty Ltd and the traffic engineering assessment prepared by SALT 3 shows a total of nine (9) bicycle spaces provided on-site. The provision of nine (9) bicycle spaces exceeds the bicycle space requirements of Clause 52.34-3, with the bicycle spaces to accord with the requirements of Clause 52.34-4 with regards to the design of bicycle spaces, bicycle rails, bicycle compounds and lockers, as well as, the provision of bicycle signage requirements to accord with Clause 52.34-5 and will be subject to the satisfaction of the Responsible Authority.

#### 5.6.4 ResCode (Clause 55)

An assessment of the proposed development against the relevant objectives and standards for two or more dwellings on a lot or residential buildings, as contained within Clause 55 of the Scheme, accompanies this planning permit application. Additionally, Clause 55.07 sets out requirements for an apartment development, which applies to the proposal.

That assessment finds the proposed development to be largely compliant with all objectives and standards of Clause 55. Where variations to the relevant objectives and standards are required, the proposal is deemed to provide an acceptable design response.

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## 6. CONCLUSION

The proposed development at 557-561 Main Street, Mordialloc has been assessed against the relevant matters for consideration set out in the *Planning and Environment Act 1987*, and the relevant Decision Guidelines contained within Clause 65 of the *Kingston Planning Scheme*.

That assessment has found the proposed development to be consistent with the purpose of the Mixed Use Zone (MUZ), Public Use Zone (PUZ4), Public Park and Recreational Zone (PPRZ), Design and Development Overlay (DDO10) and Environmental Audit Overlay (EAO), and all relevant objectives and requirements of the applicable State and Local Planning Policies.

The proposed development is compliant (with all but three identified Standards of ResCode), as contained within Clause 55 of the *Kingston Planning Scheme*. The noted non-compliances are considered to be acceptable in the context of the subject site as the proposed development is considered to be an acceptable having regard to the objectives of all standards.

The proposed development will not have any detrimental impacts upon the built or natural environments, will complement the orderly planning of the surrounding area, and will not have any unacceptable impacts upon the amenity of adjoining properties or the surrounding area.

Given all the above, the proposed development is consistent with the relevant planning framework and is worthy of approval, subject to suitable permit conditions.

Yours sincerely,

for Urban Edge Consultants Pty Ltd



Richard Gillespie-Jones

Urban Planner

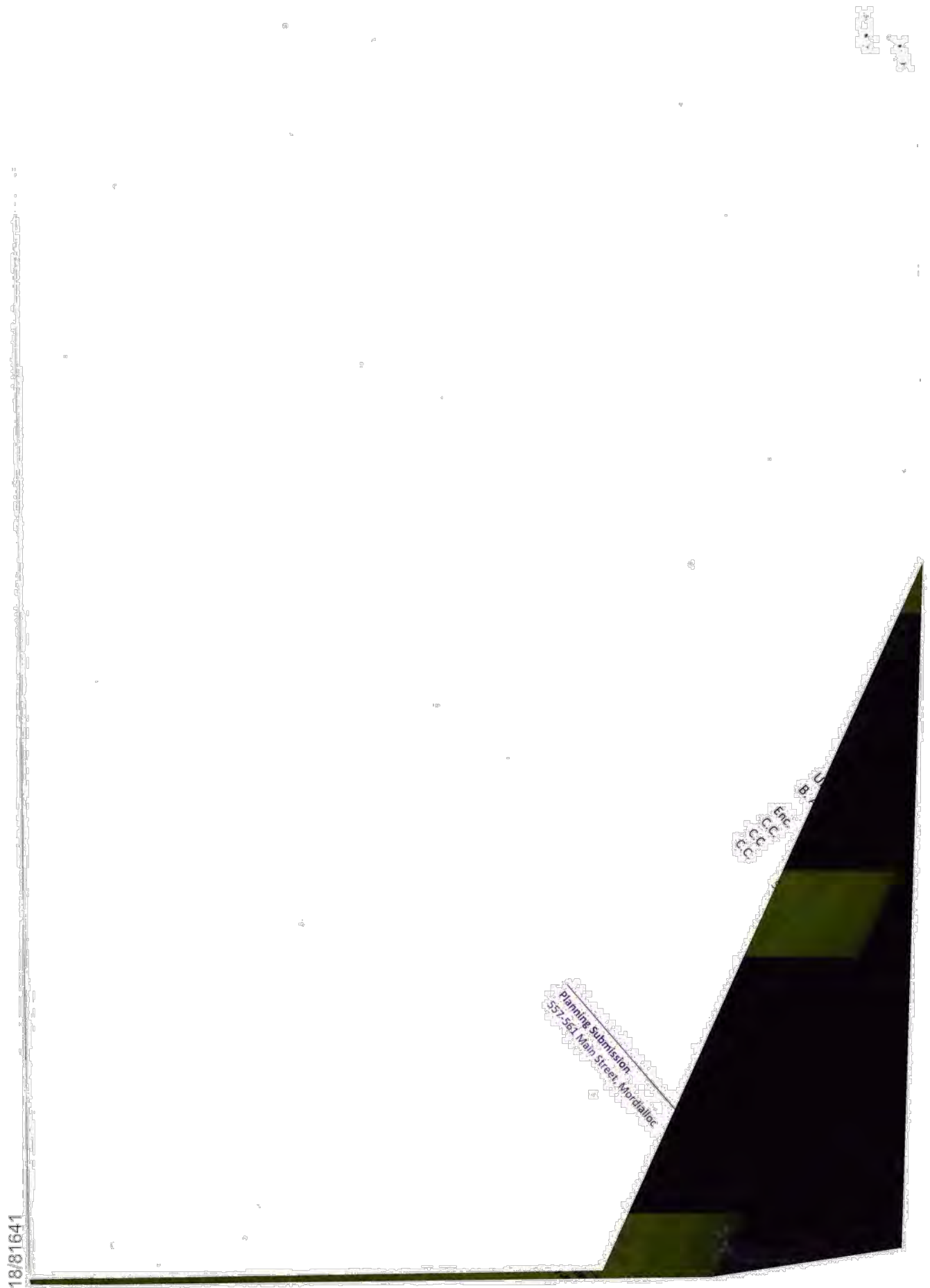
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Shenfield Property Pty Ltd

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## PLANNING SUBMISSION

Submitted to: **City of Kingston**

For:

**Develop the land for the construction of thirteen (13) apartments, food and drink premises (café), associated buildings and works within a Public Use Zone, Public Park Recreation Zone and Design and Development Overlay Area, and a reduction in required car parking**

at:

**557-561 Main Street, Mordialloc**

(Crown Allotment 4A, Section 11, City of Mordialloc, Parish of Mordialloc)

Prepared by:

**Urban Edge Consultants Pty Ltd**

Prepared for:

**Shenfield Property**

**May 2018**

Job File: 1485

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## 1. INTRODUCTION

This Planning Submission has been prepared by Urban Edge Consultants Pty Ltd on behalf of Mr Alister Shenfield of Shenfield Property Pty Ltd in support of an application for the development of land at 557-561 Main Street, Mordialloc ('the subject site').

It accompanies an application to the City of Kingston ('the Responsible Authority') for a planning permit to develop the land for the construction of thirteen (13) apartments, food and drink premises (café), associated buildings and works associated buildings and works within a Public Use Zone, Public Park Recreation Zone and Design and Development Overlay Area and a reduction in car parking requirements of Clause 52.06 (Car Parking).

The application for a Planning Permit is made to the Responsible Authority pursuant to Clause 47 of the *Planning and Environment Act 1987*, and in accordance with Section 13 of the *Planning and Environment Regulations 2015*.

A planning permit is required under the *Kingston Planning Scheme* because:

- Pursuant to Clause 32.04-2 (Mixed Use Zone – table of uses), a planning permit is required for a change of use from workshop, warehouse and storage yard to a food and drink premises (café) classed as a Section 2 use (permit required);
- Pursuant to Clause 32.04-6 (Mixed Use Zone - construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings), a planning permit is required to construct a residential building;
- Pursuant to Clause 32.04-8 (Mixed Use Zone – buildings and works) a permit is required for a use in Section 2 of Clause 32.04-8;
- Pursuant to Clause 36.01-1 (Public Use Zone – table of uses), a planning permit is required for a miscellaneous use (not listed in Section 1) for accommodation and food and drink premises (café);
- Pursuant to Clause 36.01-2 (Public Use Zone – buildings and works), a planning permit is required to construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons or aids;
- Pursuant to Clause 36.02-1 (Public Park and Recreation Zone – table of uses), a planning permit is required for a miscellaneous use (not listed in Section 1) for accommodation and food and drink (café) premises;
- Pursuant to Clause 36.02-2 (Public Park and Recreation Zone – buildings and works), a planning permit is required to construct a building or construct or carry out works;
- Pursuant to Clause 43.03-2 (Design and Development Overlay – buildings and works), a planning permit is required to construct a building or construct or carry out works, as outlined within the Clause; and,
- Pursuant to Clause 52.06-3 (Car Parking), a permit is required to reduce or waiver for car parking requirement as outlined within this clause.

This Planning Submission is to be read in conjunction with planning drawing prepared by *JFK Design Pty Ltd* dated May 2018, Traffic Engineering Report and Waste Management Plan both prepared by *SALT3* dated May 2018.

This Planning Submission consists of five further sections:

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<b>Section 2</b>	Site Analysis	This section puts the subject site into context by providing a thorough description of it, as well as the properties adjoining it, and the area surrounding it.
<b>Section 3</b>	The Proposal	Describes, in detail, the proposed development on the subject site.
<b>Section 4</b>	Planning Controls	Identifies the relevant planning policies and controls which are relevant to the proposed development.
<b>Section 5</b>	Planning Assessment	Provides an assessment of the proposed development against the objectives and requirements of the planning controls identified in Section 5.
<b>Section 6</b>	Conclusion	Provides a conclusion as to why the proposal is appropriate.

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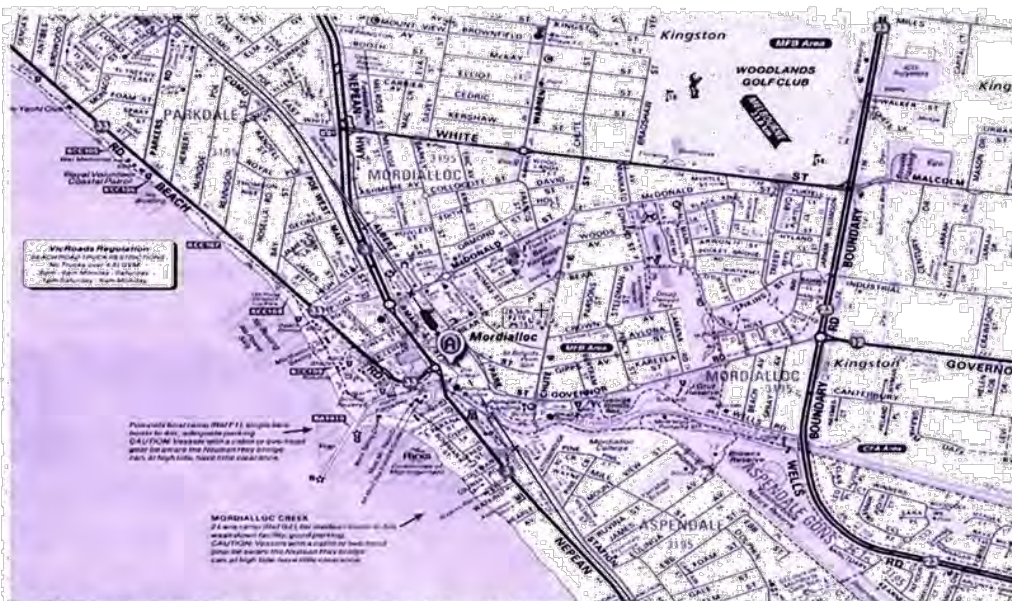
## 2. SITE ANALYSIS

### 2.1 The Subject Site

The subject site is located in the suburb of Mordialloc, approximately 23.7km south-east of Melbourne central business district within the City of Kingston.

No. 557-561 Main Street, Mordialloc has the legal description of Crown Allotment 4A, Section 11, City of Mordialloc, Parish of Mordialloc (a recent certificate of title accompanies the application).

The subject site is located on the eastern side of Main Street. The precise location of the subject site is shown on **Figure 1**, below.



**Figure 1:** An extract from the Melways Street Directory, with the blue marker indicating the location of the subject site on Main Street.

The subject site is situated on the west side of Main Street and is situated approximately 35m west of the roundabout of Nepean Highway and Beach Road.

The subject site is located approximately 205m south of Mordialloc railway station and is located approximately 400m east of the Mordialloc Pier.

The subject site consists of a large warehouse allotment, and is summarised as follows:

No. 557-561 Main Street (Crown Allotment 4A, Section 11, City of Mordialloc, Parish of Mordialloc) has an irregular shape, and has the following dimensions:

- A 56.4m long western frontage to Main Street and Pompei's Landing;

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- A 2.82m wide southern (side) boundary;
- A combined 37.34m wide southern (rear) boundary; and,
- A 20.02m long northern (side) boundary.

No. 557-561 Main Street, Mordialloc has a total area of approximately 937m<sup>2</sup>.

The subject site is encumbered by two easements; one 2m wide drainage easement (E-1) running north to south through the centre of the site; one implied PTC (Public Transport Corporation) easement running along the western boundary of varying widths adjacent the clearance zone for the overhead wires above the railway tracks. Additionally, the subject site is burdened by a registered restrictive covenant V222496H 20/11/2001, which restricts buildings and works as well as activities on the site to allow for maintenance of electrical clearance of the PTC power lines and associated structures and fittings. Otherwise, the subject site does not result in a breach of the above-mentioned covenant or any restrictions.

The subject site is also situated on land with Aboriginal Cultural Heritage Sensitivity as described in the Aboriginal Heritage Regulations 2007. Refer to Section 4.7 of the Planning Submission for more details.

In terms of its topography, the subject site has a slight slope running west to east. Along the north-eastern corner of the property is RL 2.64m and runs down to the north-western corner of the property is RL 1.64m. Diagonally over the distance 20.51m, the 1m rise equates to angle of incline of 2.79% degrees or 1:20.52m.

No. 557-561 Main Street Mordialloc is currently used for a workshop, warehouse and storage yard and is located adjacent to Crown Land. The main premises formerly known as 'Pompei's Boat Building Works' or Pompei's Boatshed was the historic boatyard owned by Mr Jack Pompei OAM. The adjacent Crown Land to the subject site consists of an abandoned boatyard with the prominent hull 'The Seeker' positioned directly in front of the premises. Located approximately 3m to the south of the subject site (also located on Crown Land) is a telecommunications facility and brick clad storage shed. Additionally, the Crown Land contains over ground and underground assets including gas pipelines, power poles and underground telecommunications cables.

An informal gravel car park provides vehicular access to Main Street and forms part of 'Pompei's Landing', which provides public access to Pompei's Marine and Pompei's Pier and jetty to riparian zone of the Mordialloc Creek allowing marine vessels access to Port Phillip Bay. The nearby concrete pedestrian footpath and bicycle paths within Pompei's Landing consists of the Bay Trail bicycle path and crossing over the Pompei's Bridge shared with the Nepean Highway, which runs between the Edithvale and Seaford Wetlands to the West Gate Bridge with connecting punt ferries across the Yarra River between Port Melbourne and Spotswood. Pompei's Monument of a boats hull provides a visual landmark feature along the southbound approach to Pompei's Bridge.

The subject site is presently occupied by four (4) warehouse and workshop buildings. The northernmost building features two large roller doors, which provides vehicular access to the loading and unloading bays (delivery bays) with onto the premises from the informal car park of Pompei's Landing and Main Street. The warehouse and workshop buildings consist of one and two-storey façade comprising brown brick and corrugated iron roof construction. A light-blue coloured roller door, main entrance door with windows fenestrate the buildings. Additional access points are provided along the south-western side of the building adjacent to the workshop and storage yard. The southernmost workshop building is a gable roof with the northern warehouse buildings features a flat roof section of the building with the materials consisting of corrugated iron.

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The subject site has an open frontage with buildings featuring short front setbacks to the informal car park. It is noted that there are a number of business identification signs located along the façade including the iconic 'Pompei's Mordialloc Boat Building Works' along the northernmost warehouse building. Whilst on the southern workshop a large floodlit major promotion sign with exposure to the Nepean Highway. The site has no vegetation cover. The subject site also features corrugated iron fencing along the frontage, side and rear boundaries of varying heights.

The subject site is depicted in *Figures 2-5 (below and next page over)*.



Figure 2: View of the northern section No.557-561 Main Street showing the front entrance, roller doors, delivery bay area, business identification signs and informal car park.



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Figure 3: View of the southern section of No. 557-561 Main Street showing workshop and storage yard with the floodlit major promotional signage with exposure to the Nepean Highway.



Figure 4: View of the hull of 'the Seeker' positioned in front of the premises within the former boatyard provides a prominent local landmark.

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Figure 5: View of the subject site approximately 25m south of the southern property boundary showing the underground and above ground assets, telecommunications facility and overhead wires above the railway tracks.

## 2.2 The Surrounding Properties

As can be seen in the map extract in *Figures 7-10* below, there are a total of twelve adjoining the subject site:

- No. 555 Main Street, Mordialloc

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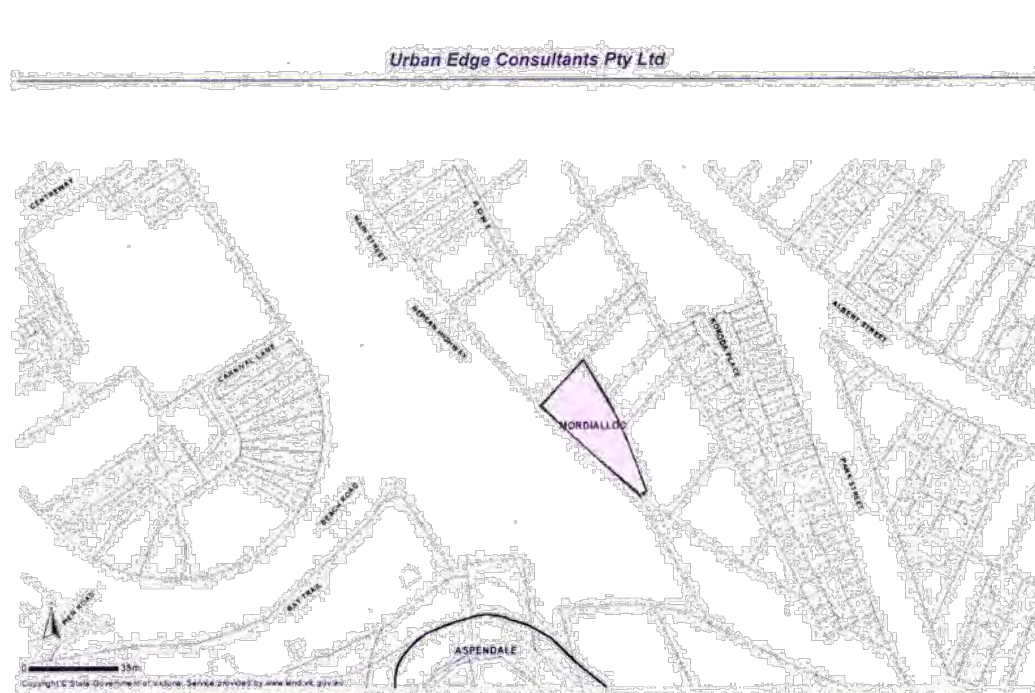


Figure 7: A cadastral from Land Victoria showing the subject site and the surrounding properties (highlighted in red).



Figure 8: Aerial view of the subject site with No. 557-561 Main Street (outlined in red) and No. 555 Main Street (outlined in orange).



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Figure 9: Aerial view of the subject site (highlighted in blue) and No. 555 Main St (highlighted in purple).

The adjoining property (No. 555 Main Street) is described below, under the corresponding heading.

#### No. 555 Main Street

No. 555 Main Street abuts the entirety of the northern boundary of the subject site. This allotment is slightly larger than the subject site and is currently occupied by a contemporary two-storey residential building comprising eleven apartments on land zoned Commercial 1 Zone (C1Z). The site features a 2m high horizontal timber paling fence with a rendered brick façade with a flat roof across the majority of the frontage with a low brick fence provided at southern section of the frontage. The ground floor and first floor windows are large and rectangular in shape with first floor level balconies features obscure glazed balustrades. A pedestrian accessway and communal area separates the site from the northern party wall of the subject site. The site features a number of pedestrian access points to Main Street with a vehicular double crossover on the northern section of the property with a gated entrance to the rear accessway to the garages and carports serving the residents and visitors of the residential building. It is noted that Main Street has an existing footpath directly adjacent to the site, which ends directly adjacent to the northernmost boundary of the subject site. The site has moderate vegetation cover consisting of multiple canopy trees, shrubs and understorey. See **Figures 10-11** next page over for details.

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Figure 10: View of No.555 Main Street viewed from the public realm.



Figure 11: View of No.555 Main Street viewed from the public realm showing the pedestrian access, communal area and canopy of the adjoining property

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The adjoining land is characterised as follows:

**East:** the Frankston railway line immediately adjoins the subject site with a Mordialloc siding and railway yard on the eastern side of the railway tracks. The nearest dwellings are located on the eastern side of the railway line along Park Street and Kokoda Place (currently under construction) approximately 35m to the east of the subject site.

**South:** Pompei's Marine and Pompei's Pier are located 60m to the south of the subject site, which comprises buildings, boat yards, boat ramps and jetty to riparian zone of the Mordialloc Creek. Vehicular access is provided via Pompei's Landing and the informal car park immediately adjacent to the subject site.

**West:** directly opposite the subject site is the commercial strip along Main Street and Beach Road consisting mostly of retail outlets located approximately 95m to the west of the subject site. The nearby Mordialloc Plaza comprises the shopping centre accommodating Woolworths supermarket, shopping, retail and other services.

See below **Figures 12-14** correspond to the aforementioned immediate surrounding properties to the subject site.



**Figure 12:** View of the Frankston railway line and Mordialloc siding and railway yard located to the east of the subject site with the nearest dwellings located on the eastern side of the railway tracks.

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Figure 13: View of Pompei's Marine boat ramp and Pompei's Pier located to the south of the subject site with the Mordialloc Creek and Pompei's Bridge in the background.



Figure 14: View of Main Street looking north into Mordialloc Shopping Village viewed from Pompei's Bridge.

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### 2.3 The Surrounding Area

The subject site is located within the Mordialloc Activity Centre and is situated adjacent to commercial zoned land. Main Street is generally characterised by low rise commercial land uses with residential above the ground floor level for several mixed-use buildings along the commercial strip. Beyond the immediate uses, the subject site falls within a well-established, local commercial area which serves the wider Mordialloc area and surrounding suburbs. This commercial area supports a range of uses including food and beverage, large retail outlets, supermarkets and medical centres fronting Main Street. Further to the east of the subject site, residential uses dominate with the spine of the Mordialloc Activity Centre allowing for medium and high-density development, which transition to the single and double storey dwellings on medium to large residential allotments, with the occasional presence of medium density development including battle-axe allotments or side-by-side townhouses.

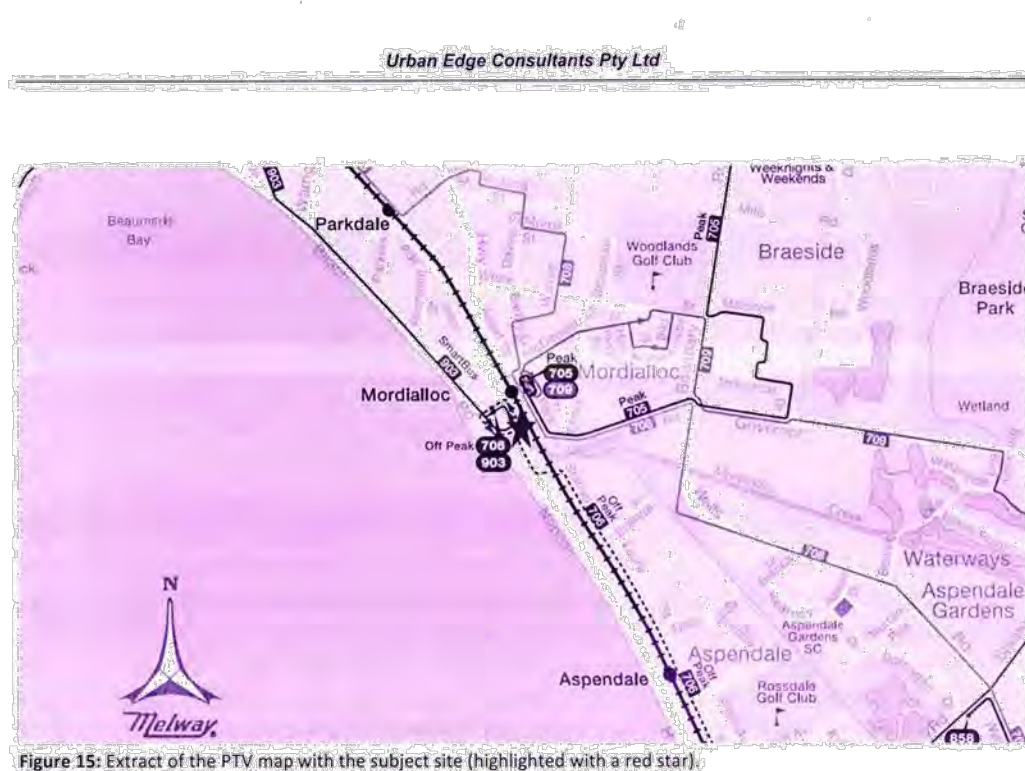
The subject site has excellent access to shopping, retail and other services within walking distance of the site. Woolworths is located approximately 160m to the north-west. A number of other retail outlets can also be found to the northern section of Mordialloc Activity Centre supplementing the supermarket by providing local shopping needs. Local amenities of note include the Mordialloc Surf Life Saving Club located approximately 450m to the north-west; Mordialloc Community Centre and Neighbourhood House located approximately 490m to the north.

There are a range of educational services within close proximity to the site. Mordialloc Preschool is located approximately 380m to the east; St. Brigid's Primary School is located approximately 210m to the east; St. Louis de Montfort's School is located approximately 1.6km to the south-west; Mordialloc Beach Primary School is located approximately 350m to the north; Kilbreda College is located approximately 3.45km to the north-east; Mordialloc College is located approximately 540m to the south-east; Parkdale Secondary College is located approximately 2.03km to the north; Mentone Grammar School located approximately 2.95km to the north-east; Mentone Girls Grammar School is located approximately 2.98km to the north-east; and Chisholm TAFE Frankston campus is accessible via the nearby Mordialloc railway station.

The subject site has excellent access to a variety of public transport options, connecting the locality to the wider metropolitan area. Mordialloc railway station is located approximately 210m to the north of the site, located on the Frankston railway line and connecting the site to Melbourne CBD and Melbourne's south eastern suburbs. Bus route 706 runs along Centreway (off peak) and operates between Mordialloc and Chelsea with a bus stop situated approximately 230m to the north-east of the subject site; Bus routes 903 (Melbourne Smart Bus service) also runs along Centreway and operates between Mordialloc and Altona from the same bus stop as Bus route 706. Furthermore, Bus route 705 operates between Mordialloc to Springvale and Bus route 825 operates between Mordialloc and Noble Park runs along Albert Street adjacent Mordialloc railway station with a bus stop situated approximately 275m to the north of the subject site. See **Figure 15** below for details.

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A range of public open spaces are located in close proximity to the subject site. Havel Pierce Reserve is a small public open space located 310m to the west of the subject site; Attenborough Park is located 390m to the south; Peter Scullin Reserve is located approximately 410m to the east of the subject site; Mordialloc Park consisting of a number of adjoining green spaces along Mordialloc Creek are located approximately 500m to the east of the subject site consisting of sporting oval and picnic grounds; and Mordialloc Motor Yacht Club is located approximately 200m to the south of subject site. It is noted that Pompei's Landing provide active transport linkages to the Mordialloc railway station via the Bay Trail bicycle path.



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### 3. THE PROPOSAL

#### 3.1 Background

Our client Mr Alister Shenfield on behalf of Shenfield Property Pty Ltd is a born and bred bayside based building designer and developer and has completed many high-quality redevelopments across the southern metropolitan region of Melbourne. The main premises formerly known as 'Pompei's Boat Building Works' or Pompei's Boatshed was the historic boatyard owned by Mr Jack Pompei OAM and presents a unique redevelopment opportunity for Mordialloc. Our client seeks to create an individually significant building within Mordialloc, which pays tribute to Pompei's legacy of local boatbuilding.

The proposed development incorporates into the design response the significance and contributory elements of the surrounding character, promoting design excellence (in terms of building siting, scale, massing, articulation and materials), and incorporates numerous design cues from the local marine environment as well as establishing a permanent area for the hull of the 'Seeker' as the local iconic landmark element, which clearly and positively supports the legacy of Pompei's Boat Building Works and employs a contextual design response. Please see **Figure 16** below Artist 3D Impression below.



**Figure 16:** Shows an extract of the Artists 3D Impression of the subject site with the hull of the 'Seeker' prominently incorporated into the proposed development.

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**Urban Edge Consultants Pty Ltd****3.2 Proposal Summary**

It is proposed to develop the subject land by demolishing the four existing warehouse and workshops buildings (no permit required for demolition) and develop the land for the construction of thirteen (13) apartments, food and drink premises (café) and reduction in car parking requirements of Clause 52.06 (Car Parking). The proposed development includes the complete demolition of the existing buildings and the removal of all boats except for the 'Seeker' which is to be preserved as a landmark to facilitate the construction of the car park. It is also noted that the floodlit major promotional sign is to be removed as part of the proposal.

The proposal has a total building cover of 919m<sup>2</sup> representing 98% of the total site area of 937m<sup>2</sup>. The proposed permeable area of the development is 0m<sup>2</sup>.

The summary of the proposal is:

**Mixed-use building (residential and commercial)**

Land use	Area	Car Spaces	Bicycle Spaces
<b>GROUND FLOOR LEVEL – FRONT SECTION</b>			
Food and drink premises (café)	230m <sup>2</sup> of net floor area located on the north-west corner of the site and refuse enclosure of 17.75m <sup>2</sup> at the south-west corner.	2 (including one DDA/Share space)	2 flat top rail bicycle racks adjacent to the footpath
Ground Floor Lobby/Apartment Entry	28m <sup>2</sup> of net floor area located adjacent to the café with a west-facing apartment entry.	N/A	N/A
<b>GROUND FLOOR LEVEL – UNDERCROFT CAR PARK</b>			
Residential car parking area (total of 13 units)	6m <sup>2</sup> of storage space per unit. Refuse enclosure of 14.75m <sup>2</sup> adjacent to the storage space area.	22 (11 dependent on stackers)	4 bicycle racks along western wall.

**Mixed use building (residential above ground floor level – total of 13 dwellings)**

Dwellings (Unit No.)	No. of Bedrooms proposed	Private open space	No. of Car Parking spaces provided in the undercroft car park
<b>FIRST FLOOR LEVEL – 5 UNITS</b>			
U1.1	3	12m <sup>2</sup> north-west facing balcony.	2
U1.2	2	8m <sup>2</sup> east facing balcony.	2
U1.3	3	12m <sup>2</sup> west facing balcony.	2
U1.4	1	8.6m <sup>2</sup> west facing balcony.	1
U1.5	3	12m <sup>2</sup> west facing balcony.	2
<b>SECOND FLOOR LEVEL – 5 UNITS</b>			
U2.1	3	12m <sup>2</sup> north-west facing balcony.	2
U2.2	2	8m <sup>2</sup> east facing balcony.	2
U2.3	2	12m <sup>2</sup> west facing balcony.	2

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U2.4	1	8.6m <sup>2</sup> west facing balcony.	1
U2.5	3	12m <sup>2</sup> west facing balcony.	2
<b>THIRD FLOOR LEVEL – 3 UNITS</b>			
U3.1	3	92m <sup>2</sup> north facing balcony with raised planter boxes interfacing the northern property boundary.	2
U3.2	3	50m <sup>2</sup> west facing balcony.	2
U3.3	3	61m <sup>2</sup> west and south facing terrace.	2

**Mixed use building (roof level)**

Land use	Area
<b>ROOF LEVEL - COMMUNAL ROOF GARDEN &amp; MECHANICAL SERVICES LEVEL</b>	
Communal roof garden	80m <sup>2</sup> of roof level area for the purpose of communal rooftop garden area located on the centre of the site with raised planter boxes on the perimeter of communal roof garden.
Services Deck	24.5m <sup>2</sup> of net floor area located adjacent to the café with a west-facing apartment entry.
Solar Panels	37.5m <sup>2</sup> of roof level area dedicated to solar panels

**3.3 Proposed buildings and works**

Materials and finishes of the development include a mixed palette of textured off form concrete look panelling, Shiplap Cladding Feature (various colours taken existing boats or contextual reference to the sites previous use by using colours of the old days), rendered wall colour 'concrete look', raw concrete, horizontal clad timber sheet, sheet cladding colour 'Copper' detail added to infill between windows to shroud age, glass balustrades, black aluminium windows and door frames. Windows and doors have been designed to preclude overlooking to the adjoining residential development to comply with Standard B22 of ResCode. A flat roof profile is proposed. For further details on the roofing and materials and finishes proposed, please refer to Drawings No. TP-01 and TP-10 prepared by *JFK Design Pty Ltd*, which accompanies this application.

The built form proposes a contemporary architectural response based around rectangular form. Variations in construction materials, stepping in and out of larger sections of walls are introduced.

An extended canopy and sign 'Pompei's' is provided along the Main Street frontage to give a sense of address with the café, apartment entry, lobby and communal entrance. Lift and staircases are proposed to access from the ground floor level, first floor level, second floor level, third floor level and roof level/communal garden level. The communal rooftop garden space will provide a high-quality entertainment and socialising area for the enjoyment of residents and visitors, with views onto the city and to Port Phillip Bay.

Site service boxes are accessible via the accessway on the ground floor level and via controlled access points on the communal roof garden building. Refuse enclosures for the residents and café are located within the undercroft car park, refer to Waste Management Plan prepared by *SALT 3*.

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The development has a common access point to Main Street at the western frontage of the subject site with additional controlled access points to the gravel driveway and the hull of the Seeker landmark element.

Comprehensive landscaping of the open space areas is proposed as part of the development. It is noted that there are no significant trees located on site and no trees outside the subject site will be impacted by the proposed development. For further details refer to Landscape Plan prepared by JFK Design Pty Ltd which accompanies this application.

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## 4. PLANNING CONTROLS, POLICIES AND ASSESSMENT

### 4.1 Preamble

The planning controls that apply to the subject site and the proposed development, including zoning, overlays, state planning policies, and particular provisions, are contained within the *Kingston Planning Scheme*. The following section provides discussion regarding how the proposal accords with the relevant provisions of the scheme.

### 4.2 Zoning

Under the Scheme, the subject site is located the Mixed-Use Zone (MUZ) and partially located on land in the Public Use Zone (PUZ4). It is noted that Crown Land vested under the control of VicRoads directly adjacent to the subject site Public Park and Recreational Zone (PPRZ). The subject site is only property in the immediate area zoned MUZ. Commercial 1 Zone (C1Z) zoning also applies to the abutting properties to the north and west, while the properties to the south and west are zoned PPRZ. The zoning of the subject site, adjoining and nearby properties is illustrated in the extract from the Planning Scheme Map in *Figure 17* below for details.

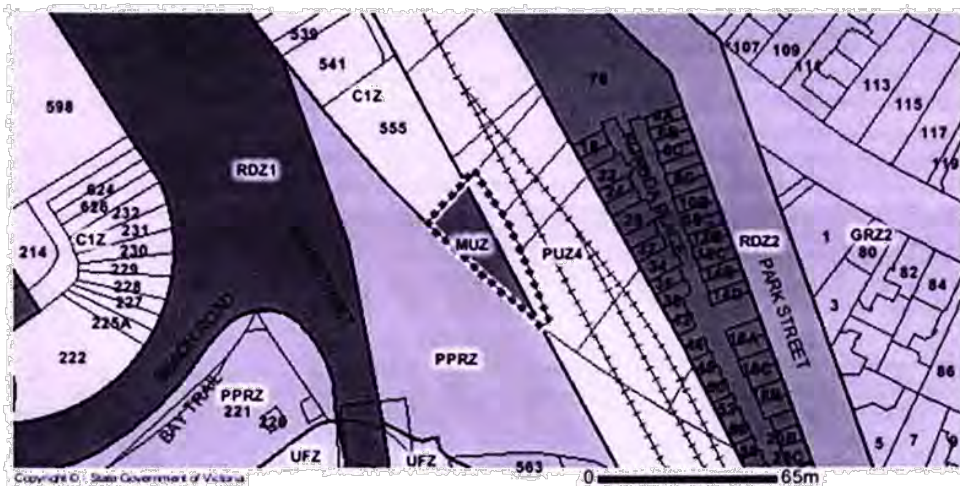


Figure 17: An extract from Planning Maps Online noting No. 557-561 Main Street (outlined in red) within the Mixed Use Zone (MUZ).

Pursuant to Clause 32.04-2 (Mixed Use Zone – table of uses), a dwelling (being nested in accommodation) is a Section 1 use (permit not required). A food and drink premises with the leasable floor area exceeding 150m<sup>2</sup> is a Section 2 use (permit required).

Pursuant to Clause 32.04-6 (Mixed Use Zone - buildings and works), a permit is required to construct a residential building. Pursuant to Clause 32.04-8 (Mixed Use Zone – buildings and works) a permit is required for a use in Section 2 of Clause 32.04-8.

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A development must meet the requirements of Clause 55. This does not apply a development of four storeys or more storeys, excluding a basement.

Schedule to the MUZ specifies no variations to the zoning requirements.

Pursuant to Clause 36.01-1 (Public Use Zone – table of uses), a planning permit is required for a miscellaneous use (not listed in Section 1) for accommodation and food and drink premises (café).

Pursuant to Clause 36.01-2 (Public Use Zone – buildings and works), a planning permit is required to construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons or aids.

Pursuant to Clause 36.02-1 (Public Park and Recreation Zone – table of uses), a planning permit is required for a miscellaneous use (not listed in Section 1) for accommodation and food and drink (café) premises.

Pursuant to Clause 36.02-2 (Public Park and Recreation Zone – buildings and works), a planning permit is required to construct a building or construct or carry out works.

An assessment of the proposal under the above policies is provided in Sections 5.4 and 5.5 of this Submission.

#### 4.3 Overlay Controls

Under the Scheme, the subject site is affected by a Design and Development Overlay – Schedule 10 (DDO10 – Mordialloc Activity Centre) and Environmental Audit Overlay (EAO). The overlays map of the subject site, adjoining and nearby properties is illustrated in the extract from the Planning Scheme Map in **Figure 18-19** below and next page over for details.

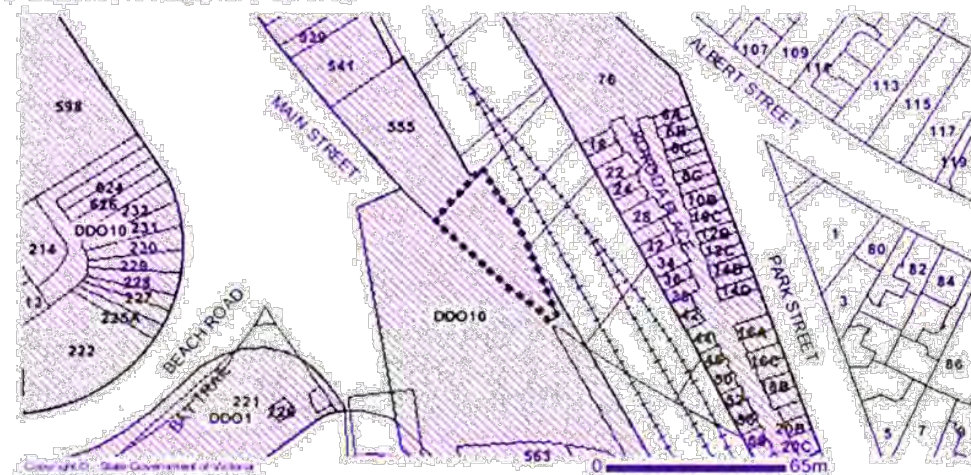
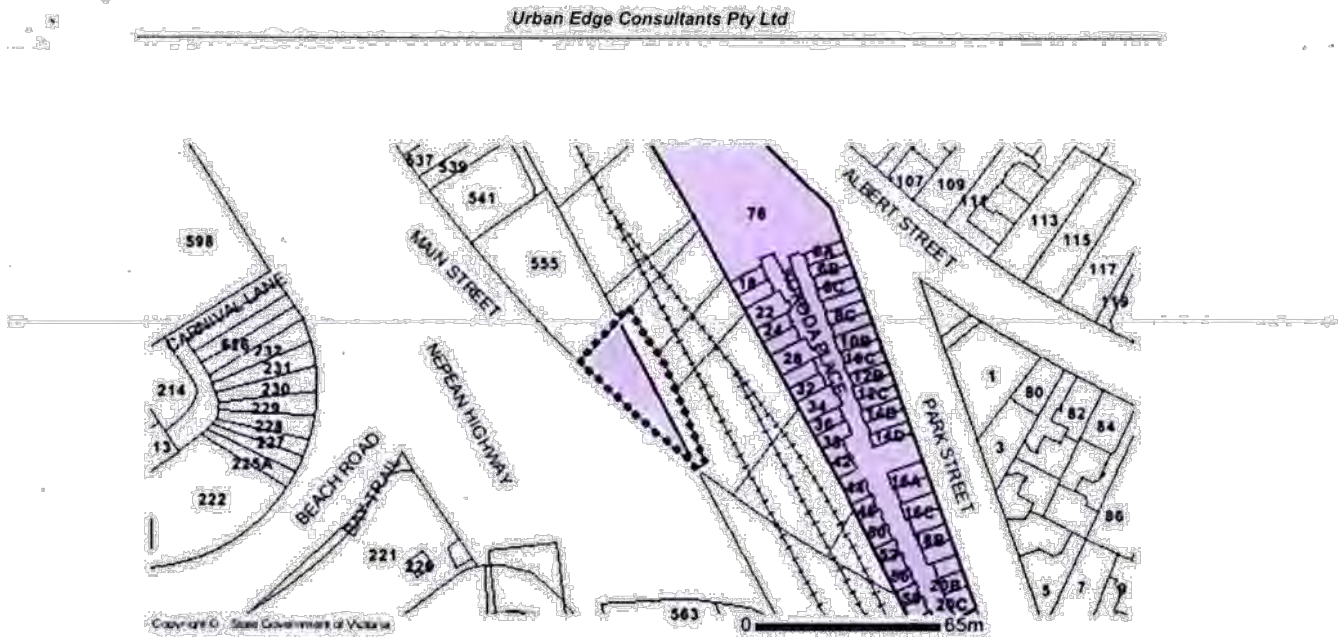


Figure 18: Extract from Planning Maps Online showing the Design and Development Overlay (DDO10) of the subject site (Red dotted border) and its surrounds

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Pursuant to Clause 43.02-2 (Design and Development Overlay – buildings and works) of the Scheme, a permit is triggered for the construction of a building or to carry out works, unless the schedule to this overlay specifically states that a permit is not required.

Pursuant to Clause 45.03-1 (Environmental Audit Overlay – Requirement) of the Scheme, before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either;

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environmental Protection Act 1970*, or;
- An environmental auditor appointed under the *Environmental Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Otherwise, there are no other overlay controls that apply to the subject site. It is noted that the surrounding properties in the immediate vicinity of the subject site are affected by the Heritage Overlay (HO123 – Main Street, Mordialloc). Please see Planning Scheme Map next page over **Figure 20**.



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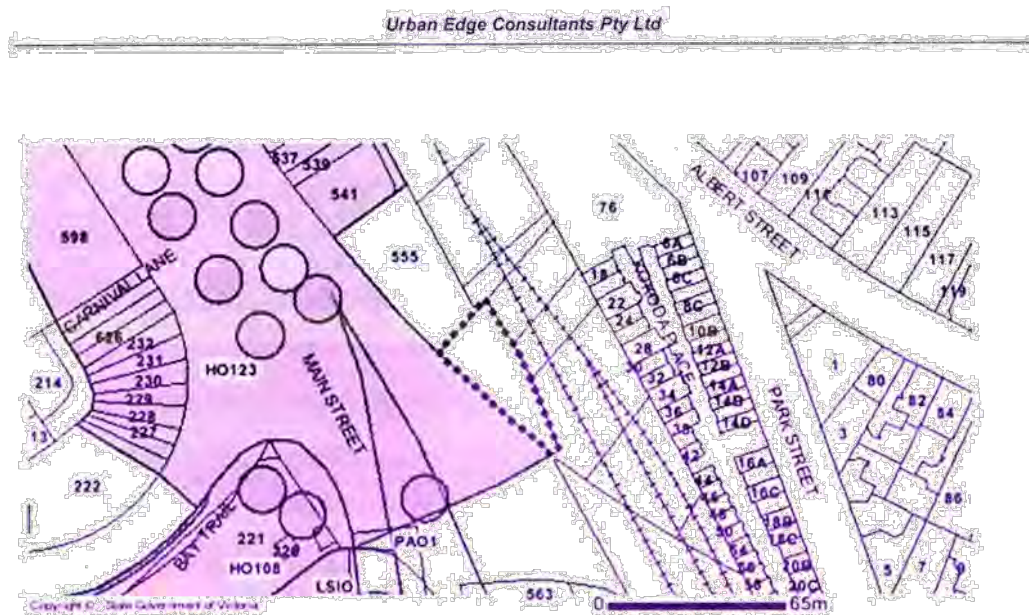


Figure 20: Extract from Planning Maps Online showing the overlays on the adjoining land of the subject site (Red dotted border) most notably HO123 (Main Street, Mordialloc) and its surrounds.

An assessment of the proposal under the above policies is provided in Sections 5.4 and 5.5 of this Submission.

#### 4.4 State Planning Policy Framework

Those sections of the State Planning Policy Framework (SPPF) which are considered relevant to the proposed development are:

- |                           |   |
|---------------------------|---|
| • Settlement networks     | as contained within Clause 11.01 of the Scheme;     |
| • Urban Growth            | as contained within Clause 11.02 of the Scheme;     |
| • Activity Centres        | as contained within Clause 11.04 of the Scheme;     |
| • Metropolitan Melbourne  | as contained within Clause 11.06 of the Scheme;     |
| • Coastal Areas           | as contained within Clause 12.02 of the Scheme;     |
| • Urban Environment       | as contained within Clause 15.01 of the Scheme;     |
| • Sustainable Development | as contained within Clause 15.02 of the Scheme;     |
| • Heritage                | as contained within Clause 15.03 of the Scheme;     |
| • Residential Development | as contained within Clause 16.01 of the Scheme;     |
| • Commercial              | as contained within Clause 17.01 of the Scheme;     |
| • Integrated Transport    | as contained within Clause 18.01 of the Scheme; and |
| • Movement Networks       | as contained within Clause 18.02 of the Scheme;     |

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#### 4.5 Local Planning Policy Framework

Those sections of the Local Planning Policy Framework (LPPF) which are considered relevant to the proposed development are:

- Residential Land Use as contained within Clause 21.05 of the Scheme;
- Retail and Commercial Land Use as contained within Clause 21.06 of the Scheme;
- Foreshore as contained within Clause 21.08 of the Scheme;
- Transport, Movements and Access as contained within Clause 21.12 of the Scheme; and
- Mordialloc Activity Centre as contained within Clause 22.14 of the Scheme.

#### 4.6 Particular Provisions

In terms of Particular Provisions contained within the Scheme, the requirements of Clause 55 of the Scheme (part of 'ResCode') are appropriate to the proposed development. The requirements of Clause 52.05 (Advertising Signs), Clause 52.06 (Car Parking) and Clause 52.34 (Bicycle Facilities) are also applicable.

#### 4.7 Aboriginal Cultural Heritage

In terms of Aboriginal Cultural Heritage, the requirements are set out in the Aboriginal Cultural Heritage Act 2006 are also applicable as the proposal as it is classed as a 'high risk activity'. A cultural heritage management plan has been prepared by *Andrew Long and Associated Pty Ltd*, which accompanies this Planning Submission.

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## 5. PLANNING ASSESSMENT

### 5.1 Matters for Consideration

Pursuant to the Decision Guidelines contained within Clause 65 of the *Kingston Planning Scheme* ('the Scheme'), and given the planning controls identified in Section 4 of this Submission, the following matters are to be considered in the assessment of the proposed development:

- The Mixed Use Zone of the subject site, and the requirements for development in the Mixed Use Zone;
- The Public Use Zone of the subject site, and the requirements for development in the Public Use Zone;
- The Public Park and Recreation Zone of the immediately adjacent land to the subject site, and the requirements for in the Public Park Recreation Zone;
- The Design and Development Overlay of the subject site, and the requirements for development in the Design and Development Overlay;
- The Environmental Audit Overlay of the subject site, and the requirements for development in the Environmental Audit Overlay;
- The relevant objectives and requirements of the State Planning Policies;
- The relevant objectives and requirements of the Local Planning Policies;
- The relevant objectives and requirements of the ResCode, as contained within Clause 55 of the Scheme;
- The provisions of Clause 52.06 (Car Parking) and Clause 52.34 (Bicycle Facilities); and
- Any relevant matters set out in Section 60 of the Planning and Environment Act 1987.

The above matters are considered below under corresponding headings.

### 5.2 Zoning Requirements

#### 5.2.1 Mixed Use Zone (Clause 32.04)

Given its nature, scale and location, the proposed development is considered to be consistent with the relevant purposes of the Mixed Use Zone, as contained within Clause 32.04 of the Scheme, those purposes being:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality;
- To provide for housing at higher densities;
- To encourage development that responds to the existing or preferred neighbourhood character of the area;
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

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Pursuant to Clause 32.04-13 (Mixed Use Zone – Decision Guidelines), the decision guidelines for an application requires the following to be considered (as appropriate):

#### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- The objectives set out in a schedule to this zone;
- Any other decision guidelines specified in a schedule to this zone;
- Any requirements set out in the schedule to this zone.

#### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

The proposal is considered to be appropriate within the MUZ because:

- ✓ An assessment of the proposal under SPPF and LPPF is provided in Sections 5.4 and 5.5 of this Submission, and finds the proposal is supported by the relevant clauses;
- ✓ The proposed use of the land (dwelling) is for an as-of-right use in the zone;
- ✓ The proposal provides a high-quality café experience to enjoy quality food and drink service at a location with excellent access to other amenities within Mordialloc Activity Centre;
- ✓ The proposal will not result in unreasonable adverse amenity impacts to adjoining or nearby properties;
- ✓ The proposal will encourage residents, visitors, patrons and employees to use sustainable modes of transport in the vicinity, including pedestrian networks, bicycle paths, and public transport services as alternatives to motor vehicles. This is detailed further by the traffic engineering assessment prepared by SALT 3 in support of the application;
- ✓ The proposal will integrate with the surrounding commercial context and activate the street frontage along Railway Parade adding to the commercial vibrancy of the area; and
- ✓ The proposed built form, scale and massing is contextual, respectful of, and responsive to the surrounding mixed-use character of Main Street thus making it a positive contribution to the Mordialloc Activity Centre.

An assessment of the proposed development against ResCode requirements of Clause 55, carried out by Urban Edge Consultants Pty Ltd, accompanies this Submission. An assessment of the proposed development against the relevant sections of the SPPF and LPPF is provided in Sections 5.4 and 5.5 of this Submission.

#### 5.2.2 Public Use Zone (Clause 36.01)

Given its nature, scale and location, the proposed development is considered to be consistent with the relevant purposes of the Public Use Zone, as contained within Clause 36.01 of the Scheme, those purposes being:

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- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise public land use for public utility and community services and facilities.
- To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Pursuant to Clause 36.01-4 (Public Use Zone – decision guidelines), the decision guidelines for an application which requires the following to be considered (as appropriate):

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Pursuant to Clause 36.01-6 (Public Use Zone – table of uses) has been classed the proposal within PUZ4 (Transport).

The proposal is considered to be appropriate within the PUZ4 because:

- ✓ An assessment of the proposal under SPPF and LPPF is provided in Sections 5.4 and 5.5 of this Submission, and finds the proposal is supported by the relevant clauses;
- ✓ The proposal will be designed to modestly increase the extent of the existing building footprint and is design and site to not interfere with the overhead wires of the adjacent Frankston railway line; and,
- ✓ The proposal is considered to be in accordance with VicTrack's development guidelines for land adjacent to PUZ4. However, it is acknowledged that the application will have to be referred to VicTrack (as the public land manager) for further comments on the proposal.

### 5.2.3 Public Park and Recreation Zone (Clause 36.02)

Given its nature, scale and location, the proposed development is considered to be consistent with the relevant purposes of the Public Park and Recreation Zone, as contained within Clause 36.02 of the Scheme, those purposes being:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

Pursuant to Clause 36.02-4 (Public Use Zone – decision guidelines), the decision guidelines for an application which requires the following to be considered (as appropriate):

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.

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- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

The proposal is considered to be appropriate within the PPRZ because:

- ✓ An assessment of the proposal under SPPF and LPPF is provided in Sections 5.4 and 5.5 of this Submission, and finds the proposal is supported by the relevant clauses;
- ✓ The proposal will be designed to modestly increase the extent of the existing building footprint and is design and site to not interfere with the overhead wires of the adjacent Frankston railway line; and,
- ✓ The proposal is considered to be in accordance with VicRoads development guidelines for land adjacent to PPRZ (as the public land manager). However, it is acknowledged that the application will have been referred to VicRoads for further comments on the proposal.

### 5.3 Overlay Requirements

#### 5.3.1 Design and Development Overlay (Clause 43.02)

Given its nature, scale and location, the proposed development is considered to be consistent with the relevant purposes of the Design and Development Overlay, as contained within Clause 43.02 of the Scheme, those purposes being:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Pursuant to Clause 43.02-5, the decision guidelines for an application requires the following to be considered (as appropriate):

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

In addition to decision guidelines pursuant to Clause 43.02-5, the Schedule 10 to this overlay also specifies for sites within Mordialloc Activity Centre additional provisions to be achieved.

Under Clause 1.0 (design objectives) of the Schedule, which contains the following:

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- To reinforce the low rise coastal village form, character, streetscape and heritage of the Mordialloc Activity Centre.
- To achieve responsive and sensitively designed development that is of a high quality architectural and urban design standard.
- To ensure development has proper regard for the established heritage values, streetscape and development pattern in terms of building design, height, scale, and siting.
- To preserve solar access to the foreshore, dwellings, public and private open space and pedestrian paths.
- To protect and enhance key views, vistas and landmarks. In addressing the Design objectives all development proposals must have regard to the Mordialloc Pride of the Bay: A Structure Plan for the Future of Mordialloc, 2004.

Under Clause 2.0 (Heights) of the Schedule, which contains the following:

- New development must not exceed the maximum building height specified in Column 2 of Table 1 to this Schedule.
- A permit cannot be granted to vary the maximum building height specified in Column 2 of Table 1 to this Schedule.

Under Clause 3.0 (Design Standards) of the Schedule, which contains the following:

- New development must comply with the design standard provisions specified in Column 3 of Table 1 to this Schedule.
- A permit cannot be granted to vary the building setbacks specified in Column 3 of Table 1 to this Schedule, unless otherwise specified in the Table.
- Terraces, balconies and roof decks may be located within the building setbacks specified in Column 3 of Table 1 to this Schedule, unless otherwise specified in the Table. A permit cannot be granted to construct a terrace, balcony or roof deck which is not in accordance with a requirement in the Table.

Under Clause 4.0 (Performance Criteria) of the Schedule, which contains the following:

- In addition to responding to the height and design standards in Column 2 and 3 of Table 1 to this Schedule new development must demonstrate how specific performance criteria have been addressed.
- A permit may be granted to vary components of the performance criteria.

Under Clause 5.0 (Roof decks) of the Schedule, which contains the following:

- A roof deck should:
  - Be set back a minimum of 2 metres (unless a greater setback is prescribed in the specified design standard provisions in Column 3 of Table 1 of this Schedule) from the roof edge on all sides to minimise the visual impact on the street, coastal environs and adjoining properties.
  - Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure with a maximum height of 2.1 metres.

A permit can be granted to construct a roof deck which is not in accordance with these requirements:

Under Clause 6.0 (Information to be submitted with a planning permit application), which contains the following:

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- All applications must be accompanied by a neighbourhood and site description and design response which demonstrates how the proposed building and works achieve the design objectives.

Under Clause 7.0 (Decision Guidelines), which contains the following:

- The neighbourhood and site description.
- The design response.
- The effect of the building height on the scale and character of the area.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level, and staggered building forms.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Any applicable heritage study.
- The views of Council's Heritage Advisor.
- Whether third and fourth storey articulation has been achieved.
- Whether third and fourth storeys are visually intrusive when viewed from the street and surrounding area.
- Whether the proposed siting, height, design and building setbacks will be in keeping with the character of the area.
- Whether the Roof Decks/Balcony is:
  - Designed to minimise views into secluded private open space and habitable room windows of adjacent dwellings.
  - Designed and located to have minimal impact on the street and surrounding area.
- Use of materials, finishes and colour.
- Mordialloc Pride of the Bay: A Structure Plan for the Future of Mordialloc, 2004
- The Siting and Design Guidelines for Structures on the Victorian Coast, 1998.

Under Table 1 to Schedule 10 Maximum Building Height in the Mordialloc Activity Centre, applies precinct objectives, maximum building height requirements, design standard and performance guidelines, which are:

Precinct	Maximum Building Height	Design Response	Performance Criteria
DDO10-A5 Pompei's Landing Pompei's Existing Boat Shed Site (557-661 Main Street, Mordialloc)	4 storeys (14 metres)		Any 4th storey must be recessed from the buildings frontage.
Buildings in the Vicinity of the Creek	2 storeys (7.5 metres)		
New Boating Facility	10.5 metres		

The proposal is considered to be appropriate within the DDO10 because:

- ✓ An assessment of the proposal under SPPF and LPPF is provided in Sections 5.4 and 5.5 of this Submission, and finds the proposal is supported by the relevant clauses;

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- ✓ The building's maximum height of 14m above the natural ground level (measured from the roof on Drawing No. TP-08 - Proposed South West Elevation) is below the maximum allowed for Pompei's Existing Boat Shed Site (557-561 Main Street) in Column 2 of Table 1 in the Schedule 10-A5 to the Overlay of 14m above natural ground level;
- ✓ The proposal provides adequate built form recession from a the fourth-storey mixed-use building to Main Street by providing appropriate building setbacks, the provision of articulation to elevations, and the screening of balconies/habitable rooms windows to avoid potential overlooking;
- ✓ The proposal provides a roof deck which is appropriately set back 2 metres from the roof edge on all sides to minimise the visual impact on the street, coastal environs and adjoining properties;
- ✓ The proposed built form, scale and massing is contextual, respectful of, and responsive to the surrounding neighbourhood character thus making it a positive contribution to the Mordialloc Activity Centre;
- ✓ Be designed to be responsive to its interface with neighbouring properties;
- ✓ The proposal will not be clearly visible from the surrounding sensitive interfaces (adjoining areas of secluded private open space) due to the upper level setbacks proposed. This along with the use of a varied palette of materials and built form articulation reduces the potential for excessive scale, massing and visual bulk;
- ✓ The proposal has a well-resolved architectural form and design that is respectful of the adjoining properties and surrounding character, whilst creating an attractive exterior that is consistent with the significant character of the Mordialloc Activity Centre;
- ✓ The proposal will not result in unreasonable adverse amenity impacts to adjoining or nearby properties; and,
- ✓ The proposal will enhance views, vistas and landmarks by incorporates numerous design cues from the local marine environment as well as establishing a permanent area for the hull of the 'Seeker' as the local iconic landmark element.

### 5.3.2 Environmental Audit Overlay (Clause 43.05)

Given its nature, scale and location, the proposed development is considered to be consistent with the relevant purposes of the Environmental Audit Overlay, as contained within Clause 43.02 of the Scheme, those purposes being:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination;

Pursuant to Clause 45.03-1 (Environmental Audit Overlay – Requirement) of the Scheme, before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environmental Protection Act 1970; or;
- An environmental auditor appointed under the Environmental Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

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It is considered appropriate that a condition of the planning permit be included that would restrict the proposed use from commencing until a certificate of environmental audit has been issued deeming the site appropriate for the proposed use.

#### 5.4 State Planning Policies Framework (SPPF)

##### 5.4.1 Settlement (Clause 11)

The objective of Clause 11.01-1, relating to Settlement networks is:

*To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

The relevant strategies within this policy are:

- *Support Melbourne's Metropolitan Activity Centres through a network of major and neighbourhood activity centres of varying size, role and function.*

The proposed development is considered to be consistent with the objective and strategies of this Clause as it will:

- ✓ The proposal achieves a higher density residential development within the Mordialloc Activity Centre, which in turn provides the necessary resident base to support the growing diversity and vibrancy of services provided by the centre. Furthermore, the subject site has excellent access to public transport, active transport linkages and other services which will provide a high level of amenity to future residents while supporting the on-going function that the centre provides within the City of Kingston.

##### 5.4.2 Urban Growth (Clause 11.02)

The objective of Clause 11.02-1, relating to Supply of Urban Land is:

*To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

The relevant strategies within this policy are:

- *Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.*
- *Planning for urban growth should consider:*
  - *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
  - *Neighbourhood character and landscape considerations.*
  - *The limits of land capability and natural hazards and environmental quality.*
  - *Service limitations and the costs of providing infrastructure.*
- *The proposed development is considered to accord with the objective and relevant strategies of this Clause as it will:*
- *Monitor development trends and land supply and demand for housing and industry.*

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The proposed development is considered to be consistent with the objective and strategies of this Clause as it will:

- ✓ The proposal aims to revitalise the site formerly known as 'Pompei's Boat Building Works' or Pompei's Boatshed was the historic boatyard owned by Mr Jack Pompei OAM and presents a unique redevelopment opportunity for the site to be repurposed to a mixed-use food and drink (café) and residential complex, which capitalises on an opportunity to respond to urban growth pressures at a location within a major activity centre that has been earmarked for significant growth at both State and Local Government levels;
- ✓ The proposed use and development of the land will ensure the objectives of the policy are achieved through the accommodation of the projected population growth in an efficient manner. The proposal is one which responds to the locational context of the subject site by facilitating higher density residential development at a location designated for such housing typology; and,
- ✓ The proposal provides a conveniently located café that is easily accessible via pedestrian and bicycle paths from the wider road network, and offer a new café option for nearby residents; and,
- ✓ The proposed incorporates an alfresco outdoor dining area on Main Street will activate the footpath and will not result provide for more dialogue between the café premises and the public realm.

The objective of Clause 11.02-2, relating to Structure Planning is:

*To facilitate the orderly development of urban areas*

The relevant strategies within this policy are:

- Ensure effective planning and management of the land use and development of an area through the preparation of strategic plans, statutory plans, development and conservation plans, development contribution plans and other relevant plans.
- Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.
- Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:
  - Take into account the strategic and physical context of the location.
  - Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
  - Provide for the development of sustainable and liveable urban areas in an integrated manner.
  - Assist the development of walkable neighbourhoods.
  - Facilitate the logical and efficient provision of infrastructure and use of existing infrastructure and services.

The proposed development is considered to be consistent with the objective and strategies of this Clause as it will:

- ✓ The proposal will provide a built form that will transform the existing warehouses, workshop, storage area, and abandoned boatyard new mixed-use commercial and residential land uses in line with the Mordialloc Activity Centre.

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# RESCODE ASSESSMENT

(Clause 55)

Submitted to: **City of Kingston**

for

**Develop the land for the construction of thirteen (13) apartments, food and drink premises (café), associated buildings and works within a Public Use Zone, Public Park Recreation Zone and Design and Development Overlay Area, and a reduction in required car parking**

at

**557-561 Main Street, Mordialloc**

(Crown Allotment 4A, Section 11, City of Mordialloc, Parish of Mordialloc)

Prepared By:

**Urban Edge Consultants Pty Ltd**

Prepared For:

**Shenfield Property Pty Ltd**

**May 2018**

Job No: 1485

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**55.01 Neighbourhood and Site Description and Design Response**

55.01-1 Neighbourhood and Site Description	
The Neighbourhood	
Pattern of Development	See the Existing Site and Context Plan (TP-01), which accompanies the application.
Built Form, Scale, Character, incl. Front Fencing	
Architectural and Roof Styles	
Notable Features	
The Site	
Site Shape	No. 557-561 Main Street (Crown Allotment 4A, Section 11, City of Mordialloc, Parish of Mordialloc) has an irregular shape, and has the following dimensions: <ul style="list-style-type: none"><li>• A 56.4m long western frontage to Main Street and Pompei's Landing;</li><li>• A 2.82m wide southern (side) boundary;</li><li>• A combined 37.34m wide southern (rear) boundary; and,</li><li>• A 20.02m long northern (side) boundary.</li></ul>
Size	The subject site has a total area of 937m <sup>2</sup> .
Orientation	West-East (front-rear).
Easements / Encumbrances	The subject site is encumbered by two easements; one 2m wide drainage easement (E-1) running north to south through the centre of the site; one implied PTC (Public Transport Corporation) easement running along the western boundary of varying widths adjacent the clearance zone for the overhead wires above the railway tracks. Additionally, the subject site is burdened by a registered restrictive covenant V222496H 20/11/2001, which restricts buildings and works as well as activities on the site to allow for maintenance of electrical clearance of the PTC power lines and associated structures and fittings. Otherwise, the subject site does not result in a breach of the above-mentioned covenant or any restrictions.
Levels of Site	<p>In terms of its topography, the subject site has a slight slope running west to east. Along the north-eastern corner of the property is RL 2.64m and runs down to the north-western corner of the property is RL 1.64m. Diagonally over the distance 20.51m, the 1m rise equates to angle of incline of 2.79% degrees or 1:20.52m.</p> <p>The levels are measured in R.L. Rivet located in concrete path on the nature strip adjacent the north-west corner measured at RL1.66m. Following measurements taken from approximate corner and centre of site noted as:</p> <ul style="list-style-type: none"><li>• North west (1.66m R.L)</li><li>• North east (2.64m R.L)</li><li>• South west (2.42m R.L)</li><li>• South east (2.44m R.L)</li><li>• Centre of site (2.14m R.L)</li></ul>
Levels of Surrounding Properties	The levels of the surrounding properties predominately reflect that of the subject site with a minor slope.
The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.	The land use in the immediate area consists of commercial, public use (Frankston railway line), public park and recreation (Pompei's Landing). Refer to Section 2 of Planning Submission that accompanies this application.

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Surrounding Building Uses	Main Street is generally characterised by low rise commercial land uses with residential above the ground floor level for several mixed-use buildings along the commercial strip. Beyond the immediate uses, the subject site falls within a well-established, local commercial area which serves the wider Mordialloc area and surrounding suburbs. This commercial area supports a range of uses including food and beverage, large retail outlets, supermarkets and medical centres fronting Main Street. Further to the east of the subject site, residential uses dominate with the spine of the Mordialloc Activity Centre allowing for medium and high-density development, which transition to the single and double storey dwellings on medium to large residential allotments, with the occasional presence of medium density development including battle-axe allotments or side-by-side townhouses. See Section 2.2 and 2.3 of Planning Submission by <i>Urban Edge</i> for a full description.
Location of private open space of surrounding properties, which have an outlook to the site within 9m	See the Existing Site and Context Plan (TP-01), which accompanies the application.
Location of habitable room windows of surrounding properties, which have an outlook to the site within 9m	See the Existing Site and Context Plan (TP-01), which accompanies the application.
Solar access – to the site and surrounding properties	See the Existing Site and Context Plan (TP-01), which accompanies the application.
Location of significant trees on site	There are no significant on the subject site.
Contaminated soils/filled areas	The site is located in a former boatbuilding site, however there are no intensive land uses nearby. None known.
Views to and from the site	The site is located prominently within Main Street with view line corridors oriented in line with Main Street (to the north), Beach Road (to the west) and Nepean Highway (to the south) in a relatively flat area. Further description of this streetscape character and layout are within Section 2 of the Planning Submission.
Street frontage features – e.g. poles, kerb crossovers, street trees, etc.	The site features a double vehicular access along the northern section frontage to Main Street, which provides vehicular access to the loading and unloading bays (delivery bays) with on-site car parking. The main premises formerly known as 'Pompei's Boat Building Works' or Pompei's Boatshed was the historic boatyard owned by Mr Jack Pompei OAM. The adjacent Crown Land to the subject site consists of an abandoned boatyard with the prominent hull 'The Seeker' positioned directly in front of the premises. Located approximately 3m to the south of the subject site (also located on Crown Land) is a telecommunications facility and brick clad storage shed. Additionally, the Crown Land contains over ground and underground assets including gas pipelines, power poles and underground telecommunications cables.



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The location of local shops, public transport services and public open spaces within walking distance.

The subject site is located within the Mordialloc Activity Centre and is situated adjacent to commercial zoned land. Main Street is generally characterised by low rise commercial land uses with residential above the ground floor level for several mixed-use buildings along the commercial strip. Beyond the immediate uses, the subject site falls within a well-established, local commercial area which serves the wider Mordialloc area and surrounding suburbs. This commercial area supports a range of uses including food and beverage, large retail outlets, supermarkets and medical centres fronting Main Street. Further to the east of the subject site, residential uses dominate with the spine of the Mordialloc Activity Centre allowing for medium and high-density development, which transition to the single and double storey dwellings on medium to large residential allotments, with the occasional presence of medium density development including battle-axe allotments or side-by-side townhouses.

The subject site has excellent access to shopping, retail and other services within walking distance of the site. Woolworths is located approximately 160m to the north-west. A number of other retail outlets can also be found to the northern section of Mordialloc Activity Centre supplementing the supermarket by providing local shopping needs. Local amenities of note include the Mordialloc Surf Life Saving Club located approximately 450m to the north-west; Mordialloc Community Centre and Neighbourhood House located approximately 490m to the north.

There are a range of educational services within close proximity to the site. Mordialloc Preschool is located approximately 380m to the east; St. Brigid's Primary School is located approximately 210m to the east; St. Louis de Montfort's School is located approximately 1.6km to the south-west; Mordialloc Beach Primary School is located approximately 350m to the north; Kilbreda College is located approximately 3.45km to the north-east; Mordialloc College is located approximately 540m to the south-east; Parkdale Secondary College is located approximately 2.03km to the north; Mentone Grammar School located approximately 2.95km to the north-east; Mentone Girls Grammar School is located approximately 2.98km to the north-east; and Chisholm TAFE Frankston campus is accessible via the nearby Mordialloc railway station.

The subject site has excellent access to a variety of public transport options, connecting the locality to the wider metropolitan area. Mordialloc railway station is located approximately 210m to the north of the site, located on the Frankston railway line and connecting the site to Melbourne CBD and Melbourne's south eastern suburbs. Bus route 706 runs along Centreway (off peak) and operates between Mordialloc and Chelsea with a bus stop situated approximately 230m to the north-east of the subject site; Bus routes 903 (Melbourne Smart Bus service) also runs along Centreway and operates between Mordialloc and Altona from the same bus stop as Bus route 706. Furthermore, Bus route 705 operates between Mordialloc to Springvale and Bus route 825 operates between Mordialloc and Noble Park runs along Albert Street adjacent Mordialloc railway station with a bus stop situated approximately 275m to the north of the subject site.

A range of public open spaces are located in close proximity to the subject site. Havel Pierce Reserve is a small public open space located 310m to the west of the subject site; Attenborough Park is located 390m to the south; Peter Scullin Reserve is located approximately 410m to the east of the subject site; Mordialloc Park consisting of a number of adjoining green spaces along Mordialloc Creek are located approximately 500m to the east of the subject site consisting of sporting oval and picnic grounds; and Mordialloc Motor Yacht Club is located approximately 200m to the south of subject site. It is noted that Pompei's Landing provide active transport linkages to the Mordialloc railway station via the Bay Trail bicycle path.

Any other notable features or characteristics of the site.

None except those mentioned above.



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**55.01-2 Design Response**

The design response must explain how the proposed design:

- derives from and responds to the neighbourhood and site description;
- meets the objectives of Clause 55;
- responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

See the Existing Site and Context Plan (TP-01), the Existing Conditions and Demolition Plan (TP-02), Proposed Ground & Context Plan (TP-03), Proposed Elevations (TP-08), and Proposed Elevations (TP-09), which accompany the application.

**55.02 Neighbourhood Character and Infrastructure****55.02-1 Neighbourhood Character****Standard B1**

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

The proposed development is considered to be appropriate in terms of responding to the attributes of the subject site and providing a high quality architectural contribution to Main Street. The proposal seeks to create an individually significant building within Mordialloc, which pays tribute to Pompei's legacy of local boatbuilding, while also being respectful to the surrounding character and emerging character of the Mordialloc Activity Centre.

For further discussion, see Section 5 of the Planning Submission that accompanies this Planning Permit Application.

**55.02-2 Residential Policy****Standard B2**

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Section 5 of the Planning Submission provides an assessment of the consistency and/or compliance of the proposed development with the relevant state and local planning policies and standards.

**55.02-3 Dwelling Diversity****Standard B3**



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<p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> <li>Dwellings with a different number of bedrooms.</li> <li>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<p>The proposed development is for thirteen units are single levels.</p> <p><u>Mixed use building - first floor level units x 5:</u></p> <ul style="list-style-type: none"> <li>Has three 3-bedroom units with floor areas ranging from 129.4m<sup>2</sup> and 146.5m<sup>2</sup>. Their private open space areas are 12m<sup>2</sup>.</li> <li>Has one 2-bedroom unit with a floor area of 83.5m<sup>2</sup>. The private open space area is 8m<sup>2</sup>;</li> <li>Has one 1-bedroom units with floor area of 52m<sup>2</sup>. The private open space areas are 8m<sup>2</sup>; and,</li> <li>Each unit has a bedroom with ensuite bathroom with open plan living room/kitchen areas.</li> </ul> <p><u>Mixed use building – second floor level units x 5:</u></p> <ul style="list-style-type: none"> <li>Has three 3-bedroom units with floor areas ranging from 129.4m<sup>2</sup> and 146.5m<sup>2</sup>. Their private open space areas are 12m<sup>2</sup>.</li> <li>Has one 2-bedroom unit with a floor area of 83.5m<sup>2</sup>. The private open space area is 8m<sup>2</sup>;</li> <li>Has one 1-bedroom units with floor area of 52m<sup>2</sup>. The private open space areas are 8m<sup>2</sup>; and,</li> <li>Each unit has a bedroom with ensuite bathroom with open plan living room/kitchen areas.</li> </ul> <p><u>Mixed use building - third floor level units x 3:</u></p> <ul style="list-style-type: none"> <li>Has three 3-bedroom units with floor areas ranging from 130m<sup>2</sup> and 150m<sup>2</sup>. Their private open space areas range from 50m<sup>2</sup> and 92m<sup>2</sup>.</li> </ul> <p>The proposed variation to the developments of ten or more dwellings is considered acceptable as it allows for a diversity of dwellings. Given that the proposed development seeks to maximise dwelling yield on the subject site as outlined in the Mixed Use Zone, no dwellings that contains a kitchen, bath or shower, and a toilet and wash basin will be located at the ground floor level.</p>	Acceptable and necessary variation
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## 55.02-4 Infrastructure

## Standard B4

Developments should be connected to reticulated services, including reticulated water and sewerage, drainage, electricity and natural gas, if available.	The subject site is fully serviced and the proposed development will be connected to all services.	✓
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	The net increase of thirty-three dwellings in an emerging mixed use residential and commercial area will have the ability to support the additional residential density, being located in close proximity to main arterial being primary carriers of services and amenities to the local area.	✓
In areas where utility services and infrastructure have little or no spare capacity, developments should provide for the upgrading or mitigation of the impact on services or infrastructure.	Not applicable, as the existing infrastructure is considered to have sufficient spare capacity to accommodate the demands of the additional dwellings proposed and would not require augmentation or impact mitigation measures.	NA

## 55.02-5 Integration with the Street

## Standard B51

Dwellings should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Main Street will feature with the hull of the 'Seeker' providing landmark element as the prominent street interface for the proposal by contributing to the significant character of the Mordialloc Activity Centre with its scale	✓
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Dwellings should be oriented to front existing and proposed streets.	and built form. The development incorporates additional landscaping to the side and rear setbacks, and throughout the streetscape to the Main Street frontage.
High fencing in front of dwellings should be avoided if practicable.	Entry to the units are accessible via an apartment entry, lobby and communal area; the façade features an extended canopy for shelter with fenestration to address the lobby to the street. Similarly, the entry to the café, the façade features an extended canopy for shelter with fenestration to address the street.
Development next to existing public open space should be laid out to complement the open space.	No front fencing is proposed as this will enable the site to successfully integrate with the existing neighbourhood character which features open frontages.
	The subject site is located adjacent to public open space areas being Healey Street reserve with a controlled access point on the north-west corner of the site allowing for access to this public open space area.

### 55.03 Site Layout and Building Massing

#### 55.03-1 Street Setback

##### Standard B6

Walls of buildings should be setback from streets:

At least the distances specified in a schedule to the zone, or

There is no minimum distance specified in Schedule to the Mixed Use Zone of the *Kingston Planning Scheme*.





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<p>If no distance is specified in the schedule to a zone, the distance specified in Table B1:</p>	<p>The site is on an irregular shaped allotment in an emerging mixed use residential and commercial area, adjoining lots retain industrial stock from the areas early development.</p> <p>For the purposes of Standard B6, the front wall of the adjoining building to the north at 555 Main Street is setback a minimum of 2.8m (the existing building on one abutting allotment facing the same street), and no existing building on the other abutting allotment facing the same street, and the site is not on a corner. Therefore, the minimum front setback is 2.8m to match 555 Main Street applies in this instance. The proposal incorporates zero front setbacks, and therefore does not comply with this Standard. This proposed variation of 2.8m is sought in relation to the Standard.</p> <p>It is considered that the zero setbacks are common feature of similar mixed-use developments in Main Street, with the streetscape interface generally characterised by street walls with ground floor level commercial spaces to activate the street frontages.</p> <p>Additionally, the proposed incorporates an extended canopy and 'Pompei's Signage' above the apartment entry/lobby and café to give a 'sense of address', however these structures will not exceed 3.6m in height or encroach more than 2.5m into front setback.</p> <p>It is considered the variation being sought to the front setback requirements of Standard B6 are considered acceptable for reasons, summarised as follows:</p> <ul style="list-style-type: none"> <li>• Activation to the street through the utilisation of landscaping and alfresco dining area of the café creating a nexus between the proposal and the streetscape;</li> <li>• Sense of address through the provision of an extended canopy above the apartment entry/lobby and café to give a 'sense of address' when viewed from the public realm;</li> <li>• Allows for adequate 'transitions' between the streetscape and the mixed use residential and commercial building; and,</li> <li>• Consistent with the principles of fine grain urbanism around the preferred future form of the Mordialloc Activity Centre expressed in DDO11.</li> </ul> <p>Overall, the prevailing front setbacks in MUZ have been sympathetically considered to ensure that the emerging streetscape character of newer developments introduces a view lines to Pompei's Landing, Mordialloc Creek extending to Port Phillip Bay from the subject site and adjoining properties. The variations sought have been well considered and are suitable given the design response and the intensions of the zone.</p>	<p>Acceptable and necessary variation</p>
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**55.03-2 Building Height****Standard B7**

<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p>	<p>Schedule to the Mixed Use Zone of the <i>Kingston Planning Scheme</i> does not specify a maximum building height. However, under Table 1 to DDO10-A5 maximum Building Height in the Mordialloc Activity Centre, applies precinct objectives, maximum building height requirements for Pompei's Landing, Pompei's Existing Boat Shed Site (557-661 Main Street, Mordialloc) is specified in a schedule to this zone, the building height should not exceed 14 metres. In this instance, the specifications for building height under Schedule 10 to the Design and Development Overlay takes precedence over all other building height requirements.</p> <p>The proposed maximum building height is 14m. Measured from the roof on Drawing No. TP-08 - Proposed South West Elevation)</p>	<p>✓</p>
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If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.	The slope of the land is less than 2.5 degrees at ground level at any cross section wider than 8.0m. Building height specified above applies.	NA
Changes of building height between existing buildings and new buildings should be graduated.	Drawing No.'s TP-08 and TP-09 (inclusive) prepared by JFK Designs Pty Ltd illustrate elevations showing the built form of adjoining dwellings. Existing dwelling interfaces to the north have been given the highest allocation of setback and articulation of upper floor levels. It is noted that no adjoining properties to the east, west and south.  To the north, the proposal features a northern party wall will be built on the boundary ground floor café and the undercroft car parking area. Above the ground floor level, the proposed first floor and second floor levels also features a northern party wall will be built on the boundary similar to the proposed ground floor level. The proposed third floor level, which appears as a podium level from the streetscape and along the northern interface and is setback a minimum of 4m. The upper floor level recession to the abutting property directly residential building has been provided ample space to transition to high scale of the apartment development.	✓

**55.03-3 Site Coverage****Standard B8**

The site area covered by buildings should not exceed the maximum site coverage specified in a schedule to the zone.	There is no minimum site coverage specified to Schedule to the Mixed Use Zone of the Kingston Planning Scheme.	NA
If no maximum site coverage is specified in a schedule to the zone, 60%.	The proposal has a total building cover of 919m <sup>2</sup> on the subject site with a total site area of 937m <sup>2</sup> . This represents a total site area of 98%. This represents a minor increase in site coverage given that the existing building cover of 795.7m <sup>2</sup> , which equates to a site coverage of 84%.  The proposed variation is considered acceptable given that it is minor increase in nature. It is also considered acceptable with having regard to the irregular size of the lot. Furthermore, this variation accords with the character of Mordialloc Activity Centre, which consists of site coverages greater than 60% specifically where there are similar lots, where the character of smaller lots includes a similar site coverage.	Acceptable and necessary variation

**55.03-4 Permeability****Standard B9**

The site area covered by the pervious surfaces should be at least the minimum area specified in a schedule to the zone.	There is no minimum area specified in Schedule to the Mixed Use Zone of the Kingston Planning Scheme.	NA
If no minimum is specified in a schedule to the zone, 20%.	The proposal has zero pervious surface areas. This represents a minor increase in site coverage given that the existing permeable surface area of 117m <sup>2</sup> , which equates to a permeable surface coverage of 12%.  The proposed variation is considered acceptable given that it is minor increase in nature. It is also considered acceptable with having regard to	Acceptable and necessary variation

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	the irregular size of the lot. Furthermore, this variation accords with the character of Mordialloc Activity Centre, which consists of permeability coverage under 20% specifically where there are similar lots, where the character of smaller lots includes permeable surface coverage.	
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**55.03-5 Energy Efficiency****Standard B10**

Buildings should be:

- Oriented to make appropriate use of solar energy;
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

The proposed development has been designed to maximise the use of solar energy within the development. This design ensures that all units are energy efficient, without being unreasonably reduced. The proposal has a high degree of fenestration for appropriate use of solar energy in to habitable and recreational spaces.

The energy efficiency of adjoining lots has been well considered in the design. Referring to shadow diagrams and sectional drawings notes that the northern sensitive interface is at greatest impact and has therefore been allocated setbacks to provide unhindered solar access to limit its dependence on fossil fuel use.

**55.03-6 Public/Communal Open Space****Standard B11**

If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate;
- Provide outlook for as many dwellings as practicable;
- Be designed to protect any natural features on the site;
- Be accessible and useable

All units are supplied with ample SPOS, the size and number of units limits the sites ability to provide communal open space on the ground floor.

The main communal open space is provided on the roof level to create attractive, accessible and useable space for residents and visitors. A sliding hatch from the stairwell is provided, other opportunities are at the pedestrian entry and lobbies to each floor, which allow for resident interaction. All areas have unhindered access to daylight and have direct north orientation.

**55.03-7 Safety****Standard B12**

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

The pedestrian entry on the ground floor is open to the street through a 5.3m wide space on west boundary. Direct view lines from the street into the ground floor lobby are possible, with upper floors posing a minimal obstruction due to viewing angle and floor plate. From each lobby space, fenestration provides daylight access and views to the street.



Planting which creates unsafe spaces along streets and access-ways should be avoided

Landscaping to the front of the development will not create any unsafe spaces. The western landscape buffer alongside of the accessway has bollards to transition the car park to the subject site.



Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal access-ways.

The access way to the ground floor level undercroft car park serving the units will allow for safe vehicle movement, visibility splays for pedestrian safety. The car parking areas has open access, lighting will provide high visibility environments.



Private spaces within developments should be protected from inappropriate use as public thoroughfares.

There are no thoroughfares through private open space proposed.



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**55.03-8 Landscaping****Standard B13**

The landscape layout and design should:

Protect any predominant landscape features of the neighbourhood.

Take into account the soil type and drainage patterns of the site.

Allow for intended vegetation growth and structural protection of buildings.

In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.

Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

The application has a proposed landscape plan noting the provision of planting within all private open spaces of the site. The layout and selected species will provide safe, attractive and functional spaces.

Canopy trees, shrubs and understorey vegetation are an identified trait of the neighbourhood. The proposal has provided to accommodate green features to the podium third floor level in the form of planter boxes. It is noted that there are no existing trees on-site.

The front setback to Main Street has capacity to incorporate low-level landscaping and is open to the street. All other areas and boundaries does not feature landscaping. The proposed landscaping will create safe, attractive and functional private open space areas for residents that contribute to the existing flora and fauna of the surrounding neighbourhood.

Landscape plans prepared by JFK Design Pty Ltd provides great detail on the location, species and elevation/sectional plans of landscaping at maturity set around the proposed development.





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**55.03-9 Access****Standard B14**

The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> <li>33% of the street frontage, or</li> <li>if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul>	An existing crossover that serves as the entrance to the accessway and car parking areas adjacent the front property boundary is to be removed. The proposed two vehicular crossovers one dimensioned 7.8m serving the accessway, and one dimension 4.2m serving the secondary vehicular crossover on the southern section of the subject site. The proposed combined vehicular crossover is 12m wide, which equates to 21.2% of the 56.4m wide street frontage. The proposed width of this crossover exceeds the 33% width of the street frontage, and therefore complies with the Standard.	✓
No more than one single-width crossover should be provided for each dwelling fronting a street.	The proposed crossover serves the proposed development with 22 units with a ground floor level undercroft car parking area via the accessway running through the centre of the site, the secondary crossover to the southern section of the subject site. It is considered that the variation being sought is appropriate given the corner location of the subject site, with immediately adjoining allotments with resultant loss of amenity.	Acceptable and necessary variation
The location of crossovers should maximise the retention of on-street car parking spaces.	The proposed two vehicular crossovers have been designed to maximise the retention of on-street car parking as part of the proposal.	✓
The number of access points to a road in a Road Zone should be minimised.	The subject site does not alter the existing singular access from the point.	✓
Developments must provide for access for service, emergency and delivery vehicles.	Emergency vehicles and services will have access to the ground floor level undercroft car park level and garages via the accessway or from the ground floor lobby via the stairs or lift. Deliveries, the majority of emergency services and would generally be accepted at the pedestrian entry at ground floor level.	✓

**55.03-10 Parking Location****Standard B15****Car parking facilities should:**

<ul style="list-style-type: none"> <li>be reasonably close and convenient to dwellings and residential buildings;</li> <li>be secure;</li> <li>be well ventilated if enclosed.</li> </ul>	<p>The proposed units are provided with their own, separate parking area and is summarised as follows:</p> <ul style="list-style-type: none"> <li>Assessed via, accessway from the street or lift and staircase which provides direct and convenient access to the ground floor lobby and to the first, second and third floor levels;</li> <li>Well-ventilated according to building guidelines.</li> </ul>	✓
Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	No habitable room windows are located on the ground floor level of the proposed units, and therefore the proposal does satisfy the requirements of the Standard.	✓

**55.04 Amenity Impacts****55.04-1 Side and Rear Setbacks****Standard B17**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:



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At least the distance specified in a schedule to the zone, or	Schedule to the Mixed Use Zone of the Kingston Planning Scheme does not specify any requirements.	NA
<p>If no distance is specified in the schedule to the zone, 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m.</p> <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5m into the setbacks of this standard.</p> <p>Landings having an area of not more than 2m<sup>2</sup> and less than 1m high, and stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>The proposed units are orientated north where possible. The proposed units feature a shared vehicle access and pedestrian entry and the pedestrian entry to via the apartment entry, it is therefore considered the frontage to the development with all other elevations treated as side and rear. There are no proposed walls on boundaries along the east, south and west of the site. It is noted that the northern party wall will be built on the boundary.</p> <p><b>Northern Boundary (mixed-use building):</b></p> <p>Recession of the main wall to this elevation begins above the ground, first and second floor level; third floor level is stepped in, which provides a gradual built form recession.</p> <p>Ground floor – from NGL is 3.8m high. Minimum setback required is 1.06m. Proposed setback from the northern boundary is 0m, and therefore is not compliant with the Standard. There are no changes to the northern boundary setbacks with the existing scale of the party wall to be retained as part of the proposal. Zero setbacks have been provided to the northern boundary.</p> <p>First floor – from NGL is 6.9m high. Minimum setback required is 1.99m. Proposed setback from the northern boundary is 0m, and therefore is not compliant with the Standard. There are no changes to the northern boundary setbacks with the existing scale of the party wall to be retained as part of the proposal. Zero setbacks have been provided to the northern boundary.</p> <p>Second floor – from NGL is 9.9m high. Minimum setback required is 4.99m. Proposed setback from the northern boundary is 0m, and therefore is not compliant with the Standard. There are no changes to the northern boundary setbacks with the existing scale of the party wall to be retained as part of the proposal. Zero setbacks have been provided to the northern boundary.</p> <p>Third floor – from NGL is 14m high. Minimum setback required is 9.09m. Proposed setback from the northern boundary is 4m, and therefore is not compliant with the Standard. It is considered the variation of 5.09m is acceptable given that the northern boundary setbacks features setting in and setting out of third floor walls of with articulation provided through the provision of windows, varied setbacks, changes to materials and colours to ensure a high level of visual interest on the northern elevation.</p>	<p>Acceptable and necessary variation</p> <p>Acceptable and necessary variation</p> <p>Acceptable and necessary variation</p> <p>Acceptable and necessary variation</p>

**55.04-2 Walls on Boundaries****Standard B18**

A new building on or within 200mm of a boundary should not abut the boundary:

For a length more than the distance specified in a schedule to the zone, or	There is no distance specified in Schedule 1 to the Activity Centre Zone in the Kingston Planning Scheme.	NA
If not distance is specified, 10m plus 25% of the remaining length of the boundary of an	<b>Northern boundary (mixed-use building)</b>	

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adjoining, or where there are simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.	<p>The existing boundary wall on the northern boundary is 20.02m. The average wall height exceeds the maximum 3.6m with an average wall height along the length of the boundary in accordance with the Standard.</p> <p>The proposed party wall along the northern boundary covers the entire length of the northern boundary 20.02m, pertaining to the northern boundary wall to the café and ground floor level undercroft car park as well as the first and second floor level. Under this Standard, the boundary walls should not exceed 12.5m, and therefore the length of this wall exceeds this Standard. It is considered that the variations are appropriate given that walls on boundary largely matches the length of the existing building footprint and envelope, and as such are unlikely to result in any adverse amenity impacts.</p> <p>No walls on boundary are proposed on the eastern, western and southern boundaries.</p>	Acceptable and necessary variation
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.	<p>As outlined above, the proposed party wall on the northern boundary as part of the proposal exceed the maximum wall height allowed in the Standard being an average height of 3.2m with no part higher than 3.6m.</p> <p>It is considered that the variation being sought is considered appropriate given the fine grain lots have resulted in boundary walls, which are of similar height and length to the surrounding area.</p>	Acceptable and necessary variation

**55.04-3 Daylight to Existing Windows****Standard B19**

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55° arc from the centre of the existing window. The arc may be swung to within 35° of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Adjoining interfacing HRW's are located to the south and west of the site.

**North**

This is the broadest interfacing to adjoining dwellings. It is noted that the adjoining units of No. 555 Main Street have habitable room windows (HRW) interface to the north along the common boundary with the other adjoining properties with HRW's feature varying setbacks. All these windows are setback in excess of 3m<sup>2</sup> metres with a minimum 1 metre clear to the sky, and therefore the proposal satisfies the numerical requirements of the Standard. **Complies.**

**55.04-4 North-Facing Windows****Standard B20**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of

There are no north-facing habitable room windows within 3m of the boundary on an abutting lot. Therefore, the proposal complies.





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height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.

A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

#### 55.04-5 Overshadowing Open Space

##### Standard B21

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75% or 40m<sup>2</sup> with minimum dimension of 3m, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.

As demonstrated in the Shadow Diagrams (TP-10), the proposed development will not result in any unreasonable shadow impacts to the adjacent properties.

SPOS of adjoining lots exceed the numerical requirements of sunlight, the extent of additional shadowing defined in red illustrates a minimal amount if additional overshadowing.

The numerical requirements of the Standard have been satisfied. **Complies.**



#### 55.04-6 Overlooking

##### Standard B22

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio.

Views should be measured within a 45° angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7m a.f.l.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9m (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5m from edge to edge of window, or,
- Have sill heights of min 1.7m a.f.l., or,
- Have obscure glazing in any part of the window below 1.7m a.f.l., or,
- Have permanently fixed external screens min 1.7m a.f.l. and be no more than 25% transparent.

Obscure glazing in any part of the window below 1.7m a.f.l. may be openable provided that there are no direct views as specified in this standard.

The potential aspects of overlooking from the proposed development are on the south and east elevation to directly adjoining lots.

##### *North (mixed-use building)*

The screening devices up to 1.7m above finished floor level on third floor podium above raised planter boxes, which will prevent outward views from balcony of U3.1, which numerically comply with Standard.



The U3.1 balcony will have permanently fixed external screens, which comply with Standard.



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Screens used to obscure a view should be:	The U3.1 balcony will have permanently fixed external screens, which comply with Standard.	✓
<ul style="list-style-type: none"> <li>Perforated panels or trellis with a maximum of 25% openings or solid translucent panels;</li> <li>Permanent, fixed and durable;</li> <li>Designed and coloured to blend with the development.</li> </ul>		

**55.04-7 Internal Views****Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	There is not any opportunity for internal views between the proposed units. Windows and balconies have been designed to prevent overlooking of the private open space within the lower levels of the proposed development.	✓
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**55.04-8 Noise Impacts****Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent to existing dwellings.	Any noise sources such as air conditioning units will be appropriately located to limit impacts.	✓
Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.	The proposal is designed to ensure that noise sensitive rooms and secluded private open space areas of the units, where applicable, in order to minimise the impact of noise impacts from the railway line triple glazed windows are proposed along the eastern elevation to minimise noise impacts.	✓
Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Any potential noise impacts from the railway line have been appropriately addressed through placing the triple glazed windows to ensure the sensitive uses such as primary habitable rooms have sufficient noise cancelling devices installed.	✓

**55.05 On-Site Amenity and Facilities****55.05-1 Accessibility****Standard B25**

The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Pedestrian entry connected with accessway and Main Street via a footpath. All levels of the mixed-use building can be access through the pedestrian entry via the lift. The apartment entry door entrance is 5.3m wide. The design of the residential building will allow access to persons with limited mobility.	✓
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**55.05-2 Dwelling Entry****Standard B26**

Entries to dwellings and residential buildings should:	
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<ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas;</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>	<p>The pedestrian entry is addressed and open to the street. An open frontage to Main Street allows for mail collection services to access the apartment entry. The entry to the mixed-use building has an extended canopy cover extending from the facade to provide shelter and to demarcate the transitional space from public to private of the units. The entry location and lobby are fenestrated from ground to the third floor to create an identifiable space that is safe.</p>	✓
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**55.05-3 Daylight to New Windows****Standard B27**

A window in a habitable room should be located to face:

- An outdoor space clear to the sky, or a light court with a minimum area of 3m<sup>2</sup> and a minimum dimension of 1m clear to the sky, not including land on an abutting lot; or
- A verandah provided it is open for at least ½ of its perimeter; or
- A carport provided it has 2 or more open sides and is open for at least one third of its perimeter.

The built form context of the site allows for unhindered views clear to the sky to all elevations. Adjoining buildings are setback from the common boundary and the proposed development has generous setbacks to all boundaries and fencing to satisfy this requirement. There are no obstructions to the eastern, western and southern windows.

**Northern Boundary (mixed-use building)**

Third floor windows are setback from the northern party wall at a minimum of 4m. SPOS to the north of windows are clear of items and therefore a minimum area of 3.0m<sup>2</sup> with a minimum dimension of 1.0m is provided to all new windows.

✓

**55.05-4 Private Open Space****Standard B28**

A dwelling or residential building should have private open spaces of an area and dimensions specified in a schedule to the zone.

There is no area specified in Schedule 1 to the Mixed Use Zone in the Kingston Planning Scheme.

NA



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If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40m<sup>2</sup>, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25m<sup>2</sup>, a minimum dimension of 3m and convenient access from a living room; or,
- An 8m<sup>2</sup> balcony, with a minimum width of 1.6m, and convenient access from a living room; or,
- A roof-top area of 10m<sup>2</sup>, with a minimum width of 2m, and convenient access from a living room.

Proposed SPOS areas are located at balconies for unit SPOS allocations. All main SPOS areas easily accessible from the living areas of all units, are summarised in the below tables

Unit	Area m <sup>2</sup> and location	Compliance
1.1	12m <sup>2</sup> north-west facing balcony.	✓
1.2	8m <sup>2</sup> east facing balcony.	✓
1.3	12m <sup>2</sup> west facing balcony.	✓
1.4	8.6m <sup>2</sup> west facing balcony.	✓
1.5	12m <sup>2</sup> west facing balcony.	✓
2.1	12m <sup>2</sup> north-west facing balcony.	✓
2.2	8m <sup>2</sup> east facing balcony.	✓
2.3	12m <sup>2</sup> west facing balcony.	✓
2.4	8.6m <sup>2</sup> west facing balcony.	✓
2.5	12m <sup>2</sup> west facing balcony.	✓
3.1	92m <sup>2</sup> north facing balcony with raised planter boxes interfacing the northern property boundary.	✓
3.2	50m <sup>2</sup> west facing balcony.	✓
3.3	61m <sup>2</sup> west and south facing terrace.	✓

In consideration of the above, the proposal complies with the Standard

#### 55.05-5 Solar Access to Open Space

##### Standard B29

Private open space should be located on the north side of the dwelling, if appropriate.

Where possible, the secluded private open space is located to the north of each of the units. In other areas, the built form enjoys solar access in secluded private open space. This ensures that each of the units receives a high level of solar access.



The southern boundary of secluded private open space should be set back from any wall on the north of the space at least  $(2 + 0.9h)$  metres, where 'h' is the height of the wall.

The secluded private open space of each units is located with excellent solar access to the northern boundary of each lot.

It is noted that all units satisfy the numerical requirements of the Standard.



#### 55.05-6 Storage

##### Standard B30

Each dwelling should have convenient access to at least 6m<sup>3</sup> of externally accessible, secure storage space.

Storage allocation for all townhouses and units have 6m<sup>3</sup> located in the double garages and ground floor level undercroft car park, and therefore the proposal complies with the Standard.



### 55.06 Detailed Design



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55.06-1 Design Detail		
<b>Standard B31</b>		
The design of buildings, including façade articulation and detailing, window and door proportions, roof form, verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.	Refer to Section 3 and 5.5 of the Planning Submission, which accompanies this application where an assessment of the proposal under the Local Planning Policy Framework.	✓
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	Parking is proposed for the ground floor level undercroft car park and units to be accessed via double width 7.8m vehicular crossover. The parking structures are recessed into the site, associated solid features are treated with light weight timber cladding, these attributes will contribute and enhance the preferred character.	✓
55.06-2 Front Fences		
<b>Standard B32</b>		
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.	Schedule to the Mixed Use Zone in the Kingston Planning Scheme does not specify any variation to the zone or Standard.	✓
A front fence within 3m of a street should not exceed: <ul style="list-style-type: none"> <li>The maximum height specified in a schedule to the zone; or</li> <li>If no maximum height is specified, the maximum height specified in Table B3.</li> </ul>	No front fencing is proposed as part of the development.	
55.06-3 Common Property		
<b>Standard B33</b>		
Developments should clearly delineate public, communal and private areas.	The main part of common property is located by the accessway providing vehicular access to the undercroft car parking area. The layout and function of the accessway have been assessed and noted to comply with Clause 52.06 and the Australian Standard. See accompanying Traffic Engineering Assessment by SALT 3.	✓
Common property, where provided, should be functional and capable of efficient management.	Pedestrian entry and lobby area forms another portion of common property. The apartment entry door entrance is 5.04m wide and a canopy extending from the façade. The roof level communal garden area on the mixed-use building serves as the entertainment and socialising space for residents and visitors.	
	Internal and external boundary fencing and landscaping provides a clear delineation from public and private areas.	
55.06-4 Site Services		
<b>Standard B34</b>		
The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	The proposed layout allows sufficient space for necessary services to be installed and maintained efficiently.	✓
Bin and recycling enclosures should be adequate in size, durable, waterproof, blend	Bins are to be located within the ground floor level undercroft car park for all units. Bins are stored in a shared bins area for storage and collection.	✓
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in with the development and be located for convenient access by residents.	Access to this area from the street is via the accessway. Access from the apartments are either by the lift, stairs or ramp.  The design of the waste management and storage has been assessed to be satisfactory. Refer to Waste Management Plan provided by Salt3.	
Mailboxes should be provided and located for convenient access as required by Australia Post.	A mailbox area for the proposed units are located by the apartment entry and is easily accessible by Australia Post and residents alike. Additionally, the mailboxes for the proposed townhouses are provided adjacent the dwelling entry given its direct access to the accessway.	✓

## 55.07 Apartment Developments

### 55.07-1 Energy Efficiency

#### Standard B35

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

The proposed development has maximised window dimensions and locations to make use of the northern exposure. All living areas are open to secluded private open space and located on the west, north and east elevations, no living areas are orientated to the south.

✓

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

All living areas and bedrooms where possible, have northern solar exposure.

✓

### 55.07-2 Communal Open Space

#### Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser. Communal open space should:

Be located to:

- Provide passive surveillance opportunities, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Avoid overlooking into habitable rooms and private open space of new dwellings.
- Minimise noise impacts to new and existing dwellings.

Be designed to protect any natural features on the site.

The development provides for 13 dwellings. Therefore, the Standard does not apply to this development.

NA

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Maximise landscaping opportunities.  
Be accessible, useable and capable of efficient management.

### 55.07-3 Solar Access to Communal Outdoor Open Space

#### Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate.

The proposal for 13 dwellings does not trigger this Standard.

NA

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Please see above.

NA

### 55.07-4 Deep Soil Areas and Canopy Trees

#### Standard B38

The landscape layout and design should:

Be responsive to the site context.

- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.

- Maximise deep soil areas for planting of canopy trees.

- Integrate planting and water management.

The subject site is 937m<sup>2</sup>, the Standard requires a lot of this size allocate 5% (46.85m<sup>2</sup>) of the lot with a minimum dimension of 3 metres is provided. A minimum of 1 small tree (at least 6-8 metres) per 30 square metres of deep soil or 2 medium trees per 90 square metres of deep soil.

It is noted that there are zero permeable surfaces on-site, and therefore no deep soil area and canopy trees cannot be provided on-site. The proposal seeks to maximise landscaping opportunities on the third floor of U3.1 and roof level communal garden space. Accordingly, the proposal is considered acceptable for providing adequate landscaping opportunities.

Acceptable  
and  
necessary  
variation

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

The proposal is non-compliant with the Standard for reasons referenced above.

Acceptable  
and  
necessary  
variation

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**55.07-5 Integrated Water and Stormwater Management****Standard B39**

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

It is considered that an WSUD Report can be prepared at a later stage to the satisfaction of the Responsible Authority.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

**55.07-6 Noise Impacts****Standard B40**

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

Mechanical plants are proposed on both the roof level. They are not located near existing bedrooms or habitable rooms.

The layout of new dwellings and buildings should minimise noise transmission within the site.

The secluded private open spaces of each units have minimal abutments and are spaced along the perimeter of the mixed-use building. The layout of each of the units are considered to minimise impacts to those within and adjoining the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

Within the mixed-use building lift and services do not directly abut noise sensitive rooms. Vehicular access via the accessway has sufficient setbacks to habitable room windows to limit impacts.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Internal shared spaces are closed to the residents other than by a single door, internal walls will be concrete, noise impacts are considered to be low from shared areas.



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Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:	Not applicable.	NA
<ul style="list-style-type: none"> <li>Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.</li> <li>Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.</li> </ul>		
Buildings, or part of a building, screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.	Not applicable.	NA
Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.	Not applicable as the building is not within a noise influence area specified in Table B6.	NA

**55.07-7 Accessibility****Standard B41**

At least 50 per cent of dwellings should have:	All dwellings have been designed so that doors, internal circulation accommodates person with limited mobility. The spaces have been dimensioned to satisfy the numerical requirements of the Standard.	✓
<ul style="list-style-type: none"> <li>A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</li> <li>A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.</li> <li>A main bedroom with access to an adaptable bathroom.</li> <li>At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.</li> </ul>		

**55.07-8 Building Entry and Circulation****Standard B42**

Entries to dwellings and buildings should:	The main entry of the mixed-use building will be visible from the street and identifiable, and provide shelter, a sense of personal address and a transitional space around the entry.	✓
<ul style="list-style-type: none"> <li>Be visible and easily identifiable.</li> <li>Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>		
The layout and design of buildings should:	The proposal has been designed to meet the requirements of this Standard.	✓
<ul style="list-style-type: none"> <li>Clearly distinguish entrances to residential and non-residential areas.</li> </ul>		

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<ul style="list-style-type: none"> <li>Provide windows to building entrances and lift areas.</li> <li>Provide visible, safe and attractive stairs from the entry level to encourage use by residents.</li> <li>Provide common areas and corridors that: <ul style="list-style-type: none"> <li>Include at least one source of natural light and natural ventilation.</li> <li>Avoid obstruction from building services.</li> <li>Maintain clear sight lines.</li> </ul> </li> </ul>		
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**55.07-9 Private Open Space Above Ground Floor****Standard B43**

A dwelling should have private open space consisting of:

- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres

There are no ground floor apartments as part of the proposal. The first-floor and second floor level units level feature a balcony with an area and dimensions specified in Table B8 and convenient access from a living room. All open spaces generally comply, in most cases the requirements have been exceeded.

Unit	Area m <sup>2</sup> and location	Minimum Dimension	Compliance
1.1	12m <sup>2</sup> north-west facing balcony.	2.73m	✓
1.2	8m <sup>2</sup> east facing balcony	2.39m	✓
1.3	12m <sup>2</sup> west facing balcony.	2.9m	✓
1.4	8.6m <sup>2</sup> west facing balcony.	1.8m	✓
1.5	12m <sup>2</sup> west facing balcony.	2m	variation acceptable
2.1	12m <sup>2</sup> north-west facing balcony.	2.73m	✓
2.2	8m <sup>2</sup> east facing balcony	2.39m	✓
2.3	12m <sup>2</sup> west facing balcony.	2.9m	✓
2.4	8.6m <sup>2</sup> west facing balcony.	1.8m	✓
2.5	12m <sup>2</sup> west facing balcony.	2m	variation acceptable

Acceptable and necessary variation

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The majority of the third-floor level units (3.1 to 3.3 inclusive) area at an area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room as summarised in the table below:			
Unit	Area m <sup>2</sup> and location	Minimum Dimension	Compliance
3.01	92m <sup>2</sup> north and west facing balcony.	3.2m	variation acceptable
3.02	50m <sup>2</sup> west facing balcony.	2.1m	variation acceptable
3.03	61m <sup>2</sup> west and south facing balcony.	2.07m	variation acceptable

**55.07-10 Storage****Standard B44**

Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.

Each unit is allocated 6m<sup>3</sup> in the undercroft car parking, all bedrooms have wardrobe space, each kitchen has storage space. Each unit is considered to exceed the minimum storage area requirement.

**55.07-11 Waste and Recycling****Standard B45**

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
  - Adequate facilities for bin washing. These areas should be adequately ventilated.
  - Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

The proposal provides 14.75m<sup>2</sup> area for a communal bin storage area. It's considered to meet the requirements of this Standard. Refer to Waste Management Plan prepared by SALT 3.





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<ul style="list-style-type: none"> <li>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</li> <li>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</li> <li>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</li> </ul>		
<p>Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"> <li>Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.</li> <li>Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements</li> </ul>	Please see above.	✓

**55.07-12 Functional Layout****Standard B46**

<p>Bedrooms should:</p> <ul style="list-style-type: none"> <li>Meet the minimum internal room dimensions specified in Table B10.</li> <li>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</li> </ul>	All bedrooms are dimensioned laid out to accord with specified requirements of Table B10.	✓
---	---	---

**55.07-13 Room Depth****Standard B47**

<p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> <li>The room combines the living area, dining area and kitchen.</li> </ul>	All room depths are designed to comply with the Standard.	✓
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<p>The kitchen is located furthest from the window.</p> <ul style="list-style-type: none"> <li>The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.</li> </ul> <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</p>	
<b>55.07-14 Windows</b>	
<b>Standard B48</b>	
<p>Habitable rooms should have a window in an external wall of the building.</p> <p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</p> <p>The secondary area should be:</p> <ul style="list-style-type: none"> <li>A minimum width of 1.2 metres.</li> <li>A maximum depth of 1.5 times the width, measured from the external surface of the window.</li> </ul>	<p>All habitable rooms have a window to an external wall of the building in accordance with the Standard.</p> <p style="text-align: right;">✓</p>
<b>55.07-15 Natural Ventilation</b>	
<b>Standard B49</b>	
<p>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</p>	<p>All windows and living room doors to SPQS will be openable to provide sufficient ventilation through the building.</p> <p style="text-align: right;">✓</p>
<p>At least 40 per cent of dwellings should provide effective cross ventilation that has:</p> <ul style="list-style-type: none"> <li>A maximum breeze path through the dwelling of 18 metres.</li> <li>A minimum breeze path through the dwelling of 5 metres.</li> <li>Ventilation openings with approximately the same area.</li> </ul> <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>	<p>The proposal was designed to ensure cross ventilation is provided to all dwellings in accordance with the Standard.</p> <p style="text-align: right;">✓</p>

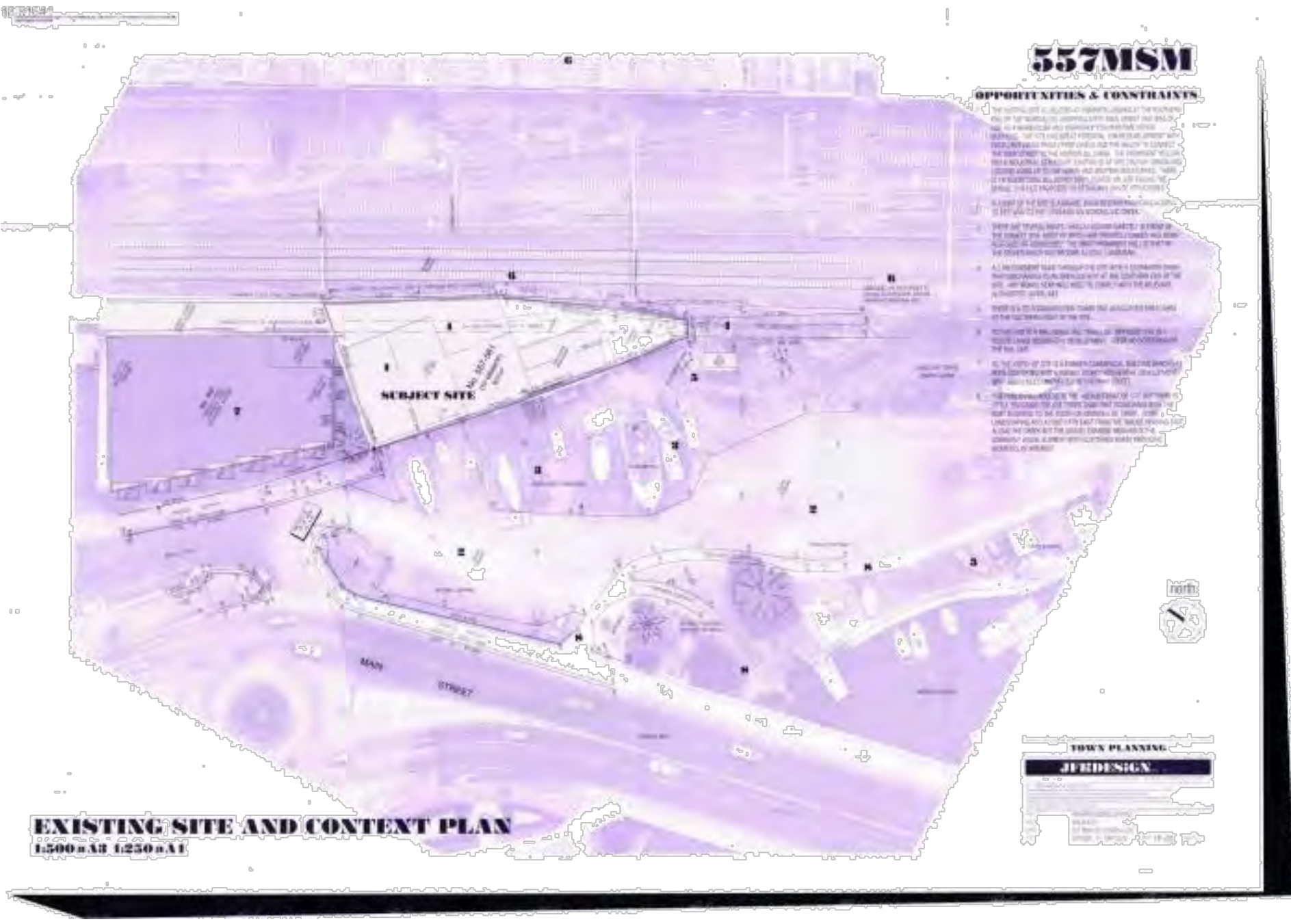


**557MSM**  
**MIXED USE MULTI STORY DEVELOPMENT**  
**557-561 MAIN ST. MORDIALLOC**

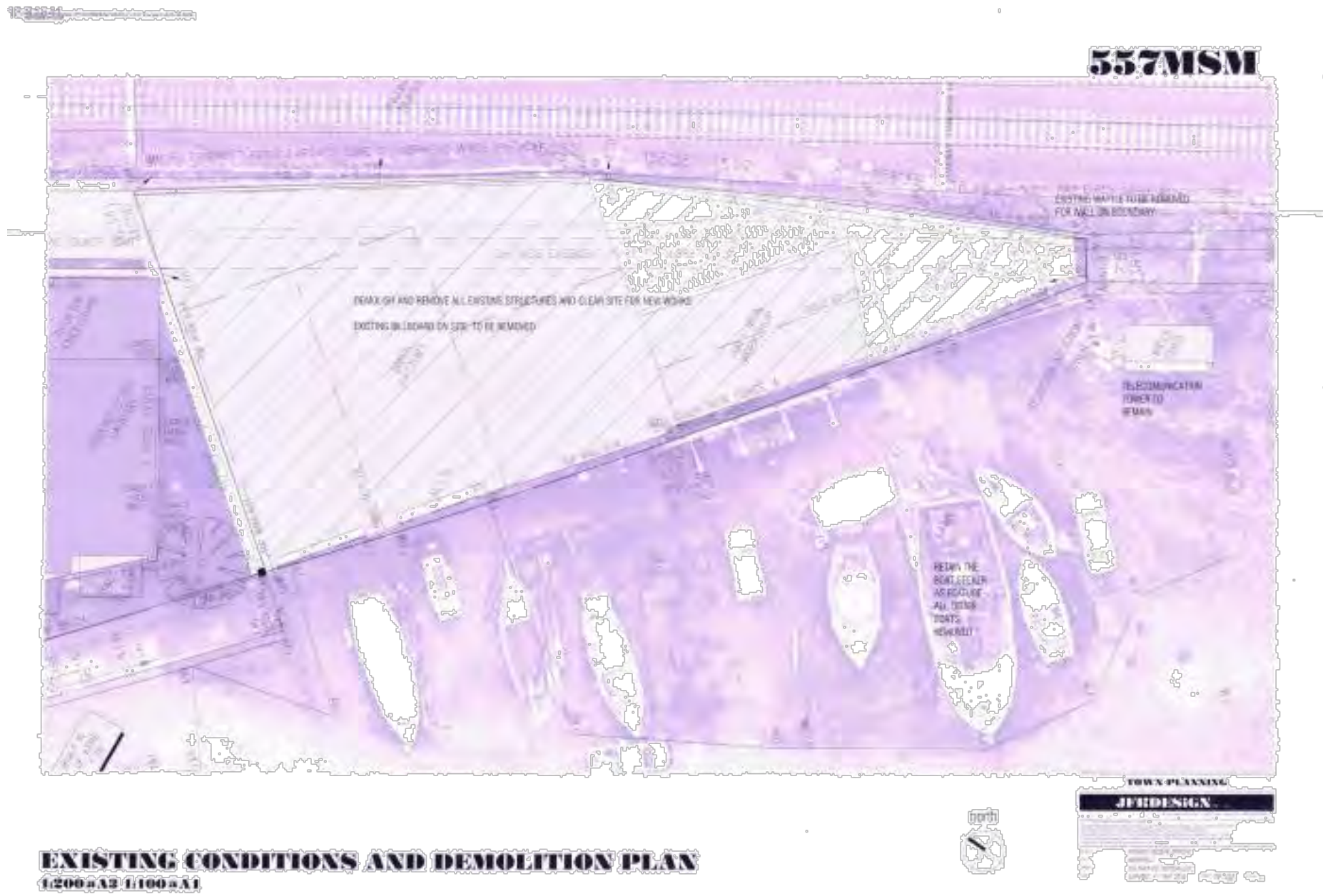


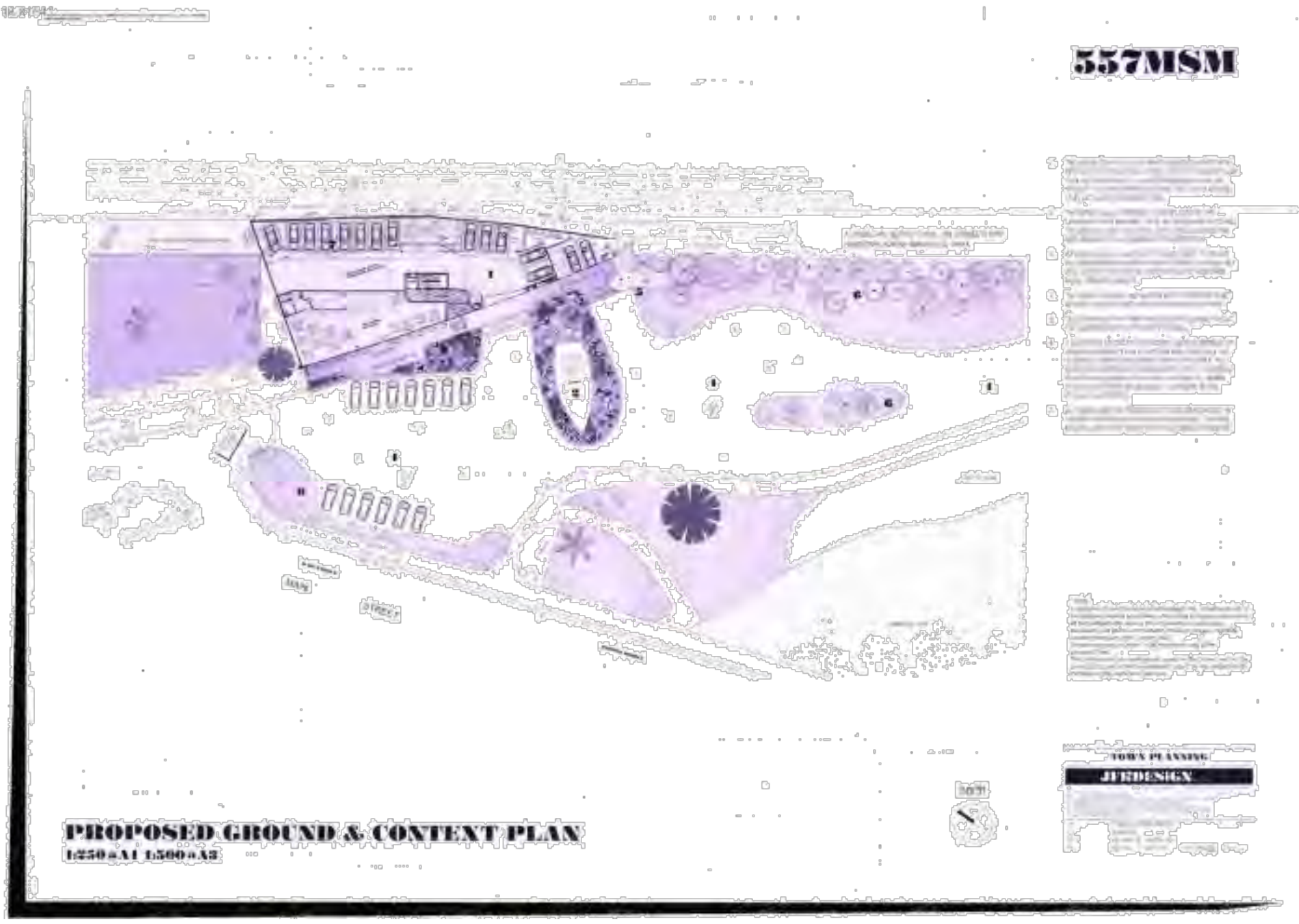
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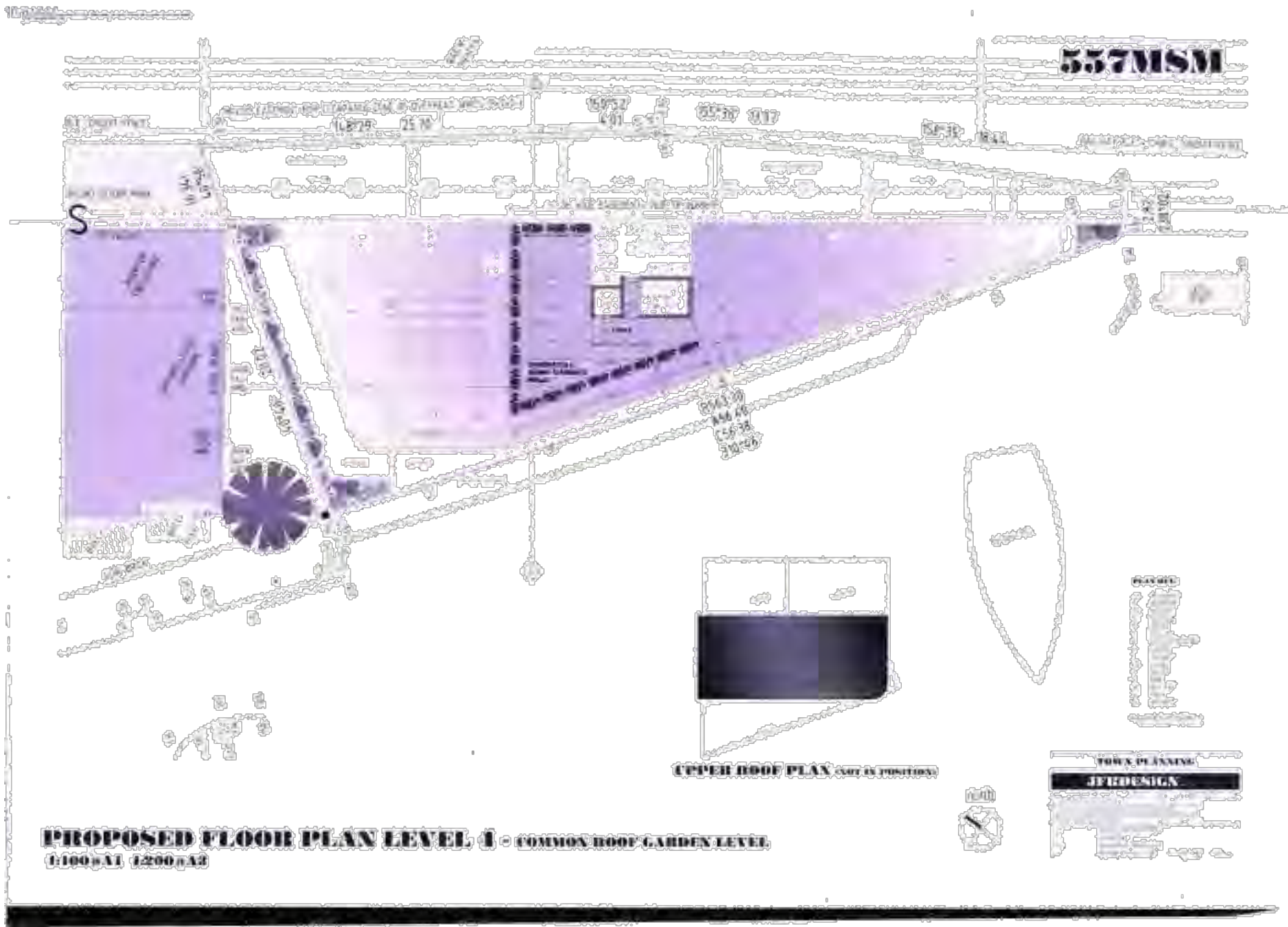


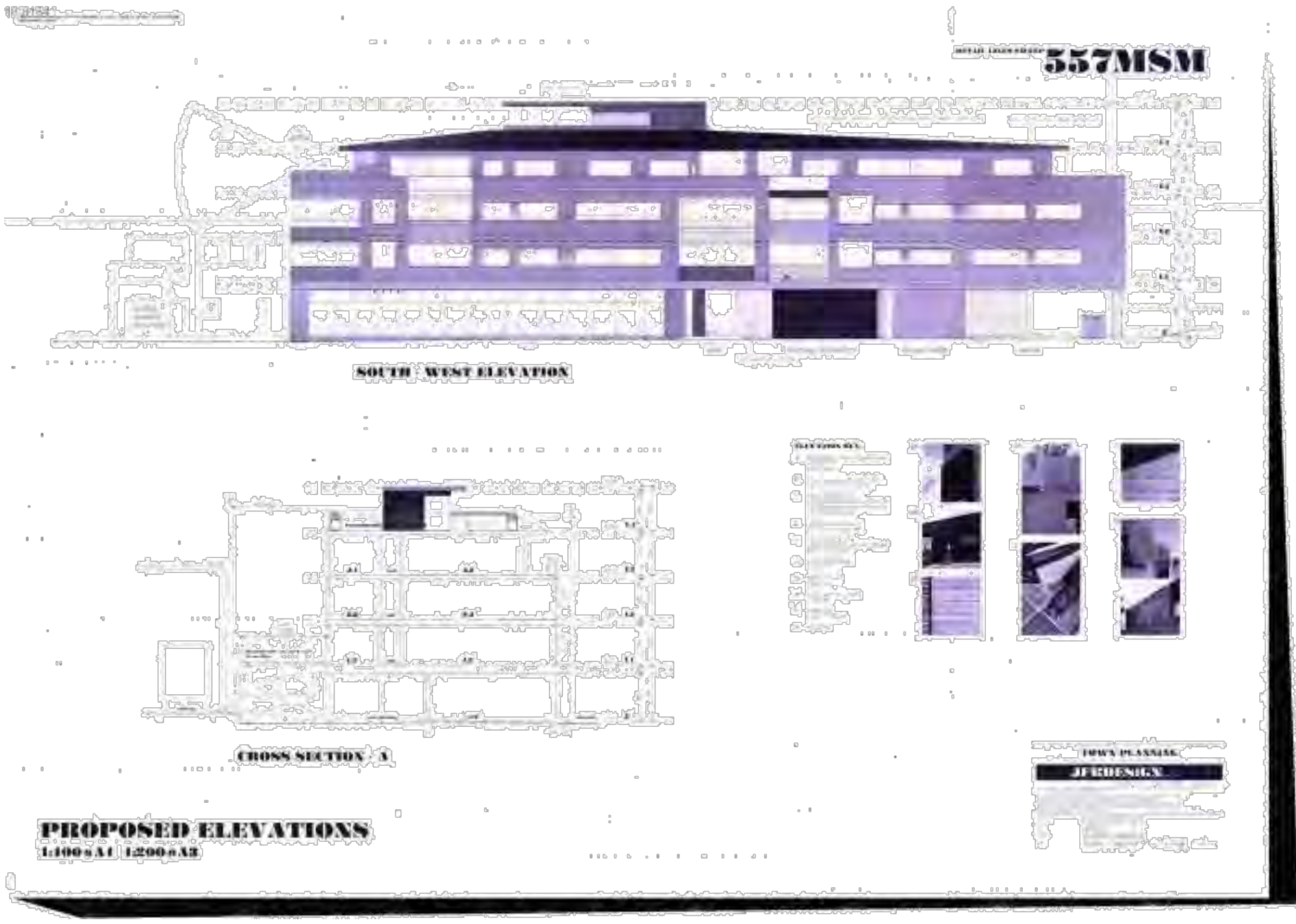


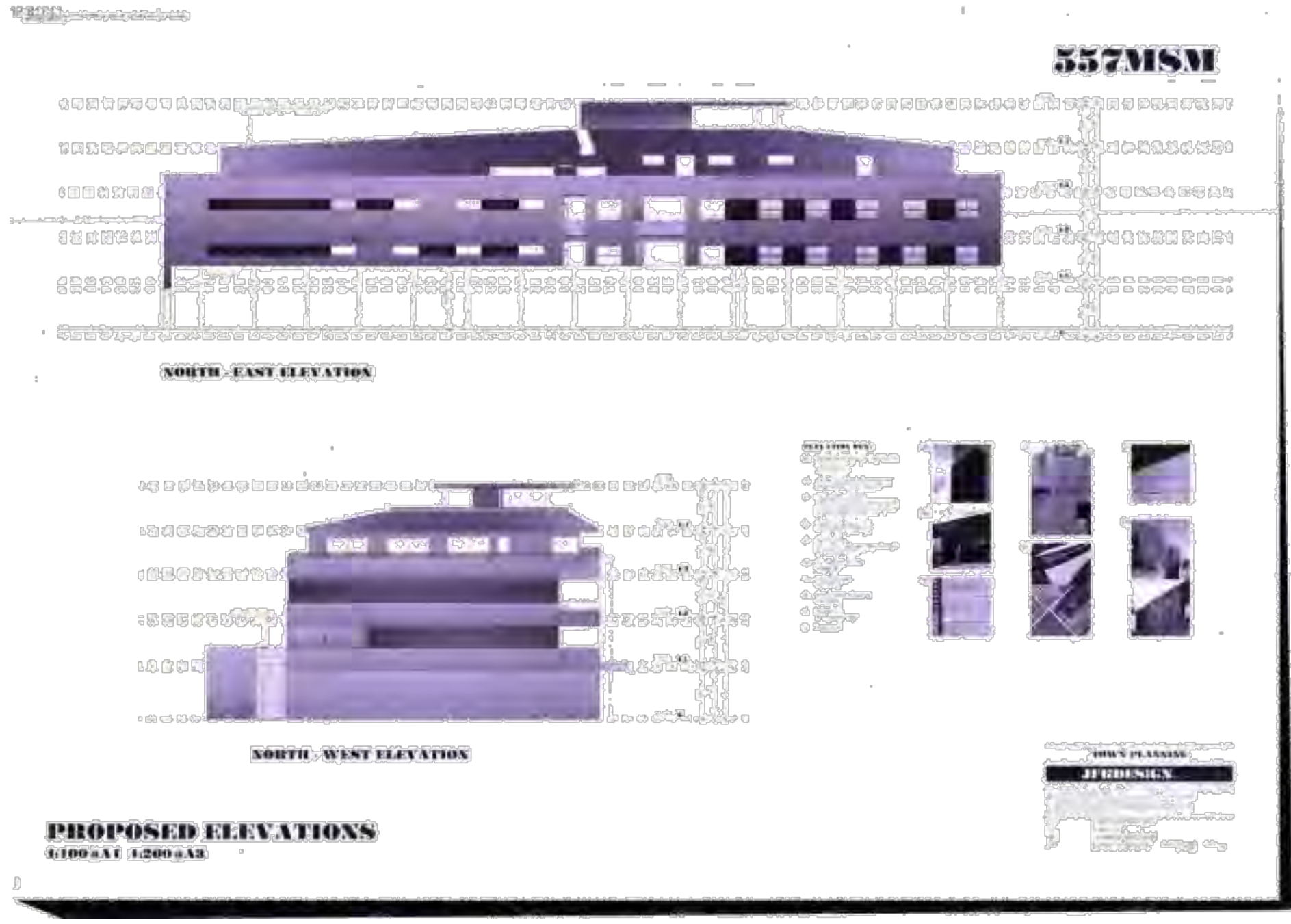








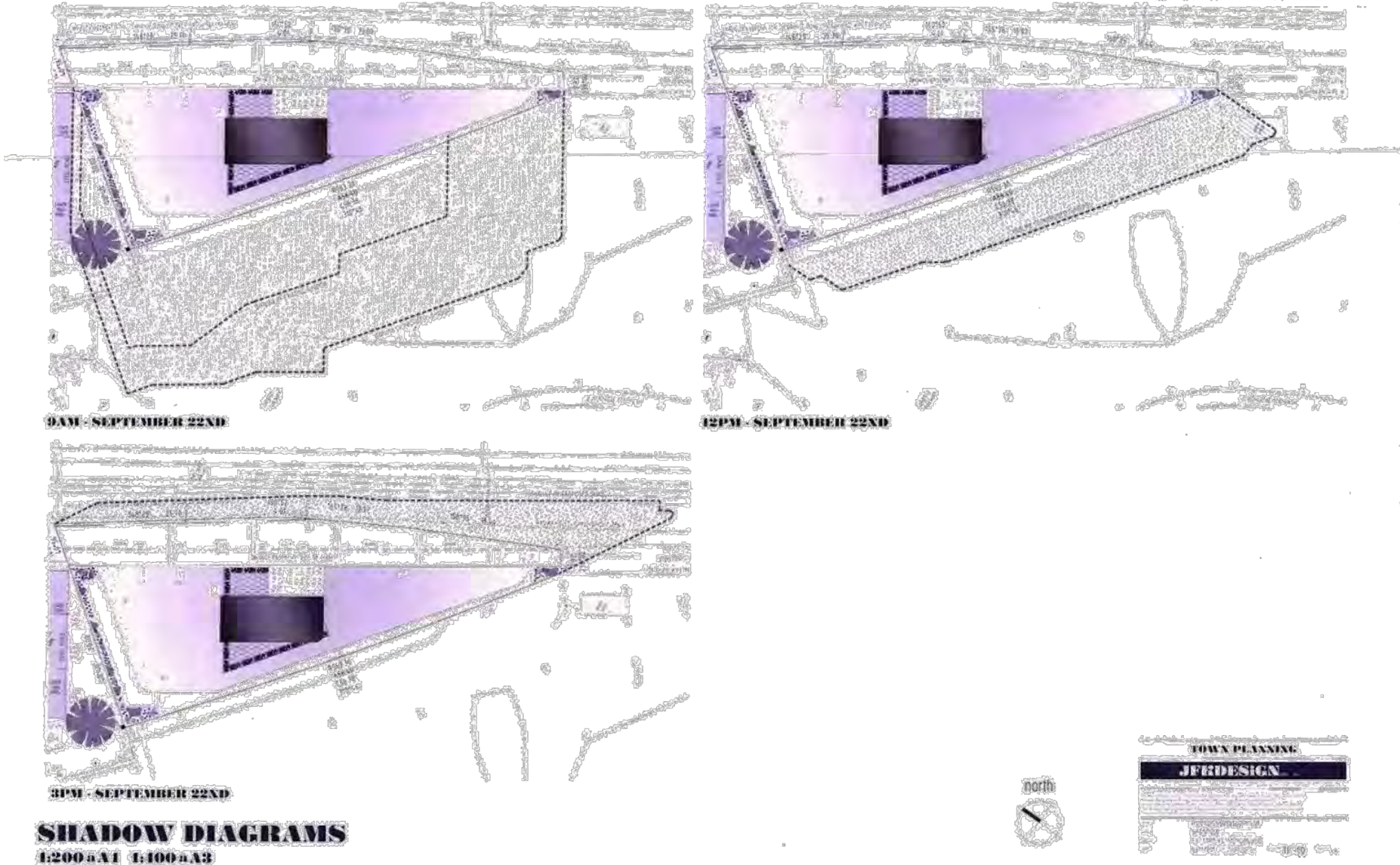




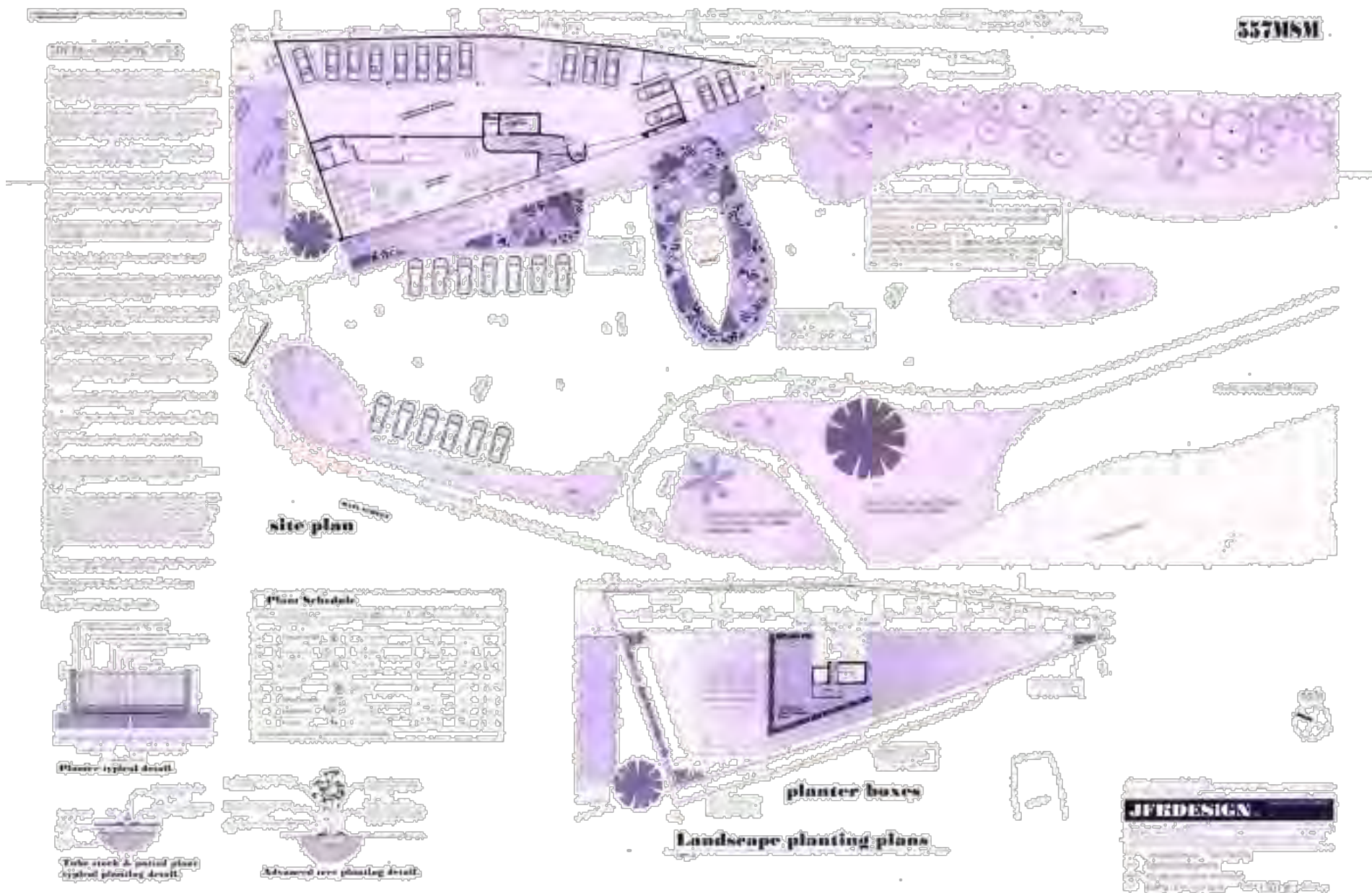


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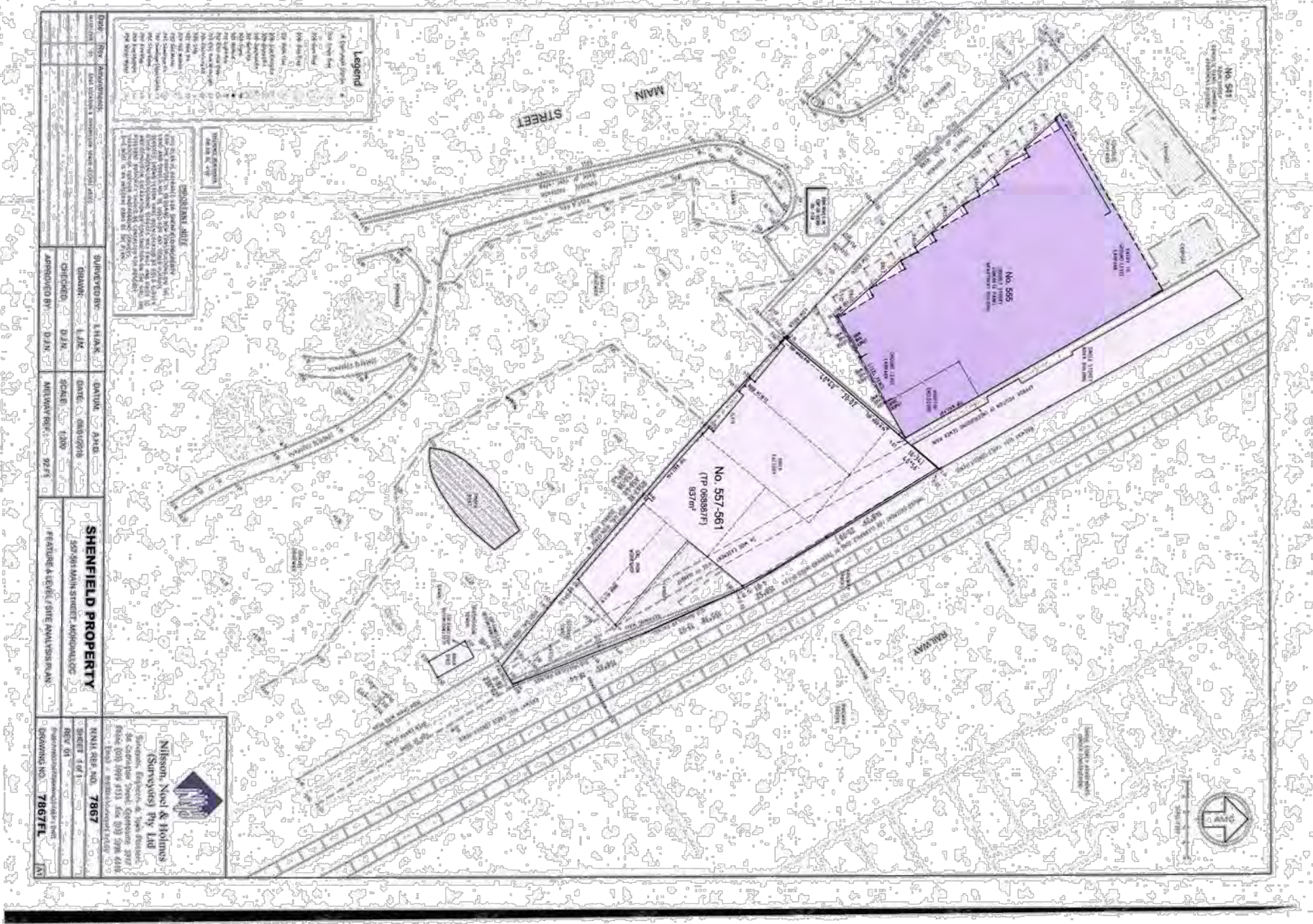








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# 557MSM - MIXED USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC

## WASTE MANAGEMENT PLAN

The logo for SALT (South Australian Local Transport) is located in the bottom right corner. It consists of a stylized, multi-colored geometric shape (a parallelogram) with the word "SALT" in white capital letters on a dark blue background.

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**S37MSM - MIXED USE DEVELOPMENT 557-561 MAIN STREET MORDIALLOC**

Client: Shenfield Property

Report Reference: 183101

File Path: X:\PROJECTS\2018\18101W - 557-561 Main Street Mordialloc\Reports\18101WREPO1D01.docx

Thursday, May 17, 2018

**Revisions**

Version	Prepared By	Position	Date	Reviewed By	Position	Date
D01	Rachel Herpel	Engagement Engineer	16 May 2018	Chuan Lin	Senior Engineer	16 May 2018
P01	Rachel Herpel	Environmental Engineer	17 May 2018			

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Client: Shenfield Property

Project: 557-561 Main Street Mordialloc





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**SALT<sup>3</sup>**

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557MSM - MIXED USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC

## 1 INTRODUCTION

SALT has been requested by Alister Shenfield to prepare a Waste Management Plan for a proposed mixed use commercial and residential development located at 557-561 Main Street, Mordialloc.

This Waste Management Plan (WMP) has been prepared based on industry best practice.

Waste generation rates enclosed herein are based on the rates supplied in Melbourne City Council Waste Generation Rates (2015).

## 2 INCLUDED IN THIS REPORT

Enclosed is the Waste Management Plan for the proposed development at 557-561 Main Street, Mordialloc. Included are details regarding:

- Land use
- Waste generation
- Waste systems
- Bin quantity, size and colour
- Collection frequency
- Bin storage area
- Signage
- Waste collection
- Ventilation, washing and vermin prevention
- Noise reduction
- Supplier contact information and
- Scaled waste management drawings

## 3 LAND USE

Planning application number to be allocated

Land Zone: Mixed Use Zone (MUZ)

Land use type: Mixed use (commercial and residential)

Number of levels: 4 (with an additional roof top garden)

Residential Space: total of 13 apartments consisting of

2 one-bedroom apartments

2 two-bedroom apartments; and

9 three-bedroom apartments

Commercial Space:

230m<sup>2</sup> cafe floor space

SALT<sup>3</sup>



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## 4 RESIDENTIAL WASTE MANAGEMENT PLAN

### 4.1 WASTE GENERATION

Residential waste generation rates are shown below in Table 1. Calculations are based on a 7 day per week operation.

Any common spaces to the residential areas, including lobbies, have not been included in these calculations as any waste generated in these areas is generated in service of the residential dwellings and therefore incorporated into the below rates.

Table 1: Residential Waste Generation Rates

One Bedroom	80L	80L
Two Bedroom	100L	100L
Three Bedroom	120L	120L

A waste generation assessment of the proposed development is provided in Table 2:

One Bedroom	2	160L	160L
Two Bedroom	2	200L	200L
Three Bedroom	9	1080L	1080L
<b>Total Waste Generated per Week</b>		<b>1440L</b>	<b>1440L</b>

### 4.2 WASTE SYSTEMS

Waste would be sorted on-site by residents as appropriate into the following streams:

- Garbage (General Waste)
- Commingled Recycling and
- Hard waste

#### 4.2.1 RESIDENTIAL GARBAGE (GENERAL WASTE)

Each apartment would be furnished with plastic lined bins to have a minimum capacity of 20 litres for the temporary holding of garbage. Residents would transfer the waste as required to the ground floor residential bin store as shown in Appendix 1.

Garbage is to be disposed of bagged.

#### 4.2.2 COMMINGLED RECYCLING

Each apartment would be furnished with unlined bins to have a minimum capacity of 20 litres for the temporary holding of commingled recycling. Residents would transfer the waste as required to the ground floor residential bin store as shown in Appendix 1.

Recyclables are to be disposed of loosely.

#### 4.2.3 HARD WASTE

A hard waste area of 1m<sup>2</sup> (based on a rate of 1m<sup>2</sup> per 100 apartments) has been allocated within the ground floor residential bin store as shown in Appendix 1.

Building management would arrange hard waste collections on an as required basis with a private contractor.

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**4.3 BIN QUANTITY SIZE AND COLLECTION FREQUENCY**

Table 3 and Table 4 below contain information regarding bin quantity, size and frequency of collection.

Garbage				
Collections per Week	Bin Size	No. Bins	Weekly Capacity	Weekly Volume
1	1100L	2	2200L	1440L
Commingled Recycling				
Collections per Week	Bin Size	No. Bins	Weekly Capacity	Weekly Volume
1	1100L	2	2200L	1440L

TABLE 4: BIN DIMENSIONS (mm)

Capacity	Width	Depth	Height	Area
1100L	1240	1070	1330	133m <sup>2</sup>

**4.4 BIN COLOUR AND SUPPLIER**

All bins would be provided by a private supplier. The below bin colours are specified by the City of Kingston, however due to the private nature of the collection, these are only recommendations and are not mandatory.

- Garbage (general waste) bins would have red lids with dark green body and
- Recycle bins would have yellow lids with dark green body.

Note: private contractors often supply bins for collection.

**4.5 WASTE STORAGE AREA**

Table 5 demonstrates the cumulative space requirements and provision of waste areas in the residential areas of the proposed development.

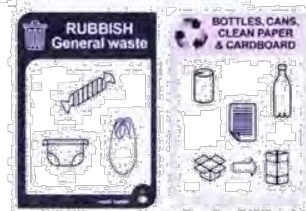
Please refer to scaled drawing shown in Appendix 1.

Stream	Space Required (excluding circulation)	Space Provided
General Waste	266m <sup>2</sup>	
Commingled Recycling	266m <sup>2</sup>	141m <sup>2</sup>
Hard Waste	10m <sup>2</sup>	
<b>TOTAL (excluding circulation)</b>	<b>332m<sup>2</sup></b>	<b>141m<sup>2</sup></b>

Waste management would be overseen by building management.

**4.6 SIGNAGE**

Waste storage areas and bins would be clearly marked and signed with the industry standard signage approved by Sustainability Victoria or equivalent. The typical Sustainability Victoria signage is illustrated in Figure 1.



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**4.7 WASTE COLLECTION**

General waste would be collected by a private contractor as follows:

- 1. Two 1100L garbage bin collected once per week; and
- 2. Two 1100L commingled recycling bin collected once per week;
- 3. 1m<sup>2</sup> area collected on an as required basis.

All waste bins would be stored on-site in the residential bin store provided on the ground level.

General waste collections would occur via a 6.4m low profile vehicle. Hard waste collections would be performed by a utility vehicle or AustRoads B99 design vehicle equivalent.

Waste collection vehicles would enter the subject site via a forward motion from Main Street.

Waste collection vehicles would perform a reversing maneuver to prop safely at the commercial waste store.

Vehicle operators would ferry waste bins from the residential waste store and return upon emptying.

Waste collection vehicles would perform a reversing maneuver to exit the site a forward direction exiting the subject site onto Main Street.

Building management would ensure that waste vehicle operators are able to access the residential waste store. Where possible, residential and commercial waste would be collected simultaneously to reduce traffic in the local area.

Residential waste bins would not be presented to street kerb at any point.

**5 COMMERCIAL WASTE MANAGEMENT PLAN****5.1 WASTE GENERATION**

Commercial waste generation rates are shown in Table 6. Calculations are based on a 7 day per week operation for the cafe tenancy. Waste generation rates for a food and beverage premises (cafe) tenancy have been adopted for this purpose.

Commercial Waste Generation Rates		
Cafe	2100L	1400L

A commercial waste generation assessment is provided in Table 7.

Commercial Waste Generation Assessment		
Cafe	230m <sup>2</sup>	4830L
		3220L
Total Waste Generated per Week		4830L
		3220L

**5.2 WASTE SYSTEMS**

Waste would be sorted on-site by staff and cleaners as appropriate into the following streams:

- 1. Garbage (General Waste) and
- 2. Commingled Recycling.

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**5.2.1 GARBAGE (GENERAL WASTE)**

The cafe space would be furnished with plastic lined bins for the temporary holding of garbage waste, to have minimum cumulative capacity of 690 litres. This capacity is based on the transfer of waste to the commercial bin store occurring once per day.

Staff/cleaners would dispose of waste from these bins directly into the appropriate 1100L bin provided within the ground level commercial bin store, accessed via the carpark as shown in Appendix 1.

Garbage is to be disposed of bagged.

**5.2.2 COMMINGLED RECYCLING**

The cafe space would be furnished with unlined bins for the temporary holding of recyclable waste, to have minimum cumulative capacity of 460 litres. This capacity is based on the transfer of waste to the commercial bin store occurring once per day.

Staff/cleaners would dispose of waste from these bins directly into the appropriate 1100L bin provided within the ground level commercial bin store, accessed via the carpark as shown in Appendix 1.

Commingled recycling would be disposed of loosely.

**5.3 BIN QUANTITY, SIZE AND COLLECTION FREQUENCY**

The bin quantity, size and the frequency of collection are shown below in Table 8 and Table 9.

Three waste collections per week are recommended given the expected volume and nature of the waste generated in the cafe tenancy. Commercial waste collections would be coordinated with residential waste collections to reduce truck movements in the local area.

**Table 8: Bin Quantity, Size and Collection Frequency**

Garbage				
Collections per Week	Bin Size	No. Bins	Weekly Capacity	Weekly Volume
2	1100L	3	6600	4830L

Commingled Recycling				
Collections per Week	Bin Size	No. Bins	Weekly Capacity	Weekly Volume
2	1100L	2	4400L	3220L

Bin Dimensions (mm)				
Capacity	Width	Depth	Height	Area
1100	1240	1070	1330	133m <sup>2</sup>

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**5.4 BIN COLOUR AND SUPPLIER**

All bins will be provided by private supplier. The below bin colours are specified by Australian Standard AS4123.7-2006, however due to the private nature of the collection these are only recommendations and are not mandatory:

- ✦ Garbage (general waste) shall have red lids with dark green or black body and
- ✦ Recycle shall have yellow lids with dark green or black body.

Note, private contractors often supply bins for collection.

**5.5 WASTE STORAGE AREA**

Table 10 demonstrates the cumulative space requirements and provision of waste areas in the café area of the proposed development.

Please refer to scaled drawing shown in Appendix 1.

<b>Table 10: Waste Storage Area</b>		
General Waste	3.29m <sup>2</sup>	18.20m <sup>2</sup>
Commingled Recycling	2.66m <sup>2</sup>	
<b>TOTAL (excluding circulation)</b>	<b>5.95m<sup>2</sup></b>	<b>18.20m<sup>2</sup></b>

Note, commercial and residential waste would not be stored together in the ground level commercial bin store.

Waste management would be overseen by building management.

**5.6 SIGNAGE**

Waste storage areas and bins would be clearly marked and signed with the industry standard signage approved by Sustainability Victoria or equivalent as illustrated in Figure 2.

**5.7 WASTE COLLECTION**

Commercial waste would be collected by private contractor as follows:

- ✦ Three 1100L garbage bin collected twice per week; and
- ✦ Two 1100L commingled recycling bin collected twice per week.

All waste bins would be stored on-site in the commercial bin store provided on the ground level.

General waste collections would occur via a 6.4m low profile vehicle.

Waste collection vehicles would enter the subject site via a forward motion from Main Street.

Waste collection vehicles would perform a reversing maneuver to prop safely at the commercial waste store.

Vehicle operators would ferry waste bins from the commercial waste store and return upon emptying.

Waste collection vehicles would perform a reversing maneuver to exit the site a forward direction, exiting the subject site onto Main Street.

Building management would ensure that waste vehicle operators are able to access the commercial waste store.

Where possible, residential and commercial waste would be collected simultaneously to reduce traffic in the local area.

Commercial waste bins would not be presented to street kerb at any point.

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## 6 VENTILATION, WASHING AND VERMIN-PREVENTION

Ventilation would be provided in accordance with Australian Standard AS1668.

An appropriately drained wash down area would be provided within the residential and commercial bin store, in which each bin is to be washed regularly by building management. Bin washing areas or bin wash bays must discharge to a grease trap.

Alternatively, a third-party bin washing service can be engaged to perform this service. Bin washing suppliers must retain all waste water to within their washing apparatus so as to not impact on the drainage provisions of the site.

## 7 NOISE REDUCTION

All chute systems and waste areas would meet EPA, BCA and AS2107 acoustic requirements as appropriate within operational hours assigned to minimise acoustic impact on surrounding premises.

## 8 DDA COMPLIANCE

All waste areas to be accessed by commercial staff and residents would comply with AS1428.1:2009.

## 9 SUPPLIER CONTACT INFORMATION

Below is a complimentary listing of contractors and equipment suppliers. You are not obligated to procure goods/services from these companies. This is not, nor is it intended to be, a complete list of available suppliers.

SALT does not warrant (or make representations for) the goods/services provided by these suppliers.

*(Redacted contact information)*

<i>(Redacted contact information)</i>			
---------------------------------------	--	--	--

1100L Garbage Bins	5	Private Supplier*	2 x 1100L bins for residential garbage 3 x 1100L bins for commercial garbage
1100L Recycle Bins	4	Private Supplier*	2 x 1100L bins for residential recycling 2 x 1100L bins for commercial recycling

\*Private waste collection contractors often supply their own bins for collection.

## 9.1 EQUIPMENT SUPPLIERS

- Wastech Engineering (chute supplier) - 03 8787 1600
- ASI JD MacDonald (chute supplier) - 03 8558 7200
- Elephant's Foot (chute supplier) - 02 9780 3500
- Australian Chutes & Engineering (chute supplier) - 03 9761 7557
- Sulo MGB Australia (bin supplier) - 1300 364 388

## 9.2 WASTE COLLECTORS

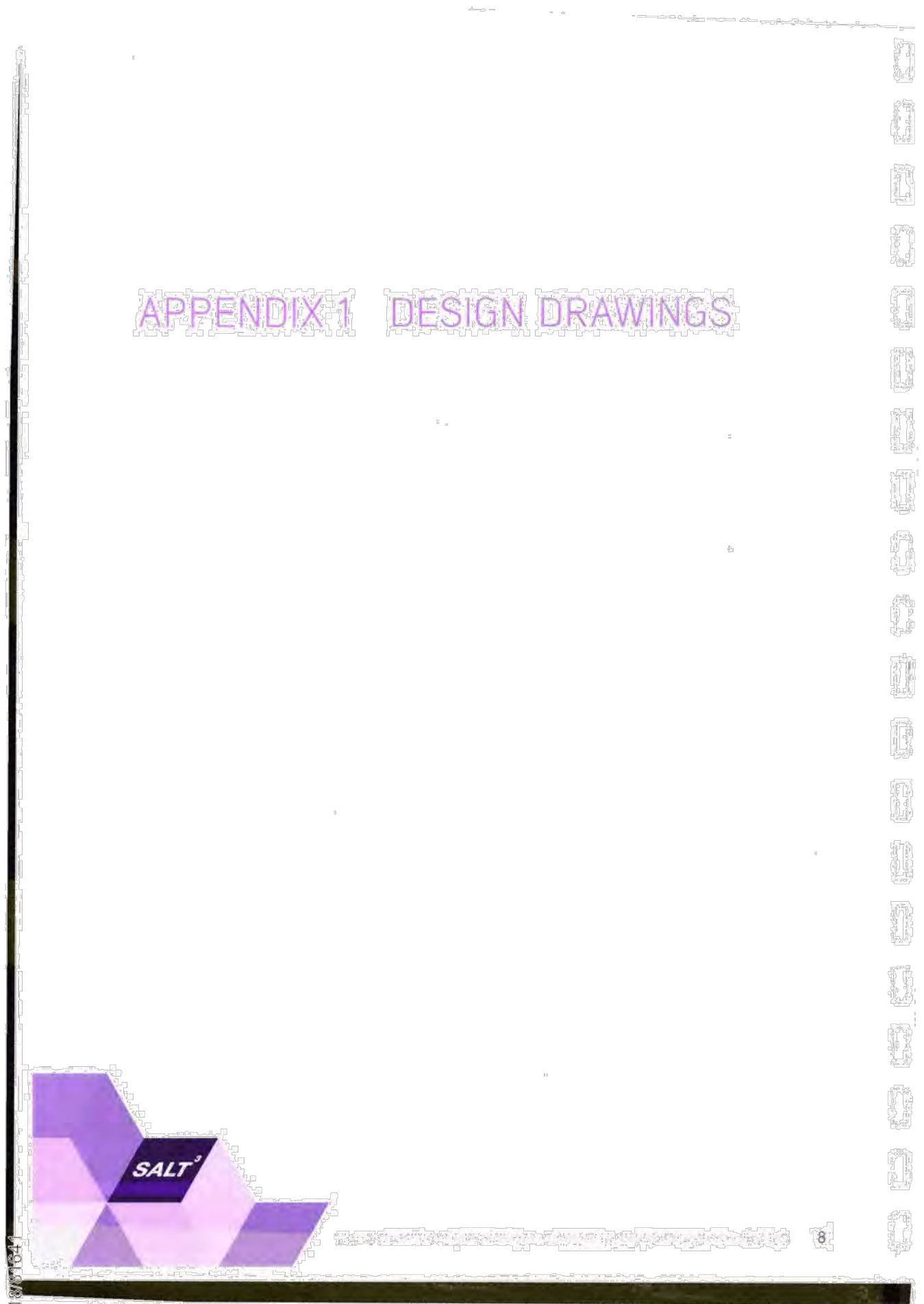
### 9.2.1 GARBAGE AND RECYCLING

- Citywide Waste - 03 9261 5000
- SUEZ Environnement - 13 13 35
- VISY Waste Management - 03 9369 7447
- Veolia Environmental Services - 132 955
- iDump - 1300 443 867

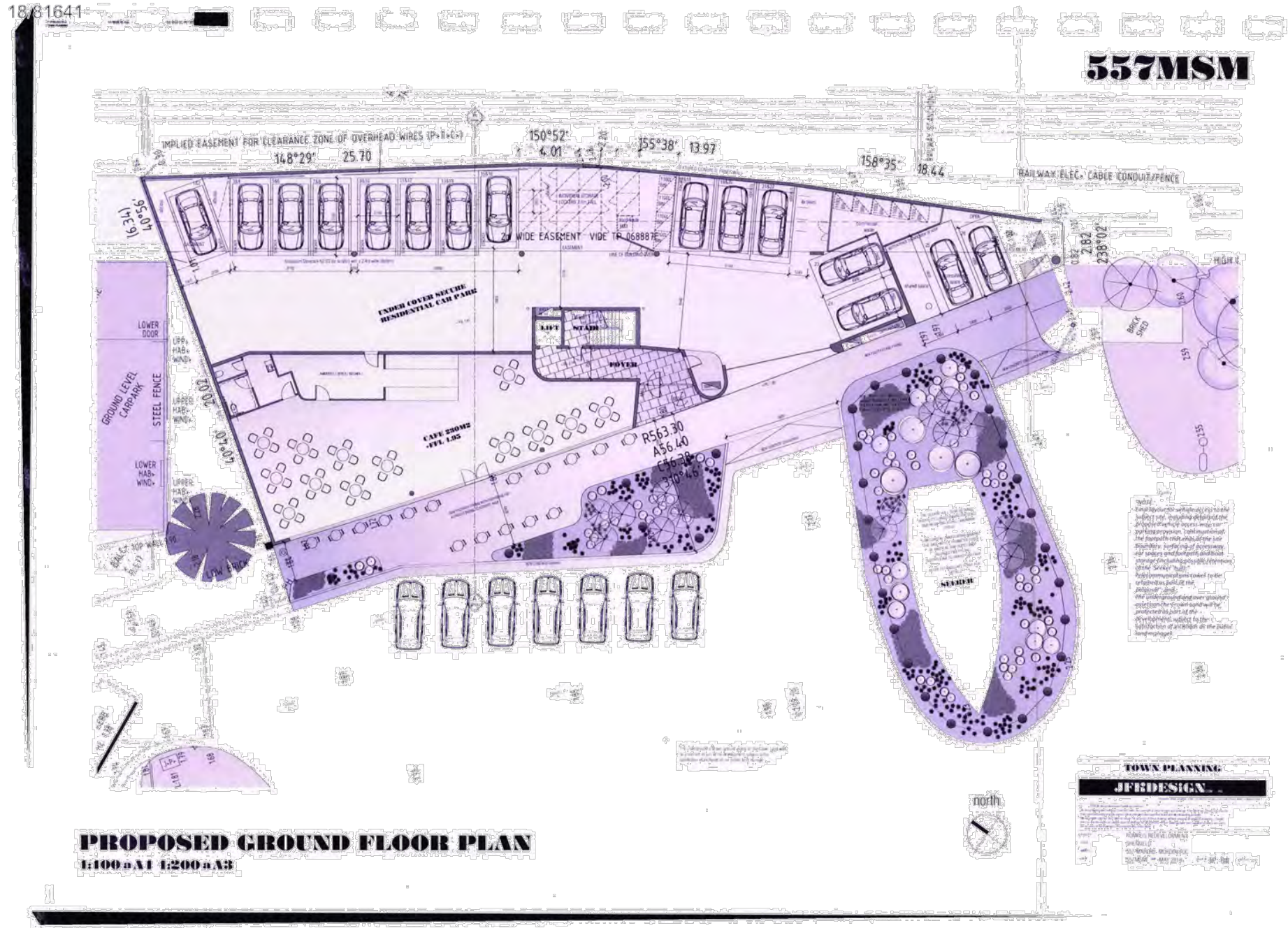
## 9.3 BIN WASHING SERVICES

- The Bin Butler - 1300 788 123
- Calcorp Services - 1888 225 267
- WBCM Environmental - 1300 800 621







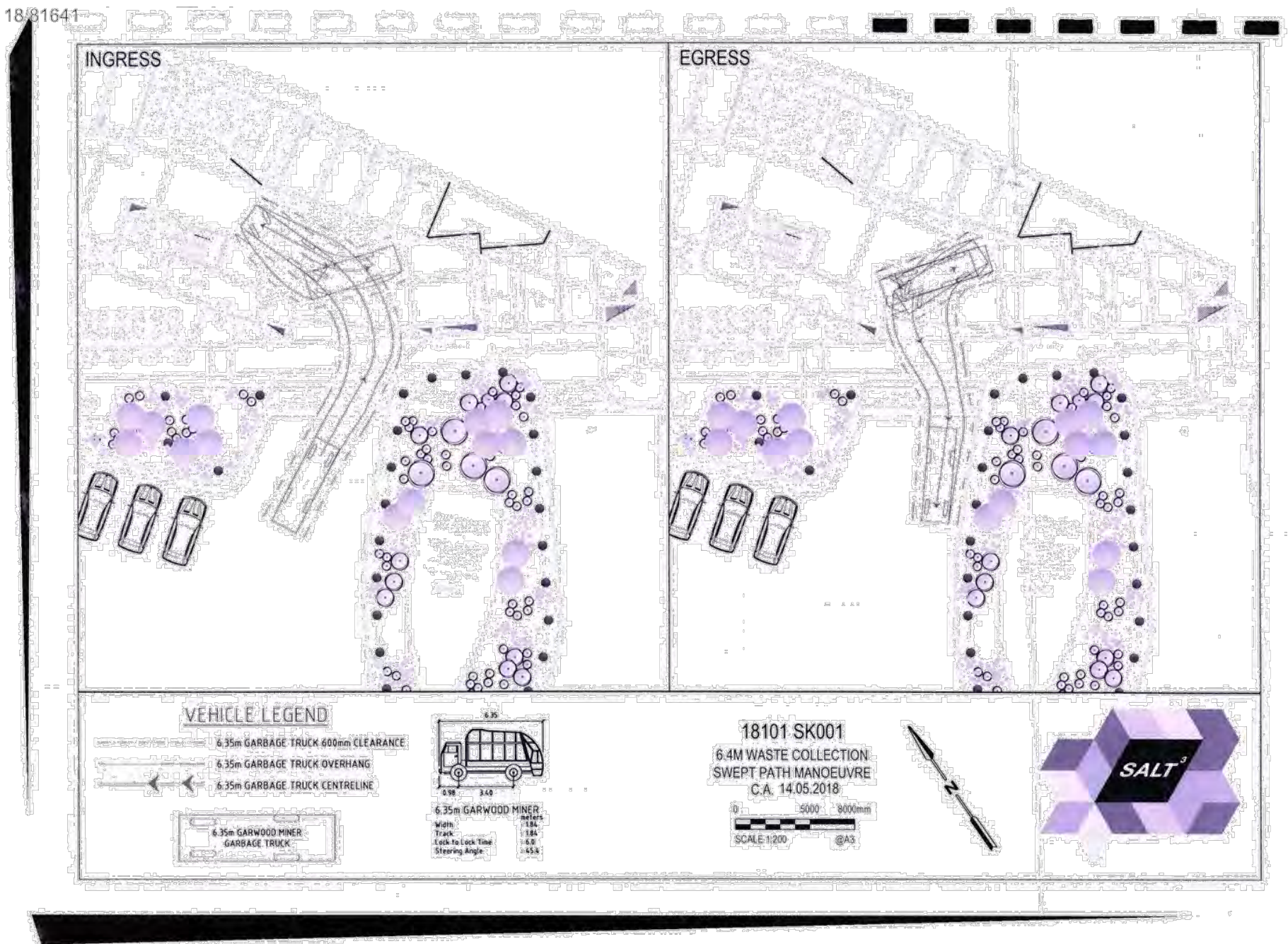


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## APPENDIX 2 SWEPT PATH ANALYSIS







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Service Approachability Loyalty Transparency



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27 April 2018

Chris Lovell

Project Manager

Andrew Long + Associates

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VIC 3188

## RE: 557-561 Main Street, Mordialloc – Cultural Heritage Assessment

### 1 Introduction

The purpose of this memorandum is to consider whether a proposed development at 557-561 Main Street, Mordialloc, will require a mandatory Cultural Heritage Management Plan (CHMP) in accordance with the *Aboriginal Heritage Act 2006* (Vic) (hereafter 'the Act') and the *Aboriginal Heritage Regulations 2007* (Vic) (hereafter 'the Regulations').

### 2 Findings

The proposed works are both a high impact activity and include an area of Aboriginal cultural heritage sensitivity. In accordance with r.6 of the Regulations a mandatory CHMP is required in this instance.

### 3 Activity Description

The proposed activity comprises the construction of a new mixed-use commercial and residential five level building within the activity area. Concept drawings prepared by JFK Design are presented in Appendix 3. Those works are expected to include, at a minimum, the following activities:

- demolition of all existing built fabric within the activity area;
- ground preparation works which will include stripping of topsoil across the entire activity area to a depth of at least 200 mm;
- grading and levelling works as required;
- localized excavation to depths of at least 1 m for the purposes of building footings, subsurface utilities, etc. as required;
- construction of a five-level mixed use building; and
- landscaping works as required.

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#### 4 The Activity Area

##### 4.1 Description

The activity area is comprised of the property at 557-561 Main Street, Mordialloc. The activity area is bound by residential properties to the north, the railway reserve to the east, and Main Street to the south west. The property is comprised of a former boat workshop (Pompei's Mordialloc Boat Building Works) and includes a double storey factory complex with hipped roofing forms (Plate 1) and a small triangular wedge of undeveloped land at the southern extent of the place (Plate 2). The entire activity area is within 200 m of the Mordialloc Creek. The underlying geology of the activity area is comprised of Quaternary 'Coastal dune deposits' (Qd11). Those 'Coastal dune deposits' consist of well sorted sands, silts and clays within dunes, beach deposits, and some swamp deposits. In consideration of the relatively low lying, level topography of the activity area, and its proximity to the Mordialloc Creek, it is possible that the underlying stratigraphy of the activity area has recently, or in the past, included alluvial deposits associated with either the path of the Mordialloc Creek or its floodplain.

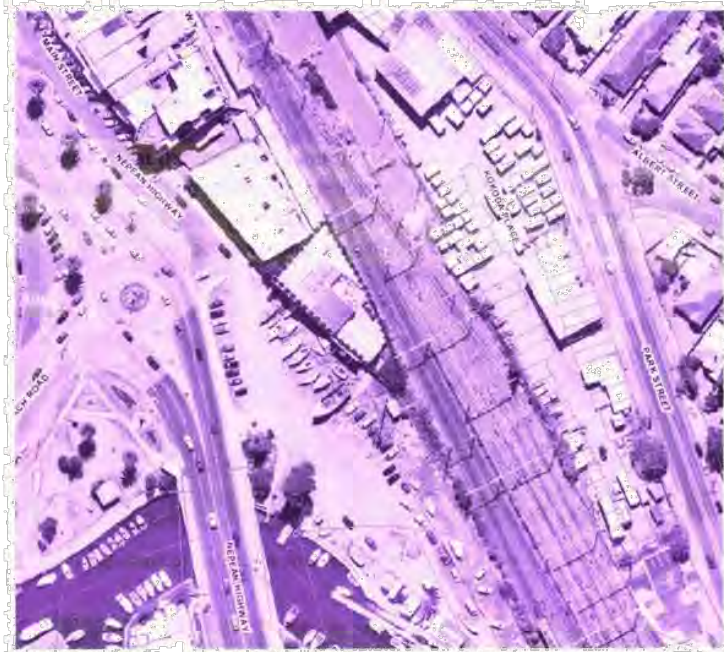


Figure 1: Location and extent of the activity area as indicated by the red dashed polygon ([www.land.vic.gov.au](http://www.land.vic.gov.au))



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Plate 1: Photo of the western elevation of the activity area facing south (Chris Lovell 18 April 2018)



Plate 2: Photo of the western elevation of the activity area facing north (Chris Lovell 18 April 2018)

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Plate 3: Southernmost part of the activity area facing south (Chris Lovell 18 April 2018)

#### 4.2 History

Historic Melbourne Office of Lands and Survey cadastral maps from 1863 demonstrate that the activity area probably was situated, at least in part, within public land to the south west of Albert Street. It was not until the construction of the Frankston Railway Line in 1881 that the cadastral boundary of the activity area was defined. Aerial photography from 1945 (Figure 3) demonstrate that prior to the construction of the Pompei's Mordialloc Boat Building Works the activity area was generally undeveloped, albeit it had been cleared of native trees. By the late 1940s Jack Pompei purchased the activity area from VicTrak and commenced construction of the Pompei's Mordialloc Boat Building Works workshops. The workshop complex is evident in Charles Daniel Prat aerial imagery from the 1950s (Figure 4 and Figure 5). The initial workshop was comprised of two sheds on the northern side of the activity area with hipped roof forms. The workshop facade was altered in the 1950s. Sometime between the 1950s and 1977, the northern two workshops were subject to additional alteration which culminated in the addition of a second storey to the southern workshop, and a rebuild of the northern workshop to a similar height. A smaller shed structure was also constructed on the south side of the southern workshop. The workshop complex continued to be modified from that time until 2004. Those modifications include the construction of a new shed on the southern part of the activity area. The southernmost part of the activity area has, with the exception of the construction of a brick lined stormwater drain and chimney stack for smoking fish, remained relatively undeveloped.



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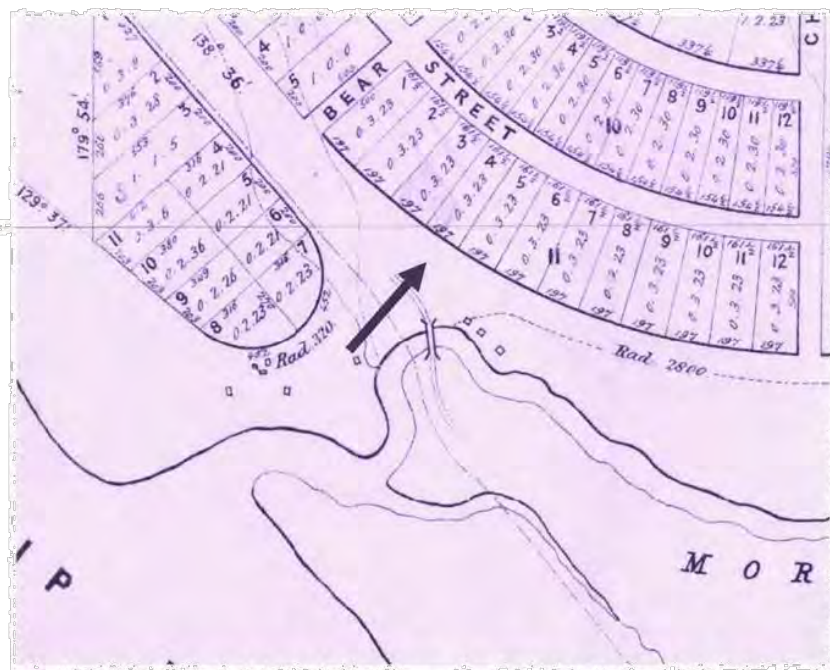


Figure 2: General location of the activity area (indicated by the red arrow) within the township of Mordialloc prior to the construction of the railway line (Melbourne Office of Lands and Survey 1863)



Figure 3: Approximate location of the activity area (red arrow) as depicted in historical 1945 aerial photography

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Figure 4: The activity area as photographed circa 1950-1953 (Charles Daniel Pratt)



Figure 5: The activity area as photographed circa 1950 - 1960 (Charles Daniel Pratt)

## 5 Aboriginal Cultural Heritage

The following sections outline the triggers and issues which will affect the proposed works in relation to the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007*, specifically as these relate to the need to undertake a mandatory Cultural Heritage Management Plan.



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ASSOCIATES**5.1 When is a CHMP required?**

In accordance with r.6 of the Regulations, a CHMP is required when:

- (a) All of part of the activity area for the activity is an area of cultural heritage sensitivity; and
- (b) All or part of the activity is a high impact activity.

**5.2 Is the activity area an area of cultural heritage sensitivity?**

Division 3 of the Regulations defines areas of Aboriginal cultural heritage sensitivity within the state of Victoria. Those areas are summarised as follows:

- r.22 Registered cultural heritage places
- r.23 Waterways
- r.24 Prior waterways
- r.25 Ancient lakes
- r.26 Declared Ramsar wetlands
- r.27 Coastal Crown land
- r.28 Coastal land
- r.29 Parks
- r.30 High plains
- r.31 Koo Wee Rup Plain
- r.32 Greenstone outcrops
- r.33 Stony rises
- r.34 Volcanic cones of western Victoria
- r.35 Caves
- r.36 Lunettes
- r.37 Dunes
- r.38 Sand sheets

In this instance, the relevant regulations which warrant further consideration are:

- r.22 Registered cultural heritage places;
- r.23 Waterways; and
- r.28 Coastal land.

**5.2.1 Regulation 22- Registered Cultural Heritage Places**

In order to ascertain whether or not the activity area is within the immediate proximity of a registered Aboriginal cultural heritage place (r.22) a search of the Aboriginal Cultural Heritage Register and Information System (ACHRIS) was undertaken on 18 April 2018 (ACHRIS access No. 5763). No registered Aboriginal cultural heritage places are located within the activity area (Figure 6).

However, there are four registered Aboriginal cultural heritage places within 500 m of the activity area. Those four places are comprised of two low-density artefact distributions, one artefact scatter and one shell midden. None of the defined extents of the four registered places either intersect with the activity area or are within 50 m of the activity area.

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With exception of the shell midden, each of the registered places are comprised of stone artefacts that were identified in sub-surface contexts, to a depth of 1.1 m below the ground surface. Raw materials represented in those assemblages, being silcrete, quartz, quartzite and flint, are all regularly identified within archaeological assemblages within the Mordialloc region and former Carrum Carrum Swamp.



Figure 6: Map of areas of Aboriginal cultural heritage sensitivity within 500 m of the activity area

Table 1: Registered Aboriginal cultural heritage places within 500 m of the activity area

VAHR	Name	Type	Extent (m)	Depth (m)	No. Artefacts	Raw materials
7921-0669	MORDIALLOC CREEK; MIDDEN 1	Shell Midden; Aboriginal Historical Place	midden: 3x5 historical place: 590x340	NA	NA	Mytilus, Austrochorda
7921-1347	14 Nepean Hwy, Aspendale AS 1	Artefact Scatter	2x3.5	0.7-0.8	2	Silcrete (n=2)
7921-1444	Mordialloc Beach 1 1A	Low Density Artefact Distribution	Primary coordinates	1.1	1	Quartz (n=1)
7921-1444	Mordialloc Beach 1 1A	Low Density Artefact Distribution	Primary coordinates	0.8	1	Quartzite (n=1)
7921-1683	9 Nepean Highway LOAD	Low Density Artefact Distribution	3x1	0.4	1	Flint (n=1)

### 5.2.2 Regulation 23 – Waterways

The entire activity area is situated within 200 m of Mordialloc Creek. Regulation 23 of the Regulations states that:

- 1) Subject to subregulation (2), a waterway or land within 200 meters of a waterway is an area of cultural heritage sensitivity.
- 2) If part of a waterway or part of the land within 200 metres of a waterway has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.



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Regulation 4 of the Regulations provides the following definition for waterways:

**Waterway means –**

- (a) A river, creek, stream or watercourse the name of which is registered under the **Geographic Place Names Act 1998**; or
- (b) A natural channel the name of which is registered under the **Geographic Place Names Act 1998** in which water regularly flows, whether or not the flow is continuous; or
- (c) A lake, lagoon, swamp or marsh, being –
  - i. A natural collection of water (other than water collected and contained in a private dam or a natural depression on private land) into or through or out of which a current that forms the whole or part of the flow of a river, creek, stream or watercourse passes, whether or not the flow is continuous; or
  - ii. A collection of water (other than water collected and contained in a private dam or a natural depression on private land) that the Governor in Council declares under section 4(1) of the **Water Act 1989** to be a lake, lagoon, swamp or marsh; or
- (d) Land which is regularly or intermittently covered by water from a waterway as described in paragraph (a), (b) or (c) but does not include –
  - i. Any artificial channel or work which diverts water away from such a waterway; or
  - ii. An area covered by the floodwaters of a waterway; or
  - iii. An area, other than the waterway, designated on a planning scheme as being a floodway or liable to flooding or as being subject to inundation; or
- (e) If any land described in paragraph (d) forms part of a slope rising from the waterway to a definite lip, the land up to that lip.

The Mordialloc Creek was included in the Geographic Place Names Register on 2 May 1966. Therefore, in accordance with r.23(1), all land within 200 m of the Mordialloc Creek is a nominal area of cultural heritage sensitivity. As such, the entire activity area contains a nominal area of cultural heritage sensitivity.

### 5.2.3 Regulation 28 – Coastal land

The entire activity area is within 200 m of the Port Phillip Bay. Regulation 28 of the Regulations states that:

- 1) Subject to subregulation (2), land within 200 meters of the high water mark of the coastal waters of Victoria or any sea within the limits of Victoria is an area of cultural heritage sensitivity.
- 2) If part of the land specified in subregulation (1) has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

As the Port Phillip Bay is, for the purposes of the Regulations, considered to be part of the coastal waters of Victoria, in accordance with r.28(1) of the Regulations the entire activity area contains a nominal area of cultural heritage sensitivity.

### 5.2.4 Do any exemptions apply?

In this instance no exemptions listed under Division 2 of the Regulations apply.



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ASSOCIATES**5.2.5 Has the activity area been subject to significant ground disturbance?**

Regulation 23(2) and r.28(2) both stipulate that an area of sensitivity which has been subject to 'significant ground disturbance' is not an area of Aboriginal cultural heritage sensitivity.

Pursuant to r.4 of the Regulations, 'significant ground disturbance' is defined as follows:

*significant ground disturbance means disturbance of*

- (a) the top soil or surface rock layer of the ground; or*
- (b) a waterway;*

*by machinery in the course of grading, excavating, digging, dredging or deep ripping.*

In consideration of the prior historic use of the land, which has historically included land clearance and the construction of a series of workshops across the majority of the activity area, it is clear that all of the ground surfaces within the activity area have been subject to some degree of disturbance.

However, in this particular instance it is not evident that prior land use has resulted in disturbance of the top soil by machinery in the course of grading, excavating, digging, dredging or deep ripping. While the majority of the property has been built upon, it is evident that the concrete slab within the existing boat workshop has been poured at various stages between 1945 and the late 1960s to 1970s. Further to which, part of the original workshop, which dates to the 1940s, survives. Construction works undertaken during the 1940s and 1950s were more likely to be undertaken by hand, with machinery only being used as a primary method of construction in the later 20<sup>th</sup> century.

Whether or not machinery was used in ground surface preparatory works for the existing boat building workshop complex, a small triangular wedge of land, which makes up the southernmost part of the activity area, has not been subject to construction works (Plate 3). Instead, it has been utilized as a garden space in the past, with construction works limited to the construction of a chimney stack for smoking fish and the installation of a brick lined sewer drain. While ground surfaces the eastern part of the activity area have been disturbed as an outcome of those activities, neither of those activities constitute 'significant ground disturbance' as defined by r.4 of the Regulations.

In summary, and in consideration of the information on hand, it is not possible to argue that the entire activity area has been subject to significant ground disturbance. Therefore, the activity area does include an area of Aboriginal cultural heritage sensitivity.

**5.2.6 Summary**

On the basis of the above discussion, the entire activity area contains a nominal area of Aboriginal cultural heritage sensitivity. In this instance, the activity area is within 200 m of a registered waterway, the Mordialloc Creek (r.23), and also within 200 m of the Port Phillip Bay (r.28), both of which are nominal areas of Aboriginal cultural heritage sensitivity.

**5.3 Is the activity a high impact activity?**

Division 5 of the Regulations lists a series of activities which are 'high impact activities' for the purposes of the Regulations. With regard to the proposed works, the relevant regulations are as follows:

**Regulation 43 Buildings and works for specified uses**



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1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—

(a) would result in significant ground disturbance; and

(b) is for or associated with the use of the land for any one or more of the following purposes—

- i. aquaculture;
- ii. a camping and caravan park;
- iii. a car park;
- iv. a cemetery;
- v. a child care centre;
- vi. a corrective institution;
- vii. a crematorium;
- viii. an education centre;
- ix. an emergency services facility;
- x. a freeway service centre;
- xi. a hospital;
- xii. an industry;
- xiii. intensive animal husbandry;
- xiv. a major sports and recreation facility;
- xv. a minor sports and recreation facility;
- xvi. a motor racing track;
- xvii. an office;
- xviii. a place of assembly;
- xix. a pleasure boat facility;
- xx. a research centre;
- xxi. a retail premises;
- xxii. a retirement village;
- xxiii. a service station;
- xxiv. a transport terminal;
- xxv. a utility installation, other than a telecommunications facility, if—
  - A) the works are a linear project that is the construction of an overhead power line with a length exceeding one kilometre or for which more than 10 power poles are erected; or
  - B) the works are a linear project that is the construction of a pipeline with a length exceeding 500 metres; or
  - C) the works are a linear project with a length exceeding 100 metres (other than the construction of an overhead power line or a pipeline with a pipe diameter not exceeding 150 millimetres); or
  - D) the works affect an area exceeding 25 square metres.
- xxvi. a veterinary centre;
- xxvii. a warehouse;
- xxviii. land used to generate electricity, including a wind energy facility.

2) The terms used in subregulation (1)(b) have the same meanings as they have in the VPP.

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3) Despite subregulation (1), the construction of a building or the construction or carrying out of works on land is not a high impact activity if it is for or associated with a purpose for which the land was being lawfully used immediately before the commencement day.

4) In this regulation, **linear project** has the same meaning as in regulation 68.

#### **Regulation 45 Dwellings**

- 1) The construction of three or more dwellings on a lot or allotment is a high impact activity.
- 2) The carrying out of works for three or more dwellings on a lot or allotment is a high impact activity.
- 3) This regulation does not apply to the construction of or carrying out of works for a retirement village within the meaning of the VPP.

#### **Regulation 46 Subdivision of Land**

- 1) The subdivision of land into three or more lots is a high impact activity if –
  - (a) the planning scheme that applies to the activity area in which the land to be subdivided is located provides that at least three of the lots may be used for a dwelling or may be used for a dwelling subject to the grant of a permit; and
  - (b) the area of each of at least three of the lots is less than eight hectares.
- 2) The subdivision of land into two or more lots in an industrial zone is a high impact activity.
- 3) In this regulation, **industrial zone** has the same meaning as in the VPP.

The proposed works will include the construction of new retail space, more than three dwellings, and subdivision of the activity area into three or more lots. Therefore, in accordance with r.43(1)(b)(xx), r.45 and r.46 of the Regulations, the proposed works are a high impact activity for the purposes of the Regulations.

#### **5.4 Is a cultural heritage management plan required?**

The proposed works are a high impact activity and the activity area contains an area of Aboriginal cultural heritage sensitivity. Pursuant to r.6 of the Regulations a mandatory CHMP is required in this instance.

### **6 Conclusions and Recommendations**

#### **6.1 Aboriginal cultural heritage**

The subdivision of the activity area into three or more lots, construction of a multistorey apartment building with retail space is, in accordance with r.43, r.45 and r.46 of the regulations, a high impact activity. Further to which, the activity area, which is within 200 m of the Port Phillip Bay and 200 m of the Mordialloc Creek, contains an area of Aboriginal cultural heritage sensitivity (r.23 and r.28). Therefore, in accordance with r.6 of the Regulations a mandatory CHMP is required in this instance.

#### **6.2 Disclaimer**

It should be noted that this opinion does not imply that Aboriginal cultural heritage places are not present elsewhere within the activity area, or are not at risk of impact from the proposed activity. It is simply stated that the proposed works will no impact upon the currently registered Aboriginal cultural heritage places.

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This assessment does not constitute a CHMP as defined in Division 1 of the *Aboriginal Heritage Act 2006* (Vic).

Yours sincerely,



**Chris Lovell**  
Project Manager  
Andrew Long and Associates

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ASSOCIATES

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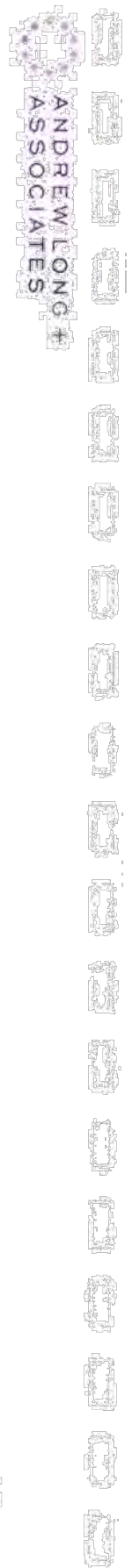
## 7 Legislation

Aboriginal Heritage Act 2006

Aboriginal Heritage Regulations 2007

Water Act 1989

Victorian Planning Provisions 2018



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**APPENDIX 1**

**STATUTORY REGULATIONS**

  
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ASSOCIATES**The Aboriginal Heritage Act 2006**

This act provides blanket protection for all Aboriginal heritage sites, places or items in Victoria.

The main aspects of the Act in relation to the development process are as follows:

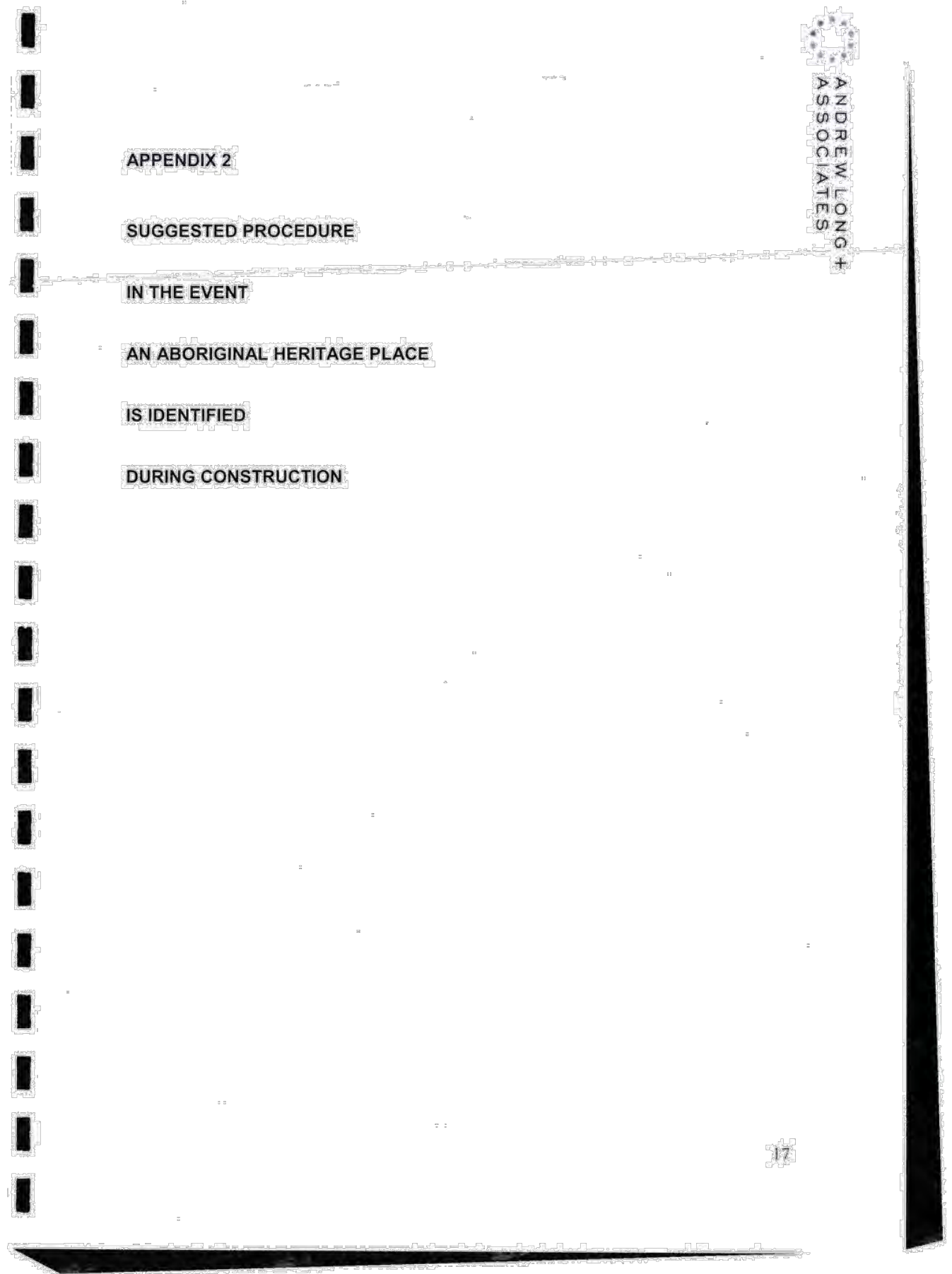
- An *Aboriginal Heritage Council* (AHC) has been appointed by the Minister, Aboriginal Victoria, made up of 11 Victorian Aboriginal people.
- Aboriginal community groups with traditional interests in cultural heritage are to apply to the AHC for registration as a *Registered Aboriginal Party* (RAP). RAPs will have the role of endorsing *Cultural Heritage Management Plans* (CHMP) within a given area of interest. There may be two or more RAPs for an area, provided it does not hinder the operation of the legislation.
- Under Section 48, a developer ('sponsor') may be required to submit a CHMP before the issue of a statutory authority by local government or other agency ('decision maker'). A CHMP must be registered with the Secretary, Department of Premier and Cabinet (AV), and all relevant RAPs notified in writing. If an RAP does not respond, AV will act in lieu. A CHMP will contain details of research, field evaluation, and consultation and management provisions in regard to the Aboriginal heritage of an area at risk from a development. A *Heritage Advisor* must be appointed to assist in the preparation of a CHMP. It is the role of an RAP or AV to approve a CHMP if it meets prescribed standards.
- A CHMP will not be considered approved unless it has been approved by all relevant RAPs.

The regulations accompanying the Act specify when a CHMP will be required by law, and prescribe minimum standards for the preparation of a CHMP (Section 53). The approved form for CHMPs specifies the format in which a CHMP should be prepared by a sponsor in order to comply with the Act and the Regulations, and is an approved form under section 190 of the Act.

Other provisions of the Act include *Cultural Heritage Permits* (Section 36), as required for other works affecting Aboriginal heritage sites, *Cultural Heritage Agreements* (Section 68), in respect to land containing an Aboriginal heritage place, *authorised officers* (Part 11) appointed to enforce the Act, *Cultural Heritage Audits* (Section 80) to be ordered by the Secretary in relation to compliance with a CHMP and a VCAT appeals procedure.



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**A. Management of Aboriginal Cultural Heritage Found During Works**

If Aboriginal places or objects found during works the following steps must be applied:

- The person who identified the find will immediately notify the person in charge of the activity.
- The person in charge of the activity must then suspend any relevant works at the location of the discovery and within 5 m of the relevant site extent and isolate the find via the installation of safety webbing, or other suitable barrier and the material to remain *in situ*.
- Works may continue outside of the 5 m barrier.
- The person in charge of works must notify the Heritage Advisor (HA) and the Secretary (AV) of the find within 24 hours of the discovery.
- The HA must notify the RAP(s) or other agreed Aboriginal stakeholder(s) within 24 hours of the discovery and invite RAP(s) or other agreed Aboriginal stakeholder(s) to inspect the find.
- Within 24 hours of notification, a HA is to attend the site and evaluate the find to determine if it is part of an already known site or should be registered as a new site and to update and/or complete site records as appropriate and advise on possible management strategies.
- Enable RAP(s) or other agreed Aboriginal stakeholder(s) to inspect site within 24 hours of notification and remove/rebury any cultural heritage material found.
- Within a period not exceeding three (3) working days the Sponsor, in consultation with the HA, RAP or other agreed Aboriginal stakeholder, shall, if necessary, apply for a Cultural Heritage Permit (CHP) in accordance with Section 36 of the *Aboriginal Heritage Act 2006*.
- If a CHP application is lodged, works may only recommence within the area of exclusion following the issue of a CHP and compliance with any conditions.
- When the appropriate protective measures have been taken;
- Where the relevant Aboriginal cultural heritage records have been updated and/or completed;

In the case of the discovery of human remains, separate procedures relating to the discovery of human skeletal remains must be adhered to (see below).

**B. Custody and Management of Aboriginal Cultural Heritage Recovered**

- Any Aboriginal cultural heritage recovered or salvaged from the activity area remains the property of the RAP(s) or other agreed Aboriginal stakeholder(s). Any such recovery or salvage will be agreed to and overseen by a RAP(s) or other agreed Aboriginal stakeholder representative(s). In any such instance it will be the responsibility of the Heritage Advisor to:
  - Catalogue the Aboriginal cultural heritage;
  - Label and package the Aboriginal cultural heritage with reference to provenance; and
  - With the RAP(s) or other agreed Aboriginal stakeholder(s), arrange storage of the Aboriginal cultural heritage in a secure location together with copies of the catalogue and assessment documentation.

**C. The Management of the Discovery of Human Remains**

The following steps must be taken if any suspected human remains are found in the activity area:

**1. Discovery:**

- If suspected human remains are discovered, all activity in the vicinity must **cease immediately** to ensure minimal damage is caused to the remains; and
- The remains must be left in place, and **protected** from harm or damage.

**2. Notification:**

- Once suspected human skeletal remains have been found, the Coroner's Office and the Victoria Police must be notified immediately;

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- If there is reasonable grounds to believe the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be immediately notified on 1300 888 544; and
- All details of the location and nature of the human remains must be provided to the relevant authorities.
- If it is confirmed by these authorities that the discovered remains are Aboriginal skeletal remains, the person responsible for the activity must report the existence of the human remains to the Victorian Aboriginal Heritage Council in accordance with s. 17 of the *Aboriginal Heritage Act 2006*.

**3. Impact Mitigation or Salvage:**

- The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal Ancestral Remains, will determine the appropriate course of action as required by s.18(2)(b) of the Act.
- An appropriate impact mitigation or salvage strategy as determined by the Victorian Aboriginal Heritage Council must be implemented by the Sponsor or Sponsor's delegate.

**4. Curation and further analysis:**

- The treatment of salvaged Aboriginal Ancestral Remains must be in accordance with the direction of the Secretary.

**5. Reburial:**

- Any reburial site(s) must be fully documented by an experienced and qualified archaeologist, clearly marked and all details provided to AV.

Appropriate management measures must be implemented to ensure that the remains are not disturbed in the future.



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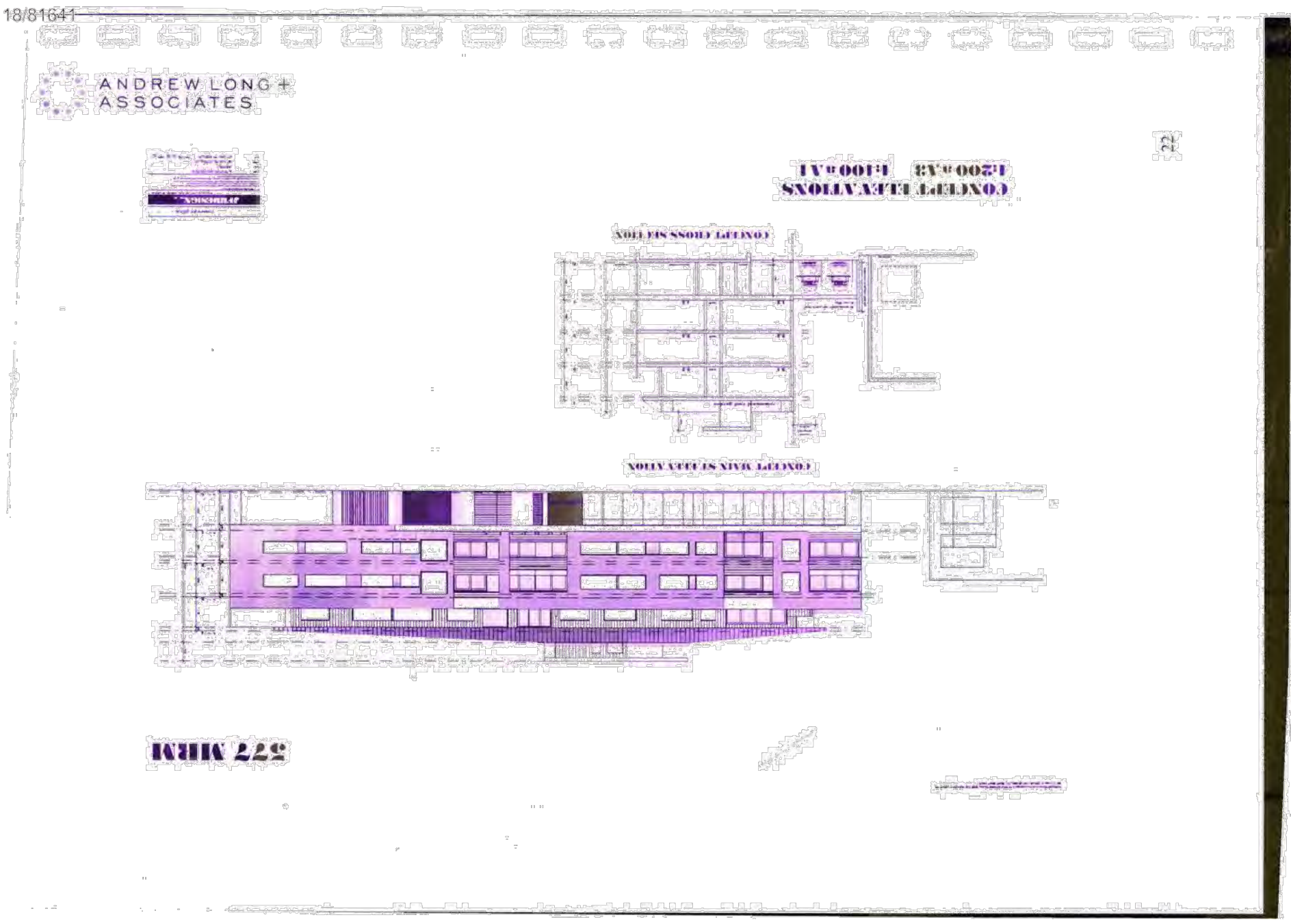
APPENDIX 3

JFK Design Concept Plan

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ASSOCIATES

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**PROPOSED MIXED-USE  
DEVELOPMENT**  
**557-561 MAIN STREET MORDIALLOC**  
**TRAFFIC ENGINEERING ASSESSMENT**

The logo for SALT (South Australian Land Transport) is located in the bottom right corner. It consists of a stylized, multi-colored geometric shape (a triangle composed of several smaller triangles in shades of blue, green, and yellow) with the word "SALT" in white capital letters and a superscript "3" to its right.

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PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC  
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 Thursday, May 17, 2018

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Version	Prepared By	Position	Date	Reviewed By	Position	Date
DD1	Chris Aspinall	Traffic Engineer	15 May 2018	Jarrod Wicks	Associate	15 May 2018
F01	Chris Aspinall	Traffic Engineer	17 May 2018	Jarrod Wicks	Associate	17 May 2018

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SALE OF GOODS AND SERVICES ACT 1954 (Vic) and Consumer Protection Act 1987 (NSW)

SALE OF GOODS AND SERVICES ACT 1954 (Vic) and Consumer Protection Act 1987 (NSW)



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SALT

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## 1 INTRODUCTION

SALT has been engaged by Shenfield Property to undertake a traffic engineering assessment for a proposed mixed-use development located at 557-561 Main Street Mordialloc.

In the course of preparing this report:

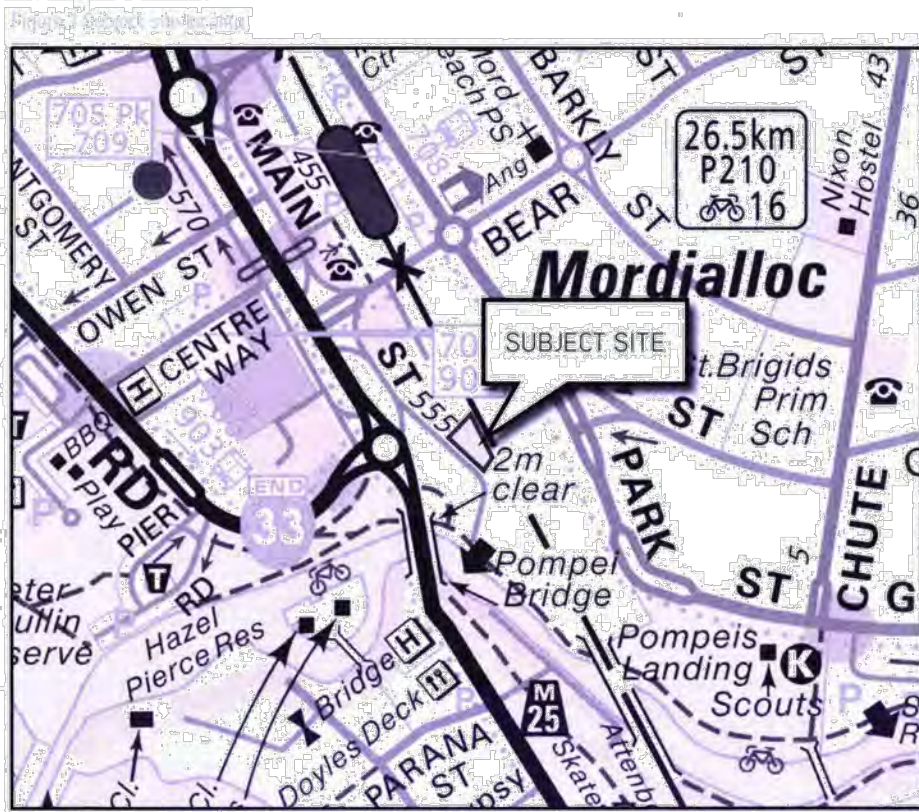
- The subject site and surrounding environs have been inspected.
- A spot car parking survey has been undertaken.
- Discussions have taken place with Council and VicRoads officers.
- Plans of the development have been reviewed and design advice provided to the project architect and
- The parking and traffic implications of the proposal have been assessed.

## 2 EXISTING CONDITIONS

### 2.1 LOCATION & LAND USE

The subject site is located adjacent to a parcel of VicRoads-owned land located at the southern end of Main Street in Mordialloc. This makes the site effectively land-locked.

Figure 1 shows the location of the site with respect to the surrounding street network. An aerial view of the site is provided in Figure 2.



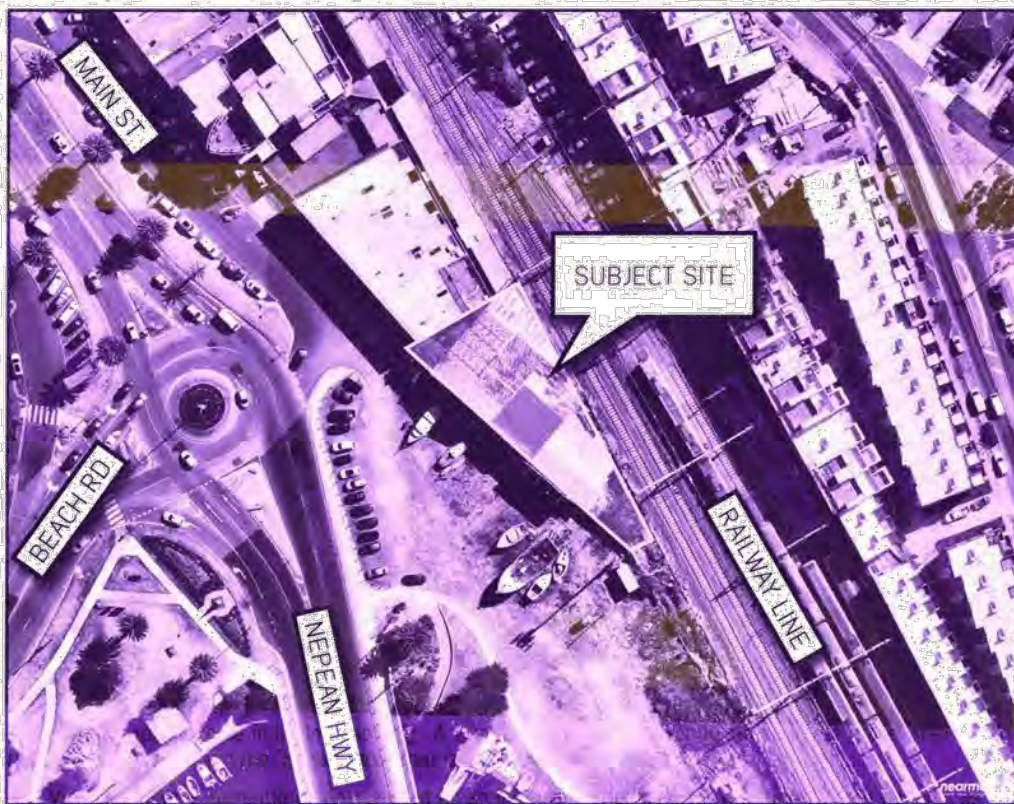
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PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET MORDIALLOC



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The site consists of a single irregularly-shaped lot covering a total area of 937m<sup>2</sup>. The site is occupied by boat sheds which appear to be in limited use only. A variety of boats are currently stored in the gravel area outside the subject site including the 'Seeker' boat that is a local icon.

The VicRoads land is currently otherwise used as an informal gravel car park with unrestricted parking, as well as providing access to a private boat ramp.

The site is in a unique position, backing onto a railway reserve to the east and the aforementioned gravel area to its west. This area of Main Street is directly accessed via the roundabout connecting Main Street, Beach Road and the Nepean Highway.

The land falls approximately 800mm from the southern end to the northern end of the site.

## 2.2 ZONING AND OVERLAYS

The subject site is located within the City of Kingston and is primarily zoned a Mixed-Use Zone (MUZ). The eastern boundary of the site is located within a Public Use Zone (PUZ4) where the railway line exists. The site is subject to Design and Development Overlay - Schedule 10 (DDO10) and Environmental Audit Overlay (EAO).

The site is located within Precinct 5 (Pompeii's Landing) of the Mordialloc Activity Centre and is hence subject to the Mordialloc Activity Centre Policy. The policy includes a traffic-related point to 'Encourage pedestrian and bike paths and open space linkages throughout the precinct to be maintained and upgraded to encourage permeability and visitation.'



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## 2.3 SURROUNDING LAND USE

The site is located at the southern end of Main Street, in a unique area named Pompei's Landing. This area of Mordialloc has an abundance of public park and recreational area and provides an entrance to a number of boat ramps and marine services located along the Mordialloc Creek.

Directly next door at 555 Main Street is a relatively newly constructed two-storey apartment building. Other land use in the vicinity is predominantly mixed-use and consists of retail stores, banks and cafés, along with some apartments along the Main Street service road.

## 2.4 ROAD NETWORK

Main Street (Nepean Highway) is classified as a primary state arterial road under the care and management of VicRoads. Main Street continues through Mordialloc to the north and south as Nepean Highway, which provides a continuous connection between Melbourne and the Mornington Peninsula.

Through the Mordialloc town centre, Main Street consists of two traffic lanes in each direction plus one-way service roads on both the east and west sides of the road. Car parking is provided on both sides of each service road, generally short-term restricted.

Directly outside the subject site, Main Street is currently an informal boat and car parking area, under the management of VicRoads. The footpath coming from the north currently terminates outside the subject site and a shared bicycle and pedestrian path is accessible from the gravel area.

Ingress to the subject site is via the Main Street service road, as the roundabout nearby does not provide direct access. However, egress from the site is available directly onto Main Street (Nepean Highway) via the connecting roundabout.

A speed limit of 60km/h applies along Main Street and Nepean Highway.

Views of Main Street are provided in Figure 3 and Figure 4.

Figure 3 Main Street extension and informal car parking      Figure 4 Nepean Highway (going south)



## 2.5 SUSTAINABLE TRANSPORT

### 2.5.1 WALKABILITY

The subject site has very good walking facilities in place with footpaths provided along Main Street, and a proposed footpath to be constructed at the frontage of the site, which provides access to surrounding residential areas and public transport options.

The site rates 82 out of 100 for walkability on  meaning that the site is 'very walkable – most errands can be accomplished on foot'.

PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC  
EXISTING CONDITIONS

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 PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET MORDIALLOC  
 EXISTING CONDITIONS

## 2.5.2 BICYCLE ACCESS

There are shared paths located directly southwest of the subject site at the entrance to Pompei's Landing, which provide excellent bicycle access between many of Mordialloc's recreational areas and beaches. These paths also allow riders to travel south from Pompei's Landing towards Aspendale, or north around Port Phillip Bay towards the city.

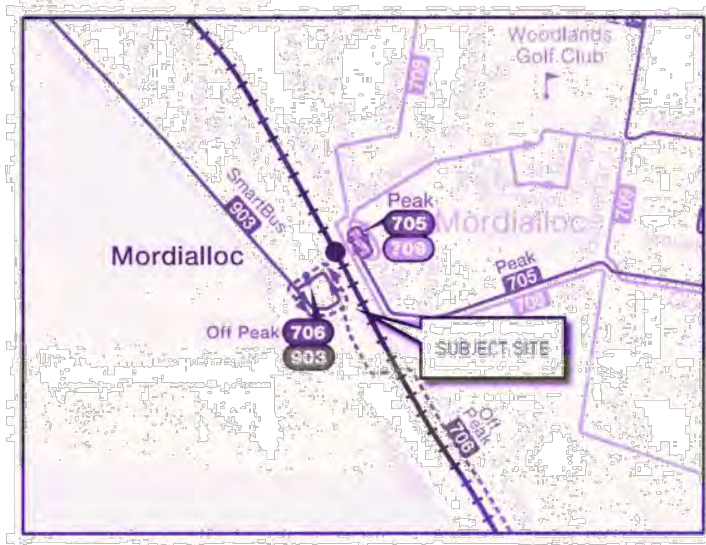
## 2.5.3 PUBLIC TRANSPORT

The subject site is conveniently located only 250m (a 3-minute walk) away from Mordialloc Railway Station. The station has train services operating to and from the city along the Frankston line at a frequency of approximately 10 minutes during peak periods.

A variety of bus services also operate through Mordialloc Station, as can be seen in Table 1 below.

Route	Description	Frequency
705	Mordialloc - Springvale via Braeside, Clayton South	40 min (peak only)
706	Mordialloc - Aspendale - Edithvale - Chelsea	N/A (off-peak only)
709	Mordialloc - Noble Park Station via Keysborough South	30 min
903	Mordialloc - Altona (SMARTBUS Service)	10 - 15 min

Available public transport services are highlighted in Figure 5.





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## 26 CAR PARKING AVAILABILITY

Review of NearMap aerial photography indicates that on-street car parking is typically readily available in the vicinity of the subject site, particularly in the informal area directly outside the subject site although there are occasions where parking demands are higher. Refer sample images provided in Figures 6 - 9 for an overview of parking conditions within convenient walking distance of the subject site.



PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET MORDIALLOC





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PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC

### 3 PROPOSAL

It is proposed to demolish the existing boat sheds and to construct a four-level mixed-use building comprising:

- Café (Food and Drink Premises) with a leasable floor area of 230m<sup>2</sup>
- 13 x apartments (2 no. 1br + 2 no. 2br + 9 no. 3br)
- At-grade car park for residents (22 spaces in 11 dependent car stackers + 2 regular spaces)
- At-grade car park for the café (2 spaces including 1 disabled space)
- 3 x wall-mounted bicycle rails in the residential car park, and
- 2 x flat-top rail bicycle racks fixed to the footpath outside the subject site

A footpath is proposed to be constructed at the frontage of the site, connecting with the existing footpath to the north. This would provide pedestrian access as well as opportunity for café seating and additional bicycle parking.

All boats except the 'Seeker' will be removed from the site, and this will facilitate the creation of approximately 7 - 8 informal car parking spaces along the site frontage.

Vehicle access is proposed via two new crossovers to the Pompei's Landing car park adjacent the site. VicRoads has provided in-principle agreement to this proposal.

### 4 CAR PARKING

#### 4.1 STATUTORY REQUIREMENTS

Car parking requirements applicable to new developments are specified in Clause 52.06 of the Kingston Planning Scheme. Table 2 below outlines the parking requirements applicable to this particular mixed-use development.

Use	Size	Statutory requirement	No. Spaces Required	No. Spaces Proposed	Parking Shortfall
Café (Food & Drink premises)	230m <sup>2</sup>	4 spaces to every 100m <sup>2</sup> of leasable floor area	9 spaces	2 spaces	7 spaces
Dwelling	4 x 1 and 2-bedroom	1 space to each one or two bedroom dwelling, plus	22 resident spaces	24 resident spaces	0 resident spaces
	9 x 3-bedroom	2 spaces to each three or more bedroom dwelling, plus	2 visitor spaces	0 visitor spaces	2 visitor spaces
		1 for visitors to every 5 dwellings			

It can be seen there is a shortfall of 7 café spaces and 2 residential visitor spaces.

It should be noted that due to the dependent configuration of the car stackers it is not possible to allocate the excess residential parking to visitors. Independent stackers are not possible as this would require a pit, and the stackers are located over an easement that prevents this.

#### 4.2 CAR PARKING DEMAND ASSESSMENT

Clause 52.06-6 of the Planning Scheme requires an application to reduce the number of car parking spaces to be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposal having regard to a range of matters. This assessment is provided in Table 3.



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MATTER	RESPONSE
The availability of public transport in the locality of the land	<p>The site has excellent access to public transport, with Mordialloc Station conveniently located within a short 200m (3-minute) walk of the subject site. As discussed in Section 25.3 above, the station is serviced by high frequency trains along the Frankston Line, as well as a variety of bus services.</p> <p>There is a high likelihood that shoppers, visitors and residents may make use of public transport.</p>
The convenience of pedestrian access to the land	<p>The site is well connected to the existing footpath network, including a shared path located only 30 metres to the southwest. The site is conveniently located within close walking distance of the nearby activity centre and railway station, which makes walking an attractive and convenient mode of transport.</p>
The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land	<p>The close proximity of Mordialloc Railway Station may encourage residents to consider using public transport, rather than a car, as it may be more convenient.</p>
The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use	<p>There is a very high likelihood of multi-purpose trips being undertaken in this case due to the site being located within an activity centre which includes shops, banks, cafes, restaurants, a supermarket and recreational facilities.</p> <p>Many customers of the cafe will have visited other nearby shops, and hence be already parked in the area.</p>
Any empirical assessment or case study	<p>Given the site's location within an activity centre, use of the Column B parking rate in Clause 52.06 is considered appropriate (3.5 spaces per 100m<sup>2</sup> LFA). Application of this rate equates to a peak demand of 8 spaces. As there are 2 spaces proposed, the shortfall is 6 spaces.</p> <p><b>Residential Visitors</b></p> <p>Empirical case study data held by SALT indicates a peak visitor parking demand of 0.09 spaces per dwelling. This equates to a peak visitor demand of 1 space.</p>
The variation of car parking demand likely to be generated by the proposed use over time	<p><b>Cafe</b></p> <p>Cafe parking demands would peak during the late morning and lunchtime on weekdays and weekends.</p> <p><b>Residential Visitors</b></p> <p>Residential visitor parking demands would peak in the evenings and on weekends.</p>
The short-stay and long-stay car parking demand likely to be generated by the proposed use	<p><b>Cafe</b></p> <p>For retail land uses, a commonly accepted rule of thumb is to provide staff (long-stay) parking at a rate of 1 space per 100m<sup>2</sup>. This equates to 2 spaces. The remaining demand of 6 spaces would be associated with customers, and be short-stay in nature.</p> <p><b>Residential Visitors</b></p> <p>Visitor parking demands are typically short-stay in nature.</p>

PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC

CAR PARKING

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The Car Parking Demand Assessment indicates a peak café parking demand of 8 spaces (2 staff and 6 customer) and a peak residential visitor parking demand of 1 space.

#### 4.3 ADEQUACY OF CAR PARKING SUPPLY

Clause 5206-7 of the Planning Scheme specifies that before granting a permit to reduce the number of spaces, the responsible authority must consider a range of specified matters. The matters considered relevant to this application are discussed in Table 4.

MATTER	RESPONSE
The Car Parking Demand Assessment	The Car Parking Demand Assessment indicates a peak café parking demand of 8 spaces (2 staff and 6 customer) and a peak residential visitor parking demand of 1 space. As there are 2 staff spaces proposed on-site, up to 7 spaces would need to be accommodated off-site. These spaces would be short-stay in nature.
The availability of alternative car parking in the locality of the land	A site inspection revealed that there is some availability of short-stay on-street car parking on the Main Street service road, close to the subject site. It was also observed that parking is available in the informal gravel carpark at Pompei's Landing, with approximately 14-15 informal spaces. This parking is not heavily utilised on weekends, which would be one of the times of peak activity for the café and for residential visitors. Furthermore, clearing the boats outside the subject site and replacing that area with informal parking will provide an additional 7-8 parking spaces that can be used for visitors to the café and apartments. This means that in the event of a car parking overflow from the site, excess vehicles can be readily accommodated off-site. Further, any overflow would be short-stay in nature.
Access to or provision of alternative transport modes to and from the land	As discussed, the site has excellent access to train and bus services running through Mordialloc Station, which is only 200m away from the site.
The practicality of providing car parking on the site, particularly for lots of less than 300 square metres	The irregular shape of the site and the inability to provide any parking below ground (due to easements) makes providing parking on the site difficult.
Any other relevant consideration	It is proposed to install 4 bicycle spaces in the on-site carpark. This would serve to encourage bicycle use and is discussed in Section 5.

Based on the above assessment, it is considered there is sufficient justification to support a reduction of the Planning Scheme car parking requirement in this case.



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## 5 BICYCLE FACILITIES

Clause 5234 of the Kingston Planning Scheme specifies bicycle parking requirements for various land uses. The statutory requirement for this development is shown in Table 5.

Use	Size	Statutory requirement	No. Spaces Required
Food & Drink Premises (falls under 'Retail Premises')	230m <sup>2</sup>	1 employee space to every 300m <sup>2</sup> of leasable floor area	1 employee space
		1 shopper space to every 500m <sup>2</sup> of leasable floor area	0 shopper spaces
Dwelling	4 x 1 and 2-bedroom	1 resident space to each 5 dwellings	2 resident spaces
	9 x 3-bedroom	1 visitor space to each 10 dwellings	1 visitor space
TOTAL			4 spaces

It can be seen the bicycle parking requirement for this development is a total of 4 spaces.

It is proposed to install 4 hanging bicycle racks inside the on-site carpark for residents, plus a further 2 flat-top rails (4 spaces) on the footpath outside the subject site for café visitors and employees. This provides a total of 9 bicycle parking spaces, which exceeds the above requirement and would serve to encourage bicycle use.

## 6 CAR PARK ACCESS & LAYOUT

The proposed car park access and layout arrangement has been designed to ensure efficient and convenient use by users. The following comments are provided:

- ✱ Access to the residential car park is proposed via a single 7.8m wide crossover to the gravel car park, which exceeds the minimum width of 5.5m specified in AS/NZS 2890.1:2004 and is adequate to accommodate two-way traffic flow.
- ✱ The crossover to the 2 café parking spaces is approximately 4.3m wide, which is adequate to provide access and exceeds the minimum requirement of 3.0m under AS/NZS 2890.1:2004.
- ✱ VicRoads has provided in-principle agreement to the proposed access arrangements, including for the area made vacant by removal of the boats to be surfaced in compacted gravel. This matches the existing car park and is appropriate given the low traffic volumes.
- ✱ A pedestrian sight triangle is not considered necessary for the residential car park, as the footpath does not continue beyond the subject site (meaning negligible pedestrian traffic) and traffic volumes would be relatively low.
- ✱ A passing area is not required under Design Standard 1 of Clause 5206-09. Given the low traffic volumes, it is envisaged that one vehicle will stop and let the other driver pass should two oncoming cars meet.
- ✱ Nussbaum Storeparker N2102 car stackers (or similar) are proposed, with a total footprint of 5.2m x 2.7m for each stacker – refer specification sheet in Appendix 1. This allows a 2.4m wide platform. The overall clearance height is proposed at 3.95m, reducing to 3.3m at the entry end of the car stackers for a length of approximately 936mm (Spaces 1 – 2), 270mm (Spaces 3 – 16), 320mm (Spaces 17 & 18), 565mm (Spaces 19 & 20) and 810mm (Spaces 21 & 22). Adopting a free space zone of 450mm x 800mm (as per a similar Klaus 2061 car stacker), the following car heights are achievable/recommended:
  - ☐ Spaces 1 & 2: 160m below, 152m above
  - ☐ Spaces 3 – 18: 180m below, 197m above
  - ☐ Spaces 19 – 22: 160m below, 152m above



PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET MORDIALLOC



18/81641

PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET, MORDIALLOC  
 1. CARPARK AND WASTE COLLECTION

- Clause 5206 requires a minimum 25% of car stacker spaces to accommodate a vehicle height of 18m or greater. The proposal achieves 73% exceeding this requirement.
- A 10m long blind aisle extension has been provided, measured from the northernmost stacker to the end wall, allowing for cars to enter and exit the stacker. As these are residential spaces, no turning area is required, as residents have dedicated car spaces and will not be searching for a car park that may not be available.
- The car park aisle is a minimum of 6.4m wide, which is sufficient to provide convenient access to/from the car stackers. Swept path analysis is provided in Appendix 2.
- The standard car spaces are 4.9m x 2.6m (2.9m adjacent a wall) with access from a minimum 6.4m wide aisle. This meets/exceeds the requirements of Design Standard 2 of Clause 5206-9 of the Planning Scheme.
- The disabled car space is 5.6m long x 2.4m wide and the shared area is 5.6m long x 2.4m wide. This meets/exceeds the requirements of AS/NZS 2890.6:2009.
- Headroom of 3.3m is proposed, exceeding the minimum Clause 5206-9 requirement of 2.1m and complying with AS/NZS 2890.6:2009 for access to the disabled parking space (2.2m on the path of travel and 2.5m directly above the space).

## 7. LOADING AND WASTE COLLECTION

There are no specific loading requirements within the Planning Scheme since the recent removal of Clause 5207. Deliveries for the cafe are envisaged to occur by vans and small trucks that can conveniently park within the adjacent Pompei's Landing parking area. Drivers may elect to stop in front of the two cafe parking spaces, which ensures no disruption to the residential car park.

Waste would be collected privately, as specified in the Waste Management Plan prepared by SAL. Swept path analysis undertaken using AutoTURN (refer Appendix 2) indicates that a 5.4m long waste collection vehicle (Garwood Miner or similar) could satisfactorily collect waste from the on-site car park.

## 8. TRAFFIC IMPACT

It is envisaged that the proposed dwelling would generate 6 trips / dwelling / day and 0.6 trips / dwelling / day in the weekday AM and PM peak hours, equating to 78 daily trips and 8 peak hour trips.

The cafe would generate up to 2 staff trips in the weekday AM and PM peak hours. Customer trips would be dispersed along the Main Street service road and within the Pompei's Landing car park adjacent to the site, with negligible traffic anticipated in the weekday AM and PM peak hours, as this is not the peak operational time. Nonetheless, assuming 5 peak hour trips concurrent with the residential and cafe peak generation, this equates to a total of 8 (residents) + 2 (cafe staff) + 5 (cafe customers) = 15 peak-hour vehicle trips.

On average, this equates to 1 trip every 4 minutes on average, i.e. very low in traffic engineering terms.

All movements will be to/from the north via the service road and the roundabout at Nepean Highway / Beach Road. Queuing is anticipated to be minimal and will be contained within the Pompei's Landing car park.

The traffic generated by the development is anticipated to have negligible adverse impact on the safety and operation of the surrounding road network.

18/81641

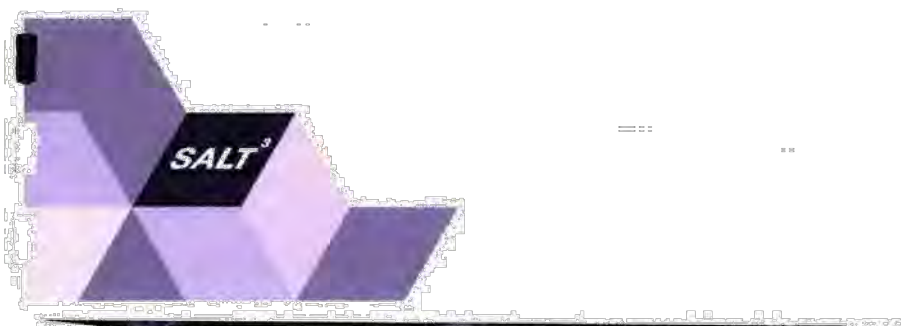
## 9 CONCLUSION

Based on the considerations outlined in this report, it is concluded that:

- The Planning Scheme car parking requirement is 32 spaces, comprising 9 cafe spaces, 22 resident spaces and 2 residential visitor spaces.
- The proposed provision of parking results in a shortfall of 7 cafe spaces and 2 residential visitor spaces.
- A reduction of the car parking requirement is acceptable for the following reasons:
  - A Car Parking Demand Assessment indicates a likely shortfall of 6 cafe spaces and 1 residential visitor space.
  - The proposal would create approximately 7 – 8 new car parking spaces within the Pompei's Landing car park directly at the frontage of the site, which is sufficient to accommodate this demand.
  - Additional parking opportunities are available within the Pompei's Landing car park and within public on-street parking areas close by the site.
  - The site has excellent access to Mordialloc Station, with it being located within a convenient 200m walk of the subject site, together with bus services.
  - It is proposed to install 4 on-site bicycle spaces, which would encourage bicycle use.
  - An additional 4 bicycle parking spaces will be provided on the footpath directly outside the subject site.
  - The irregular shape and size of the site makes providing additional on-site parking impractical.
- The proposed car park access and layout has been designed to facilitate convenient and efficient parking for residents and cafe staff.
- The provision of 4 on-site bicycle spaces meets the Planning Scheme requirement of 4 spaces.
- Loading would be comfortably accommodated within the Pompei's Landing car park, whilst waste can be collected from the on-site car park, and
- The additional traffic generated by the proposed development would have negligible adverse impact on the safety and operation of the surrounding road network.

Subsequently, it is considered there is no parking or traffic reason to inhibit the granting of a planning permit for the proposed development.

PROPOSED MIXED-USE DEVELOPMENT 557-561 MAIN STREET MORDIALLOC







18/81641





**Storeparker N2102**

**MORE SAFETY**  
DUE TO HYPERFLOW-TECHNOLOGY

**FLEXIBILITY**  
DUE TO MODULAR PRODUCT-VARIANTS

**IDEAL LAND USE**



## Intermediate storage for up to 2.600 kg

### Parking of vehicles on 2 levels

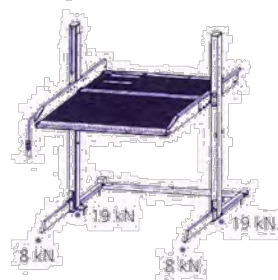
The hydraulic STOREPARKER N2102 is used to double the number of parking space without a pit. The parking system serves as dependent parking, which means (the space below has to be free) to park on the platform above in and out.

The STOREPARKER N2102 at a glance

- 100% more parking space
- dependent parking on 2 levels, above-ground without pit
- the platform is accessible horizontally
- intermediate storage and parking of vehicles for up to 2.600 kg
- ideal synchronism due to the new and patented hydraulic technology of Nussbaum
- trapezoidal sheets as platform surface
- flexible due to different system heights
- low requirements on the installation area
- available for indoor and outdoor operation
- modular installation in segmental construction
- operation via key-switch (lifting/lowering) in dead man's control

Particularly suitable for:

- car dealerships
- car repair workshops
- car rental areas
- private car parks
- valet parking



#### TECHNICAL DATA

Vehicle capacity (kg)	2.000 / 2.300 / 2.600
Column height (cm)	300 / 315
Platform length (cm)	379 / 436 / 480 / 500
Platform width* (cm)	230 / 240 / 250
System width (cm)	260 / 270 / 280
Motor Power (kW)	3
Electricity supply (Volt / Hz)	400 / 50

Power unit	width	length	height
31 l	205 mm	571 mm	577 mm
54 l	205 mm	1071 mm	582 mm
80 l	205 mm	1071 mm	750 mm

clear height	column height	car height below	car height above
318 cm	300 cm	150 cm	150 cm **
328 cm	300 cm	160 cm	150 cm **
338 cm	300 cm	170 cm	150 cm **
348 cm	300 cm	180 cm	150 cm **
358 cm	315 cm	190 cm	150 cm **
368 cm	315 cm	200 cm	150 cm **

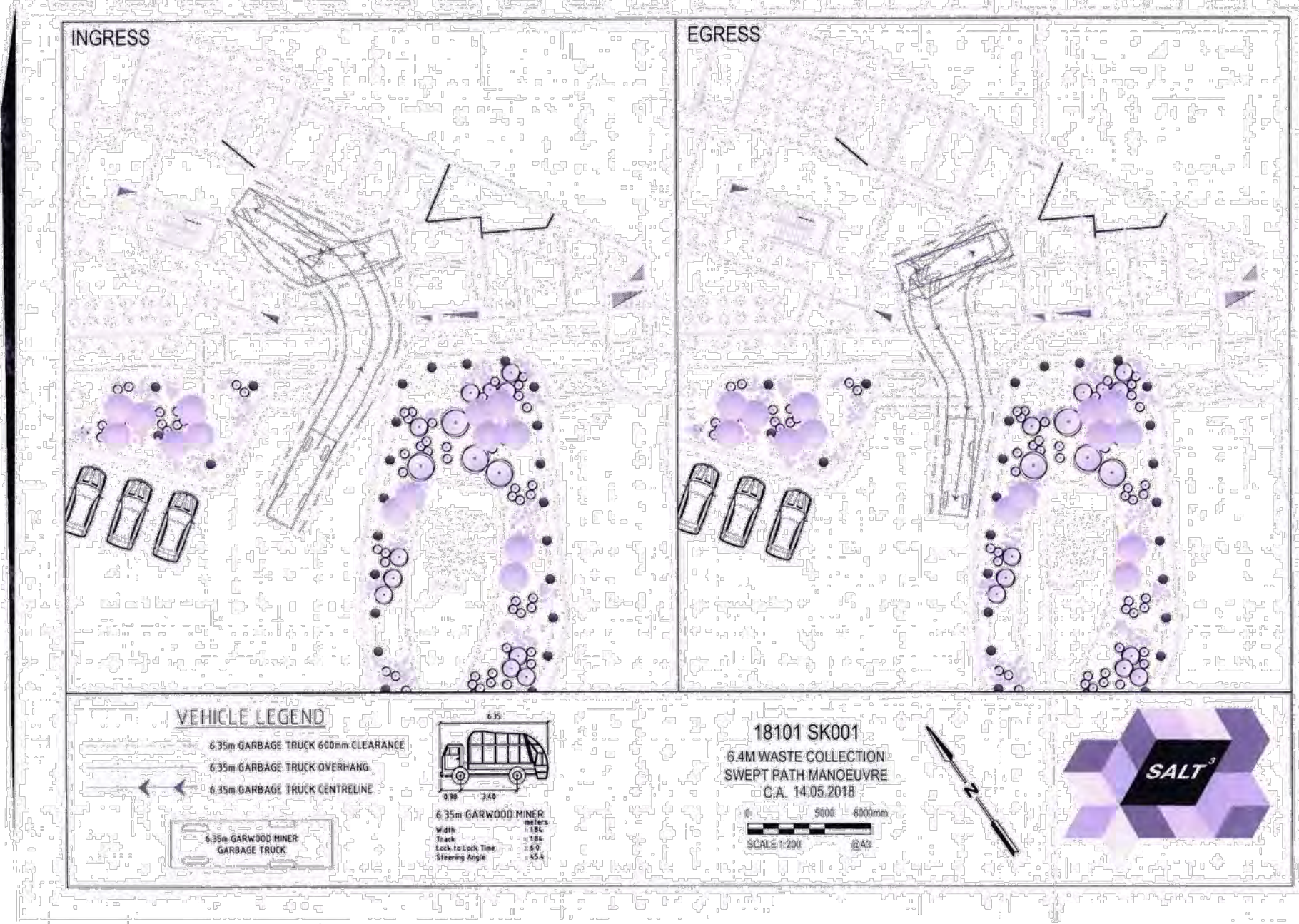
\* The platform width is 230 mm for the 31 l power unit, 240 mm for the 54 l power unit and 250 mm for the 80 l power unit. The platform length is 379 mm for the 31 l power unit, 436 mm for the 54 l power unit and 480 mm for the 80 l power unit. The platform width is 230 mm for the 31 l power unit, 240 mm for the 54 l power unit and 250 mm for the 80 l power unit. The platform length is 379 mm for the 31 l power unit, 436 mm for the 54 l power unit and 480 mm for the 80 l power unit.

Developed and produced in Germany

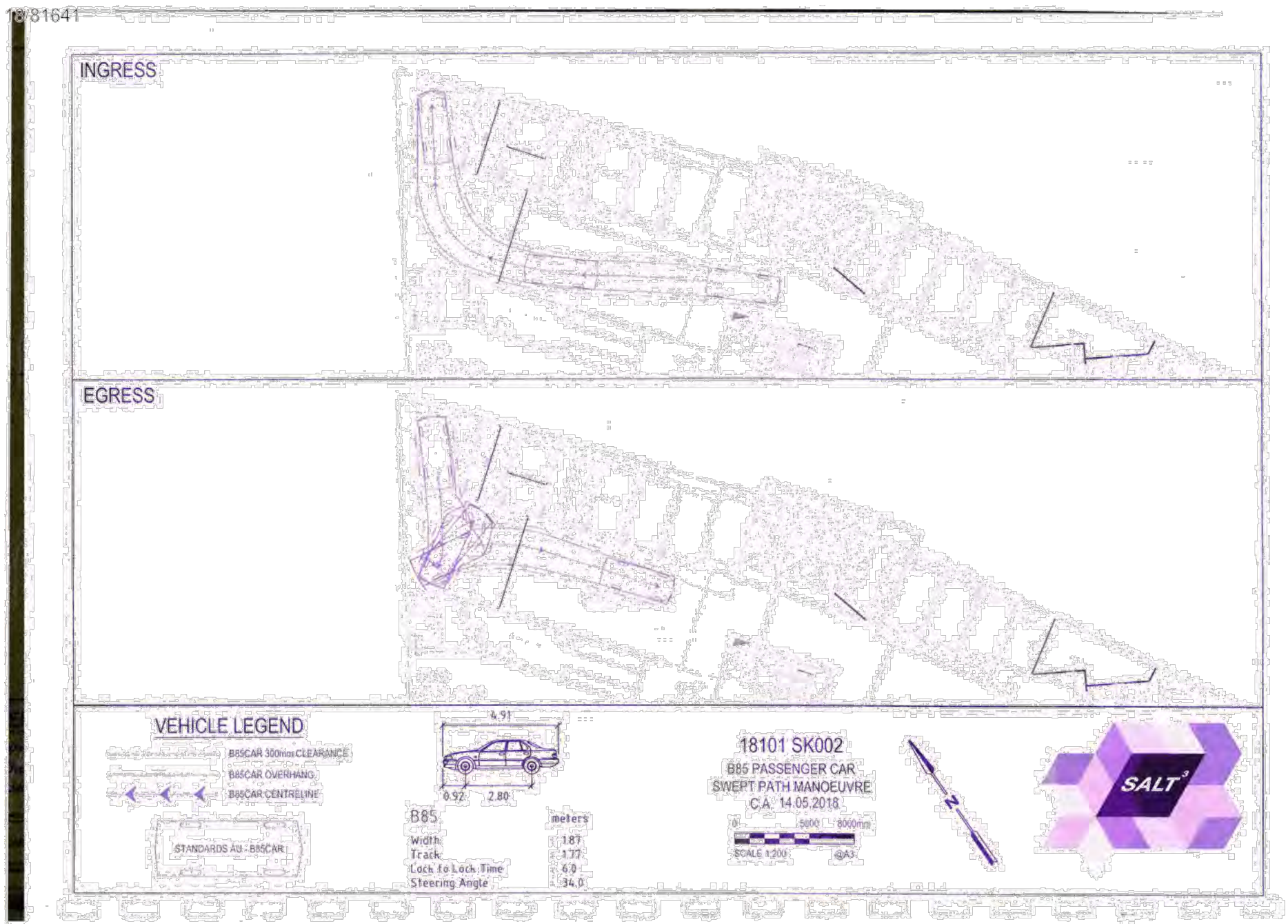


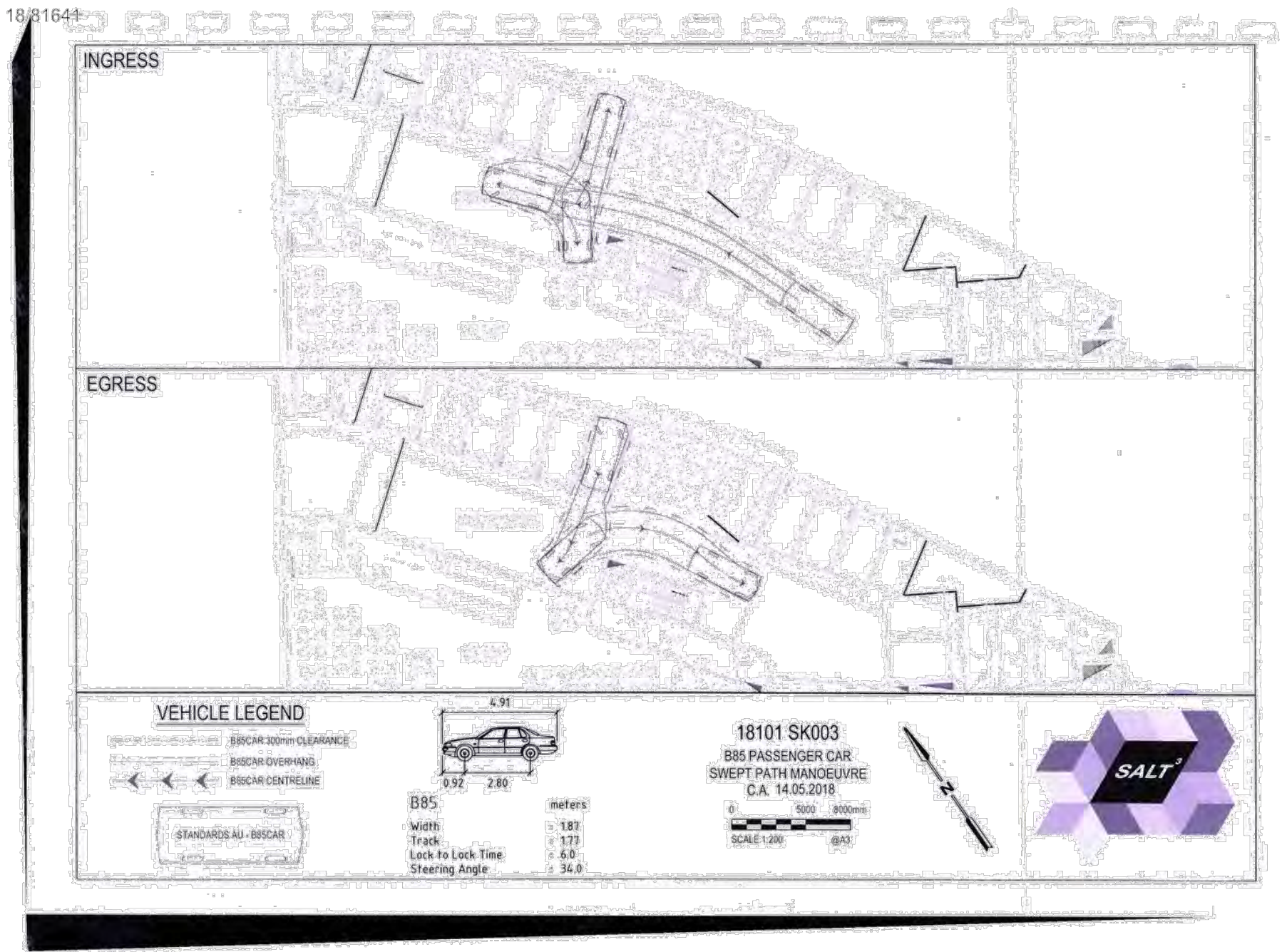


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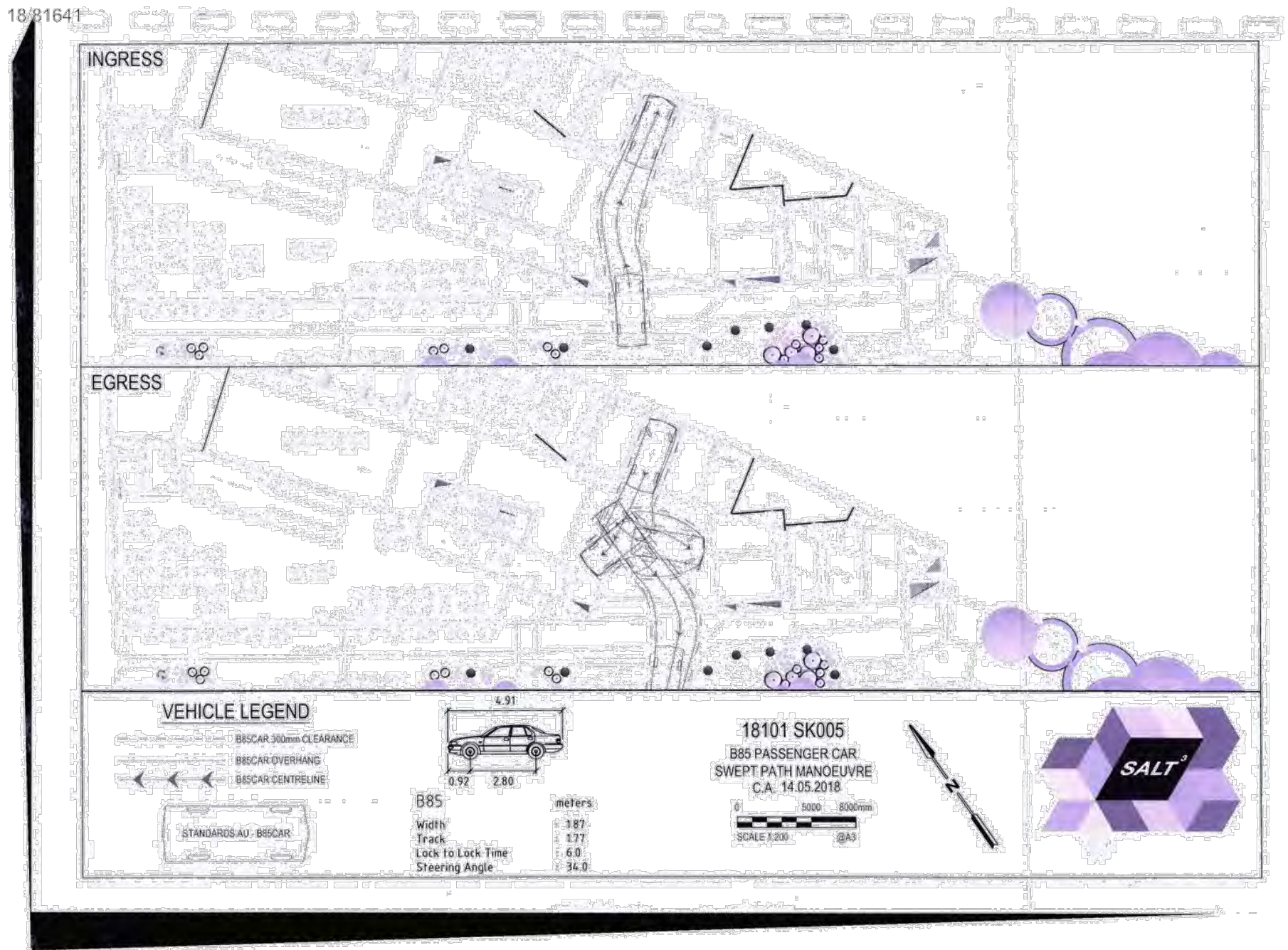






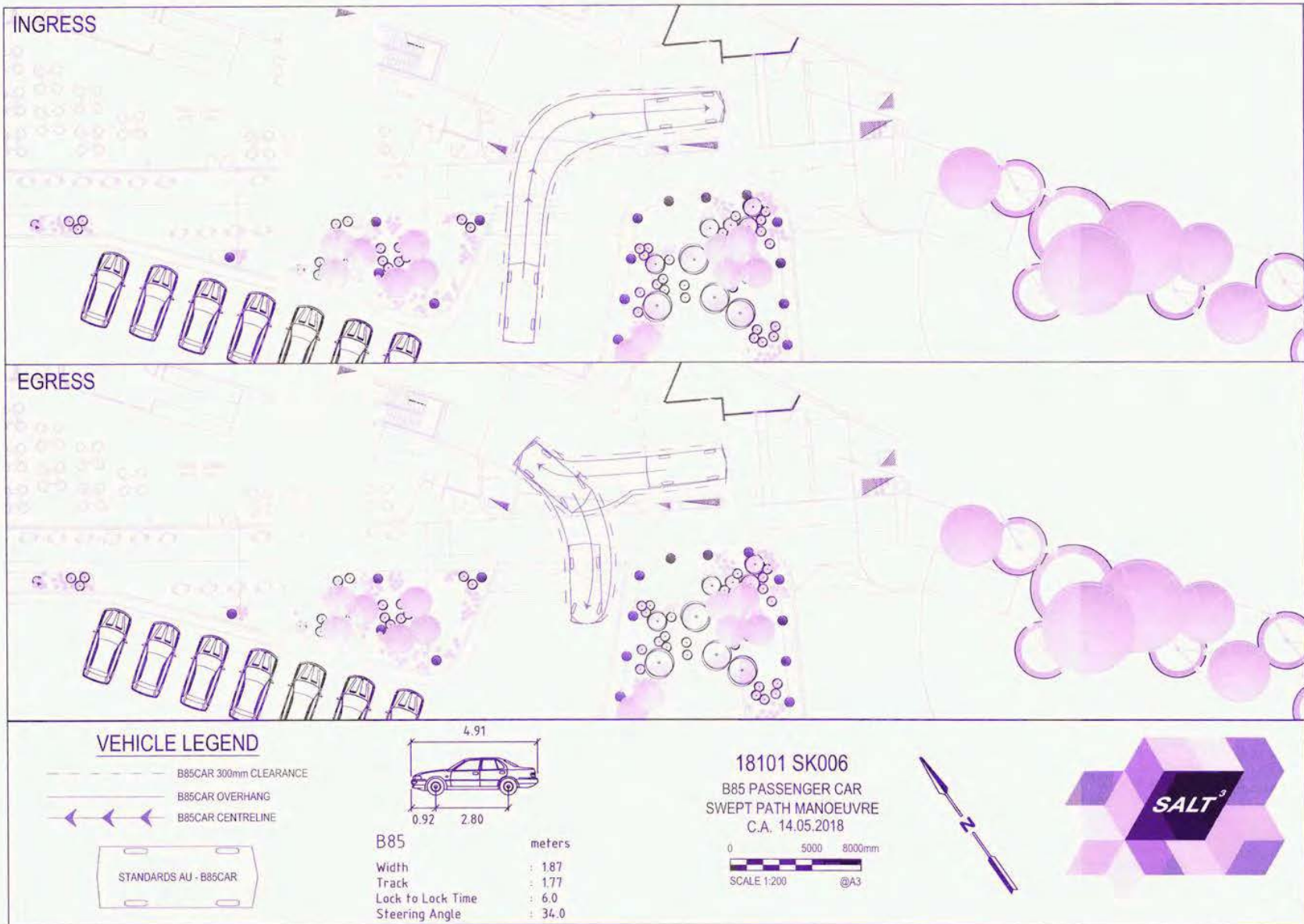
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18/01/2018





18/81641



Service Approachability Loyalty Transparency

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Service Approachability Loyalty Transparency

## **9. Community Sustainability Reports**

# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 9.1

## PREVENTION OF FAMILY VIOLENCE ACTION PLAN - DRAFT

Contact Officer: Amy Wallis, Community Engagement Officer

### Purpose of Report

To present Council with a draft copy of the Prevention of Family Violence Action Plan 2019-2021 developed by the Kingston Family Violence Working Group (FVWG) and to seek endorsement to release the *Draft Prevention of Family Violence Action Plan 2019-2021* (Appendix 1) for community feedback.

### 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.

### OFFICER RECOMMENDATION

1. That Council receive the report and endorse the release of the *Draft Prevention of Family Violence Action Plan 2019-2021* for community feedback.

### 1. Executive Summary

This report presents Kingston's *Draft Prevention of Family Violence Action Plan 2019-2021* (Appendix 1) which was developed in response to Council's 23 October 2017 Resolution that approved the following:

#### 9.1 Prevention of Violence Against Women Action Plan Update

That Council:

1. Develop and adequately resource a comprehensive Council wide approach to the development of a domestic and family violence prevention action plan to be presented to Council in April,
2. Reiterate its earlier motions to address domestic and family violence within the City of Kingston and accordingly direct officers not to limit/narrow the scope of this plan.

### CARRIED

On 26<sup>th</sup> March 2018, Council resolved to extend the timeframes for the development and presentation of the draft Action Plan and agreed to the Family Violence Working Group's request for an extension to undertake a broader community consultation to inform the development of actions in the Action Plan and present to Council in the August 2018 cycle.



The development of this Action Plan has been endorsed by the Kingston Family Violence Working Group, a group of dedicated community members, community organisation representatives and Council staff. The Working Group implemented a community survey in April-June 2018 that was instrumental in shaping the Action Plan to ensure it reflects the needs and voice of our local community. This broader community consultation, combined with internal staff consultations have been used to formulate appropriate and achievable actions for implementation in this 3-year plan that aligns with state and regional strategies.

The Family Violence Working Group have recommended that the title of the plan aligns with state policy and that Council use the term 'Family Violence' as an overarching inclusive term for abusive behaviours used in different types of relationships (i.e., domestic violence, intimate partner violence, child abuse and elder abuse). Therefore the Working Group have proposed the title '*Prevention of Family Violence Action Plan*'.

As part of the next stage of progressing this Action Plan, approval is sought for the *Draft Prevention of Family Violence Action Plan 2019-2021* to be released for community feedback. Following from this second community consultation mechanism, feedback will be incorporated and a second version of the Draft Action Plan is likely to be presented to Council in the October/November cycle.

## **2. Background**

The Kingston Family Violence Working Group (FVWG) have overseen the development of a comprehensive council-wide Action Plan in response to Council Resolution made on 28<sup>th</sup> August 2017:

### **9.3 Response to Notice of Motion No. 15/2017 - Cr. Oxley - Domestic / Family Violence in the City of Kingston**

That

1. Council develops a Kingston Domestic and Family Violence Prevention Action Plan.
2. Officers consider the formation of a working group with relevant parties to consult with in the formation of this plan.
3. The Kingston Domestic and Family Violence Prevention Action Plan is to include (but not be limited to) ACTION for Council on the following issues:
  1. Providing access to relevant information in a timely manner
  2. Providing education to Kingston Staff and the Kingston Community as to provide information to Council employees in order to provide early intervention and assistance where required
  3. Increasing communication of Kingston Family Violence Prevention Strategies and Information
  4. Increase partnerships and further utilisation of existing partnerships
  5. Prioritisation of action on Family Violence Prevention strategies in all areas of policy (where relevant).
4. Council seek further information on the relevant funding opportunities for the development of Council strategies and action plans in this field.
5. An update on the working draft for the Action Plan is to be provided to Councillors no later than the November meeting cycle.

**CARRIED**

In accordance with Council's requests, the *Draft Prevention of Family Violence Action Plan 2019-2021* is the result of an extensive community and Council-wide consultation process, under the direction of the FVWG. The FVWG was formed with the primary purpose of developing the Prevention of Family Violence Action Plan and consisted of six (6) community members, state (Victoria Police) and community organisations (Central Bayside Community Health Service, Emerge, Family Life, LifeWorks, and Women's Health in the South East) and Kingston Council representatives. Development of the Action Plan involved an analysis of relevant data and demographic information; review of policy and legislative contexts; and Council, stakeholder and community consultations. An additional outline of the steps involved in the development of the Action Plan can be found in Appendix 2.

In April-June 2018, the FVWG conducted a community survey as part of the community consultation. Analysis of results from this community survey have been crucial to inform the development and prioritisation of actions in this plan. Please see Appendix 3 for a summary of the community survey results.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 3 - Our connected, inclusive, healthy and learning community  
Direction 3.3 - Enhance the wellbeing and participation of families and children

This report also aligns with One Vision Council Plan Goal 2: *A sustainable natural and built environment*; Direction 2.6.2: *Maintain and facilitate implementation of the Community Safety Strategy through a partnership approach*; and in particular Objective 2.3: *Reduce prevalence of family violence*, within the recently endorsed Public health and Wellbeing Plan 2017-2021

#### **3.2 Consultation/Internal Review**

The FVWG has been the lead community consultation mechanism in the development of the draft Action Plan. The Working Group have consulted and reviewed national, state and local strategies and action plans to inform the structure and scope of the Action Plan. The FVWG facilitated the broader community consultation including implementation of the community survey that resulted in participation from 340 community members with broad representation across the three Council wards (see Appendix 3). Council Advisory Groups, networks, community members and organisations were consulted to capture voices reflecting the diversity within our community including people from diverse cultural backgrounds, Aboriginal and/or Torres Strait Islander peoples, people who identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ+), and people who have a disability and/or care for people with a disability. The community consultation helped inform the development of actions in this plan to ensure responsiveness to community needs and prioritization of actions.

Council staff and Managers have also been consulted during the development of this Action Plan to ensure that included actions are appropriate and achievable across departments. See Appendix 2 for additional details.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Action Plan Structure**

The FVWG recommended that the structure of the Action Plan include all levels of prevention to be able to prevent family violence before it starts (primary prevention), support high risk populations (secondary prevention/ early intervention), and provide support to victim survivors and accountability for perpetrators of family violence (tertiary prevention). This is reflected in the *Draft Prevention of Family Violence Action Plan*.

#### **3.3.2 Terminology**

The FVWG recommended that the term 'Family Violence' be adopted by Council as an overarching inclusive term for abusive behaviours used in different types of relationships (i.e., domestic violence, intimate partner violence, child abuse and elder abuse). This aligns with State policy and strategic documents. Therefore, the FVWG recommend the title '*Prevention of Family Violence Action Plan*' rather than the initial title (*Domestic and Family Violence Prevention Action Plan*) proposed in the August 2017 Council Resolution. The new title is also consistent with Council's Public Health and Wellbeing Plan 2017-2021.

#### **3.3.3 Next Stage of Community Feedback**

If endorsed, it is proposed that the Draft Prevention of Family Violence Action Plan 2019-2021 will be released for further feedback for four weeks from 28 August – 21 September 2018. This will be conducted via Your Kingston Your Say and promoted through Council networks, partner agencies, and via a social media communications campaign. Hardcopies of the Action Plan will be made available upon request. Community feedback will be incorporated into the Action Plan before a second Draft Action Plan will be presented to Council during the October/November Cycle.

#### **3.3.4 Communication & Promotion**

If endorsed, a synopsis summary brief will be developed and attached during the release of the draft Action Plan during the community consultation period. The purpose of the synopsis brief is to assist the community and provide an outline of practical and achievable action plan examples to be implemented by Council in the delivery of the 2017 – 2019 Family Violence Action Plan.

### **3.4 Options**

#### **3.4.1 Option 1 (Recommended)**

That Council:

Receives this report and endorses the release of the *Draft Prevention of Family Violence Action Plan 2019-2021* for community feedback.

#### **3.4.2 Option 2**

That Council does not approve the release of the *Draft Prevention of Family Violence Action Plan 2019-2021*.



#### **4. Conclusion**

##### **4.1 Environmental Implications**

There are no environmental implications

##### **4.2 Social Implications**

Council's social responsibility includes trying to build a safe and secure community. This includes undertaking activities that reduce the prevalence of family violence. All levels of government, particularly local government have a strong role to play in family violence prevention activities because it can influence the social structures, norms and practices that challenge the use of violence and discrimination. Kingston City Council is well placed to take a leadership role in preventing family violence due to its strong partnerships and collaborative approach in working with the community, community organisations and the State Government.

Offering the community the opportunity to provide feedback on the Action Plan will assist in further refinement of actions, partnership opportunities and support the successful implementation of the plan if endorsed.

##### **4.3 Resource Implications**

The projected total cost of implementation of the Action Plan is \$142k per annum. This is made up of \$83k for labour-based actions (e.g., project management, community engagement and education) and \$59k for non-labour based actions (e.g., specialised facilitators and training, communications campaign).

External funding sources have been sought and will continue to be sought to assist in the implementation of the Action Plan. These include:

- Victorian Government *Free from Violence Local Government Project* (awaiting notification of outcome).
- Victorian Government *Capacity Building Grants Program, Prevention of Family Violence Scheme* (awaiting notification of outcome).
- Separate to Council, Southern Metropolitan Primary Care Partnerships (SMPCP) Project Funding – the SMPCP Family Violence Working Group were successful applicants of \$34,500 for story telling to support bystander actions, a collaborative initiative across the 5 LGA's.

##### **4.4 Legal / Risk Implications**

Recommendation 94 from the Royal Commission into Family Violence resulted in an amendment to section 26 of the Public Health and Wellbeing Act 2008 that requires Councils to report on measures proposed to reduce family violence and respond to the needs of victims. The development and implementation of the *Draft Prevention of Family Violence Action Plan 2017-2019* is one method for Council to meet this legislative requirement.

**Appendices**

Appendix 1 - Appendix 1. Draft Prevention of Family Violence Action Plan 2019-2021  
(Ref 18/445939) [↓](#)

Appendix 2 - Appendix 2. Development of the Prevention of Family Violence Action Plan  
(Ref 18/478178) [↓](#)

Appendix 3 - Appendix 3. Preventing Family Violence Community Survey 2018 Brief  
Summary (Ref 18/478010) [↓](#)

Author/s: Amy Wallis, Community Engagement Officer

Reviewed and Approved By: Jihan Wassef, Team Leader Community Engagement  
Tim Bearup, Manager Libraries and Social Development  
Mauro Bolin, General Manager Community Sustainability

# 9.1

## PREVENTION OF FAMILY VIOLENCE ACTION PLAN - DRAFT

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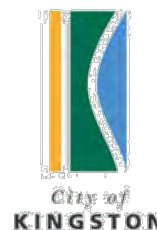
*DRAFT*

# Prevention of Family Violence Action Plan 2019-2021

An action plan of the City of Kingston

DATE August 2018

community inspired leadership



## Family Violence in Australia

*The following statistics will be presented as infographics.*

- 1 in 6 women and 1 in 16 men have experienced physical and/or sexual violence by a current or previous partner.<sup>1</sup>
- 1 in 5 women and 1 in 20 men have been sexually assaulted and/or threatened since age 15.<sup>1</sup>
- 1 in 6 women and 1 in 9 men were physically and/or sexually abused before the age of 15.<sup>1</sup>
- 1 in 4 women and 1 in 6 men have experienced emotional abuse from a current or previous partner since the age of 15.<sup>1</sup>
- On average, 1 woman a week and 1 man a month is murdered by a partner or former partner in Australia.<sup>2</sup>
- Intimate partner violence contributes to more illness, disability and deaths than any other risk factor for women aged 18-44 years.<sup>1</sup>
- 68% of women who experience violence said their children saw or heard the violence.<sup>1</sup>

## Help

Help is available if you or someone you know is experiencing family violence. Call 000 if you are in danger now.

### **1800RESPECT**

National sexual assault, domestic and family violence counselling service

Tel: 1800 737 732 (24 hours)

[www.1800respect.org.au](http://www.1800respect.org.au)

### **The Orange Door, Bayside Peninsula**

Local Support and Safety Hub for families experiencing family violence

Tel: 1800 319 353 (9am-5pm weekdays)

<https://www.vic.gov.au/familyviolence/the-orange-door.html>

### **safesteps: Family Violence Response Centre**

Crisis support and referral to safe accommodation

Tel: 03 9322 3555

Tollfree: 1800 015 188 (24 hours)

<https://www.safesteps.org.au/>

## Aboriginal Acknowledgement

The City of Kingston acknowledges the Kulin Nation as the custodians of the land on which the municipality is a part and pays its respect to their Elders past and present. Council is a member of the Inter Council Aboriginal Consultative Committee.

<sup>1</sup> Australian Bureau of Statistics (ABS). 2017. *Personal Safety Survey 2016*. ABS cat. no. 4906.0. Canberra: ABS.

<sup>2</sup> Bryant, W. & Cussen T. 2015. *Homicide in Australia: 2010-11 to 2011-12: National Homicide Monitoring Program report*. Monitoring reports No. 23. Canberra: Australian Institute of Criminology. <https://aic.gov.au/publications/mr/mr23>

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## Seeking Community Feedback

We are pleased to present the Draft Prevention of Family Violence Action Plan 2019-2021 to the Kingston Community.

The Kingston Family Violence Working Group has overseen the development of this Action Plan to ensure that this Action Plan reflects the voice of victim survivors, passionate volunteers and experienced service providers in our community. Between April and June 2018, we invited the community to complete the Preventing Family Violence in Kingston Survey. The results of this survey have been crucial in shaping this Action Plan. This has included over 500 suggestions of ways to help stop family violence and specific recommendations for actions.

We now invite you to consider this draft Action Plan and provide further feedback and ideas for implementing the actions. Please provide all feedback on [yourkingstonyoursay.com.au](http://yourkingstonyoursay.com.au) or contact Kingston's Family Violence Project Officer (1300 653 356, [community@kingston.vic.gov.au](mailto:community@kingston.vic.gov.au)).

## Executive Summary

**Family Violence is widespread, serious and preventable.** One in six women and one in sixteen men have experienced physical and/or sexual violence by a current or former partner.<sup>3</sup> Preventing family violence is everyone's responsibility. Local government has a strong role to play in leading the prevention activities across our community by influencing the social structures, norms and practices that promote respect and challenge the use of violence and discrimination.<sup>4</sup>

As Kingston's first Action Plan addressing family violence, the plan sets out the strategic direction of Council to work towards reducing the prevalence of family violence in our community. Aligned with state and regional frameworks, Kingston's evidence-based approach for preventing family violence involves recognising gender inequality as a key cause of family violence. **Our Vision is for safe, equal and respectful relationships in Kingston. We want to create a community where family violence and gender inequality are not tolerated.**

The Goals and Actions presented in this plan have been developed with all members of our community in mind. We want to support victim survivors of family violence, help prevent reoffending, support community members who are more at risk of experiencing family violence, and make changes in our community to **promote respect and help stop family violence before it starts.** The initiatives in this 3-year plan will involve working collaboratively with community members and partner organisation across multiple settings.

The delivery of Kingston's Prevention of Family Violence Action Plan 2019-2021 will help create a **safe and secure community**. This is seen as an essential part of building a **connected, inclusive, healthy and learning community**.

<sup>3</sup> Australian Bureau of Statistics (ABS). 2017. *Personal Safety Survey 2016*. ABS cat. no. 4906.0. Canberra: ABS.

<sup>4</sup> Victoria State Government. 2017. *Family Violence and Municipal Public Health and Wellbeing Planning – Guidance for Local Government*. State of Victoria (Department of Health and Human Services), <https://www2.health.vic.gov.au/about/publications/policiesandguidelines/family-violence-and-municipal-public-health-and-wellbeing-planning-guidance-for-local-government>

## Introduction

### *Our Community*

The City of Kingston is a diverse and dynamic community with an estimated 161,089 residents.<sup>5</sup> There are nearly equal proportions of male (49%) and female (51%) residents of all ages who live in Kingston.<sup>6</sup> Our community includes approximately 23% of people from non-English speaking backgrounds.<sup>7</sup> The majority of residents live with a partner (57%) and 33% of households are made up of couples with children.<sup>8</sup> There are also 6,030 single parents with children who live in Kingston.<sup>6</sup>

Kingston City Council is committed to creating a connected, inclusive, healthy and learning community. This includes creating a safe and secure community, building respectful relationships and preventing family violence.

### *What is Family Violence?*

Family violence includes a range of behaviours perpetrated to control the victim, including physical violence and verbal abuse, sexual abuse, financial abuse, spiritual abuse, psychological/emotional abuse, social abuse (such as isolation) and stalking.<sup>9</sup> It includes threatening, controlling, dominating or making another person feel fearful. It can include:

- Any physical violence, such as slapping or punching,
- Forcing sexual relations, even if you are married,
- Making threats or calling you or other family members names,
- Constantly following, calling, texting and making them feel distressed,
- Controlling contact with other people,
- Denying access to money,
- Preventing them worshipping in their desired faith,
- Threatening or hurting pets, and/or
- When children hear, witness, or see the effects of violence on another family member.

The violence can occur in many different types of relationships including between intimate partners (domestic violence), from a parent to a child, from a child to a parent, between siblings, grandparents, extended families, kinship networks or carer relationships. Other terms can be used to describe different types of family violence (see **Key Terms** for definitions).

Family violence can affect anyone regardless of age, cultural background, education, sexuality or ability.

<sup>5</sup> .id Consulting. 2018. *Kingston (C) (Statistical Local Area), Community Profile, Population Estimate from 2016 Australian Bureau of Statistics Census*, 1 January 2018, viewed 9 July 2018, <https://profile.id.com.au/kingston/population-estimate>

<sup>6</sup> Australian Bureau of Statistics. 2016. *Kingston (C) (Statistical Local Area), Community Profile, Population Summary from 2016 Census*, viewed 9 July 2018, <https://profile.id.com.au/kingston/population>

<sup>7</sup> Australian Bureau of Statistics. 2016. *Kingston (C) (Statistical Local Area), Community Profile, Birthplace from 2016 Census*, viewed 9 July 2018, <https://profile.id.com.au/kingston/birthplace>

<sup>8</sup> Australian Bureau of Statistics. 2016. *Kingston (C) (Statistical Local Area), Community Profile, Households Summary from 2016 Census*, viewed 9 July 2018, <https://profile.id.com.au/kingston/households>

<sup>9</sup> Family Violence Protection Act 2008 (Austl.) [http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol\\_act/fvpa2008283/](http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/fvpa2008283/)

## Family Violence in Our Community

The rates of family violence in Victoria are alarmingly high with 76,500 incidents reported to police in 2016-2017.<sup>10</sup> Within Kingston, 1,521 family violence incidents were reported in this same time period (2016-2017).<sup>11</sup> However, it is estimated that only 25% of family violence incidents are reported to the police.<sup>12</sup> Therefore, the true annual rate of family violence incidents in Kingston is likely to be closer to 6000 with more than 100 incidents every week.

Across Victoria, there are more female victims of family violence and more male offenders.<sup>13</sup> The state averages are consistent with police data in Kingston. Women in Kingston are **three times more likely** to experience family violence than men. On the other hand, men are **three times more likely** to choose to use violence than women.<sup>14</sup>

Figure 1. Sex of Affected Family Member (%)

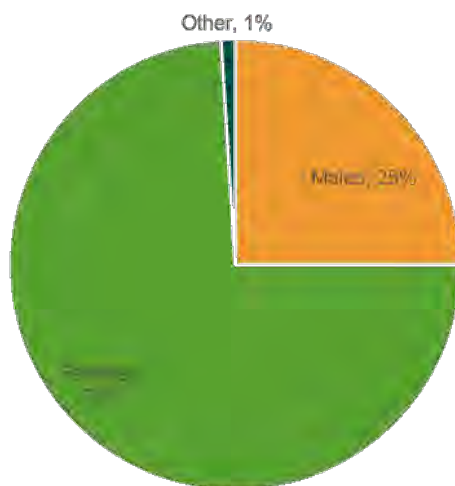
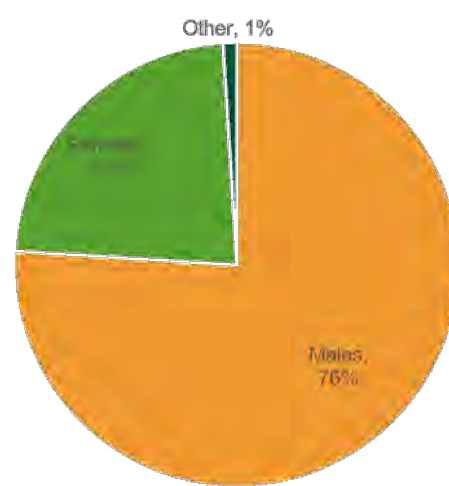


Figure 2. Sex of Alleged Offenders (%)



Family violence has a wide-reaching negative impact on the health and well-being of victim survivors, their children and our community. Intimate partner violence contributes to more illness, disability and

<sup>10</sup> Crime Statistics Agency. 2017. *Victoria Police Data Tables 2016-17*. 18 July 2017, viewed 9 July 2018, <https://www.crimestatistics.vic.gov.au/family-violence-data-portal/family-violence-data-dashboard/victoria-police>

<sup>11</sup> Crime Statistics Agency. 2017. *Victoria Police Data Tables 2016-17*. 18 July 2017, viewed 9 July 2018, <https://www.crimestatistics.vic.gov.au/family-violence-data-portal/family-violence-data-dashboard/victoria-police>

<sup>12</sup> Hutcheson, E. 2017. *Family Violence in the Southern Metropolitan Region – a data analysis. Executive Summary*. Southern Metropolitan Region Integrated Family Violence Executive Committee, <https://southsafe.com.au/wp-content/uploads/2016/09/Family-Violence-in-the-SMR-Summary-Document-v3.pdf>

<sup>13</sup> Crime Statistics Agency. 2017. *Victoria Police Data Tables 2016-17*. 18 July 2017, viewed 9 July 2018, <https://www.crimestatistics.vic.gov.au/family-violence-data-portal/family-violence-data-dashboard/victoria-police>

<sup>14</sup> Crime Statistics Agency. 2017. *Victoria Police Kingston Data October 2016-September 2017*, requested December 2017.



deaths than any other risk factor for women aged 18-44 years.<sup>15</sup> Within the Southern Metropolitan Region, three out of four women seeking support for family violence are not in paid employment, therefore they have limited access to financial resources.<sup>16</sup>

Family violence also has a profound impact on children. Witnessing or experiencing family violence can affect children's physical and mental wellbeing, learning and development.<sup>17</sup> Family violence is the leading cause of children's homelessness in Australia.<sup>18</sup> Within Kingston a child is present at approximately 28% of family violence incidents.<sup>19</sup> National data suggests that police data is likely to be an underestimation with more than half of women who have experienced violence by a current or former partner reporting having children in their care at the time of the violence.<sup>20</sup>

In addition to the impact on health and wellbeing, family violence leads to substantial financial costs for both the individual and society. The total cost of family violence in Victoria was estimated to be \$5.3 billion in 2015-16.<sup>21</sup> Therefore, preventing family violence will benefit everyone in the community.

Preventing family violence is important to Kingston residents as shown by 97% of community members who completed the *Preventing Family Violence in Kingston* survey (2018). Survey respondents indicated many reasons why preventing family violence was important to them with 77% of survey respondents indicating that **everyone deserves, safe, equal and respectful relationships**. This survey also showed that 29% of respondents had experienced family violence and 49% of respondents knew people who had experienced family violence.

Preventing family violence involves understanding what family violence is and the causes of family violence. In a survey of Kingston residents in 2012 and 2016<sup>22</sup>, there was a measurable deterioration in respondents who agreed that the following actions are family violence:

- Preventing another from worshipping in their desired faith.
- Controlling where another goes or who they see.
- Forcing another to engage in sexual activities against their will.

Similarly, the *Preventing Family Violence in Kingston* survey (2018) showed that only 19% of community members recognised gender inequality as a key cause of family violence. These results show that there is a need to increase understanding about family violence in our community.

<sup>15</sup> Australian Bureau of Statistics (ABS). 2017. *Personal Safety Survey 2016*. ABS cat. no. 4906.0. Canberra: ABS.

<sup>16</sup> Hutcheson, E. 2017. *Family Violence in the Southern Metropolitan Region – a data analysis. Executive Summary*. Southern Metropolitan Region Integrated Family Violence Executive Committee, <https://southsafe.com.au/wp-content/uploads/2016/09/Family-Violence-in-the-SMR-Summary-Documents-v3.pdf>

<sup>17</sup> Campo, M. 2015. *Children's Exposure to Domestic and Family Violence: Key Issues and Responses*. Child Family Community Australia, Paper No. 26, <https://aifs.gov.au/cfca/sites/default/files/publication-documents/cfca-36-children-exposure-fdv.pdf>

<sup>18</sup> Campo, M. 2015. *Children's Exposure to Domestic and Family Violence: Key Issues and Responses*. Child Family Community Australia, Paper No. 26, <https://aifs.gov.au/cfca/sites/default/files/publication-documents/cfca-36-children-exposure-fdv.pdf>

<sup>19</sup> Crime Statistics Agency. 2017. *Victoria Police Kingston Data October 2016-September 2017*, requested December 2017.

<sup>20</sup> Australian Bureau of Statistics (ABS). 2014. *Personal Safety Survey Australia*. ABS: Canberra.

<sup>21</sup> KPMG. 2017. *The cost of family violence in Victoria: Summary Report*. Department of Premier and Cabinet in Victoria, [https://www.vic.gov.au/system/user\\_files/Documents/fv/Cost%20of%20family%20violence%20in%20Victoria.pdf](https://www.vic.gov.au/system/user_files/Documents/fv/Cost%20of%20family%20violence%20in%20Victoria.pdf)

<sup>22</sup> Kingston City Council. 2016. *Health and Wellbeing Survey*, prepared by Metropolis Research.

## What Causes Family violence?

There are many contributing factors to family violence that make incidents increasingly frequent or severe, including alcohol or other substance consumption, problem gambling, financial stress, emergencies and other life stressors such as having a baby. However, **an underlying cause of family violence is gender inequality**, without which family violence would not occur.<sup>23</sup>

### WHAT IS GENDER EQUALITY?

- **Gender equality** refers to the equal rights, responsibilities and opportunities of women, men, transgender and gender-diverse people.<sup>24</sup> Equality does not mean that all people will become the same but that their rights, responsibilities and opportunities will not depend on their gender.
- Gender inequality is a key cause of family violence.

### ACHIEVING GENDER EQUALITY REQUIRES PROMOTING GENDER EQUITY.

**Gender equity** involves the fair distribution of resources and responsibilities to all genders.<sup>25</sup> It recognises that different people require different types of help to be successful.

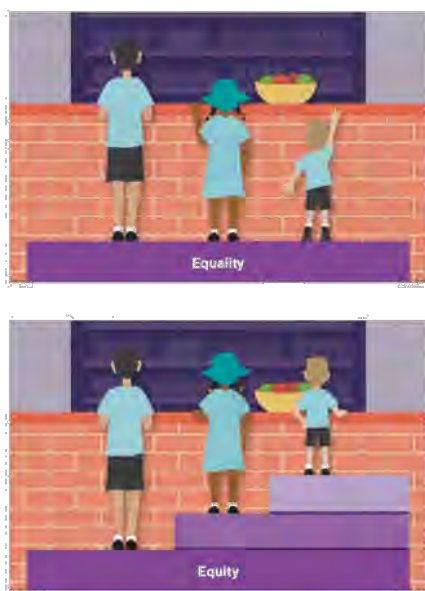


Figure 3. The difference between equality and equity.<sup>26</sup>

<sup>23</sup> **Victoria State Government.** 2017. *Free from Violence: Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women*. State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/familyviolence/prevention-strategy.html>

<sup>24</sup> **Victoria State Government.** 2016. *Safe and Strong: Victorian Gender Equality Strategy*. State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/women/gender-equality/a-victorian-gender-equality-strategy.html>

<sup>25</sup> **Victoria State Government.** 2016. *Safe and Strong: Victorian Gender Equality Strategy*. State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/women/gender-equality/a-victorian-gender-equality-strategy.html>

<sup>26</sup> **Domestic Violence Resource Centre Victoria (DVRCV).** 2018. *Partners in Prevention: Key Terms in Respectful Relationships Education*. DVRCV, <http://www.partnersinprevention.org.au/wp-content/uploads/PVAW-key-terms-WEB.pdf>

- Preventing family violence requires working together to promote gender equality by:
  - Challenging condoning of violence against women;
  - Promoting women's independence and decision-making;
  - Challenging gender stereotypes and roles; and
  - Strengthening positive, equal and respectful relationships.<sup>27</sup>

## Guiding Frameworks

This Action Plan has been developed in accordance with National, State and Regional strategic frameworks that provide a strong evidence base for Council's approach. The Victorian Government's *Free from Violence: Victoria's strategy to prevent family violence and all forms of violence against women*,<sup>28</sup> sets out clear, shared outcomes that guided the development of this Action Plan. Victoria's prevention strategy outcomes include:

- **Victorians hold attitudes and beliefs that reject gender inequality and family violence** – Victorians understand the causes and forms of family violence, who is affected by violence, and the impact on victims.
- **Victorians actively challenge attitudes and behaviours that enable violence** – Victorians discuss and condemn violence through challenging rigid gender roles, gender inequality, sexism and discrimination, to break the cycle of violence.
- **Victorian homes, organisations and communities are safe and inclusive** – the prevalence of violence is significantly reduced for all Victorians equally and people live free of fear.
- **All Victorians live and practise confident and respectful relationships** – Victorians are equipped with the knowledge and skills that inform and shape healthy, safe, equal and respectful relationships.

At a local level, Kingston Council is a partner organisation in the *Preventing Violence Together Strategy for the Southern Metropolitan Region 2016-2021*.<sup>29</sup> The strategic pillars of this regional strategy include:

- Using a primary prevention approach to eliminating violence.
- Recognising gender inequality and rigid adherence to gender norms as the underlying causes of violence.
- Using an inclusive, equitable, collaborative, participatory, evidence-informed and human rights approach.

These strategic pillars have guided the development of Kingston's Prevention of Family Violence Action Plan.

<sup>27</sup> Our Watch, Australia's National Research Organisation for Women's Safety (ANROWS) and VicHealth (2015). *Change the Story: A Shared Framework for the Primary Prevention of Violence Against Women and their Children*. Our Watch, Melbourne, Australia, <https://www.ourwatch.org.au/what-we-do/national-primary-prevention-framework>

<sup>28</sup> Victoria State Government. 2017. *Free from Violence: Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women*, pp.50-51, State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/familyviolence/prevention-strategy.html>

<sup>29</sup> Women's Health in the South East (WHISE). 2016. *Preventing Violence Together: A Strategy for the Southern Metropolitan Region 2016-2021*, WHISE, Melbourne, [https://www.whise.org.au/assets/docs/policy/preventing\\_violence\\_together\\_strategy.pdf](https://www.whise.org.au/assets/docs/policy/preventing_violence_together_strategy.pdf)



## TYPES OF PREVENTION

Preventing family violence involves a range of initiatives to reach different members of our community. Primary prevention includes activities for the whole community that challenge the underlying causes of family violence. Secondary prevention (or early intervention) activities focus on priority populations and providing support to individuals more at risk of perpetrating or experiencing violence. Tertiary prevention activities (crisis response) aim to provide appropriate and effective support for victim survivors. Tertiary prevention activities also focus on holding perpetrators to account and preventing the reoccurrence of violence.



Figure 4. Types of Prevention to Reduce Family Violence (adapted from *WHISE Preventing Violence Together Strategy*<sup>30</sup>).

This Action Plan focuses on primary prevention activities but also includes secondary and tertiary prevention activities that are within the scope of Council's advocacy, education, partnerships and service delivery activities. The decision to include actions across all levels of prevention was guided by community consultation and led by the Kingston Family Violence Working Group.

## PRIORITY POPULATIONS

<sup>30</sup> Women's Health in the South East (WHISE). 2016. *Preventing Violence Together: A Strategy for the Southern Metropolitan Region 2016-2021*, WHISE, Melbourne, [https://www.whise.org.au/assets/docs/policy/preventing\\_violence\\_together\\_strategy.pdf](https://www.whise.org.au/assets/docs/policy/preventing_violence_together_strategy.pdf)  
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Family violence can affect anyone regardless of age, cultural background, education, sexuality or ability. However, some individuals are more at risk of experiencing or perpetrating family violence. Apart from gender, race, ability, culture, language, sexual orientation, and age can increase the risk of experiencing family violence. The following groups of people have been identified as priority populations:

- Women
- New mothers;
- Children;
- Young people;
- Aboriginal and or Torres Strait Islander peoples;
- People who identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ+);
- People with a disability;
- Elder population;
- Multicultural communities; and
- Sex industry workers.

These priority populations require additional prevention efforts (secondary prevention/early intervention) to reduce the risk of experiencing or perpetrating family violence.

### *Council's Role*

Preventing family violence is everyone's responsibility. Recommendation 94 from the Royal Commission into Family Violence resulted in an amendment to section 26 of the Public Health and Wellbeing Act 2008 that requires Councils to report on measures proposed to reduce family violence and respond to the needs of victims.<sup>31</sup> Council not only has an obligation to meet these legislative requirements but also a responsibility to its community members to undertake activities that will help reduce and prevent family violence and build a safe and secure community. Kingston City Council is well placed to take a leading role in preventing family violence due to its strong partnerships and collaborative approach in working with the community, community organisations and the State Government.

Local government has a strong role to play in **primary prevention** activities because it can influence the social structures, norms and practices that challenge the use of violence and discrimination.<sup>32</sup> Council has a broad reach across the community with all ages and can make a difference to how people live, work, learn and play. Figure 5 shows examples of the different areas where Council can have an impact on family violence prevention across the community.

<sup>31</sup> **State of Victoria.** 2016. *Royal Commission into Family Violence: Summary and Recommendations*, Parl Paper No. 132 (2014-16).

<sup>32</sup> **Victoria State Government.** 2017. *Family Violence and Municipal Public Health and Wellbeing Planning – Guidance for Local Government*. State of Victoria (Department of Health and Human Services), <https://www2.health.vic.gov.au/about/publications/policiesandguidelines/family-violence-and-municipal-public-health-and-wellbeing-planning-guidance-for-local-government>

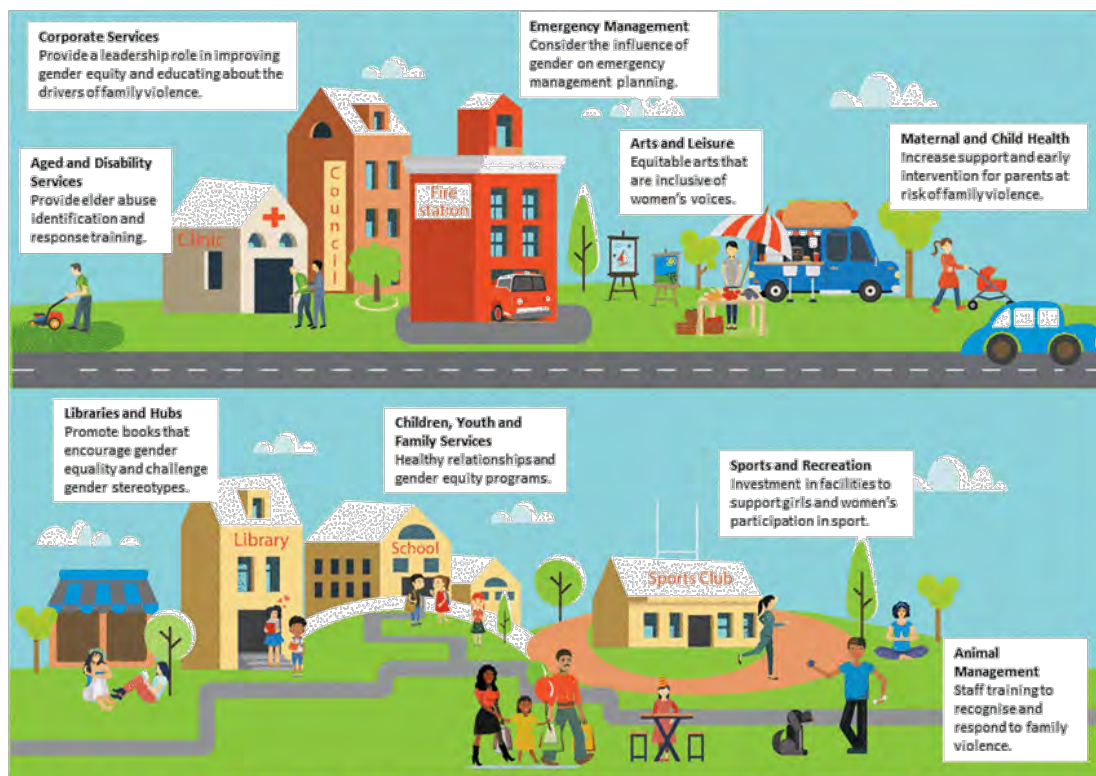
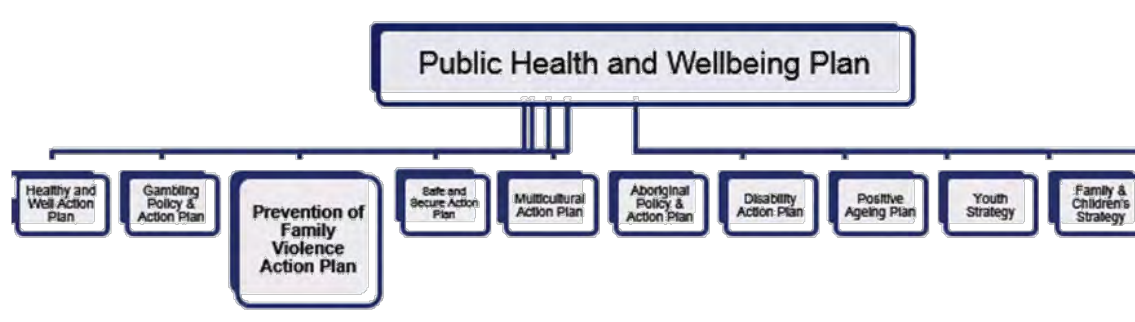


Figure 5. Examples of Council's Role in Family Violence Prevention across the Community<sup>33</sup>

#### GUIDED BY COUNCIL'S PUBLIC HEALTH AND WELLBEING PLAN 2017-2021

The Prevention of Family Violence Action Plan will contribute to the delivery of the second priority of Kingston's Public Health and Wellbeing Plan 2017-2021 (PHWP): A Safe and Secure Community.<sup>34</sup> Reducing the prevalence of family violence is one part of helping build a safer and more secure environment in Kingston. The combined outcomes from the actions will help improve the health and wellbeing of the Kingston community. The relationship of this Action Plan to the PHWP is seen below:



<sup>33</sup> Adapted from **Municipal Association of Victoria & Nous Group**. 2017. *Evaluation of the role of local government in preventing violence against women*. Available [http://www.mav.asn.au/\\_data/assets/pdf\\_file/0014/7232/Evaluation-of-the-role-of-local-government-in-preventing-violence-against-woman-full-report-June-2017.pdf](http://www.mav.asn.au/_data/assets/pdf_file/0014/7232/Evaluation-of-the-role-of-local-government-in-preventing-violence-against-woman-full-report-June-2017.pdf)

<sup>34</sup> **City of Kingston**. 2017. *Public Health and Wellbeing Plan 2017-2021: Healthy, Safe and Connected*. Available <https://www.kingston.vic.gov.au/About-Us/Plans-Policies-and-Publications/Strategies-and-Plans>



## PUBLIC HEALTH AND WELLBEING PLAN 2017-2021

## PRIORITIES AND OBJECTIVES

**Priority 1. A healthy and well community**

- Objective 1.1. Increase participation in physical activity
- Objective 1.2. Increase healthy eating habits
- Objective 1.3. Improve mental wellbeing
- Objective 1.4. Reduce harm from consumption of alcohol and other drugs, smoking and gambling

**Priority 2. A safe and secure community**

- Objective 2.1. Improve community safety
- Objective 2.2. Improve perceptions of safety

**Objective 2.3. Reduce the prevalence of family violence**

Relates to this Action Plan

**Priority 3. A connected community that participates**

- Objective 3.1. Increase participation in community activities and volunteering; and reduce social isolation
- Objective 3.2. Improve social cohesion
- Objective 3.3. Ensure facilities, services and open spaces are accessible to everyone, and equitably developed and provided

**Priority 4. A liveable community**

- Objective 4.1. Reduce the negative impact of the community on the environment
- Objective 4.2. Explore options to support the increased supply of affordable and accessible housing
- Objective 4.3. Increase participation in the workforce and local economy
- Objective 4.4. Increase participation in learning and education

## Our Vision

SAFE, EQUAL AND RESPECTFUL RELATIONSHIPS IN KINGSTON.

FAMILY VIOLENCE AND GENDER INEQUALITY ARE NOT TOLERATED.

## Our Goals

Primary Prevention Goals <i>Stop it before it starts</i>
<ol style="list-style-type: none"> <li>1. Increase understanding of family violence and gender inequality as an underlying cause.</li> <li>2. Challenge behaviours and attitudes that support violence, sexism and discrimination.</li> <li>3. Promote and normalise gender equality in public and private life.</li> <li>4. Develop Kingston infrastructure, community spaces and activities that are safe, welcoming and inclusive.</li> <li>5. Strengthen existing partnerships, opportunities for collaboration, and develop evidence-based practice.</li> <li>6. Position Kingston as an exemplary organisation across Victoria and Australia in its commitment and advocacy efforts to prevent family violence.</li> </ol>
Secondary Prevention Goals <i>Get in early</i>
<ol style="list-style-type: none"> <li>7. Support Kingston community members at higher risk of experiencing violence to receive early access to information and support services. (Priority populations include: women; new mothers; children; young people; Aboriginal and or Torres Strait Islander peoples; people who identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ+); people with a disability; elder population; multicultural communities; sex industry workers.)</li> <li>8. Support Kingston community members at higher risk of perpetrating violence to receive education and interventions that prevent offending and promote respectful relationships.</li> </ol>
Tertiary Prevention Goals <i>Help is here</i>
<ol style="list-style-type: none"> <li>9. Ensure victim survivors of family violence receive practical and appropriate support in a timely manner.</li> <li>10. Support victim survivors of family violence to feel safe, connected, heard and empowered.</li> <li>11. Ensure perpetrators of violence are held to account and supported to access services to prevent reoffending.</li> </ol>

## Our Actions

Kingston Council currently provide a range of initiatives to prevent family violence in our community.

### **Current Primary Prevention Activities** (*Stop it before it starts*)

- Advocate for policy, legislative and institutional reform to support gender equality and family violence prevention.
- Align with national, state and local organisations and alliances that undertake a diverse range of advocacy and activism to promote gender equality and family violence prevention.
- Deliver primary prevention family violence initiatives through regional partnerships including promoting state awareness-raising campaigns.
- Celebrate and undertake local promotion of relevant national and International events that support family violence prevention.
- Inform the community about Council's family violence prevention strategies and activities.
- Actively participate in the delivery of the Preventing Violence Together Strategy Southern Metropolitan Region.
- Use gender-neutral and gender-sensitive language in service delivery and communications.
- Family and Children's Centres continue to provide non-gender specific experiences to all children and encourage all family members to participate in events and information sessions.
- Model and build respectful relationships with children in Council's early childhood settings and actively teach children that violence is not acceptable.
- The Kingston Youth Strategy will address gender inequity that includes incorporating actions to challenge rigid stereotypes, encouraging positive body image and supporting diversity.
- Use books that challenge gender stereotypes in story time at Libraries.
- Investment in facilities to support girls and women's participation in sport.
- Increase street lighting in residential areas to improve safety.
- Traffic and Transport Department participate in behaviour change programs working with schools to increase gender equity.
- The provision of up-to-date systems and processes to ensure the security and confidentiality of information held by Council.
- Development of Kingston Family Violence Working Group as a key community advisory and consultation mechanism to Council.

### **Current Secondary Prevention Activities** (*Get in early*)

- Advocate for safe and affordable housing for community members and vulnerable groups.
- Challenge drinking cultures that support aggression, sexual conquests, position alcohol as an excuse for violence, and use alcohol as a means of blaming victims.
- Continue to monitor massage parlours in Kingston operating illegally as a brothel.
- Educate and raising awareness about the reinforcing factors of family violence (including alcohol and/or drug abuse, mental health issues, economic disadvantage, social exclusion, discrimination).
- Continue to provide free Counselling, Youth Work, Family Support Services, and responsive community group and school programs based on community-identified needs, priority populations and higher risk groups.



- Active participation in the Early Years Compact (State Government Project) that has identified gaps and priority areas in family violence identification and response.
- Maternal Child Health staff continue to implement the family violence assessment at 4-week visits and throughout Key Ages and Stages as required.
- Maternal Child Health staff continue to implement the family violence assessment at 4-week visits and throughout Key Ages and Stages and provide support/referrals as required.
- Support Playgroup Facilitators, Early Years and School Aged care staff to identify and respond to children and families who are experiencing or have experienced family violence.
- Family services provide parenting programs for men, women and couples.
- Incorporate elder abuse awareness as part of Community and Access Care service delivery and resources.
- Promote decision making amongst senior women and women with a disability through case management practice.

#### **Current Tertiary Prevention Activities *(Help is here)***

- Advocate for funding, structural and/or policy changes that support improved outcomes for victim survivors of family violence in police, legal, financial, and support services sectors.
- Consider the role and provision of housing for families experiencing family violence through the Social and Affordable Housing Strategy.
- Support therapeutic interventions for victim survivors.
- Support victim survivors of family violence through referral to specialist family violence services as appropriate.
- Support victim survivors of family violence to apply for internal review of parking infringements.
- As part of the Local Laws induction process, officers receive information about the signs of family violence and referral pathways to better support community members.
- Support perpetrators of family violence through referral to specialist family violence services as appropriate.
- Continue to respond diligently when notified about intervention orders for children using Council Children's Services.

Kingston Council recognises the importance of family violence prevention and has developed the following additional actions to be delivered over the next 3 years.

1	Primary Prevention <i>Stop it before it starts</i>	Council Department/ Potential Partners	Target Group	Timeframe
<b>1.1 ADVOCACY</b>				
1.1.1	Advocate for a community-wide commitment to promote respect and challenge behaviours and attitudes that support violence, sexism and discrimination.	Councillors; Senior Management; all Departments through service delivery; community organisations	Kingston Community	2019-21
1.1.2	Promote advocacy efforts for policy, legislative and institutional reform to support gender equality and family violence prevention.	Councillors; Senior Management; Social Development		2019-21
1.1.3	Inform Councillors, Local, State and Federal Members of Parliament about local issues of Family Violence and Gender Equity.	Social Development	Kingston Councillors, Local, State and Federal MPs	2019-21
<b>1.2 AWARENESS-RAISING AND EDUCATION</b>				
1.2.1	Develop online and hardcopy resources to educate the community about the role of local government in family violence prevention, definitions of family violence, and gender inequality as an underlying cause.	Led by Social Development, Communications and Community Relations; Family, Youth and Children's Services; Women's Health in the South East; Preventing Violence Together Strategy	Kingston Community; Community Leaders; Priority - Early Years, Youth and Parents	2019-21
1.2.2	Promote and facilitate face-to-face family violence education and awareness programs for the Kingston community.	Led by Social Development; Communications and Community Relations; Women's Health in the South East; partner with Specialist Prevention Agencies and Community Organisations.	Priority - Early Years, Youth and Parents	2019-21
1.2.3	Celebrate and promote relevant, local, national and international events that support family violence prevention including: <ul style="list-style-type: none"> <li>- International Women's Day (8 March) – Kingston Woman of the Year Award</li> <li>- Family Week (15-21 May)</li> <li>- World Elder Abuse Awareness Day (15 June)</li> <li>- Seniors Festival (October) World Homelessness Day (10 October)</li> <li>- 16 Days of Activism Against Gender-Based Violence (25 November to 10 December)</li> <li>- White Ribbon Events</li> </ul>	Social Development; Communications and Community Relations; People Support; Property, Arts and Leisure Services; Family Youth and Children's Services; partner with local organisations (Women's Health in the South East, Southern Metropolitan Primary Care Partnerships Family Violence Working Group, Holmesglen TAFE)		2019-21
1.2.4	Provide local businesses with access to family violence prevention education and information.	Economic Growth and Innovation; Social Development	Local businesses	2019-21

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<b>1</b>	<b>Primary Prevention <i>Stop it before it starts</i></b>	<b>Council Department/ Potential Partners</b>	<b>Target Group</b>	<b>Timeframe</b>
1.4.3	Partner with community leaders, groups and organisations to deliver programs that promote respect and challenge the drivers of violence.	Social Development; Family Youth and Children's Services; Emerge; InTouch; Empowering Community Network and Interfaith Networks; Women's Health in the South East; Southern Metropolitan Primary Care Partnership Family Violence Working Group	Multicultural communities and Interfaith Networks	2019-21
1.4.4	Support community-driven initiatives that raise awareness of family violence and improve gender equity through the Kingston Annual Community Grants Program.	Social Development; community members and organisations	Community groups and organisations	2019-21
<b>1.5 RESEARCH, EVALUATION AND MONITORING</b>				
1.5.1	Develop and implement a clear evaluation framework for Council's prevention activities that has regard to federal, state and local guidelines and partnerships.	Social Development; Southern Metropolitan Primary Care Partnerships Family Violence Working Group; Family Safety Victoria; Municipal Association of Victoria		2019
1.5.2	Collect gender data as part of annual council maintenance processes to inform the use and design of public spaces, recreational facilities, council buildings, infrastructure and planning.	Community Buildings; Infrastructure; Traffic and Transport; City Strategy; Parks and recreation		
<b>1.6 SERVICE DELIVERY AND PLANNING</b>				
1.6.1	Co-ordination of Kingston Family Violence Working Group as a key community network and consultation mechanism.	Social Development; Emerge; Central Bayside Community Health Service; Family Life; Women's Health in the South East; LifeWorks; Victoria Police and Community Members		2019-2021
1.6.2	Raise awareness about how gender inequality increases the burden on females to fulfil caring roles with adverse consequences.	Community Care and Access Care; Social Development; Central Bayside Community Health Service		2019-2021

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1	Primary Prevention <i>Stop it before it starts</i>	Council Department/ Potential Partners	Target Group	Timeframe
1.6.3	Support the implementation of healthy relationships and gender equity programs in Council's early childhood settings.	Family, Youth & Children's Services; Social Development; Department of Education Employment and Training; Family Violence specialist services; Domestic Violence Resource Centre Victoria; Central Bayside Community Health Service; Family Life; Women's Health in the South East	Prioritise prevention strategies in the Early Years	2020-21
1.6.4	Libraries promote books and resources that encourage gender equality and challenge gender stereotypes.	Libraries and Social Development		2019-21
1.6.5	Encourage gender-balanced staffing and programs at community facilities to increase participation of men, women and gender-diverse people.	Social Development; Service Managers from relevant Council Departments		2019-21
1.6.6	Understand gender differences in perception of safety and respond sympathetically to public requests for enhancements to community safety strategies and infrastructure (e.g., street lighting, residential parking permits etc.).	Traffic and Transport		2019-21
1.6.7	Review the current projects and policies that promote and encourage the equal participation of women and girls in sport and recreational activities.	Property, Arts and Leisure Services		2019-21
1.6.8	Use the Local Government Gender Analysis Toolkit for planning and implementation of all Council services.	All Council Departments; Women's Health in the South East		2019-21
1.7	<b>COUNCIL LEADERSHIP, ORGANISATIONAL AND WORKFORCE DEVELOPMENT</b>			
1.7.1	Provide a leadership role in improving gender equity and educating about the drivers of family violence.	Councillors; Senior Management; all Departments through service delivery		2019-21
	<b>Organisational Leadership</b>			
1.7.2	Demonstrate commitment through visible action from leadership to imbed gender equitable culture, norms and practices.	Senior Management; All Managers; Women's Health in the South East	Council Leadership	2019-21
1.7.3	Council leadership teams undertake training on family violence prevention.	Senior Management; Domestic Violence Resource Centre Victoria; Women's Health in the South East	Council Leadership	2019

1	Primary Prevention <i>Stop it before it starts</i>	Council Department/ Potential Partners	Target Group	Timeframe
	<b>Family Violence Awareness</b>			
1.7.4	Educate and raise awareness about family violence prevention for Council staff including Council's role, definitions of family violence, gender inequality as an underlying cause, bystander action and responding to disclosures.	Led by Social Development; People Support; Communications and Community Relations; All Departments; Women's Health in the South East; Domestic Violence Resource Centre Victoria	All Council Staff	2019-21
	<b>Structure and Processes</b>			
1.7.5	Promote, support and retain women in leadership roles.	Senior Management in collaboration with People Support and Social Development	All departments	2020-21
1.7.6	Revise recruitment and promotion processes to ensure equitable processes and opportunities for all regardless of gender.	People Support; Communications and Community Relations	All departments	2019
1.7.7	Ensure Council Strategies and Plans reflect gender-neutral and inclusive language, and prioritise gender equity as primary prevention for family violence.	All relevant Departments		2019-21
1.7.8	Conduct a gender equity analysis of policies and procedures.	Governance; Women's Health in the South East		2019
1.7.9	Extend the Guidelines for policy development to include using a gender lens and awareness of family violence prevention where relevant.	Governance		2019
1.7.10	Actively support staff to take up flexible work arrangements where achievable regardless of gender and role.	Senior Management and All Managers		2019-21
1.7.11	Review the <i>Working from Home Policy</i> to ensure it includes guidelines and expectations of flexible working arrangements.	People Support in consultation with Information Services and Strategy		2019
1.7.12	Apply a gender lens to Kingston City Council's Enterprise Bargaining Agreement with a view to improve workplace flexibility, parental leave and return from parental leave, carers leave and transition to retirement provisions.	People Support		2019-20
1.7.13	Encourage and promote equal gender representation on Council Advisory Committees.	Governance		2019-21



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<b>1</b>	<b>Primary Prevention <i>Stop it before it starts</i></b>	<b>Council Department/ Potential Partners</b>	<b>Target Group</b>	<b>Timeframe</b>
1.7.25	Conduct annual audits of gender representation across departments, banding levels, staff representative committees and Council Advisory Committees.	People Support; Governance; Social Development		2019-21
1.7.26	Analyse banding pay rates across local government sector to determine if current practices are gender equitable.	People Support		2019
1.7.27	Establish organisational KPI's to monitor improvements in gender equality across the organisation.	Executive Management		2019

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2	Secondary Prevention (Not for early)	Council Department/ Partnered Partners	Target Group	Timeframe
2.4.2	Consult with Aboriginal and Torres Strait Islander community members and groups to identify needs, gaps and family violence prevention strategies.	Social Development; Indigenous Family Violence Regional Action Group; Djirra	Aboriginal and Torres Strait Islander peoples	2019-21
2.4.3	Consult with people who identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ+) community members and groups to identify needs, gaps and family violence prevention strategies.	Social Development; LGBTI Family Violence Working Group	LGBTIQ+ community	2019-21
2.4.4	Consult with people with a disability, families/carers with a person with a disability and disability support services to identify needs, gaps and family violence prevention strategies.	Social Development; Access and Community Care; MOIRA; Women with Disabilities Victoria	People with a disability	2019-21
2.4.5	Consult with sex industry workers peak organisations to identify needs, gaps and family violence prevention strategies.	Social Development; Scarlet Alliance	Sex industry workers	2019-21
2.4.6	Seek interest from the Kingston Liquor Accord to raise awareness about family violence prevention in their venues and examine gender imbalances in alcohol promotions.	Social Development; Kingston Liquor Accord		2020
<b>2.5 RESEARCH, EVALUATION AND MONITORING</b>				
2.5.1	Evaluate relevant data from priority populations to inform service planning for Council and the community.	Social Development; Family, Youth and Children's Services; Southern Metropolitan Primary Care Partnerships; partner with research institution and community organisations.		2019-21
<b>2.6 SERVICE DELIVERY AND PLANNING</b>				
2.6.1	Reflect the diversity of relationships in which violence occurs (for example, same sex relationships, elder abuse) in conversations about family violence prevention and early intervention.	Community Care and Access Care Southern; Family, Youth & Children's Services; Social Development		2019-21
2.6.2	Maternal Child Health staff conduct extra visits for high risk parents to increase support and early intervention of family violence.	Family Youth and Children's Services		2019-21
2.6.3	Maternal Child Health staff pilot the primary prevention program 'Baby Makes 3' to promote equal and respectful relationships for first-time parents.	Family, Youth and Children's Services; Central Bayside Community Health Service	First-time parents	2020

Table 1: Prevention of Family Violence Action Plan - Draft - Appendix 1. Draft Prevention of Family Violence Action Plan 2019-2021

2	Secondary Prevention Get it early	Council Departments/ Potential Partners	Target Group	Timeframe
2.6.4	Run additional early intervention parenting programs for men (e.g., Pit Stop) to increase accessibility for more Kingston residents.	Family Youth and Children's Services (Family Support) in partnership with Better Men Australia; Women's Health in the South East as co-facilitator if needed	Fathers	2020-21
<b>2.7 COUNCIL LEADERSHIP, ORGANISATIONAL AND WORKFORCE DEVELOPMENT</b>				
2.7.1	Embed continuous professional development practices for Kingston staff that work with priority populations to improve early identification of family violence and effective referrals.	Social Development; Family, Youth and Children's Services; Community Care and Access Care; Women's Health in the South East; inTouch; specialist family violence prevention agencies		2019-21
2.7.2	Family, Youth and Children's Services staff participate in trauma-informed care training.	Family, Youth and Children's Services; Department of Education and Training	Maternal Child Health Staff; Early Years educators	2019-21
2.7.3	Provide elder abuse identification and response training to staff working with elder population.	Community Care and Access Care; Seniors Rights Victoria	150 Direct Care Workers	2019-21

3 Tertiary Prevention <i>Help is here</i>	Council Department/ Potential Partners	Target Group	Timeframe
<b>3.1 ADVOCACY</b>			
3.1.1 Expand advocacy efforts for funding, structural and/or policy changes that support improved outcomes for victim survivors of family violence in police, legal, financial, and support services sectors.	Council; Senior Management; Social Development; Community Care and Access Care networks; Family, Youth & Children's Services networks; Family Safety Victoria; Peak bodies		2019-21
3.1.2 Advocate for additional Rapid Response Housing in Kingston.	City Strategy; Communications and Community Relations		2019-21
3.1.3 Advocate for increased services for perpetrators.	Council; Senior Management; Social Development		2019-21
<b>3.2 AWARENESS-RAISING AND EDUCATION</b>			
3.2.1 Raise awareness of family violence support services for victim survivors. Ensure up-to-date information is easily accessible to community members and staff.	Social Development; Communications and Community Relations; BlueKnot; Family Safety Victoria	Victim Survivors	2019-21
3.2.2 Provide community members and Council staff with easily accessible, up-to-date information about services for perpetrators.	Social Development; Communications and Community Relations; BlueKnot; Family Safety Victoria	Perpetrators	2019-21
3.2.3 Encourage Community Hubs, Centres and Neighbourhood Houses to include family violence referral information on their websites.	Libraries and Social Development		2019
3.2.4 Raise awareness with service providers about the additional challenges for families with a child with a disability who are experiencing family violence.	Social Development; Brotherhood of St Laurence; MOIRA; Family Violence Support Services	Disability and Family Violence support services	2019-21
<b>3.3 COMMUNICATIONS AND PROMOTION</b>			
3.3.1 Use trauma-informed digital design principles to design a webpage with up-to-date information about family violence services in Kingston. Ensure service information is inclusive of genders, ages and specialist groups.	Social Development; Communications and Community Relations; BlueKnot; Family Safety Victoria; Men's Referral Service		2019 - design; 2020-21 - maintain and update
3.3.2 Ensure communication (both verbal and written) does not blame victims.			2019-21



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	Communications and Community Relations; Social Development		
<b>3.4 COMMUNITY STRENGTHENING AND PARTNERSHIPS</b>			
3.4.1 Provide opportunities for victim survivors to share their story.	Social Development; Community Care and Access Care; Family, Youth & Children's Services		2019-21
3.4.2 In partnership with relevant organisations, support therapeutic interventions for victim survivors.	Social Development; Emerge; Family Life	Victim survivors	2019-21
3.4.3 In partnership with relevant organisations, support therapeutic interventions for perpetrators of violence.	Social Development; Men's Referral Service; Lifeworks; Family Life	Perpetrators	2019-21
<b>3.5 RESEARCH, EVALUATION AND MONITORING</b>			
3.5.1 Monitor the availability of family violence services in the municipality to inform community members, service providers, and Council staff.	Social Development		2019-21
3.5.2 Promote collation of local data on family violence and sexual assault incidences to help identify specific needs of the municipality and community members.	Social Development; Family Youth and Children's Services; Victoria Police Family Violence Investigation Unit; Southern Metropolitan Primary Care Partnerships Family Violence Working Group		2019-21
3.5.3 Support new initiatives for data-sharing through networks and partnerships (e.g., family violence incidences in support services, referrals, and evidence-based practice).	Social Development; Victoria Police Family Violence Investigation Unit; Southern Metropolitan Primary Care Partnerships Family Violence Working Group		2019-21
<b>3.6 SERVICE DELIVERY AND PLANNING</b>			
3.6.1 Support Council staff to provide community members with up-to-date information about family violence support services.	Customer Services; Libraries and Social Development	Customer Service; Libraries	2019-21
3.6.2 Explore options for supporting crisis accommodation for pets from families experiencing family violence.	Social Development; Statutory Education; Lost Dogs Home Cranbourne	Victim Survivors	2019-21
<b>3.7 COUNCIL LEADERSHIP, ORGANISATIONAL AND WORKFORCE DEVELOPMENT</b>			
3.7.1 Local Laws Council Officers attend Family Violence training via the Regional	Statutory Education and Compliance		2019-21

Management Forum Family Violence Project and Risk Assessment.			
3.7.2 Support the implementation of trauma informed service delivery to relevant staff.	Community Care and Access Care; Family, Youth & Children's Services		2019-21

## Background Information

### *Legislative and policy context*

The Prevention of Family Violence Action Plan was developed to align with the national, state and regional plans, strategies, frameworks and guidelines listed below.

#### NATIONAL

- National Plan to Reduce Violence against Women and their Children 2010-2022
- Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia

#### STATE

- Victorian Public Health and Wellbeing Plan 2015-2019 - Priority Area 5: Preventing violence and injury
- Safe and Strong: A Victorian Gender Equality Strategy
- Ending Family Violence: Victoria's Plan for Change and Rolling Action Plan 2017- 2020
- FREE FROM VIOLENCE Victoria's strategy to prevent family violence and all forms of violence against women
- Roadmap for Reform: strong families, safe children The first steps
- Strong Culture, Strong Peoples, Strong Families: Towards a safer future for Indigenous families and communities
- Victoria's 10-year Mental Health Plan
- Education State Early Childhood Reform Plan: Ready for kinder, ready for school, ready for life
- Women's Sexual and Reproductive Health Key Priorities 2017-2020

#### REGIONAL

- Preventing Violence Together: A Strategy for the Southern Metropolitan Region

### *How we developed this action plan*

The actions and partnerships detailed in this Action Plan were overseen by the Kingston Family Violence Working Group. This group was formed with the primary purpose of developing the Prevention of Family Violence Action Plan and consisted of community members, state (Victoria Police) and community organisations (Central Bayside Community Health Service, Emerge, Family Life, LifeWorks, and Women's Health in the South East) and Kingston Council representatives. Development of the Action

Plan involved an analysis of relevant data and demographic information; review of policy and legislative contexts; and Council, stakeholder and community consultations.

## DATA AND LITERATURE

- Collation and analysis of data and demographics from a variety of sources such as the Australian Bureau of Statistics, VicHealth and Crime Statistics Agency Victoria informed the development of the PHWP and Prevention of Family Violence Action Plan. This is presented in the City of Kingston Health and Wellbeing Profile and is available on Kingston Council's website: <https://www.yourkingstonyoursay.com.au/25401/documents/59526>
- Evaluation of Council's previous Community Safety Strategies.
- Review and analysis of local, state and federal policies, plans and literature.
- Survey data from the *Kingston Health and Wellbeing Survey 2016*<sup>35</sup>, the *Preventing Family Violence in Kingston Survey 2018*<sup>36</sup>, and the *Family Violence, Workplace Equality and Respect Staff Survey 2018* was used to inform the development of this Action Plan.

## COMMUNITY ENGAGEMENT

- Kingston Council's 2016 Health and Wellbeing Survey provided a representative sample of Kingston's residents and their views on health, wellbeing and safety in Kingston.
- Consultation with key stakeholders and the community to gather information and suggestions for family violence prevention activities including through the Kingston Family Violence Working Group, Your Kingston Your Say, and the *Preventing Family Violence in Kingston 2018* community survey.
- Consultation with each Council department to identify opportunities to support family violence prevention activities through Council's services.

## REPORTS

The following reports are available on Council's website ([www.kingston.vic.gov.au](http://www.kingston.vic.gov.au)):

- Health and Wellbeing Profile, City of Kingston Public Health and Wellbeing Plan 2017-2021
- 2016 Health and Wellbeing Survey, September 2016
- Community Engagement Report, City of Kingston Public Health and Wellbeing Plan 2017-2021

## FEEDBACK

Feedback on the draft action plan was sought between <insert dates>.

## ADOPTION

Council adopted the Prevention of Family Violence Action Plan 2019-2021 on the <insert date>.

## *How we will implement this action plan*

This action plan outlines details about what Council commits to doing to improve safety outcomes for the community. Each action lists what will be done, the Council teams and potential partner organisations involved, the target group (if identified), and the timeline for its implementation.

<sup>35</sup> Kingston City Council. 2016. *Health and Wellbeing Survey*, prepared by Metropolis Research.

<sup>36</sup> Kingston City Council. 2018. *Preventing Family Violence in Kingston Survey Summary*. Kingston City Council.



The Social Development Team will oversee the development and coordination of this action plan and support and guide other teams with their actions. Working collaboratively within Council and with external organisations and with the community is an important aspect of implementing the identified actions.

### *How we will monitor this action plan*

Yearly tracking and reporting of the outcomes of this action plan will be undertaken. This will provide short term feedback about the successes and challenges of the action plan, allow opportunities to revise actions and track how Council is progressing towards the Goals of this Action Plan and Objective 2.3 of the Public Health and Wellbeing Plan 2017-2021 to **reduce the prevalence of family violence**.

Council is developing a new system for collating the short term outcomes related to all action plans as part of the Public Health and Wellbeing Plan 2017-2021. This will provide a standard process for all teams across Council working in the health and wellbeing space and a central location for the collation of health and wellbeing outcomes data. Council will then have a comprehensive overview of how we are helping our community to be healthy and well in the short and long term. The outcomes used to measure family violence prevention will be guided by national and state recommendations and consistent with regional outcome frameworks where possible.

Outcome reports will be presented to Council and posted on the Kingston website:

- Yearly – reviewing the outcomes of this action plan and their impact on the short term measures
- Four yearly – reviewing the outcomes of all health and wellbeing work across Council and its impact on the long term measures of the Public Health and Wellbeing Plan 2017-2021 objectives.

## Key Terms

**Family violence** is when a person (perpetrator) uses coercive and abusive behaviours to exercise power and control over another member of their family (victim survivor) that causes harm and distress.<sup>37</sup> The types of violence can include physical, sexual, psychological, emotional, spiritual and financial abuse. Family violence is used as a general term for abusive behaviours that occur between different members of the family including family-like, kinship or carer relationships. Family violence can affect anyone regardless of age, cultural background, education, sexuality or ability. The types of relationships that family violence occurs can be referred to using different terms including **domestic violence**, **intimate partner violence**, **child abuse**, and **elder abuse**.

**Domestic violence** or **intimate partner violence** is when the abusive behaviour occurs between intimate partners of all genders and sexualities who have had a close personal and/or sexual relationship.<sup>38</sup>

**Child abuse** is when the abusive behaviour is perpetrated by an adult or adolescent to a child or young person. Physical and emotional neglect and exposure to domestic or intimate partner violence are also forms of child abuse.<sup>39</sup>

**Elder abuse** is when the abusive behaviour is perpetrated by a person in a position of trust and is directed towards an older person. Intentional or unintentional neglect can also be a form of elder abuse.<sup>40</sup>

**Gender equality** refers to the equal rights, responsibilities and opportunities of women, men, transgender and gender-diverse people. Equality does not mean that all people will become the same but that their rights, responsibilities and opportunities will not depend on their gender.<sup>41</sup>

**Gender equity** involves the fair distribution of resources and responsibilities to all genders. It recognises that different people require different access to power based on their gender and require different types of help to address these inequalities.<sup>42</sup>

**Gender lens** is analysing a policy, strategy, or program to see how it impacts genders differently.<sup>43</sup>

<sup>37</sup> **Family Violence Protection Act 2008** (Austl.) [http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol\\_act/fvpa2008283/](http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/fvpa2008283/)

<sup>38</sup> **Domestic Violence Resource Centre Victoria (DVRCV)**. 2018. *Partners in Prevention: Key Terms in Respectful Relationships Education*. DVRCV, <http://www.partnersinprevention.org.au/wp-content/uploads/PVAW-key-terms-WEB.pdf>

<sup>39</sup> **Victoria State Government**. 2017. *Free from Violence: Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women*, pp.50-51, State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/familyviolence/prevention-strategy.html>

<sup>40</sup> **World Health Organisation (WHO)**. 2008. *A Global Response to Elder Abuse and Neglect: Building Primary Health Care Capacity to Deal with the Problem Worldwide: Main Report*. WHO, France, [http://www.who.int/ageing/publications/elder\\_abuse2008/en/](http://www.who.int/ageing/publications/elder_abuse2008/en/)

<sup>41</sup> **Victoria State Government**. 2016. *Safe and Strong: Victorian Gender Equality Strategy*. State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/women/gender-equality/a-victorian-gender-equality-strategy.html>

<sup>42</sup> **Victoria State Government**. 2016. *Safe and Strong: Victorian Gender Equality Strategy*. State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/women/gender-equality/a-victorian-gender-equality-strategy.html>

<sup>43</sup> **Domestic Violence Resource Centre Victoria (DVRCV)**. 2018. *Partners in Prevention: Key Terms in Respectful Relationships Education*. DVRCV, <http://www.partnersinprevention.org.au/wp-content/uploads/PVAW-key-terms-WEB.pdf>

**Primary prevention** is a public health approach that uses activities for the whole community that challenge the underlying causes of family violence to stop violence before it starts.<sup>44</sup>

**Secondary prevention** (or early intervention) activities focus on changing the trajectory for priority populations by providing support to individuals and groups who are more at risk of perpetrating or experiencing violence.<sup>45</sup> Priority populations include: new parents; children; young people; Aboriginal and or Torres Strait Islander peoples; people who identify as lesbian gay, bisexual, transgender, intersex or queer (LGBTIQ+); people with a disability; elder population; multicultural communities; sex industry workers.

**Tertiary prevention** activities (crisis response) aim to provide appropriate and effective support for victim survivors, hold perpetrators to account and prevent the reoccurrence of violence.<sup>46</sup>

<sup>44</sup> **Victoria State Government.** 2017. *Free from Violence: Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women*, pp.50-51, State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/familyviolence/prevention-strategy.html>

<sup>45</sup> *Free from Violence: Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women*, pp.50-51, State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/familyviolence/prevention-strategy.html>

<sup>46</sup> *Free from Violence: Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women*, pp.50-51, State of Victoria (Department of Premier and Cabinet), <https://www.vic.gov.au/familyviolence/prevention-strategy.html>





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## Appendix 2. Development of the Prevention of Family Violence Action Plan 2019-2021

In accordance with the requests from Cr. Oxley's NOM No. 15/2017, the following activities have been undertaken in the development of the *Draft Prevention of Family Violence Action Plan 2019-2021*.

- Family Violence Project Officer recruited.
- Family Violence Working Group members recruited and appointed (consisting of 6 community members, 6 community organisations and 6 internal staff).
- Ten FVWG meetings have been held to date (14 Dec 2017, 7 Feb 2018, 21 Feb 2018, 14 March 2018, 4 April 2018, 2 May 2018, 23 May 2018, 13 June 2018, 4 July 2018, and 25 July 2018).
- FVWG members have:
  - a) Consulted and reviewed national, state and local strategies and action plans with Regional Integration FV Co-ordinator and WHISE to inform the structure of Council's Action Plan.
  - b) Examined the influence of primary, secondary and tertiary factors on family violence and how this would relate to the content of the Action Plan.
  - c) Agreed on the structure, terminology, vision statement, objectives/goals for the draft Action Plan in consideration of regional and state strategies.
  - d) Consultation with key stakeholders and the community to gather information and suggestions for family violence prevention activities including through Your Kingston Your Say, and the *Preventing Family Violence in Kingston 2018* (April-June) community survey. Steps included:
    - Development of the *Preventing Family Violence in Kingston Survey 2018*.
    - Survey promotion and community engagement via:
      - Pop-up surveys and forums in each Council ward.
      - Council Services including Customer Service; Libraries (story time sessions); hubs; Children, Youth and Family Services; Community Care and AccessCare.
      - Social marketing campaign (online and hard-copy print).
      - My Community Life network (499 community organisations including Early Years, Primary and Secondary Schools).
      - Consultation with various Council networks and committees including:
        - Access and Equity Advisory Committee
        - Business and Economic Development Advisory Committee
        - Community Safety Advisory Committee
        - Festivals and Events Advisory Committee

**Appendix 2. Development of the Prevention of Family Violence Action Plan 2019-2021**

- Public Spaces and Environment Advisory Committee
  - Sport and Recreation Advisory Committee
  - Positive Ageing
  - Interfaith Network Committee
  - Clayton Clarinda Leadership Group
  - Southern Metropolitan Primary Care Partnerships Family Violence Working Group
  - Southern Metropolitan Primary Care Partnerships Elder Abuse Network
  - Service Club Network
- Local businesses and their patrons including cafes, shops, medical centres, and dentists.
- Additional FVWG networks including but not limited to: Central Bayside Community Health Service, Emerge, Family Life, Lifeworks, Temperance Society, Matt's Place, Bayside Church, Pantry 5000, Holmesglen, MiCare, and Somali Cultural Association.
- Analysis of results from the community survey were used to inform the development and prioritisation of actions.
- e) Development, review and approval of draft Action Plan.
- Council staff have been consulted on the development of the Action Plan. This has included:
  - a) The Senior Leadership Group participating in a Family Violence and gender equality training to increase understanding of the leadership role of local government in family violence prevention.
  - b) Consultation with department Managers and Team Leaders to identify opportunities to support family violence prevention activities through Council's services.
  - c) Development, implementation and analysis of the *Family Violence, Workplace Equality and Respect Staff Survey 2018*.
  - d) The results from the staff survey and staff consultation have informed the draft Action Plan to ensure that actions are appropriate and achievable.
- Collation and analysis of data and demographics from a variety of sources such as the Australian Bureau of Statistics, VicHealth and Crime Statistics Agency Victoria.
- Review and analysis of local, state and federal policies, plans and literature.



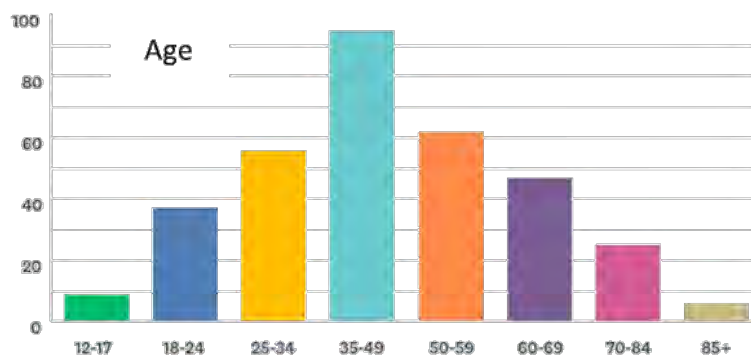
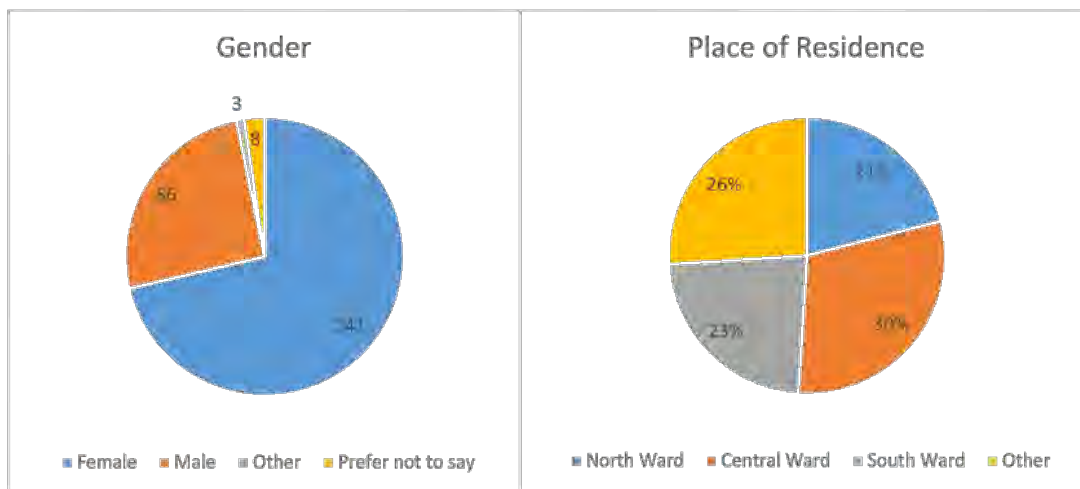
## Appendix 3. *Preventing Family Violence in Kingston* Community Survey Results 2018



The *Preventing Family Violence in Kingston Survey 2018* was conducted 16 April - 11 June 2018. The survey was designed to inform the development of Kingston's *Family Violence Prevention Action Plan*.

### Who completed the survey?

340 community members completed this survey with the majority of respondents female (71%).



We heard from community members who:

- Were born in Australia (66%)
- Were born in another country (31%)
- Identify as Aboriginal and/or Torres Strait Islander (1%)
- Identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ+)(7%)
- Have a disability (6%)
- Speak a language other than English at home (42%).

community inspired leadership

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## Appendix 3. *Preventing Family Violence in Kingston* Community Survey Results 2018



### Preventing Family Violence is important to our community because...

- Everyone deserves safe, equal and respectful relationships (77%)
- We want to help break the cycle of violence (56%)
- We want to support our community (50%)
- We know people who have experience family violence (49%)

### Where do we get help about family violence?

- Police (56%)
- A counsellor or support service (51%)
- A helpline or website (44%)

### What helps us speak up against violence, abuse and discrimination when we see it?

- Knowing where to get help (63%)
- A community-wide commitment to stop violence (53%)
- Support from my friends and family (47%)
- Feeling safe (47%)
- Seeing community leaders challenge violent behaviours and attitudes (42%)

### What campaigns or programs are useful?

- Many community members had not heard of some or all of the suggested campaigns or programs.
- 61% of community members think that the White Ribbon campaigns are useful.
- 59% of community members think that the Respectful Relationships program in schools is useful. 36% did not know or had not heard of this program.

81% of community members did not know that **gender inequality** is a key cause of family violence.

### What will make a difference and help end family violence in Kingston?

- **Education** about prevention strategies in **schools, workplaces** and the **community**. Start at a young age and develop positive role models.
- **Support services** are more visible, streamlined and efficient.
- More **community awareness campaigns** and **community conversations** about what we can each do to help prevent family violence in our community. We all have a role to play in preventing family violence.

### What next?

The results from this community survey have been used to inform the development of the *Preventing Family Violence Action Plan 2019-2021*.

Please contact Amy Wallis (Family Violence Project Officer) on 9581 4906/ [amy.wallis@kingston.vic.gov.au](mailto:amy.wallis@kingston.vic.gov.au) if you would like more information.

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## Ordinary Meeting of Council

27 August 2018

Agenda Item No: 9.2

### **CON-17/70 SUPPLY, IMPLEMENTATION & MAINTENANCE OF A LIBRARY MANAGEMENT SYSTEM (LMS) & CON-18/88 SUPPLY, INSTALLATION & MAINTENANCE OF SELF SERVE KIOSKS FOR LIBRARIES**

**Contact Officer:** Connee Maggio, Team Leader Library Customer Service

#### **Purpose of Report**

The purpose of this report is to:

- a) Seek approval to award Contract CON – 17/70 Supply, Implementation and Maintenance of a Library Management System (LMS) to SirsiDynix Pty Ltd the recommended tenderer from the tender submissions received.
- b) Seek approval to award Contract CON – 18/88 Supply, Installation & Maintenance of Self-Serve Kiosks for Libraries to FE Technologies Pty Ltd the recommended tenderer from the tender submissions received.

#### **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.

#### **OFFICER RECOMMENDATION**

That Council:

1. Award Contract CON-17/70 Supply, Implementation and Maintenance of a Library Management System to SirsiDynix Pty Ltd at an estimated total cost of \$1,383,271.40 (inc. GST) over 14 years (including a \$20,000 contingency for implementation);
2. Approve the CEO or his delegate to exercise the two, four (4) year extensions for CON-17/70, support and maintenance subject to satisfactory performance;
3. Award Contract CON-18/88, Supply, Installation & Maintenance of Self-Serve Kiosks for Libraries to FE Technologies Pty Ltd at an estimated total cost of \$253,452.79 (inc GST) over 14 years; and
4. Approve the CEO or his delegate to exercise the two, four (4) year extensions for CON-18/88 regarding support and maintenance subject to satisfactory performance.

#### **1. Executive Summary**

This report details the processes undertaken to review, evaluate and make a recommendation for contract CON-17/70 Supply, Implementation and Maintenance of a Library Management System (LMS). As per the direction of the Corporate Leadership Group, a tender option for the provision of RFID was also included as a separate item in the Request for Tender package.



Council allocated \$450K capital funds for the replacement of the Library Management system with the expectation that the software product would be purchased outright and operated as an 'on-premise' software product on Council's local server. However, no vendor submitted an 'on-premise' solution and identified that this was an out-dated approach within the industry. Rather, the tender submissions quoted for the more contemporary cloud solution: Software as a Service (SaaS). As a result, the initial first year purchase price was found to be considerably lower than expected (total = \$132K). After factoring in the tender preparation (\$15K) and an allocation for implementation contingency (\$20K), this leaves a balance of \$283K to other activities. However the new system costs will require an ongoing annual licence/maintenance of approximately \$94K p.a. This will require an additional \$33K per annum over the current budget allocation.

The tender process was undertaken because the current LMS, AMLIB OCLC, has been identified as a corporate system that requires replacement. It is considered to be at "end of life" with no further updates or enhancements and limited support provided by the supplier.

SirsiDynix, as the proposed replacement system, will provide feature rich experiences that will support seamless search, find and borrow functions for customers (both physical and e-resources). The added benefit of a fully developed mobile application, which can be used on Android or iOS devices, will provide one centralised location at which library customers can discover physical and digital library resources, learn about library events and services, and self-manage their accounts.

The SirsiDynix system is designed to support future technologies and to foster library customer growth with a positive experience.

Beyond the software costs of a new LMS, it has become evident that the LMS replacement will also have some hardware implications for the libraries' existing DIY self-check-out service. Due to compatibility issues and failing 'end of life' equipment, Council will need to purchase new hardware solutions in order to maintain existing customer DIY service levels. The recommended self-service kiosks would also be 'future-proofed' given that they are not only compatible with Council's existing bar-code system, but are also equipped with the capacity for RFID service provision which can be activated at a later point should Council wish to do this.

It is recommended that Council purchase 13 x self-service kiosks to replace the existing equipment and some additional to provide a consistent service experience across each library branch with the added benefit of EFTPOS and coin acceptors. This purchase would cost \$115,599 (inc GST) within the capital funding available. An additional \$10,982 (inc GST) per annum will be required over the current operational budget allocation to maintain this equipment.

## **2. Background**

With over 2 million transactions between the community and the LMS each year, AMLIB no longer meets the changing needs of the Kingston Community and the Library service in supporting these needs. The Council Information Services staff and Library staff have found it difficult to integrate any new technologies with AMLIB OCLC, as the system infrastructure is now 22 years old and does not have the capacity for these integrations. As time has progressed there has been a breakdown in some of the peripheral equipment used which are no longer supported by AMLIB OCLC.

It has become critical for the Library Management System to be updated so that it meets business requirements now and into the future, providing enhanced, easy to use functionality with consistent customer experience and meets customer expectations for mobile options.

A tender for the Supply, Implementation and Maintenance of a Library Management System (LMS) and/or Radio Frequency Identification Solution (RFID) was advertised in "The Age" on Saturday, June 24, 2017.

The term of the contract for the LMS is for an initial 6 years with two optional 4 year extensions.

The term of the contract for the self-serve kiosks is also for an initial 6 years with two optional 4 year extensions.

The Tender Evaluation Panel for this project consists of the following:

Tim Bearup      Manager, Libraries & Social Development  
Connee Maggio Team Leader, Library Customer Services  
Kerryn Dennett Team Leader, Business Applications  
Kristina Purcell Team Leader, Library Collections and Information Technology  
Bridget Geers   Senior Application Support Business Analyst

Darryn Paspas   Manager, Procurement & Contracts (Probity Officer)

**LIBRARY MANAGEMENT SYSTEM (LMS)**

The tender closed on 17<sup>th</sup> of August, 2017. Four submissions were received for the LMS tender from the following vendors:

- Civica
- EvolvePlus
- Libero
- SirsiDynix

The Tender Evaluation Panel followed the stages below to evaluate the tender submissions.

**Stage 1 Evaluation**

Tender submissions were reviewed in detail in accordance with the published scoring criteria by each member of the Tender Evaluation Panel.

Stage one of the evaluation process consisted of assessment of the tender submissions against the following criteria:

- Compliance with Services General Conditions
- Quality of Response
- General Requirements
- Conformance to Integration & Technical Requirements
- Conformance to Functional Requirements

Each member of the Tender Evaluation Panel scored independently and the scores were then discussed and a consensus score was agreed on. (*Appendix 1 --Stage 1. Tender Evaluation Summary: Contract No.17/70 LMS Quality Assessment only*).

All tenders were successful in progressing to the next stage of the evaluation.

### **Stage 2 Evaluation**

In this stage, price was factored into the evaluation and all tenders that had progressed to this stage.

The following prices (inc GST and for a potential 14 year contract), from lowest to highest were received from the tenderers:

- \$1,306,185.38
- \$1,363,271.40
- \$1,571,878.18
- \$2,300,990.86

For evaluation purposes, the tender price was determined by calculating the costs associated with delivering the required solution, including; System Licensing, Implementation Service, Configuration, Integration, Maintenance & Support, Training, and Data Migration etc. These amounts were then extrapolated to determine the total cost of ownership in Year 14 period.

The weighting for the Price was set at 40%. The Lowest Solution Price received was given the maximum score and then all other scores were a proportional percentage of this. (*Appendix 2 -- Stage 2. Tender Evaluation Summary: Contract No. 17/70 LMS Price included*).

Upon completion of the Stage 2 evaluation it was decided to proceed to Stage 3 with two shortlisted vendors; Evolve Plus and SirsiDynix.

### **Stage 3 Evaluation**

#### **Shortlist and Demonstrations**

The shortlisted vendors, were invited to undertake detailed demonstrations of their proposed solutions. The vendor demonstrations took place in April, 2018 and were attended by the Tender Evaluation Panel, Manager Information Services and Strategy, and selected specialist Library staff.

Demonstrations, were rescored using the same criteria, however Net Present Value Pricing over 14 years was also used for comparative purposes.

Following review of the scoring of the Tender Evaluation Panel a final consensus score was decided upon for each of the vendors.

#### **Site Visits**

In order to verify the Tender Evaluation Panel's findings site visits to various reference sites were then undertaken. The Tender Evaluation Panel, Probity Officer and a representative from the Library specialist staff visited various reference sites.

No further changes to scoring were required as an outcome of this process and the Tender Evaluation Panel's findings were verified.

The Tender Evaluation Panel endorsed the following Library Management System; SirsiDynix – Symphony

(*Appendix 3 --Stage 3. Tender Evaluation Summary: Contract No. 17/70 LMS Demonstrations with Net Present Value (NPV) Pricing Prior to Contract Negotiation.*)



### **Final Interview and Price confirmation**

As time had passed since the closing of tenders, it was decided to undertake verification of the tender pricing and contract clarification with both tenders shortlisted at Stage 2, to determine if all tendered information remained valid, without significant price or other changes that may affect the evaluation outcomes.

The representatives from the two shortlisted vendors, SirsiDynix and EvolvePlus, were interviewed by, Manager Libraries & Social Development, Manager Information Services & Strategy, Team Leader Library Customer Service and Manager Procurement & Contracts. This meeting was to review the contract and prices confirmed. All tendered pricing was confirmed as remaining valid.

Following these clarifications SirsiDynix was confirmed as the recommended vendor. Of the shortlisted vendors, SirsiDynix were found to be superior in regard to the qualitative aspects of Council's requirements at all stages of the evaluation process.

### **Additional Capability**

Through the tender process SirsiDynix listed the following integrations which would enhance the customer experience.

- **"Syndetics Unbound"**. Enhancement to the LMS Catalogue customer experience, it provides over 25 million full colour book cover images, summaries and annotations, information about the author and the first chapters or excerpts. This is provided via a Third Party – ProQuest, and will be considered for later introduction and funded within existing budgetary provisions.
- **BLUEcloud Visibility**. Provides for the transformation of catalogue records so that they can be found through Google search results. Future consideration will be given to the introduction of this product.

### **SELF SERVICE HARDWARE**

The tender assessment process identified that LMS replacement will also have some hardware implications in relation to its DIY service provision for Council to consider.

Specifically, Council provides a DIY check out system for customers at its major library branches using a PC/scanner set up. These workstations are now at end of life, and the vendor has advised that they will no longer be compatible with a new LMS system.

Therefore, if Council is to implement a new LMS without a resulting reduction in the service levels presently experienced by customers, consideration would need to be given to the purchase of a number of new DIY terminals.

There are devices available which have the dual function of bar-code scanning and being RFID enabled. Therefore Council can consider the purchase of these devices which could maintain the existing DIY bar code scanning functionality should it wish to continue this in the short term, as well as being future-proofed to be compatible with an RFID service should Council wish to implement this at any stage in the future.

The RFID option that was included in the Request for Tender has enabled an assessment to be undertaken of the available devices within the market that perform the DIY function. As a result, the FE technologies V5 Self Loan Station with EFTPOS and Coin Acceptors are recommended at a unit cost of \$7,500 (ex. GST)

It is recommended that Council purchase 13 x self-service kiosks to replace the existing units and some additional to provide a consistent service experience across each library branch. This purchase would cost \$115,599 (inc GST) including Delivery, Installation and Training, and could be taken from the unspent \$283K available from the capital budget.

The provision of the FE Technology kiosks will then require an additional operational budget allocation of \$10,982.40 (inc GST) per annum for the ongoing service / maintenance fee for this equipment.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 3 - Our connected, inclusive, healthy and learning community  
Direction 3.1 - Respond to our community's social needs

Direction 3.2 - Provide equitable access to services and facilities for all community members, irrespective of background and ability.

Direction 3.5 – Support learning and development

#### **3.2 Consultation/Internal Review**

Substantial consultation has occurred from the early stages of the project. Each phase of the process was designed to encourage staff to be involved in the process and allow them to have input on their requirements of a new Library Management System so that they can meet our Customer's expectations.

Consultation with other Library services was undertaken before the Tender process in order to help formulate the tender requirements.

#### **3.3 Operation and Strategic Issues**

##### **3.3.1 Operational and Strategic Issues**

The introduction of a new Library Management System and new kiosks will affect operations in a number of ways:

- The need to re-train Library Staff;
- A six month system implementation program for the LMS;
- The requirement for staff to continue to maintain daily operations whilst acquiring new skills;
- The implementation of integrations within the current IT structure;
- The requirement for staff to review current work flows and procedures;
- The possible requirement to update library memberships; and
- The training of the public on the use of the new catalogue, lending process, kiosks and mobile application

**3.3.2 Resource Implications**

With the completion of the LMS tender process, the Library team and the Information Services (IS) team will have joint responsibility for project implementation. Libraries will have responsibility for people and resource management and IS will have responsibility for technical infrastructure.

The current computer system AMLIB will need to be supported until 1 July, 2019 so that data can be extracted for the LGPRF considering that the new solution will be implemented in the middle of the financial year which is within existing budget provisions.

**3.3.3 Change Management**

A change management program will be undertaken with all stakeholders to ensure a smooth transition.

To date staff have been kept up-to-date with progress reports and significant number of staff have assisted with evaluation when required.

Change management assistance will also be provided by People Support.

**3.3.4 Productivity**

During the implementation it is anticipated that productivity may be temporarily reduced as staff acquire the skills to use the new system. Management measures will be implemented so that impact to the customer is minimal.

**3.3.5 Pricing**

Council allocated \$450K capital funds for the replacement of the Library Management system with the expectation that the software product would be purchased outright and operated as an 'on premise' software product on Council's local server. However, no vendor submitted an 'on premise' solution and identified that this was an out-dated approach within the industry. Rather, the tender submissions quoted for the more contemporary cloud solution: Software as a Service (SaaS). As a result, the initial first year purchase price was found to be considerably lower than expected (total = \$132K). After factoring in the tender preparation (\$15K) and an allocation for implementation contingency (\$20K), this leaves a balance of \$283K to other activities. However the new system costs will require an ongoing annual licence/maintenance of approximately \$94K p.a. This will require an additional \$33K per annum over the current budget allocation.

(See Appendix 5 Table with Recommended Capital Purchases and Associated Annual Operational Expenditure)

As described above, the purchase of 13 x FE Technology kiosks is also recommended to ensure that hardware compatibility issues with the new LMS does not diminish the customer experience. This would cost \$115,599 (inc GST) including Delivery, Installation and Training. These kiosks will then require an additional operational budget allocation of \$10,982.40 (inc GST) per annum for the ongoing service / maintenance fee for this equipment.

**3.3.6 Communication Campaign**

A communication campaign will be undertaken with the support of the Communications team to ensure the community is informed about the changes which will enhance their Library experience.



**3.3.7 Financial consideration**

An evaluation of financial capacity was carried out by Corporate Scorecard. As an outcome of this evaluation a deed will be provided by SirsiDynix Parent Company.

**3.3.8 OH&S**

The tender for the Library Management System was deemed low level. SirsiDynix has been through the certification process via Rapid Global, and have been found compliant.

**4. Conclusion**

**4.1 Environmental Implications**

There are no significant environmental implications.

**4.2 Social Implications**

The LMS replacement will present a number of significant benefits to customers when interacting with the library service. The addition of a mobile application will enhance the customer experience for the community at large as well as have particular benefits to those in the community who may not own a computer but wish to access the libraries collections and services through their mobile devices.

**4.3 Resource Implications**

All costs associated with the purchase and implementation of the new LMS including the initial licensing can be accommodated within the existing capital budget allocation. The total cost of the contract over the life of the contract of 6 years, and two possible optional 4 years each is \$1,383,271 (inc of GST and \$20k contingency for implementation). (Appendix 4 –Cost Summary).

The purchase of 13 x self-service kiosks can also be accomplished within the 18/19 capital budget allocation, leaving \$166,362 of capital unspent.

There would however be additional ongoing license and service fees associated with both the LMS and the self-service kiosks that would need to be factored into future annual operational budgets (as outlined in 3.4.5 Pricing).

**4.4 Legal / Risk Implications**

With an ageing LMS system, risk exists that it may not continue to be supported by the current vendor nor integrate with newer software/hardware products. This poses significant reputational risk to the Libraries and the organization in the instance of critical failure.

If the LMS solution implemented does not include the minimum DIY hardware solution that is required to deliver a 'like for like' customer service level, there may be negative customer experience / feedback.

**Appendices**

Appendix 1 - Stage 1 - Library Management System (LMS) Evaluation Matrix (Ref 18/492658) - Confidential

Appendix 2 - Stage 2 - Library Management System (LMS) Evaluation Matrix (Ref 18/492662) - Confidential

Appendix 3 - Stage 3 - Library Management System (LMS) Evaluation Matrix (Ref 18/492665) - Confidential

Appendix 4 - Detailed Cost Summary (Ref 18/491457) - Confidential

Author/s:	Connee Maggio, Team Leader Library Customer Service
Reviewed and Approved By:	Tim Bearup, Manager Libraries and Social Development Mauro Bolin, General Manager Community Sustainability

## **10. City Assets and Environment Reports**



# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 10.1

## COMMERCIAL USE OF COUNCIL LAND POLICY

Contact Officer: Angela Granter, Acting Team Leader Property Services

### Purpose of Report

The purpose of this report is to:

- provide Council with the outcome of the community consultation in relation to the draft Commercial Use of Council Land Policy; and
- recommend that Council adopt the Commercial Use of Council Land Policy (appendix 1).

### 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.

### OFFICER RECOMMENDATION

That Council adopt the Commercial Use of Council Land Policy as appended to this report.

### 1. Executive Summary

Council's existing Commercial Use of Council Land Policy (Policy) was adopted in 2014. The Policy has provided a positive impact on the community over the past three years through the activation of Parks and Reserves throughout the municipality.

Consultation has occurred with internal and external stakeholders and subsequently broader community consultation occurred via the public exhibition of the draft Policy. This report provides the results of the broader consultation and recommends that the draft Policy at appendix 1 be adopted by Council.

Key changes made to the existing policy and incorporated into the draft Policy are:

1. Legislative updates - relevant legislative changes including the *Local Government Act, 1989*, Section 228 of the *Building Act 1993*, *Building Interim Regulations 2017* and Department of Environment, Land, Water and Planning (DELWP) references;
2. Commercial activity exceeding two days – Section 6.6: A Council resolution is required for Commercial Activities operating in excess of two days;
3. Competition - Section 6.7 Restrictions: Commercial Activities which are in direct competition with another business located in close proximity are prohibited;
4. Compliment Local Community - Section 7 Assessment Criteria: Nature of activity must complement the local community without duplicating existing businesses/services and to provide an economic benefit to Kingston;
5. Residential Amenity - Section 7 Assessment Criteria: Commercial Activities must not impact on residential properties or negatively affect available car parking; and

6. Waivers - Section 14, improve the process for the waiving of fees for community or charitable events, identifying the General Manager, City Assets and Environment as the officer to make the decision.

It is envisaged that the above changes to the policy will improve the outcomes both from a community benefit and financial perspective.

## **2. Background**

The Commercial use of Council Land Policy was adopted in October 2014 and has played an integral role in activating Council reserves by providing a positive benefit to the community and generating a financial return to Council.

The Policy has been used to issue licences and permits by the following departments:

### **Events:**

- Public and Community Events
- Weddings
- Concerts and Festivals
- Triathlons and Cycling events

### **Property Services:**

- Carnivals and Amusement Parks
- Food Truck and Music Festivals
- Market Stalls

### **Sport and Recreation:**

- Personal Trainer permits
- Commercial Sport and Recreation users

These licences and permits have attracted a number of patrons and visitors from municipalities outside of Kingston and have offered a positive impact on the community through:

- Supporting of local charities, businesses, suppliers and services
- Creating local employment opportunities
- Contributing to economic growth

Councillors were briefed on the review of the Policy at the Councillor Information Session (CIS) of 21 May 2018. Subsequent to this, the draft Policy has been exhibited for public consultation for 28 days.

The public consultation period opened on the 27 June 2018 and closed on 25 July 2018 and no submissions were received. Councillors were again briefed at the CIS of 13 August 2018.

The draft Policy is now being tabled for Council adoption - appendix 1.

### **2.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs  
Direction 1.1 - Intergenerational land use planning for a sustainable community

The draft Commercial Use of Council Land Policy provides Council with the ability to approve the use of parks and reserves by commercial organisations for a range of activities. The outcome of the previous three years has been the creation of events which have brought together the community predominantly by food and entertainment based events.

## **2.2 Consultation/Internal Review**

Community consultation was via Council's '*yourkingstonyoursay*' website and advertising in the local Leader newspapers for a period of 28 days. No public submissions were received.

Officers had earlier engaged with internal departments and previous applicants under the policy and a summary of this feedback was provided to Councillors at the Councillor Information Session of 14 May 2018.

## **2.3 Operation and Strategic Issues**

### **2.3.1 Past events**

The following table summarises Commercial Use of Council land events in the past 12 months:

<b>Event name</b>	<b>Location</b>	<b>Date</b>
<b>The Dutty Trucks and Trailers Marketplace</b>	Kingston Heath Reserve, Cheltenham	5-8 October 2017
<b>Bayside Food Truck Fiesta</b>	Sir William Fry Reserve Highett	2-7 November 2017
<b>The Dutty Trucks and Trailers Marketplace</b>	Kingston Heath Reserve, Cheltenham	20-24 December 2017
<b>Sunnyboy Summer Festival</b>	Peter Scullin Reserve, 333 Beach Rd Mordialloc	20 December 2017 - 14 January 2018
<b>Mordialloc Summer Carnival</b>	Peter Scullin Reserve Mordialloc	20 December 2017 – 15 January 2018
<b>Waterbom Park</b>	Waves Leisure Centre at Highett Reserve, 111 Chesterville Road, Highett, Victoria 3190	26 December 2017 – 31 January 2018
<b>Melbourne Street Eatz</b>	Bicentennial Park Chelsea	25-28 January 2018

## **2.4 Options**

### **2.4.1 Option 1**

Adopt the updated Commercial Use of Council Land Policy (Officer's recommendation).

### **2.4.2 Option 2**

Do not adopt the updated Commercial Use of Council Land Policy.



### **3. Conclusion**

Officers conclude that by revising the overarching policy and fees, Council will continue to promote the Commercial Use of Council owned and/or controlled land for the purposes of facilitating entrepreneurial activity and promoting commercial events and services.

#### **3.1 Environmental Implications**

The assessment criteria for each application will consider the effects of the service or activity on amenity and the suitability of the site.

#### **3.2 Social Implications**

The revised policy ensures that the use of Council land must be balanced against the needs of the public users and residents. The policy ensures that commercial activities are conducted on suitable sites and complement, activate and enhance the area.

#### **3.3 Resource Implications**

Income derived from the revised licence and permit fees will be utilized as consolidated revenue to offset general Council expenditure. These fees will be reviewed as part of Council's annual budget process.

#### **3.4 Legal / Risk Implications**

The policy requires that all commercial activity on public land is subject to a permit or licence, through the approval process risks can be identified and appropriately mitigated.

### **Appendices**

Appendix 1 - Commercial Use of Council Land Policy (Ref 18/43915) [↓](#)

Author/s:	Angela Granter, Acting Team Leader Property Services
Reviewed and Approved By:	Julian Harvey, Manager Property, Arts and Leisure Services Daniel Freer, General Manager City Assets and Environment

# 10.1

## COMMERCIAL USE OF COUNCIL LAND POLICY

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# Commercial Use of Council Land Policy

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## 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 City Assets and Environment
POLICY OWNER	Manager Property, Arts and Leisure Services
ADOPTED BY	Council on <a href="#">Select date</a>
EFFECTIVE DATE (If different from approval date)	1 September 2018
REVIEW DATE	1/09/2022
CM REF AND VERSION	14/98314 – Version 2
VERSION HISTORY	Version 1 – adopted 27/10/2014

## 2 Purpose

The purpose of this policy is to:

- Provide framework for Council's consideration of Applications and Proposals for commercial activities on Council owned or Council-controlled land.

## 3 Scope

This policy applies to all public places under the control of Council, including:

- Council owned or controlled land (including roads)
- Crown reserves where Council is appointed Committee of Management
- This policy does not apply to Council owned or controlled buildings as Council has a Leasing Policy which refers to buildings. This policy does not apply to Council-organised events.
- Nothing in this policy permits or licences a contravention of any planning instrument, common law or Council local laws.

## 4 Objectives

The objectives of the Ppolicy are:

- Respond to all requests received by Council for Commercial use of Council owned or controlled land
- Promote equitable use of land with a focus on community benefit
- Protect public use of land including environmental, cultural heritage and aboriginal sites while providing equitable access to those entities wishing to utilise public land;
- Facilitate access to Council land by Commercial organisations which may not otherwise be available in Kingston if the land were not made available through this policy.



## **5 Policy Statement**

Council is committed to the principle that public land is for the benefit of the community. Any use of public land should minimise disruption to the everyday user unless a significant community benefit can be demonstrated.

Any application for an event should outline the Community benefit received as a result of the event being held on Council Land.

## **6 Council Land Licencing Principles**

### **6.1 General**

A Licence or Permit gives the licensee a right to occupy land (not exclusively) which without the Licence would be unlawful.

### **6.2 Nature of Interest**

- A Licence does not create an interest in land.
- The rights created by the Licence are personal and do not run with the land.
- A Licence cannot be assigned.
- A Licence will terminate where the owner ceases to own or control the land.

### **6.3 Crown Land Reserves in Kingston**

The State Government – Department Environment, Land, Water and Planning (DELWP), has appointed Council as the Committee of Management for a number of Crown Land Reserves including those foreshore reserves in the City of Kingston. This appointment was made under Section 14 of the Crown Land (Reserves) Act 1978. Any policies or guidelines set by DELWP will be the governing document for Crown Land controlled by Council.

DELWP represents the Crown as the landowner of the Foreshore Reserves. Approvals for the use and development of coastal Crown land is required in accordance with Section 37 of the Coastal Management Act 1995.

### **6.4 Activities not requiring a Commercial Activity Licence**

- Emergency services performed by recognised emergency service organisations.
- Passive recreational activities
- Informal social gatherings
- Spreading of Ashes
- Volunteer Rescue Organisation – Training Days

The activities listed in this clause are permitted provided that they are not undertaken for commercial gain.

### **6.5 Activities not requiring a Commercial Activity Licence but requiring other Council permits/approvals**

- Filming – refer to Council's website

- Footpath / Street Trading – refer to Council's Footpath & Street Trading Policy
- Busking - refer to Council's Busking Policy

#### **6.6 Commercial Activities with an operating time exceeding two days**

An activity that is to operate for a period of two days or more (excluding bump in and bump out time) requires a resolution of Council.

#### **6.7 Restrictions – Commercial Activities that will NOT be approved**

- Activities involving the promotion or advertising of tobacco, or gambling;
- Activities which are illegal, or are likely to promote or incite violence;
- Activities that do not meet the goals and objectives of the Council plan;
- Activities which are deemed to be a significant detriment to public accessing public space;
- Activities which may be significantly detrimental to the environment.
- Activities that restrict or impose on the usage of Council controlled car parks.

#### **6.8 Commercial Exclusion Zone**

Unless the activity is designated as a use under a lease or licence from Council or a sub-lease or sub-licence of a Council tenancy, no commercial activities will be permitted on or close to the following areas:

- Socially or culturally sensitive areas, including memorials, aboriginal heritage sites, shrines and public art works;
- Any designated sportsground without a specific written approval by Council's Sports and Recreation Team;
- Tree reserves, garden beds or vegetation including natural reserves;
- Any other areas that may be nominated by Council at any time.

### **7 Assessment Criteria**

**The following criteria will be considered when determining whether or not a proposed activity shall be granted a Commercial Activity Licence.**

- Nature of Activity  
Does the commercial activity complement the local community.
- Suitability of Site  
Consider compatibility with the land purpose, or any plans of management, and whether the activity will have an unreasonable adverse effect on free and equitable access to the land or its use.
- Scale of the Activity  
Consideration of local area's population, growth and the ability for the location to support the activity.

- Public Safety

The applicant must demonstrate ability to meet following:

- Appropriate safety requirements
- Awareness of duty of care responsibilities.
- Demonstrate capability to promote interpretive and educational information that ensures the general public and attendees receive instruction regarding environmental protection and ethics of appropriate behaviour.

- Impact on Community & Amenity

Including but not limited to:

- Noise and other pollution
- Visual impacts
- Flora and fauna
- Access
- Safety
- Increased use and degradation of the space
- Usage of car parks and associated available car parks
- Effect on adjoining residential properties
- The local community's desire and tolerance for the proposed activity

- Ability to Conduct the Activity

The applicant must demonstrate experience in carrying out the proposed activity to a high professional standard.

- Return to Council

The applicant must demonstrate they have the capacity to meet licence conditions, including the keeping of records and prompt payment of fees.

- Community Benefit

Including but not limited to:

- Promoting the primary purpose of the land; and/or
- Support or servicing the needs of the users of that land; and/or
- Promoting or supporting a charitable organisation; and/or
- Contributing to tourism.

- Compliance with the Kingston Planning Scheme and other agency's requirements

## **8 General Applications**

A number of Council teams will assess and manage permits by applying processes and application guidelines for relevant activities to enable Council to issue permits on Council land. These include:

- Personal Training – Sport & Recreation Team
- Promotional Activities – Property Services Team
- Weddings – Events Team
- Public Events – Events Team
- Triathlons / Cycling / Other major Sporting Events – Events Team

- Major Events such as Food Truck Parks – Events & Property Services' Team

All other uses shall be considered on a case by case basis.

Applicants for all events must apply in writing utilising the Commercial Use of Council Land Application form available on Councils website. The application should set out the proposal in detail and accompany the appropriate application fee.

#### **9 Licence Applications (e.g. Markets, Food Vendors, etc.) by EOI**

Council may seek applications via an advertised Expression of Interest process from suitably qualified individuals or organisations who wish to conduct commercial activities on Council land. Depending on the usage categories, applicants may be offered an EOI on an annual, bi-annual or tri-annual basis.

Respondents must set out their proposal in detail, and address all criteria set out in the EOI specification. Respondents may be required to submit further documentation to support an application, ie Risk Management Plan, Site Management Plan, Waste Management Plan, Emergency Management Plan, Traffic Management Plan, signage, permits etc.

All applications for licences under this clause shall be assessed and determined by the Manager of Property, Arts and Leisure (or his/her delegate). Applications may be referred to other internal departments for comment as part of the assessment.

Annual permits and licences will generally operate for 1 year commencing 1 July to 30 June. Permits and licences for longer than one year may be considered on a case by case basis, taking into consideration set-up costs etc.

An approximate timeline for an Annual EOI is as follows:

- |                                |                  |
|--------------------------------|------------------|
| • Expression of Interest opens | May              |
| • Applications Close:          | June             |
| • Assessment:                  | July - September |
| • Approvals                    | October          |

#### **10 Appealing a Decision**

Applicants who disagree with Council Officers decision not to issue a Commercial Activity Licence can apply to have the decision reviewed by a review committee which will include at a minimum one Councillor from each ward and a Council Officer. If the review committee determine that the Council Officer decision is to be overturned, the matter will be referred to Council for a final decision to determine if a permit or licence is to be issued.

#### **11 Insurance**

All Licence holders are required to hold Public Liability insurance indemnifying Council (minimum \$10M but higher limits may be required for higher risk activities). Prospective Licence holders will be required to provide a Certificate of Currency for such insurance to Council prior to the issue of the Licence and will be required to provide proof of continuance of that insurance as requested.



## **12 Standard Conditions for Licences**

The following standard conditions will apply to all licences:

- a) Licences are non-assignable and non- transferrable to any party. If the business operating under a Licence is sold then the subject licence will automatically terminate and the new business owner must apply for a new licence if required.
- b) A Licence holder will be required to maintain compliance with operating requirements for the nominated activity.
- c) All signage and other uses must comply with Councils signage policy.
- d) All parking and vehicle usage is subject to Council's parking restrictions, local laws and state road rules. If required by the Council, the applicant must develop and implement site management and traffic management plans in accordance with Council's requirements.
- e) Activities must meet all legal requirements, including obtaining approvals related to building occupancy, health and planning.
- f) Council officers may consult other agencies as they consider appropriate, including Victoria Police and VicRoads, in considering applications and imposing conditions.

## **13 Termination of Licence**

The Licence may be terminated in the following circumstances:

- a) if any fees owing remain in arrears for 30 days;
- b) if any insurance the holder is required to have is cancelled or if the holder fails to provide proof of that insurance to Council within 14 days of any request by Council;
- c) if the Licensee breaches any condition of the Licence;
- d) if the Licensee commits an act of bankruptcy or, being a corporation, has receivers appointed; or
- e) If the Licensee commits an unlawful act or breaches requirements of any other relevant Authority.

Council reserves the right to terminate any Licence at any time for management reasons including, but not limited to environmental protection, public safety, changes in policy and/or legislation or if Council determines that another use requires the land for any period.

If a Licence is terminated or suspended by Council for reasons (other than those set out in 16a - 16e. above), then Council shall reimburse the Licence fee on a pro-rata basis – however, Council will not be responsible for any losses incurred by the Licence holder as a result of that termination.

## **14 Licence Fees**

- Licence fees are required to be paid annually or otherwise in advance.
- Council will determine the minimum fees through the annual budget process, listing in the fees and charges section or as varied by Council resolution.

- Fees above the minimum will be set via commercial competition or at the discretion of the Manager Property Arts and Leisure based upon market evidence.
- Fees for community or charity events may be reduced or waived as deemed appropriate by the General Manager City Assets and Environment. Requests for fee waivers or reductions must accompany applications.
- Licence holders will be required to reimburse Council for the cost of any restoration or repairs which are required as a result of damage occurring during the carrying out of the activity.
- Security bonds are required for some activities at Council's discretion.

## **15 Delegation Authority and Decision Guidelines**

Delegations under the following Acts and Regulations that apply to this Policy:

- Local Government Act 1989

### **15.1 Delegations/Authorisations**

Refer to the Council to Staff Instrument of Delegation and the CEO to Staff Instrument of Sub-delegation.

### **15.2 Exemptions**

None.

### **15.3 Human Rights Charter**

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

## **16 Related Documents and Resources**

### **Legislation / External Document**

This policy refers to the following State legislation and local laws –

- (a) Building Act 1993
- (b) Coastal Management Act 1995
- (c) Local Government Act 1989
- (d) Kingston Community Local Law
- (e) Planning and Environment Act 1987
- (f) Road Safety (Traffic Management) Regulations 2005

### **Internal Document**

This policy refers to the following internal plans and strategies:

- (a) Event Application Guidelines
- (b) Seasonal Allocation of Sports Grounds
- (c) Leasing Policy 2004

## 17 Definitions

<b>Commercial Enterprise</b>	An organisation (including Not-for-Profits) providing goods, services or activities for financial return.
<b>Commercial Activity</b>	An event (including those events undertaken by Not-for-Profits) which provides goods, services or activities for financial return.
<b>Council Land</b>	Land owned or controlled by Council.
<b>Commercial Activity Licence or Lease</b>	A licence or lease which provides consent for the operation of a commercial activity on or across a public place within the Council owned or controlled land. Where this document refers to 'Licence' it also applies to Permit(s).
<b>Licence/Lease Fee</b>	The fee payable to Council by the licensee/lease holder for a specified period for the purposes of undertaking commercial, recreational or sporting activities by providing a service or product available to the public.

27 August 2018

Agenda Item No: 10.2

### **ADOPTION OF THE KINGSTON ARTS AND CULTURAL STRATEGY 2018-2022**

Contact Officer: Justin Gayner, Team Leader Arts & Cultural Services

#### **Purpose of Report**

The purpose of this report is to seek Council approval for the Kingston Arts and Cultural Strategy 2018 - 2022.

#### **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.

#### **OFFICER RECOMMENDATION**

That Council adopt the Kingston Arts and Cultural Strategy 2018 - 2022

#### **1. Executive Summary**

The Kingston Arts and Cultural Strategy 2018 – 2022, *Creative Kingston* provides clear direction and outlines plans for the development of arts and culture in the municipality over the next 4 years. The draft strategy was issued for public comment on Council's online community platform 'Your Kingston, Your Say' from 30 May – 13 July 2018 and received 42 visits with no feedback given. As a result Council's approval and adoption of the strategy is now sought. See appendix 1.

#### **2. Background**

The 2011-2015 Arts and Cultural Strategy was reviewed and found that of the 53 actions identified, 44 had been completed. The review found that some actions were no longer relevant or that funding was no longer available.

Cochrane Research Solutions was appointed to commence consulting with internal and external stakeholders and the community to inform the development of an updated Arts and Cultural Strategy 2018 - 2022. Prior to this, a literature review identifying key themes, trends and benchmarking offerings with other nearby local governments was completed, and key findings from this were explored throughout the consultation approach.

The public consultation formally commenced on Wednesday 1 March and ceased on Sunday 14 May 2017 with multiple engagement methods undertaken throughout the consultation period.

The findings from this research were collated and presented to the Arts and Cultural Advisory Committee (ACAC) and Council staff on 4 July 2017 in order to determine the strategic directions, objectives, timeframes, resources and impact measures. Council staff then generated a draft Strategy which was presented and approved by ACAC on 28 March 2018.



Council resolved on 28 May 2018 to place the draft strategy on exhibition for comment. The draft strategy was placed on Council's online community platform 'Your Kingston, Your Say' from 30 May – 13 July 2018 and received 42 visits and 14 downloads with no feedback given.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs  
Direction 1.1 - Intergenerational land use planning for a sustainable community

Council Plan 2017-21	Kingston Arts and Cultural Strategy 2018-22
<b>Goal 1</b> – Our well-planned, liveable city supported by infrastructure to meet future needs.	<b>Priority 2: Activated</b> As Kingston continues to grow and develop, this Strategy will ensure Council continues to maintain its arts venues and spaces, creating numerous opportunities for active participation in the arts.
<b>Goal 2</b> – Our sustained environment with accessible, open spaces.	<b>Priority 5: Celebrated</b> The strategy will play a leading role in this area by promoting our unique natural and built environments, safeguarding community assets and deepening engagement with historical and culturally significant sites.
<b>Goal 3</b> – Our connected, inclusive, healthy and learning community.	<b>Priority 1: Inclusive</b> As the City of Kingston continues to grow in dynamic and diverse ways: culturally, demographically and socially, this Strategy will ensure people of all ages, gender, sexual orientation, ability level, disability, social-economic circumstances and location have the opportunity to participate, share their perspectives and feel included within our multilingual society.  <b>Priority 4: Connected</b> Through this strategy we will create numerous opportunities for various communities to engage and connect with each other, and remain connected through new arts programs that encourage sharing and collaboration. We will also prioritise community-driven projects and will embracing digital platforms to improve connectivity.
<b>Goal 4</b> – Our free-moving, safe, prosperous and dynamic city.	<b>Priority 3: Enterprising</b> By building on our existing creative assets within the community, forging new connections and partnerships, and encouraging professional development and skills-based training, this strategy will aim to produce a thriving creative ecosystem that will see greater investment by artists as well as business and job opportunities throughout Kingston.  <b>Priority 5: Celebrated</b> By embracing our unique history, heritage, places and ever-changing community, this Strategy will not only benefit our local economy through increased cultural tourism, but will also help to shape a positive picture of the City we live in and the future we aim to build.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

Council Plan 2017-21	Kingston Arts and Cultural Strategy 2018-22
<b>Goal 5</b> – Our well-governed and responsive organisation.	All priorities and actions within this Strategy will identify community needs and service any existing gaps through responsive and creative programming.

### 3.2 Consultation/Internal Review

#### 3.2.1 Community

Community input for this strategy was captured through a variety of communication efforts, online activities and engagement options to encourage broad participation and generate quality input. For example, pop-up activities were conducted in Council arts venues and public locations across the municipality, written submissions were accepted via email, and telephone calls and a small number of face-to-face interviews and workshops were conducted with key stakeholders of interest.

As a result of these data gathering approaches, the participation outcomes presented in the below table were achieved.

Engagement activity	No. of participants
Your Kingston Your Say: Online survey responses	125
Your Kingston Your Say: Quick poll activity	31
Pop-up surveying: Dotmocracy activity	300
Pop-up surveying: Paper survey responses	154
Pop-up surveying: New idea submissions	49
Paper survey responses: Focus Groups, Kingston City Hall drop-box and post	32
Focus group participants (community)	11
Workshop participants (staff)	25
Workshop participants (community)	13
Written submissions	1
Interviewees	9
<b>Total participants engaged</b>	<b>750</b>

**3.2.2 Deliberation Workshop**

A deliberation workshop to examine and explore the outcomes of the community consultation was attended by ACAC and Council Staff to formulate the strategic directions, objectives, timeframes, resources and measurable outcomes based on the consultation findings. See Appendix 2.

Four key themes were identified:

**Theme 1: Increasing participation and access**

The community identified an opportunity to increase participation and access by facilitating collaborative partnerships that support arts and culture in Kingston, providing funding opportunities to support local artists and emerging creatives and by building on existing arts and cultural assets, events and activities.

**Theme 2: Strengthening our creative sector**

The community identified an opportunity to strengthen arts and culture across Kingston through digital and emerging technologies, via affordable arts and cultural experiences, and by providing a range of programs that appeal to specific segments of the community.

**Theme 3: Showcasing our places, diversity and proud heritage**

The community identified a need to ensure new public art programs are meaningful, have local significance and involvement, celebrate Kingston's multiculturalism and diversity, and consider a variety of public art forms.

**Theme 4: Delivering social and economic impact**

The community identified the many benefits of arts and culture to health and well-being and to the local economy. We seek to further develop these positive community outcomes by building upon existing strengths within the community, forging new connections and partnerships, and offering professional development opportunities.

**3.3 Operation and Strategic Issues**

**3.3.1 Alignment with wider arts sector changes**

Beyond its alignment with the Council Plan, this strategy also considers wider movements within the arts sector and within state government arts policy. This includes a renewed focus on community-led arts initiatives, the economic development of creative industries, and participatory projects that bring artists and communities together.

Of most significance are the changes to the performing arts sector, which has seen a gradual shift away from traditional forms of performing art, such as theatre, in favour of more participatory performing arts practices that engage with communities more directly, and deliver greater social benefits. This trend was reinforced in 2015 when the Victorian State Government notified arts organisations and centres that the traditional showcase and touring model for Performing Arts programs would be reviewed in response to a growing decline in audience attendances for traditional theatre shows.

More recently, data was published showing an increase of 8% in Victorian's desire for creative participation, compared to a 3% increase in venue attendance. The state government review of the touring model will examine and explore ways to meet growing community interest in a more inclusive and participatory approach to the performing arts.

Similarly, the visual arts industry is shifting towards a participatory model, with a focus on developing 'public programs' alongside exhibitions. These programs may include professional development for artists, in addition to audience development opportunities. Public programs may include skills-building workshops and classes, arts industry panel discussions and networking events.

In line with community desire for participation and engagement, community-engaged music events (non-commercial as well as commercial) are increasingly popular across Australian cities and will be similarly nurtured in Kingston. One-off community-led arts initiatives and other major public programs will continue to be supported.

In order to ensure Council's Arts and Cultural Department is best positioned to respond to these changes, this strategy avoids the creation of a to-do list and instead proposes broader actions that are intended to evolve beyond the life of the strategy itself; enabling our Performing Arts, Visual Arts, Live Music and Public Art programs to continually respond to the community's needs.

**3.3.2 Realignment of Arts and Cultural Services Team towards this strategy**

Essential to the development and delivery of this strategy has been the formation and realignment of a new Arts and Cultural Services Programming Team. This has included the recruitment of a new Team Leader, Cultural Producer and Partnerships Coordinator, Performing Arts Coordinator, Visual Arts Coordinator and Audience Engagement Officer in 2017, each of whom will play a pivotal role in ensuring the strategic outcomes are met.

**3.4 Options**

**3.4.1 Option 1**

That Council approve and adopt the Arts and Cultural Strategy 2018-22.  
**RECOMMENDED**

This will enable Council to begin delivering Arts and Cultural Services in line with the community's needs, interests and expectations.

**3.4.2 Option 2**

That Council roll-over the actions from the previous Arts and Cultural Strategy.  
**NOT RECOMMENDED**

This option would involve officers implementing actions that have already been completed or no longer meet the current needs of Kingston's growing creative community.



#### **4. Conclusion**

This report recommends that Council adopt the Arts and Cultural Strategy 2018 – 2022, *Creative Kingston*, as it provides clear direction for the development of arts and culture in the municipality over the next 4 years and beyond. It facilitates new pathways for social connection and a sense of belonging and leads the creative sector to initiate partnerships and programs in Kingston. The premise of this Strategy rests on community feedback which requests more access to more cultural opportunities and actions that address the environmental and demographic changes facing our community.

##### **4.1 Environmental Implications**

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

##### **4.2 Social Implications**

The strategy includes actions that will promote health, education and creative engagement across diverse parts of the community, including people from culturally and linguistically diverse backgrounds, people with disabilities, people of diverse ages and those from across the north, central and south wards of Kingston. There are many opportunities to develop and engage new audiences and to further address the social and cultural needs of the Kingston's existing communities.

##### **4.3 Resource Implications**

The majority of actions within the strategy are to be undertaken within existing financial and human resources. Additional funding required for projects arising as a result of specific actions will be subject to the usual budget process or potential funds from grant programs and/or other external funding avenues.

##### **4.4 Legal / Risk Implications**

All projects arising as a result of specific actions will be subject to review by Council's Arts and Cultural Advisory Committee with recommendations to be made to Council.

#### **Appendices**

Appendix 1 - Draft Arts and Cultural Strategy 2018-2022 - Creative Kingston V2 (Ref 18/66711) [↓](#)

Appendix 2 - AC Strategy 2018-22 - Deliberation Workshop Wrap up (Ref 18/66725) [↓](#)

Author/s:	Justin Gayner, Team Leader Arts & Cultural Services
Reviewed and Approved By:	Julian Harvey, Manager Property, Arts and Leisure Services Daniel Freer, General Manager City Assets and Environment

# 10.2

## ADOPTION OF THE KINGSTON ARTS AND CULTURAL STRATEGY 2018-2022

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kingston**arts**

# Creative Kingston

A progressive, creative city

DRAFT KINGSTON ARTS & CULTURAL STRATEGY 2018-2022







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## Mayor's Foreword

It is with great pleasure that I present our new Arts and Cultural Strategy, Creative Kingston. Building on our municipality's track record for arts and community development, we present a Strategic Plan that expands, supports, delivers and enhances new and existing arts and cultural activity. The strategy outlines the many ways that residents, groups, businesses and visitors can participate in and celebrate arts and culture in the City of Kingston.

Developed with considerable community input alongside Council officers and the Arts and Cultural Advisory Committee, this strategy presents a long-term approach to arts and cultural development in Kingston with a focus on the next four years. The Strategy aligns with Council's Plan 2017-21 where everyone in Kingston feels healthy, connected and part of a vibrant community and prosperous local economy.

The Arts and Cultural Strategy's five key priority areas elucidate a future where arts and culture is inclusive, activated, enterprising, connected and celebratory. The Strategy goes beyond art as merely decorative or an 'add on' to our daily lives, highlighting instead the ways creative engagement achieves core social, economic, cultural and community outcomes. It prioritises programs that support community health, wellbeing and participation.

With this in mind, I thank the 720 community members who contributed their ideas and vision for arts and culture in Kingston, and the people who attend Kingston Arts programs each year. I encourage everyone to take part and benefit from the aspirations described here and to continue to engage with Council as we seek to provide better programs, networks and opportunities. I look forward to the cultural participation of creative communities and the development of creative economies envisaged by Creative Kingston 22.

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*"Remember that the arts touch many people – all genders, generations, and abilities. Its ability to connect as well as communicate is needed more and more in current times."*  
- Community member

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## Executive Summary

Creative Kingston is the City of Kingston's new Arts and Cultural Strategy that looks to provide the ideal environment for our creative industries to contribute to the positive growth, economy and liveability of the City.

Victoria's creative industries make up eight per cent of the economy and contribute almost \$23 billion and 220,000 jobs.<sup>2</sup>

The City of Kingston already has a growing arts and cultural scene. It hosts a variety of creative organisations, community groups, industries, artists and entrepreneurs and is home to a number of high quality arts facilities, artist studios and significant Aboriginal cultural sites and meeting places. The City's culturally and linguistically diverse communities continue to share their heritage through rich arts and cultural experiences.

Creative Kingston represents Council's commitment over the next 4 years to provide increased opportunities and access to cultural experiences, to enable artists and creative thinkers to play a more active role in developing our society and to strengthen the City's creative assets. It envisages artists, industries and Council will work closely together and listen to creative alternatives and share resources to better meet community needs.

Essential to its success will be its ability to forge new creative partnerships, increase networking opportunities and grow the sustainability of creative industries through fundraising and skills-based training. The Kingston Arts and Cultural Strategy requires Council to broaden its approach to the arts by working across multiple departments such as Economic Development, Communications and Events, City Strategy and Libraries and Education.

This Strategy links to every major theme of the Council Plan 2017-21 with the aim of increasing capacity for more people to engage and participate in arts activity and cultural production.

By implementing this Strategy, we seek to act on our community's desire to position Kingston as a progressive, creative city.

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*"I would like our city to be a place that embraces the future by creating spaces for the community to come together and share experiences. I would like the City of Kingston to foster the arts community, and engage people in meaningful projects." Community member*

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## Introduction

### PURPOSE OF THE NEW ARTS & CULTURAL STRATEGY

The purpose of this Arts and Cultural Strategy is to redefine how Council addresses the expansive role of the arts within our community.

---

*"Cultural opportunities should include a council policy whereby all departments are required to include some kind of creative or cultural component when planning for the future" Community member*

---

Building upon Kingston Art's previous Arts and Cultural Strategy, which aimed to foster a stronger, more engaged and healthier community, Creative Kingston looks to develop a wider approach across Council that encourages creativity to flourish in all aspects of community life.

From this new framework, the Arts and Culture Strategy aims to create a more inclusive, activated, enterprising, connected and celebrated environment that will have far reaching cultural, economic and social benefits, beyond the life of the strategy itself.

Digital platforms offer more and more opportunities for social connection, for arts practice and for communication. We need to keep abreast of new systems and rethink the nature of arts and its social role in a digital age. We will continue to develop outreach through face-to-face engagement, and mobilise digital channels that connect communities, networks and artists, and engender broader awareness of new and existing programs.

### THE ROLE OF COUNCIL IN ARTS AND CULTURE

The City of Kingston has an important role to play in developing and nurturing the city's creativity.

Council currently offers a wide variety of arts and cultural programs and opportunities for communities living within and outside the City. It facilitates cultural activity through an annual calendar of creative programs and events across its primary arts spaces. It provides funding opportunities for creative initiatives, support for professional development and offers a range of arts-focused spaces for community use.

Kingston is home to a growing arts and cultural scene which includes professional and recreational artists, cultural groups and organisations, creative industries and entrepreneurs.

Through various consultations with these groups and the wider community, as well as a comprehensive literature review and relevant benchmarking of local, national and international trends, a series of key priorities have been identified that will develop Council's approach to arts and culture over the next 4 years.

Integral to this approach is the desire to:

- understand and support community values and aspirations;
- develop a contemporary, enterprising and holistic approach within Council that encompasses the arts, cultural engagement, economic development City strategy and planning;
- identify community needs and service gaps through responsive, creative programming;
- provide greater opportunity for cultural learning and expression throughout the City of Kingston.

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*"I think Kingston Arts Centre does a good job. My partner and I always enjoy the shows and activities. Keep thinking outside the square!" Community member*

---

## GLOSSARY OF TERMS

**Arts** – includes (in this report) engagement with theatre, dance, visual arts and craft, music, literature, First Nations arts and cross-art form engagement. It includes attending the arts live, creative participation in the arts, engaging online, listening to music and reading books.

**Creativity** – Creativity, like inventiveness, is a fundamental curiosity. It is our imaginative capacity to generate new ideas, images and ways of thinking; new patterns of behaviour; new combinations of action. It is an innate and universal trait.

**Public Art** – Art that takes place in a public space – usually not a dedicated arts space. Public spaces can be defined as both privately owned and public property accessed or visible from public thoroughfares and other open spaces. Traditionally the meaning of public art has been applied mainly to permanent installations, but it also includes temporary, ephemeral, interactive and performance works.

**Creative industries** – As a most basic definition, creative industries can be distinguished from other industries in that creativity is used to create value for their consumers. While all industries will include an element of creativity within them to a greater or lesser extent, creative industries are different because they use creativity to create value for their clients and the products or services created are intellectual property. Due to their dynamic nature, the creative industries are not simply defined and consist of a wide variety of businesses and individuals. (Creative Industries Innovation Centre, 2013)

**Culturally and linguistically diverse** – This includes people who responded 'yes' to the question: Do you identify as a person from a culturally or linguistically diverse background? This could include Auslan, as well as first generation migrants or those who self-identify with the language or cultural practices of heritages that differ from Anglo-Australians. This differs to other CALD measures such as those based on country of birth or language spoken at home. Community arts and cultural development (CACD) – includes activities where communities, in collaboration with professional artists, are directly involved in the conception, creation and presentation of their own cultural and artistic expression.

**First Nations** – The words 'Aboriginal and Torres Strait Islander', 'First Nations' and 'Indigenous' are used interchangeably in this report to refer to the Aboriginal and Torres Strait Islander peoples of Australia, and their arts and cultural expressions. First Nations survey respondents self-identified. Some, but not all of the First Nations respondents also identified as CALD. First Nations arts were not defined based on creative control – it was up to survey respondents to identify whether they engaged with First Nations arts based on their own interpretation. Literature – includes reading, creative writing and attending literary events (e.g. writers festivals, talks, storytelling and book clubs).

**People with disability** – This includes people who responded 'yes' to the question: Do you identify as a person with disability and/or do you have an impairment that creates disabling barrier/s which limits the activities you participate in or attend unless access is provided.

**Online engagement** – This could include viewing arts online; using the internet to create or learn to create arts; sharing, researching or reviewing arts online; following or engaging with artists through social media; and listening to recorded music online.

**Visual arts and craft** – includes painting, sculpture, photography, light art, digital art, street art, crafts, woodwork, and textiles.

**Theatre** – This includes any traditional and experimental theatre, circus, acting or being part of a production.

**Music** – This could include playing an instrument, singing, composing music; and attending live music such as opera, classical music, musical theatre, art music and contemporary popular music.

**Dance** – This could include any classical, contemporary and organised social dance.

## Social and Economic Benefits of the Arts

### LOCAL, NATIONAL & INTERNATIONAL TRENDS

"The benefits of creative arts pursuits for all participants are well documented and therefore all area of arts and crafts should be developed for the health and wellbeing of both individuals and community."

Community member

Across the globe, governments issue national strategies that target their cultural industries, creative businesses and workforce aiming to achieve positive social and economic outcomes.<sup>3</sup>

Research shows the arts can yield significant long-term economic, social, cultural and environmental benefits as well as encourage fairness, justice and non-discrimination in relation to access to cultural participation. Economies produced by the arts generate benefits to employment in related services, manufacturing sectors and promote economic diversification, tourism, revenues, trade and innovation.<sup>4</sup> Urban planners can also make deliberate connections between the arts and culture to improve economic outcomes by capitalising on local assets.<sup>5</sup>

Further international studies recognise the ability of cultural industries to revive declining urban areas<sup>6</sup> and encourage social inclusiveness by promoting arts and culture assets. Using the arts to activate urban spaces helps to drive economic development by contributing to demands for transport, food and beverage services and accommodation.<sup>7</sup>

#### **Social benefits:**

85% of Victorians who live in outer metropolitan areas report that the arts have a big impact on their lives, improving social connections and wellbeing, building empathy, helping to deal with stress, anxiety and depression and positively influencing child development and education<sup>8</sup>.

National, state and local research data shows that 98% of Australians engage in the arts<sup>9</sup> and 48% of outer-metro Victorians participate in creative arts practice. 83% of Australians recognise that the arts make important social contributions, shaping identity, reflecting cultural diversity and offering different perspectives on life and issues. The vast majority of Australians appreciate First Nations arts as an important part of Australia's culture. Across Australia, young people are the most active participants in cultural activity, one third of Australians participate in arts events from their own culture and 14% of Victorians participate in Community Arts and Cultural development.

Current state government policy recognises that the arts and creative industries deliver projects with strong social and economic impact. \$14.5 million has been allocated to creative projects targeting education and mental health sectors, and economic impacts via creative design, innovation and improved business capability.<sup>10</sup>

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*"Art provides all sorts of benefits – social, employment, economic, education, environment, health and well-being. Other things don't do all this"* Community member

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**Economic benefits:**

More people participate in the arts than in the AFL, NRL, soccer, super rugby, cricket and NBL combined, with Victoria's market share continuing to exceed its share of the population.<sup>11</sup>

In 2013, 4.03 million Victorians spent \$5.1 billion directly on cultural activities, the equivalent of \$421.5 million per month. Almost half this amount was spent on ticketed admissions. 48% of Victorian outer metropolitan residents report that arts events bring customers to local business. In 2011, 131,500 Victorians were employed in cultural activities as their main job, rating above the mining industry as one of the country's largest employers. 11,600 Victorians volunteered across 120 cultural organisations, 61% of all international visitors came to Victoria for cultural reasons and 60% of Victorians donated to arts and cultural organisations.<sup>12</sup> At the same time, data collected in 2014 shows people in Melbourne's South-East and the Mornington Peninsula anticipated spending less on arts and had Victoria's lowest proportion of arts and cultural volunteers. Those volunteers anticipated spending less time volunteering on arts events.<sup>13</sup> The main reasons for non-participation were the costs of tickets and travel. The Kingston Arts and Cultural Strategy aims to address these issues by providing free or affordable arts and cultural activities and creating participatory events with outer Kingston communities.

**CITY OF KINGSTON COUNCIL PLAN 2017-2021**

Kingston Arts and Cultural Strategy aims to make Kingston a place the community wants to be, aligned to the five goals featured in Our Roadmap, Kingston's Council Plan 2017-21.

- **Goal 1.** Our well-planned, liveable city supported by infrastructure to meet future needs
- **Goal 2.** Our sustainable environment with accessible open spaces
- **Goal 3.** Our connected, inclusive, healthy and learning community
- **Goal 4.** Our free moving safe, prosperous and dynamic city
- **Goal 5.** Our well-governed and responsive organisation

Our Roadmap envisages a diverse, dynamic community where we all share a sustainable, safe, attractive environment and a thriving economy.

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*"I think the arts are vitally important, especially as the world becomes diverted and disconnected. But arts can bring people together. Arts integrated and exposed into the public realm is what I'd like to see".*  
Community member

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## Background

### CITY OF KINGSTON AT A GLANCE

The City of Kingston is made up of 21 suburbs and is one of the largest municipalities in metropolitan Melbourne. It comprises substantial residential areas with significant industrial and commercial centres, non-urban and agricultural areas, major parks and gardens, natural wetlands and 13 kilometres of unbroken coastline.

In 2016, the census estimated the City of Kingston population to be 159,023, with a forecast growth to over 185,000 (15.8%) residents by 2036.<sup>14</sup>

Nearly one third (31%) of the population is born overseas, of which 22.7% were born in a non-English speaking country.<sup>15</sup> There are 579 Aboriginal and Torres Strait Islander people currently living in the City of Kingston, which makes up 0.4% of the population.<sup>16</sup>

Currently 5.0% of the population living in the City of Kingston report the need for assistance with daily living due to disability which is on a parity with the Greater Melbourne average of 4.9%. However, this percentage does not include people with carer responsibilities. The 2015 Survey of Disability, Ageing and Carers reports that over 18% of all residents living in the City of Kingston are affected by disability.<sup>17</sup>

### FUTURE POPULATION TRENDS IN KINGSTON

Like all Melbourne Councils, Kingston faces the challenge of providing quality services, well-maintained infrastructure and a thriving local economy as the population continues to grow. Other demographic and social changes during this time are expected to affect household structure, dwellings and developments, cultural diversity and areas of relative socio-economic disadvantage.

Kingston has an ageing population consistent with the rest of Australia. Groups aged 75 to 79 years and 80 to 84 years will show the greatest growth, forecast to increase by 53% and 50% respectively<sup>18</sup> between 2016 and 2036.

In 2016, there were 61,553 households in Kingston. This is forecast to increase by 17.8% to 74,910 in 2036.<sup>19</sup> The most prevalent household type in 2016 was couples with children with 20,144 households or 33% of all households. In 2036, there will be more people living alone, with this household type anticipated to have the largest increase between 2016 and 2036.<sup>20</sup>

The suburbs Highett and Moorabbin are forecast to show the greatest increase in dwellings and development between 2016 and 2036 with 124.6% and 93.5% growth respectively.<sup>21</sup> This increase is particularly relevant to the new Arts and Cultural Strategy, as Kingston Arts Centre and Kingston City Hall are both located in Moorabbin.

Of Kingston residents who were born overseas, the most prevalent countries of birth are the United Kingdom, India, China, Greece and New Zealand. It is anticipated that the City will diversify further.<sup>22</sup>

Areas of social-economic disadvantage will continue to be located in the outer regions of the municipality.<sup>23</sup> The new Arts and Cultural Strategy seeks to benefit these disadvantaged areas by ensuring creative programs play a more pivotal role in serving community needs. It is also interested in opportunities for broader partnerships and collaborations with arts and cultural groups throughout broader Kingston. Baum's study of suburban Australia identified Levels of participation in social and civic activities were significantly influenced by socio-economic status with a relative lack of involvement of people with low income and education levels'.<sup>24</sup>

## STRENGTHS AND ASSETS IN OUR COMMUNITY

The City of Kingston boasts a vibrant arts and cultural scene, hosting a variety of arts spaces, arts and cultural organisations and services, professional and non-professional artists, creative industries and arts workers.

The shopping precincts of Chelsea, Cheltenham, Highett, Mentone, Moorabbin and Mordialloc continue to thrive with pop-up events, public art and live music. The City's industrial precincts are increasingly being utilised for artist studios, co-working spaces and as sites for creative projects. Community festivals are held within an abundance of open spaces and Aboriginal connections to land are preserved through the traditional gathering place around Mordialloc creek.

A large number of community groups within the City facilitate visual arts, dance, music, theatre and spoken word programs and opportunities. There are also a range of arts access organisations for people living with a disability or in need of social support.

Areas such as Edithvale, Parkdale and Mordialloc are home to a flourishing community of local designers, artists and artisans. There has also been a steady increase of creative businesses operating throughout the municipality, ranging from small start-ups to suppliers and manufacturers of some of Melbourne's leading cultural venues and events.

The new Arts and Cultural Strategy seeks to encourage community-led activity by facilitating spaces, strategically deploying the department's assets for community use, opening up networking channels and supporting professional development opportunities.

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*"Creative Kingston is opportunities for artists to not only exhibit and perform but interact with the public to enrich people's perceptions of art and engagement, instilling a sense of cultural and social ownership of our locale."*

*"Creative Kingston could offer more opportunities for artists to develop their skills through mentorships, arts grants, workshops and competitions."*

*"Workshops are where people can participate, not just watch or listen to professionals."*

*"A range of activities are needed to accommodate different cultural groups."*

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## EXISTING ARTS AND CULTURAL SERVICES WITHIN KINGSTON

The City of Kingston Arts and Cultural Department, Kingston Arts aims to build on the City's strengths by increasing the profile and support of creative industries within our community and fostering more opportunities for creative engagement and cultural tourism.

Kingston Arts already achieves this in a number of ways including through the delivery of a comprehensive and diverse calendar of performing, visual and community arts programs and by facilitating commercial and community hire across three primary arts spaces: Kingston Arts Centre, Kingston City Hall and Shirley Burke Theatre.

Kingston City Hall is the City's largest cultural venue. It plays host to a wide-range of multicultural celebrations, school concerts, business expos and is steadily reviving its past history as a destination for live music in Melbourne's South East. Recently it has undergone significant upgrades to the foyer and outdoor forecourt areas utilising indoor-outdoor spaces for free egress, to ensure that this iconic building continues to meet the growing needs of our community.

Since 1993, the Kingston Arts Centre has repurposed the former Moorabbin Town Hall into a thriving, versatile venue for arts and cultural activity. The building includes two gallery spaces, artist studios and a black box style theatre with retractable seating, enabling it to cater for a breadth of programmed events and contemporary artistic practices.

Situated in Parkdale's bustling shopping precinct, the Shirley Burke Theatre has become an important facilitator of local arts and community theatre, resulting in a vibrant program of events that sees the venue fully utilised throughout the year.

Kingston Arts' performing arts program operates across these three venues, showcasing Melbourne's finest talent and acting as a platform for emerging artists. The visual arts galleries G1, G2 and The Bridge projection space, promote artistic excellence and innovation with diverse and thought-provoking contemporary art exhibitions. The G3 Artspace provides a program focused on community access.

Annual programs and events include the Lens Mist Photographic Art Prize, Makers Market and Kingston City Hall Pop Up Bar.

The City of Kingston provides support to artists through an annual Arts Grants program and the provision of affordable studio spaces. It supports community art groups through Community Grants, affordable, well maintained spaces and operational services

Each of these initiatives enhance, strengthen and act on our community's desire to position Kingston as a liveable and creative city.



## Key Priorities

The Arts and Cultural Strategy proposes five priority areas intended to generate positive economic, cultural and social impact in Kingston:

**Priority 1: Inclusive**

Enhance opportunities to access and participate in arts and culture

**Priority 2: Activated**

Increase activity in existing creative places and spaces

**Priority 3: Enterprising**

Strengthen creative industry connections and partnerships

**Priority 4: Connected**

Build stronger social connections across communities

**Priority 5: Celebrated**

Embracing our unique history, heritage, places and ever changing community

Key priorities will be implemented by

- Working closely across Council departments
- Creating partnerships across agencies

Working with:

- Artists
- The wider community
- Federal and state governments
- Philanthropists
- Educational institutions
- Commercial and non-profit enterprises

## Priority 1: Inclusive

### ENHANCE OPPORTUNITIES TO ACCESS AND PARTICIPATE IN ARTS AND CULTURE

The City of Kingston continues to grow in dynamic and diverse ways, culturally, demographically and socially. It is important these changes are reflected within the arts.

Being inclusive in our actions enables people of all ages, gender, sexual orientation, ability level, disability, socio-economic circumstances and location to have the opportunity to participate, share their perspectives and feel included within our multilingual society.

What will we do?

- Work more closely with Aboriginal elders and community members to ensure arts and cultural programs such as NAIDOC celebrations, have greater local relevance and outcomes
- Conduct regular audience surveys to improve marketing and promotional activity and better inform future programming and planning decisions
- Develop and implement specific place based art and cultural programs for disadvantaged communities
- Increase access to interactive and participatory arts activities at Council-run festivals
- Contribute to Council's seniors program in consultation with Kingston's positive aging network, improve communications with seniors about upcoming programs.
- Work closely with multilingual, intercultural communities on intergenerational projects to ascertain activities that serve their needs, and implement via partnerships with other Council departments
- Explore the logistics of a broader arts and recreational 'What's On in Kingston' calendar across all Council departments.

What will we continue to do?

- Provide and evaluate programmed, community-oriented events, activities and competitions
- Provide and facilitate disability programs and services.
- Continue to promote arts-related community events and commercial venue-hire events via a 'What's on in Kingston' calendar.

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*"I want art that's accessible to everyone, interwoven into the general community, and not a separate entity."*

*"More pop ups – things like pop up parks, the pop up bar at Moorabbin, pop up outdoor cinema"*

*"A place where there are activities for children of all ages and abilities; performing arts; flexible spaces and facilities; opportunities for creative people to meet; where new online technologies are used"*

*"where anybody can express arts and culture freely"*

*"Provide art for free or low cost and people will come."*

---

## Priority 2: Activated

### INCREASE ACTIVITY IN EXISTING CREATIVE PLACES AND SPACES

Ensuring every community member has greater access to creative spaces and places in Kingston has been a key theme throughout the community consultation for this Arts and Cultural Strategy.

Facilitating and providing new and existing spaces that encourage members of different communities to meet and connect with one another, ensures that people not only live together, but build relationships, share values and aspirations and take care of one another. This Strategy will explore new ways for gathering and meeting in non-standard venues such as neighbourhood hubs, shopping precincts, as well as maintaining and upgrading existing facilities.

As Kingston continues to grow and develop, Council will continue to maintain its arts venues and spaces, creating numerous opportunities for active participation in the arts.

What will we do?

- Explore and test the viability of accessible non-standard meeting places, indoor and outdoor, through partnerships and community support.
- Showcase, support and enhance community-led arts programs and activities
- Ensure our public programs continue to be based in diverse sites around the municipality, accessible to precincts, public transport and supported through popular information channels
- Improve access and awareness of creative spaces through an updated Arts and Cultural Marketing Strategy aligned to Council's Communications Policy, utilising existing and emerging media channels
- Update Kingston Arts' ageing online ticketing system to enhance customer service
- Re-establish Kingston City Hall as a hub for live music performance and establish mentoring opportunities through a new recording studio at Kingston Arts Centre
- Explore the viability of a new performing arts venue in Chelsea through funding from the State Government in line with Council's 2017-21 Plan
- Conduct a feasibility study for Kingston Arts to operate as a stand-alone not-for-profit organisation within Council to improve internal operations and procedures

What will we continue to do?

- Continue to invest in building improvements to the Kingston Art Centre, Kingston City Hall and Shirley Burke to ensure they remain safe working environments and offer high quality and accessible public spaces.
- Review and streamline arts venue hire procedures and booking systems to be more user-friendly.
- Continue to provide and promote low cost and subsidised venue hire.

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*"I think the City/Arts Hall in Moorabbin could certainly be the lifeblood of the area"*

*"Creative Kingston is a place that utilises spaces not traditionally used for performance and this is done by exploring the entire Kingston area."*

*"Continue to have gallery spaces located in theatre, foyers, public offices, libraries etc"*

---

## Priority 3: Enterprising

### STRENGTHEN CREATIVE INDUSTRY CONNECTIONS AND PARTNERSHIPS

With over 65,500 people already working in the City of Kingston and the emergence of new businesses and industries, there is an exciting opportunity to enhance the City's creative economy. By building on our existing creative assets within the community, forging new connections and partnerships and encouraging professional development and skills-based training, we will aim to produce a thriving creative ecosystem that will see greater investment by artists and businesses and job opportunities throughout Kingston.

What will we do?

- Develop an annual program of professional development, networking and mentoring opportunities with leading thinkers and practitioners for artists, creative industries and organisations.
- Review and re-establish internship, volunteer and work experience opportunities.
- Facilitate arts and cultural groups and businesses by promoting them on Council's My Community Life platform and through Economic Development activities.
- Encourage creative input to be considered during the initial planning phase of major projects across Council.
- Seek new funding opportunities from state and federal governments and philanthropic and business sources to better resource existing arts and cultural projects and programs as well as resource new initiatives outlined in this strategy.
- Investigate a creative business accelerator program and different funding models to assist the establishment and growth of creative enterprises
- Investigate advocacy, reduced and subsidised rental and marketing support for creative groups and industries
- Expand Council's existing artist studio program to cater to a wider range of artists and provide greater opportunity for collaboration.

What will we continue to do?

- Enhance existing public programs in response to demand and demographic change
- Continue to work across Council when researching and developing new arts initiatives.
- Continue to strengthen relationships between Council departments.
- Continue to fund competitive grants to support emerging talent and local creatives and highlight outcomes generated.
- Continue to explore partnerships with creative industries to facilitate capacity building within the creative sector.

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*"Provide creative spaces where people can come together and share their ideas and creative products, especially creatives in small business." Community member*

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## Priority 4: Connected

### BUILD STRONGER SOCIAL CONNECTIONS ACROSS COMMUNITIES

Recent demographic information has revealed that, despite almost half of the population in Kingston playing an active role within their community, feelings of social isolation continue to be reported. "Social networks and social ties have a beneficial effect on mental health outcomes, including stress reactions, psychological wellbeing, and symptoms of psychological distress including depression and anxiety (Kawachi & Berkman 2001)".<sup>25</sup> Baum et al. (2000) found mental health status was more strongly correlated with levels of participation in social and community life than physical health'.<sup>26</sup> By broadening the reach of arts activity and participation across all communities and age groups, stronger social connections can be formed.

Through this Arts and Cultural Strategy we will create numerous opportunities for various communities to engage and connect with each other, and remain connected through:

- new arts programs that encourage sharing and collaboration
- community driven projects
- embracing digital platforms to improve connectivity

What will we do?

- Increase connections between Council and local schools to develop stronger, mutually beneficial programs and partnerships.
- Explore the development of a youth street art program for schools and young people with less access to contemporary art practice, arts facilities and arts participation.
- Revise perceptions of what public art can be, and share and promote the benefits of socially-engaged public art
- Support literary programs for local writers across Council departments
- Conduct an annual audit of arts and cultural community groups and meeting spaces across Kingston to create a shareable resource.

What will we continue to do?

- Continue to conduct regular audience and participant surveys to improve the quality of services to the community
- Continue to improve the Kingston Arts website and maintain an active presence on social media in line with Council's Social Media Policy.
- Continue to utilise Council's online community engagement platform 'Your Kingston Your Say' to receive feedback on arts projects and policies.
- Continue to support arts activities and events facilitated by community groups within Kingston through spaces for hire, grants and strategic opportunities.
- Continue to operate Kingston's Arts and Cultural Advisory Committee and ensure it remains an effective mechanism for Council by inviting new committee members with diverse arts experience and expertise.

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*'Increase participation through schools, seniors groups, going to 'gathering places', universities, disability organisations and services.'*

*'A couple of times a year, have industry forums for local arts people such as a breakfast, to network, share and create.'*

*'Love the multicultural festivals celebrating how lucky we are to have such a diverse community.'*

*'Bring the arts to the people, rather than have them go to a specific event or place.'*

*'Build an arts social network that is led by the sector and supported by the sector.'*

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## Priority 5: Celebrated

### EMBRACING OUR UNIQUE HISTORY, HERITAGE, PLACES AND EVER CHANGING COMMUNITY

Kingston has much to celebrate with a large majority (78.5%) of the community feeling positive about their local area.<sup>27</sup> By celebrating our surroundings we create a sense of place that better informs us about our society and how much it has developed over time.

Council can play a leading role in this area by promoting our unique natural and built environments, safeguarding community assets and deepening engagement with historical sights and traditional Aboriginal gathering places.

Actions such as these not only benefit our local economy through increased cultural tourism but help shape a positive picture of the City we live in and the future we aim to build.

What will we do?

- In consultation with Aboriginal Elders continue to explore and mount artworks and placed based activities that expand understanding and interpretations of our Indigenous heritage.
- Research the feasibility of an integrated or temporary public art program that revitalises public places and spaces and celebrates Kingston's history and diversity.
- Demonstrate linkages between the arts, capacity building and local economic vitality by celebrating success stories within Kingston's creative sector.
- Investigate new digital evaluation tools to better measure our arts and cultural impact.

What will we continue to do?

- Continue to fund temporary and permanent art in public spaces that are meaningful, have local significance and community involvement
- Review and update Council's public art acquisition, commissioning and decommissioning policies to ensure best practice
- Protect Kingston's civic art collection by investigating suitable storage space and an artwork inventory management system.

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*'I want to know more about the indigenous peoples of our area.'*

*'Have creative installations that make people go 'wow'!*

*'Art needs to be meaningful, symbolic of our places and people.'*

*'We have the acknowledgement, we have got the sorry speech, we have got artwork by kids, they walk in here and they feel comfortable with the fact that they welcome aboriginal people and I think that really helps with their confidence, they feel part of the group. So that is what a lot of organisations re trying to do. How to make people feel comfortable coming in... using the arts to make people feel comfortable... Art can make people feel welcomed and valued because people are showing stuff, artworks, and artefacts.'*

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## Implementation and reporting

This Arts and Cultural Strategy outlines Council's commitment to arts and cultural provision for the community. The Arts and Cultural Services team will oversee and coordinate the implementation of the key actions in this Strategy. The team will also support and work collaboratively within Council and with external stakeholders and the community to implement agreed key actions. The team will monitor and report progress made on a regular basis.

GOALS	MEASURES
<b>Inclusive:</b> <i>Increase participation and access to arts</i>	<ul style="list-style-type: none"> <li>• Level of participation by CALD, seniors, youth and disadvantaged communities in cultural events.</li> <li>• Effectiveness of community evaluations to improve future planning and decision making.</li> <li>• Improvements to accessibility</li> <li>• Level of community satisfaction with outcomes of programmed activities.</li> </ul>
<b>Activated:</b> <i>Build capacity in our creative places and spaces</i>	<ul style="list-style-type: none"> <li>• Hire demand for Council operated venues for art and cultural related activities.</li> <li>• Council arts venues satisfy building audits and community requirements</li> <li>• Amount of tickets sold and attendance at programmed events</li> </ul>
<b>Enterprising:</b> <i>Strengthen our creative industries ecosystem to deliver greater economic impact</i>	<ul style="list-style-type: none"> <li>• Number of creative industries in Kingston.</li> <li>• Amount of people employed in creative occupations</li> <li>• Gross value added by creative industries in Kingston</li> <li>• Creative industries level of satisfaction with Council partnerships and processes for doing business</li> </ul>
<b>Connected:</b> <i>Improved social connections throughout our community</i>	<ul style="list-style-type: none"> <li>• Reach through social media activity</li> <li>• Evidence of planning and decision making being informed by community feedback</li> <li>• Schools and communities participating in arts programs</li> <li>• Evidence of new relationships formed across different communities and generations through Council run and/or community initiated arts programs</li> </ul>
<b>Celebrated:</b> <i>Enhance our creative impact and profile</i>	<ul style="list-style-type: none"> <li>• Amount of projects involving local creative talent</li> <li>• Community pride in local history and Council managed assets</li> <li>• Enhanced reputation and community interest garnered through strong programming and outcomes</li> <li>• Value of creative industries contribution to the local economy through sales, investment, reputation and brand</li> <li>• Value of cultural tourism</li> <li>• Value as a destination for large scale productions, entertainment and creative opportunities</li> </ul>



## Guiding principles

Realising the actions and goals outlined in this Strategy requires Council to consider the way it works with our community and partners. By defining a number of key guiding principles we will ensure this Strategy works effectively with the community to achieve its desired outcomes.

This will occur through an adherence to:

- A respect for diverse community interests through active listening, mutual understanding, effective communication and engagement
- An informed, evidence-based and representative decision-making process with accountable and transparent reporting
- Operating with integrity and engendering trust
- Striving to improve the quality of life, while balancing the challenges that come from population growth
- The responsible management of finances
- A flexible, can-do, innovative, best practice approach that achieves outcomes efficiently
- Building on our City's rich history of welcoming people from all over the world and provide an inclusive place to live, learn and work
- Leaving a positive legacy for future generations by strengthening community heritage and assets

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*'Art is the co-efficient of happiness'. Community member*

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## Development of this Strategy

### APPENDIX A.

#### OVERVIEW OF CONSULTATION PROGRAM

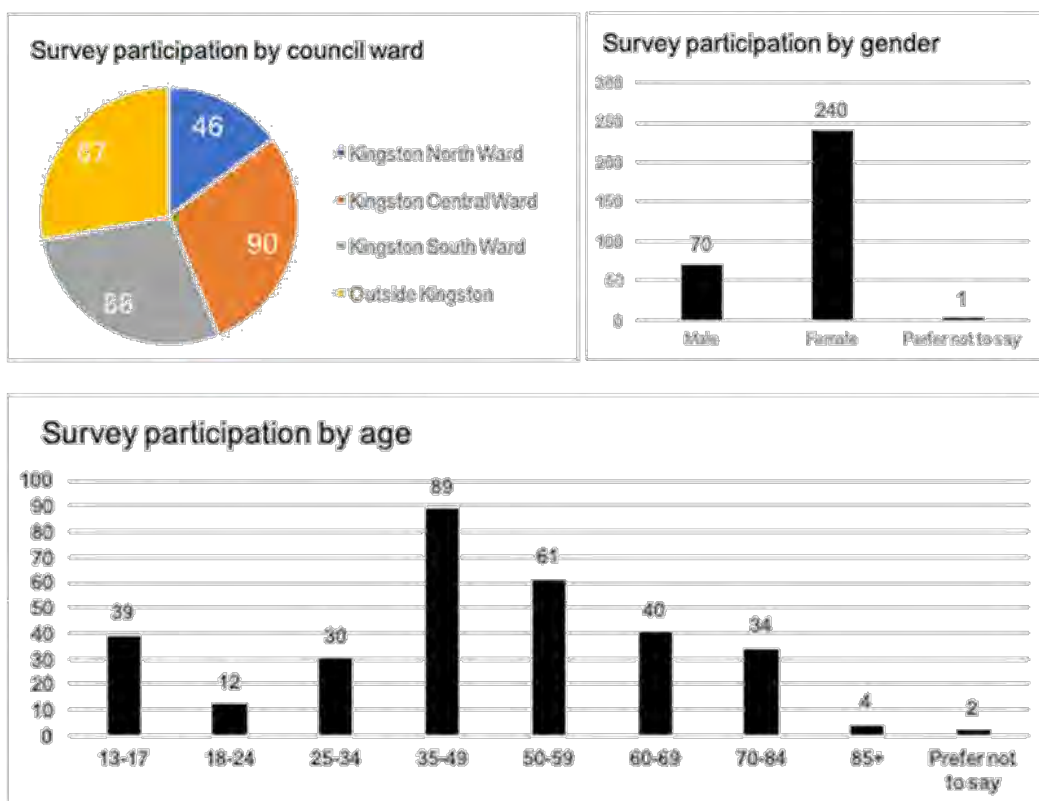
Community input for this strategy was captured through a variety of communication efforts, online activities and engagement options to encourage broad participation and generate quality input. Pop-up activities were conducted in Council arts venues and public locations across the municipality, written submissions were accepted via email and telephone calls and a small number of face-to-face interviews and workshops were conducted with key stakeholders of interest. As a result of these data gathering approaches, the participation outcomes presented in the below table were achieved.

ENGAGEMENT ACTIVITY	PARTICIPANTS
Your Kingston Your Say: Online survey responses	125
Your Kingston Your Say: Quick poll activity	31
Pop-up surveying: Dotmocracy activity	300
Pop-up surveying: Paper survey responses	154
Pop-up surveying: New idea submissions	49
Paper survey responses: Focus Groups, Kingston City Hall drop-box and post	32
Focus group participants (community)	11
Workshop participants (staff)	25
Workshop participants (community)	13
Written submissions	1
Interviewees	9
<b>Total participants engaged</b>	<b>750</b>

## PARTICIPATION OVERVIEW

While participant demographics were captured to varying degrees during the consultation period, available data shows a broad cross-section of the Kingston community and beyond participated:

- Many participants reside in Kingston and the majority are female
- Participants are a variety of ages, with many aged 35 to 49 years
- A large majority of participants speak English as the main language at home
- Participants live in a variety of household structures, many live with a partner/spouse and child(ren) or a partner/spouse
- While many participants do not identify with diversity characteristics, responses were received from individuals who identified with all prescribed diversity characteristics
- Participants included members of the general public with an interest in arts and culture, part-time and full-time hobbyists or professional artists, members of community arts groups, business operators, suppliers and students
- Many participants have been active in arts and culture in Kingston in the past 12 month's e.g. attendance at a public library, a market or an event or activity at a Kingston Art and Cultural Venue. Some participants have not attended or participated in arts and culture in Kingston in the past 12 months



## APPENDIX B.

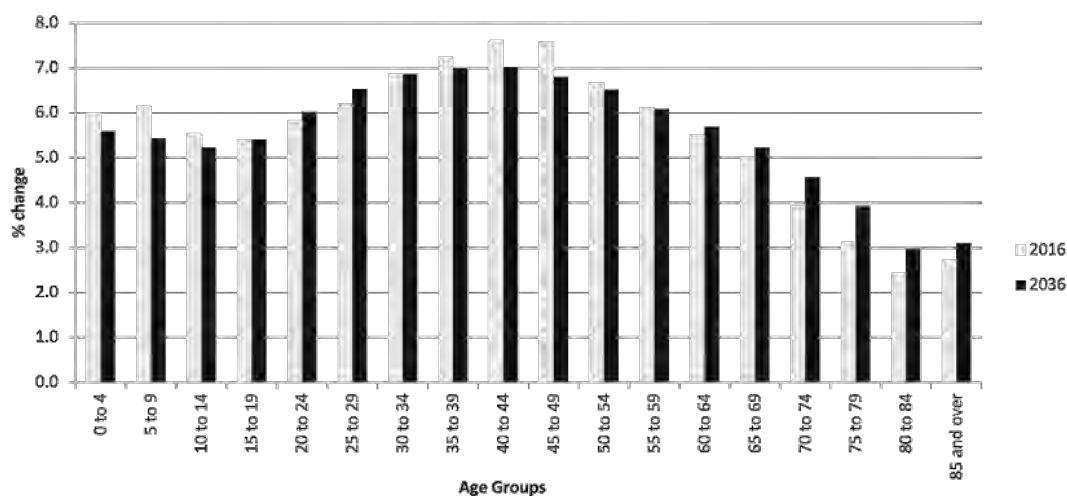
## KEY DEMOGRAPHICS - NOW AND LOOKING INTO THE FUTURE

This section presents information on age groupings, household structure, forecast dwellings and development, cultural diversity and a socio-economic index of relative disadvantage as well as arts and cultural community groups in Kingston.

**Ageing Demographics**

In 2016, Kingston's population of 159,023 people was spread across all age groups with the largest demographic being people aged 40-44 and 45-49 years. Looking towards 2036, Kingston's population will age at a rate consistent with the rest of Australia, and the most populous age groups will be slightly younger at 35-39 and 40-44 years.

Forecast population change by five year age groups 2016 to 2036

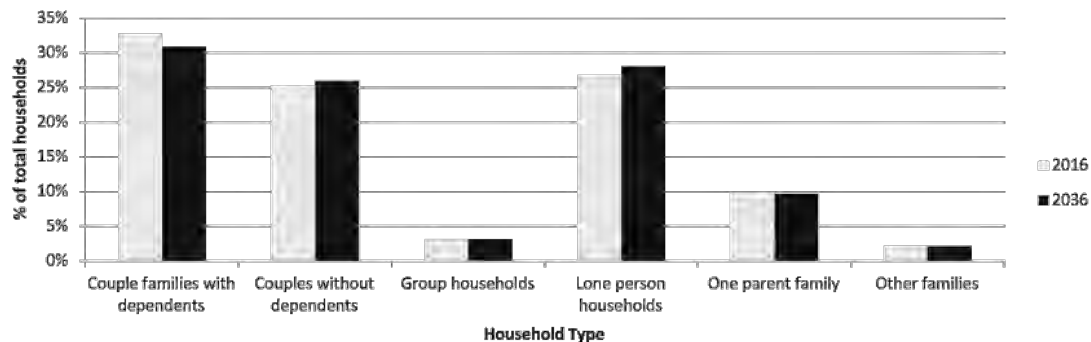




### Forecast household change

In 2016, there were 61,553 households in Kingston. This is forecast to increase by 17.8% to 74,910 in 2036. Further, the average household size in Kingston was 2.5 people, forecast to decrease to 2.44 people in 2036. The most prevalent household type in 2016 was couples with children with 20,144 households or 33% of all households. In 2036, there will be more people living alone.

### Forecast household type change 2016 to 2036



### Dwellings

Suburbs forecast to have the greatest increase in dwellings between 2016 and 2036 are Highett and Moorabbin with 124.6% and 93.5% growth. This forecast is particularly relevant to Creative Kingston 2022, as Kingston Arts Centre and Kingston City Hall are both located in Moorabbin. In 2016, there were 63,795 private dwellings in Kingston in 2016. This is forecast to increase to 77,276 in 2036.

### Culturally and Linguistically Diverse

Nearly one-third (31%) of the Kingston population in 2016 was born overseas, of which 22.7% were born in a non-English speaking country. The most prevalent countries of birth are the United Kingdom, India, China, Greece and New Zealand.

One-quarter (26%) of the Kingston population speaks a language other than English, of which 4.3% or 6,488 people speak English not well or not at all. These languages include Greek, Mandarin, Italian, Russian, Cantonese, Vietnamese, Hindi, Punjabi, Arabic and Filipino/ Tagalog.

Many culturally and linguistically diverse community members live in Clarinda, Clayton South, Oakleigh South and Waterways.

### Disadvantaged Areas

Socio-economically disadvantaged areas could particularly benefit from improved access to affordable arts and cultural spaces, activities and events. The Socio-Economic Indexes For all Areas (SEIFA) developed by the ABS rank areas according to relative socio-economic advantage and disadvantage. In 2011, the most disadvantaged areas in Kingston were located in Clayton South, Clarinda, Chelsea, Bonbeach and Carrum.

### Community Activity

There are a variety of arts and cultural community groups actively serving Kingston which provide opportunities for partnership and collaboration. Council hosts 'My Community Life', which is a website for local community groups to promote events and volunteering opportunities.

## APPENDIX C. COUNCIL STRATEGIES, PLANS AND POLICIES

This Arts and Cultural Strategy acknowledges and complements several Council plans and strategies. As demonstrated by the variety of documents listed below, there are many opportunities for cross-collaboration between Council departments and the community:

- Aboriginal Policy and Action Plan 2014-2019
- Coastal Management Plan 2014
- Council Plan 2017-2021
- Disability Action Plan 2015-2019
- Family and Children's Strategy 2013-2017
- Festival and Events Policy
- Graffiti Management Plan 2012-2017
- Kingston Energy Efficiency Strategy 2012-2017
- Kingston Integrated Water Cycle Strategy 2012 (as part of Council's sustainability plan)
- Kingston Positive Ageing Plan 2014-2019
- Kingston Property Strategy 2017-21
- Kingston Public Health and Wellbeing Plan 2017-2021
- Library Strategic Plan 2017-2021
- Living Kingston 2035
- Multicultural Action Plan 2017-2021
- Positive Aging Plan 2014-2019
- Prosperous Kingston – a framework for economic sustainability 2016
- Youth Strategy 2012 - 2016

## Acknowledgements

Council would like to acknowledge the community members who generously gave their time to participate and provided quality input to inform the development of this Strategy. We also acknowledge the Arts and Cultural Advisory Committee and the Arts and Cultural Development team for guiding the Plan's development as well as input and support provided by staff across Council.

The execution of the community engagement program and development of this Strategy was supported by Cochrane Research Solutions.

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<sup>11</sup> <https://creative.vic.gov.au/news/2018/art-trumps-sport-in-the-latest-figures-from-live-performance-australia>

<sup>12</sup> Audience Atlas Victoria, Morris, Hargreaves, McIntyre, State Government of Victoria 2014 p. 7

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<sup>20</sup> id consulting 2015, City of Kingston population forecast, <http://forecast.id.com.au/kingston>

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<sup>22</sup> id consulting 2016, City of Kingston community profile, 2016 ABS Census, <http://profile.id.com.au/kingston>

<sup>23</sup> id consulting 2011, City of Kingston social atlas, 2011 ABS Census, <http://atlas.id.com.au/kingston>

<sup>24</sup> Social Inclusion as a Determinant of Health and Wellbeing, Research Summary 2. VicHealth Mental Health and Wellbeing Unit, January 2005, p. 2

<sup>25</sup> Social Inclusion as a Determinant of Health and Wellbeing, Research Summary 2, ibid. p. 4

<sup>26</sup> Ibid. p.5

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## Arts and Cultural Strategy 2018-22

### Wrap up from Deliberation Workshop 4 July 2017, 6pm to 8pm at Kingston Arts Centre

#### Attendees:

Arts and Cultural Advisory Committee: Lisa, Barbara

Kingston Arts team: Christine, George, Justin, Jenni, Marcie, Michelle and Vince

#### Facilitator:

Robyn Cochrane, Cochrane Research Solutions

#### **Theme 1: Increasing participation and access**

- *Increasing opportunities*
- *Increasing activity in Council owned arts and cultural spaces*
- *Building on existing arts and cultural assets in the community*
- Continue to provide assistance and funding to support emerging talent and local creatives
- Facilitate collaborative partnerships that support arts and culture in Kingston
- Provide flexible, versatile, accessible multi-purpose spaces
- Provide in-venue activities and spaces available at affordable rates
- Building on existing arts and cultural assets in the community - events and activities as well as the public art collection

#### **Theme 2: Strengthening our Creative Sector**

- *Strengthening arts and cultural connections and partnerships across Kingston*
- *Exploring digital and emerging technologies*
- Establish a directory and calendar to easily access to arts and culture
- Increase marketing and promotional efforts
- Using technology to increase participation in arts and culture activities
- Affordable arts and culture in Kingston – for artists, groups and audiences
- Provide a range of activities that appeal to specific segments of the community

#### **Theme 3: Showcasing our places, diversity and proud heritage**

- *Exploring the role and benefits of public art*
- *Exploring heritage and cultural tourism opportunities*
- Ensure new public art is meaningful, has local significance and involvement
- Refreshing the audit of public art and civic collection in Kingston (where it is, condition report, maintenance program and assessment of relevance to community)
- Cultural tours and trails that showcase arts and culture in Kingston
- Celebrating Kingston's multi-culturalism and diversity through art
- Considering a variety of public art forms

**Theme 4: Delivering social and economic impact**

- *Benefits and positive impact through arts and culture*
- *Strengthen Council's arts and cultural provision for greater impact*
- Social cohesion outcomes
- Mitigate possible threats/challenges (income generation, competition for time/entertainment, competition from other venues and Councils)
- Strengthen internal relationships within Council
- Individual health and well-being outcomes
- Build on the existing strengths (such as team, facilities, programs, existing audiences and relationships)

**Other point to note:**

Define what economic development means for art and culture across Kingston and Victoria

27 August 2018

**Agenda Item No: 10.3**

### **RESPONSE TO NOTICE OF MOTION NO. 6/2016 - CR GLEDHILL - DRAFT MOORING POLICY FOR MORDIALLOC CREEK - UPDATE**

**Contact Officer: Angela Granter, Acting Team Leader Property Services**

#### **Purpose of Report**

The purpose of this report is to provide an update on the Notice of Motion No. 6/2016, following the report presented to the July 2018 Ordinary Meeting of Council

#### **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.

#### **OFFICER RECOMMENDATION**

That Council:

1. Cede Committee of Management of the Mordialloc Creek waterway Section A moorings to the Crown;
2. Transfer to the Department of Environment, Land, Water and Planning the development of the Mooring Policy; and
3. Support a community based Committee of Management approach to managing the Mordialloc Creek

#### **1. Executive Summary**

At the 23 July 2018 Ordinary Meeting, Council considered a further report in response to Notice of Motion No. 6/2016 Draft Mooring Policy for Mordialloc Creek. In considering this report Council resolved the following:

1. Note the proposed consultation actions to be undertaken with Mordialloc Creek Stakeholders; and
2. Consider a further report on this matter at the August 2018 Council Meeting.

Subsequently consultation on the draft Mooring Policy has been undertaken with the Mordialloc Creek stakeholders that are represented by the Mordialloc Creek Community group. Feedback received at the time of writing this report is:

- Mordialloc Boating and Angling Club - see appendix 1. The feedback received in July 2017 was considered by officers and referenced in the report considered by Council at the Ordinary Meeting of 28 August 2017; and
- Mordialloc Motor Yacht Club – see appendix 2



The Department of Environment, Land, Water and Planning (DELWP) are currently managing the development of the Mordialloc Creek Master Plan and this provides Council with an opportune time to cede mooring management for Section A to the Crown. A consistent and equitable approach to mooring management is in the best interests of all mooring holders and the transfer of the management of the Section A moorings to the Crown would facilitate this. The Mordialloc Creek Master Plan has as one of its key objectives *address the long standing issues of moorings and dredging/maintenance* and the development of a Mooring Policy is considered a key component of this.

## **2. Background**

At the Ordinary Meeting of Council of 29 March 2016, Council resolved:

### **12.4 Notice of Motion No. 6/2016 - Cr Gledhill - Draft Mooring Policy for Mordialloc Creek**

**Moved: Cr Gledhill**

**Seconded: Cr Ronke**

1. That officers prepare a draft mooring policy for Mordialloc Creek which will provide clear and unambiguous direction to boat owners and creek users as to their rights and responsibilities and clearly explain the roles for which Council is responsible. The policy also provide advice relating to all applicable fees and charges.
2. That as part of the policy development officers should assess the need for a harbour master or similar. Further, that advice as to how such a role may be funded would also be required.

At the 25 June 2018 Ordinary Meeting, Council considered a report in response to Notice of Motion No. 6/2016 Draft Mooring Policy for Mordialloc Creek. Council resolved:

### **10.2 Response to Notice of Motion No. 6/2016 - Cr Gledhill - Draft Mooring Policy for Mordialloc Creek**

**Moved: Cr Gledhill**

**Seconded: Cr Brownlees**

That consideration of this item be deferred to the July Ordinary Meeting of Council to allow for a meeting to be convened with the stakeholders in question.

The pre-arranged regular meeting of the Mordialloc Creek Community group was scheduled for 20 July 2018 which was after the deadline for finalisation of reports for the July 2018 Ordinary Meeting.

This report provides an update on the Mordialloc Creek Community group discussions, including the outcome of the consultation on the draft Mooring Policy.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs

Direction 1.1 - Intergenerational land use planning for a sustainable community

### **3.2 Consultation/Internal Review**

Consultation on the draft Mooring Policy has occurred with a significant number of the Mordialloc Creek stakeholders through representation via the Mordialloc Creek Community group. This group consists of:

- All Boats Marine
- Mordialloc Boating and Angling Club
- Mordialloc Motor Yacht Club
- Mordialloc Fishing and Boating Club
- Mordialloc Sailing Club
- Mordialloc Traders
- Pompei Marine
- Roll-a- Pipe Pty Ltd

At the meeting held on 20 July 2018, Council officers requested feedback on the draft Mooring Policy, which had been circulated prior to the meeting. Stakeholders were encouraged to provide feedback directly to Council. The following feedback has been received:

- Mordialloc Boating and Angling Club - see appendix 1. The feedback received in July 2017 was considered by officers and referenced in the report considered by Council at the Ordinary Meeting of 28 August 2017; and
- Mordialloc Motor Yacht Club – see appendix 2

At the meeting of 20 July 2018, it was brought to Council's attention that individual mooring holders not represented by the stakeholders comprising of the Mordialloc Creek Community group had not been notified of the draft Mooring Policy. Should Council elect to proceed with the development of the policy, which is not recommended, individual mooring holders would be invited to comment on the draft policy.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Creek management and Mooring management**

Creek management and mooring management are related issues and cannot be dealt with separately. Mooring management will be dealt with as part of the Mordialloc Creek Master Plan which is currently being developed by the DELWP in consultation with the community and key stakeholders. If Council were to continue to manage Section A (not recommended), the development of the Mooring Policy would progress and broader public consultation would be undertaken.

#### **3.3.2 Harbour Master or similar role**

With the development of the Mordialloc Creek Master Plan, the potential role of a Harbour Master, Mooring Master or similar should be addressed and accordingly the draft Mooring Policy is silent on this issue.

### **3.4 Options**

#### **3.4.1 Option 1 – Preferred option - Cede Committee of Management of the Mordialloc Creek waterway Section A moorings to the Crown and transfer the development of the Mooring Policy to the Department of Environment, Land, Water and Planning (DELWP) in its capacity as convenor of the development of the Mordialloc Creek Master Plan.**

The DEWLP are currently managing the development of the Mordialloc Creek Master Plan with the following objectives:

- Develop a master plan that sets out a vision
- Develop a strategy on how to get there
- Address the long standing issues of moorings and dredging/maintenance

In developing the Master Plan, the DELWP have committed to community consultation, research and stakeholder engagement with the aim of establishing 20 year asset management programs and directing the future improvements of the Mordialloc Creek. This commitment provides Council with an opportune time to extricate itself from mooring responsibility for Section A. A consistent and equitable approach to mooring management is in the best interests of all mooring holders and the transfer of Section A mooring management to the Crown would facilitate this. With the management of the Section B Moorings now transferred to the DELWP, the transfer of the Section A Moorings to the DELWP would result in Council no longer having an active role in the management of the Mordialloc Creek and the need for Council to have a Mooring Policy would become redundant. Accordingly no further work on the Mooring Policy would be undertaken by Council.

**3.4.2 Option 2 – Council continue to manage the Section A moorings and accordingly progress the development of the Mooring Policy**

Stage 1 consultation on the draft Policy is now finalised. This involved consultation with the Mordialloc Creek Community group. At the meeting of 20 July 2018, it was brought to Council's attention that individual mooring holders not represented by the stakeholders comprising of the Mordialloc Creek Community group had not been notified of the draft Mooring Policy.

Accordingly an extended period of consultation would be required to enable formal public consultation to occur which would include notifying individual Section A mooring holders of the draft Mooring Policy.

## **4. Conclusion**

### **4.1 Environmental Implications**

The longstanding issue of dredging is a key objective of the Mordialloc Creek Master Plan. This is crucial in managing the environmental impact of increasing silt levels and congestion further up the creek.

### **4.2 Social Implications**

The development of the Mordialloc Creek Master Plan provides the opportunity for a long-term creek management framework to be developed.

### **4.3 Resource Implications**

If Council were to continue to manage Section A moorings, in the longer term resource implications will need to be considered.

**4.4 Legal / Risk Implications**

In the event that the DELWP undertake management of Section A Moorings, a transition plan would need to be developed.

**Appendices**

Appendix 1 - Response from Mordialloc Boating & Angling Club - draft Mooring Policy (Ref 18/506370) [↓](#)

Appendix 2 - Response from Mordialloc Motor Yacht Club - draft Mooring Policy (Ref 18/506383) [↓](#)

Author/s:	Angela Granter, Acting Team Leader Property Services
Reviewed and Approved By:	Julian Harvey, Manager Property, Arts and Leisure Services
	Daniel Freer, General Manager City Assets and Environment



## **10.3**

### **RESPONSE TO NOTICE OF MOTION NO. 6/2016 - CR GLEDHILL - DRAFT MOORING POLICY FOR MORDIALLOC CREEK - UPDATE**

- 1    Response from Mordialloc Boating & Angling Club - draft  
     Mooring Policy..... 575**
- 2    Response from Mordialloc Motor Yacht Club - draft Mooring  
     Policy..... 581**

**Angela Granter**

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**From:** Andrew Stewart [REDACTED]  
**Sent:** Sunday, 19 August 2018 2:00 PM  
**To:** Angela Granter  
**Cc:** David Flew  
**Subject:** Fwd: Draft Mooring Policy  
**Attachments:** MBAC Draft Mooring Policy Review - July 2017.pdf

Hi Angela

David is away overseas for a few weeks.

I have reviewed the current draft mooring policy and confirm that MBAC has not further comments in addition to those provided in July 2017 (copy attached). Note that some of the grammatical / minor issues raised by MBAC have subsequently been addressed.

Regards

Andy Stewart | **Treasurer / Secretary** | [REDACTED]  
**Mordialloc Boating and Angling Club**  
[www.mordiallocboatclub.com](http://www.mordiallocboatclub.com)



## Mordialloc Boating and Angling Club Inc. A0028176B

Established 1946

PO Box 5036 Mordialloc Vic 3195

Enquiries: [info@mordiallocboatclub.com](mailto:info@mordiallocboatclub.com)

[www.mordiallocboatclub.com](http://www.mordiallocboatclub.com)

### MBAC Review of Draft Mordialloc Creek Mooring Management Policy

#### Title Page

Two Trim references 15/5813 and 17/95328. ?

#### General

The document contains a number of grammatical errors. While they do not affect the objectives of the policy, they do make the policy difficult to read and interpret.

#### Examples

- Poor sentence structure, poor grammar, poor punctuation in various sections
- Use of varying terminology:
  - objective / aim
  - boat / vessel
  - port / harbour / wharf
  - Licence / Permit / Mooring Licence / Private Mooring Licence / tenancy
  - City of Kingston / Council / Kingston
  - Mooring Licence Holder / licence holders / holder of a licence / licensee / holder / permit/licence holders
  - Termination / forfeiture
  - Historical / Heritage
- Repeated phrases
  - 9.2 a) "case by case"
  - 9.4 "must be registered"
  - 14 – last paragraph

#### Definitions

The following need definition:

- Heritage / Classic Boat
- Higher risk activities

#### 1. Objective of the policy

See section 3

"maintenance" – what does this related to? There appears to be no reference in policy to maintenance issues

#### 2. Scope

"..the management of the boat launch ramp (located on Governor Road)..". In a meeting on 20 June, John Nevins stated "the council was not responsible for the management of the Governor Road ramp, Parks Vic was". Clarification requested.

## Mordialloc Boating and Angling Club Inc. A0028176B

“.. applies to all boat moorings ..”, does this document apply to commercial moorings ?

### 3. Objectives

Repeated heading and content from 1. Objective of the Policy ?

Mordialloc Creek is not a “Port”

No commercial fishing vessels operate from Mordialloc Creek

Key activities - no reference to the maintenance and repair of “heritage boats”?

“..historical and classic timber boats..” – not all historical and classic boats are timber

### 4. Policy Statement

“sound Asset Management Principles”. What is meant by this, is this defined by council?

### 5. Responsible Executive

### 6. Policy Owner

### 7. Related Documents

The following internal document are also referenced, but not included in this section:

- Application Form
- Licence Agreement
- User fees and Charges

Are all the referenced internal documents available for review?

### 9. Council Mooring Licence Principles

9.1 Registered Owner – registration does not confirm ownership. Registration can also be in the name of a company or association.

9.1 “without the Licence would be unlawful” –what law does this relate to?

9.2 What does the “etc” refer to in 9.2?

9.2 “.. or its representative ..” licence agreement is between council and licensee, so how would this work?  
Is there a plan to subcontract out the licencing also?

9.2 a) Reference to “partner or spouse”, however also states the license is “personal” and licensee is the “registered owner of a boat”. How does this work?

C9.2 c) “..application form completed by the holder of the licence” if applying for a licence, obviously not already a holder of a licence.

9.2 d) if the licence ceases, it can’t be “allocated”

9.4 “seaworthy” – does not relate to registration



## Mordialloc Boating and Angling Club Inc. A0028175B

9.4 "if the boat uses (or is capable of using) an engine" does this mean that boats that other types of boats (eg non-powered) may be considered for moorings?

9.5 "comprehensive insurance policy" – why is comprehensive insurance required, wouldn't 3<sup>rd</sup> party be the minimum?

9.5 "upon request" this is redundant as 12. states "required to provide ... prior to issue of licence" and proof of continuance ... on yearly basis"

### 10 Allocation

This entire Section is very confusing! Section appears to relate mainly to replacement of boats, not "Allocation"

1<sup>st</sup> sentence should read "more than one licence"? , however why only one mooring / licence?

What happens to current individuals with more than one boat / mooring?

Does this restriction extend to holder of mooring in both A and B Sections?

Does any part of the Policy apply to "commercial moorings"? If not, state this under 2. Scope, not here. If it does, include a section for "commercial moorings"

Reference to "private mooring tackle"?

Paragraph 3 Includes reference to "purchaser" – not relevant?

Why requirement to submit details of existing boat" doesn't council already have this?

Why should licence be terminated, can't licence holder nominate an alternative boat or keep the existing one ?

".. published limits of the mooring" does this exist?

Paragraph 4 Why introduce term "vendor". Isn't this the Licence Holder?

"must be of similar style and heritage". There are many styles of heritage boat, why cant you change style?

What if council rejects replacement boat? Is there an appeals process?

### 11 Waiting Lists

Much of this section is policy / objectives, move to relevant Sections

Section is primarily about the "Historical Boat Register", doesn't really discuss "Lists" and how the process actually works

Why are two separate lists needed?, why not just one "waiting List" with preference to heritage boats?

No information on how to apply, forms, what information needs to be provided etc

Definition of a "Historical / Heritage Boat"?

Why the need to refer to "A Section" when there is only one part of the creek that CoK controls?

## Mordialloc Boating and Angling Club Inc. A0028176B

### 12 Insurance

"All.." – redundant

Why are two sections relating to insurance needed? Implies that two separate insurance policies are required. Merge with 9.5?

What is a "high risk activity"?

Last paragraph – can CoK provide confirmation of legalities of this statement?

### 13 Standard Conditions of Licence

Is a copy of the Terms and Conditions available for review?

### 14. Termination of Licence

d) "bankruptcy" – Relevancy? How would this be checked? Is proof to be provided by Licence Holders? Does an existing mooring holder or applicant need to confirm they are not a bankrupt before being granted a licence?

d) "corporation". Previous section states that Licence can only be issued to an individual?

e) "unlawful act" relevancy? This can range from a speeding fine to murder? Does an existing mooring holder or applicant need to submit to a police check before being granted a licence?

f) "vessel is un-seaworthy" – how is it assessed and by who? Are on-board inspections required?

Last 3 paragraphs      poor grammar  
"for management reason" ?  
"that another use requires the land for any period" ?

Last Paragraph      WHY IS UPPER CASE REQUIRED?  
"..temporary or permanent closure.." doesn't relate to "Termination of Licence"  
"Licenced Area"?  
Repeat of clause from paragraph above relating to "losses incurred arising from the termination of a Mooring Licence"

### 15 Auditing

Poor grammar

Insurance – why is this needed if already required to be provided upon granting licence and renewal

Repeated points

Subjective terms such as "neat, tidy, quality"

Is there a list of approved and unapproved fittings?

### 16 Licence Fees

a) "category of mooring"?

b) change of "registration number to another"?

d) "tenancy" ?

e) "permit"?

**Angela Granter**

---

**From:** Byron Douglas [REDACTED]  
**Sent:** Wednesday, 22 August 2018 12:12 AM  
**To:** Daniel Freer; Angela Granter  
**Cc:** John Wilson; MMYC  
**Subject:** Draft Mooring Policy  
**Attachments:** MMYC Mooring Standards Plan.pdf

Hi Daniel and Angela,

Apologies for the delay in responding - its been a busy time at the club but we have finally been able to send through a response.

I would like to begin by thanking Council for continuing to draft this document and for the consultation that has been undertaken through the Mordialloc Creek Community - it's been very helpful.

The comments on behalf of MMYC are as follows:

The MMYC has been established for 93 years at Mordialloc Creek and manages on behalf of Council approx 90 moorings which are available to senior members of the club. MMYC ensures that these moorings are full (probably achieves 98% or thereabouts with occupancy) and ensures that the administration is completed for these moorings. This work saves Council a significant amount of work and assist in ensuring the moorings are largely used on a regular basis as they are provided to active members. Over the years the club has developed a lot of technical expertise in ensuring that boats are properly selected for their respective moorings.

- The club would like the policy to reflect the on going practice of the MMYC continuing to manage 90 moorings (and would always be willing to manage more if the opportunity arose). There is no reference in the policy to MMYC managing moorings and would be appropriate in section 10. The policy should also reflect that only MMYC members can be allocated to a MMYC mooring.
- Given that the club is managing the moorings we do not think its appropriate for club members to pay the bond for each licence. It will become too costly for members and this will jeopardise the future membership of the club.
- 
- One of the objectives of the policy should be to provide moorings for people who want to actively engage in boating activities. - The creek should not become a storage yard for unused boats.
- The policy needs to relate to the appropriate Ports and Harbours legislation so that the policy can be enforced, especially with mooring lines and action re being able to move boats on when its no longer appropriate to have them in a creek mooring. It is particularly difficult to move boats or to take action against boats that are likely to sink or are unseaworthy.
- In relation to assignment on death or very serious illness (9.2) the club is concerned that a period of 12 months is allowed from the date of death. We would recommend a period of 3 months with teh option for Council to extend. Otherwise Council may find a boat unattended for 12 months or it may be in the hands of an inexperienced person that may result in damage to other people's boats
- Currently the insurance stated of \$20M insurance is too much - \$10M is the usual for policies. This needs to reflect the current market insurance availability and needs to change over time.
- Termination of licence (section 14) - termination of a licence should be considered if mooring vacant after 3 months (currently 6 months) or if mooring lines are not to standard or the boat is in danger of causing damage to other boats. There are numerous moorings that are only used for three weeks a year and these mooring tenants have threatened to cut mooring lines or sink the boats if they are not moved out of their mooring. This sort of behaviour is unacceptable.

- Termination also ceases when the owner ceases to own or control the boat - this might need to be defined clearer - ie what is control? Are you in control of the boat if you have moved to QLD??
- Auditing (section 15) - MMYC recommends Council adopting the attached mooring plans for the policy as the plans provide clear direction on how to moor a boat and the thickness of lines to be used. Broken mooring lines are one of the biggest causes of damage to boats (especially other peoples) in the creek. The policy should also state that Council will engage a contractor if lines are deemed to be not up to standard or a safety risk and the boat owner will be invoiced for this service.
- If a boat is unable to move under its own steam, deemed derelict and not rectified through notification maybe it could be removed from the creek by a salvage company and cost of doing so sent to owner of the boat.
- It would be good to have some designated short term moorings that are reserved for moving problem boats or when mooring fixings break and cant be fixed quickly by contractors.

Please don't hesitate to contact me should you have any queries.

Cheers

Byron



**Byron Douglas | Commodore**  
Mordialloc Motor Yacht Club

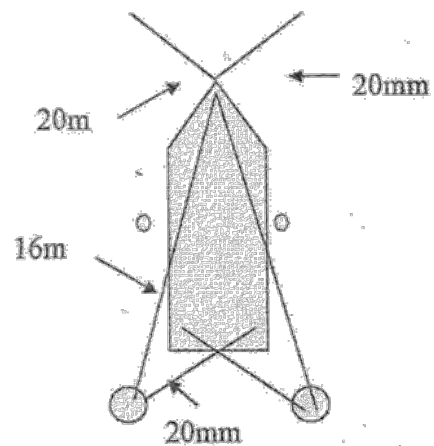


W: [www.mmyc.com.au](http://www.mmyc.com.au)

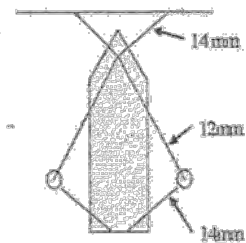


# MMYC Mooring Standards

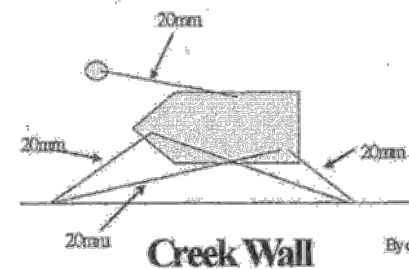
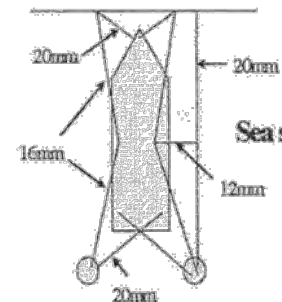
Island over 26 feet or two tones



Island & Hotel Wall



South Wall



Rope size shown are minimum d  
Synthetic rope is recommended

By order of the Committee... September

# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 10.4

## MORDIALLOC BOWLS CLUB - SECTION 223 COMMITTEE REPORT AND LEASE

Contact Officer: Angela Granter, Acting Team Leader Property Services

### Purpose of Report

The purpose of this report is for Council to:

- Note the report from the section 223 Committee that met on 30 July 2018 to hear submissions from submitters that had requested to be held;
- Consider all the submissions received under section 223(1) of the *Local Government Act 1989* (Act); and
- Authorise and direct the CEO or his delegate to execute the lease on the advertised terms as resolved at the 25 June 2018 February 2018 Ordinary Meeting of Council.

### 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.

### OFFICER RECOMMENDATION

That Council:

1. Note the minutes of 30 July 2018 of the section 223 Committee;
2. Consider all the submissions received; and
3. Authorise and direct the CEO or his delegate to execute the lease on the advertised terms as resolved at the 25 June 2018 Ordinary Meeting of Council.

### 1. Executive Summary

At the Ordinary Meeting of 25 June 2018, Council resolved to establish a section 223 Committee in hear submissions in relation to the proposed lease terms for the Mordialloc Bowls Club.

Three submissions were received with two submitters requesting to be heard. The section 223 committee met on 30 July 2018 with the key issue being the equitable inclusion of the 'bar clause' in Council leases with sporting clubs. Refer to appendix 1 for the submissions and appendix 2 for the minutes of the section 223 Committee. Responses to each of the submissions will be provided following Council's consideration.

## **2. Background**

Officers have been in discussions with the Mordialloc Bowls Club since March 2017 regarding the negotiation of a new lease. Various issues within the lease have been deliberated over which ultimately led to officers are unable to proceed as the requested terms were beyond delegation and require Council determination. At the Ordinary Meeting of 25 June 2018, Council resolved to:

1. Approve the Club's request to redirect proceeds from the '2% bar clause' to a new sinking fund account that will be used for the sole purpose of facility improvements;
2. Approve the Club's request for a lease term of 15 years in recognition of the significant capital expenditure on the bowling greens;
3. Authorise and direct the CEO or his delegate to publish a notice in accordance with Section 190 of the Local Government Act 1989 advising of Council's intention to enter into a lease with the Mordialloc Bowls Club including the following terms:
  - Rent: \$3,922 per annum plus GST plus 2% of 'Gross Bar Takings' from previous financial year to be directed to the club's new annual sinking fund;
  - Review: Annual 2% increases compounding annually; and
  - Term: 15 years (7+4+4);
4. Appoint Cr West, Cr Brownlees, Cr Gledhill, General Manager City Asset & Environment and Manager Property, Arts & Leisure to hear any submissions received and that any submission be heard at 4.30pm on 30 July 2018 or other suitable time; and
5. In the event no submissions are received, authorise and direct the CEO or his delegate to execute a lease on the advertised terms.

Three submissions were received (refer to appendix 1) and two submitters requested to be heard. The section 223 Committee met on 30 July 2018. Refer to appendix 2 for the minutes of the section 223 Committee.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs

Direction 1.3 - Infrastructure and property investment for a functional city now and into the future

### **3.2 Submissions**

Three submissions were received. These are summarised below with the full submissions annexed to this report – refer to appendix 1 *Mordialloc Bowls Club – Public Submissions*.

	<b>Submission</b>
<b>1.</b>	<b>Peter Cochrane Received 12 July 2018</b>  <i>Issues raised:</i>  Council's inconsistent inclusion of the 2% bar clause in leases with sporting clubs.

	<b>Submission</b>
	<p><b>Officer comment</b></p> <p>The 2% rental clause for groups with a liquor licence was included in the schedule of Fees and Charges within the 2018/19 Budget which was adopted on 25 June 2018 and was subject to statutory consultation pursuant to section 223 of the <i>Local Government Act</i> 1989. Property Services is now reviewing the current leases with all sporting clubs to ensure there is an equitable approach to the inclusion of 2% of gross takings for clubs that hold a liquor licence.</p>
<b>2.</b>	<p><b>Brian Douglas Received 12 July 2018</b></p> <p><i>Issues raised:</i></p> <ul style="list-style-type: none"> <li>• Alcohol shouldn't be a vehicle for Council raising money</li> <li>• 2% should be imposed on every Sporting Club</li> <li>• Clubs on Council owned land should pay 2% to be consistent</li> </ul>
	<p><b>Officer comment</b></p> <p>As above</p>
<b>3.</b>	<p><b>John Widdowson Received 16 July 2018</b></p> <p><i>Issues raised:</i></p> <p>Lack of equality in Council applying the 2% bar clause.</p>
	<p><b>Officer comment</b></p> <p>As above</p>

### **3.3 Consultation/Internal Review**

Officers have been in discussions with the Mordialloc Bowls Club since March 2017 regarding the negotiation of a new lease. Various issues within the lease have been deliberated over and ultimately led to a point where officers are unable to proceed as the requested terms are beyond delegation and require Council determination. The two key terms are:

1. Lease term – The club has requested a term greater than nine years which officers are unable to approve under delegation; and
2. 2% Gross Bar Sales Clause – The club does not agree to the '2% clause' on the basis that the money generated from the bar through the efforts of volunteer bar staff should go back into the club and not to Council.

Officers have agreed with the club to present the request to Council in order to seek direction and resolution on how to proceed. Officer's recommendation is to formally respond to the club stating that in these circumstances, Council will accept the redirection of the 2% bar clause proceeds to a new sinking fund and recommend to Council that a long term lease be offered to the club in recognition of the significant investment made in the bowling greens.

It is worthwhile noting that in the period 2012/13 to 2018/19 to date (inclusive of current works) Council will have spent \$332.5K on works at the Mordialloc Bowls Club.



### **3.4 Operation and Strategic Issues**

#### **3.4.1 Parity of the 2% bar clause**

All three bowls clubs with full liquor licences have a 2% bar clause. Two clubs with restricted liquor licenses and one club with a renewable limited licence do not have the 2% bar clauses.

<b>Club</b>	<b>Lease expiry date</b>	<b>Bar clause</b>	<b>Liquor licence type</b>
<b>Moorabbin Bowls Club</b>	30/06/2026	Yes	Full Club <sup>1</sup>
<b>Mordialloc Bowls Club Inc</b>	30/06/2009	Yes	Full Club <sup>1</sup>
<b>Clayton Bowls Club Inc</b>	26/06/2020	Yes	Full Club <sup>1</sup>
<b>Parkdale Bowling &amp; Social Club Inc</b> <b>2016/17 Bar Sales \$51,603</b> <b>2% = \$1032</b>	31/03/2018	No	Restricted Club <sup>2</sup>
<b>Edithvale Bowling Club Inc</b>	30/12/2021	No	Renewable Limited <sup>3</sup>
<b>Chelsea Bowling Club Inc</b>  <b>July 2017 - 2% bar clause was omitted in error. Council officers met with Club representatives and requested that the Club consider amending the lease to include the additional 2%. Subsequently the Club Committee unanimously decided to not alter the executed lease.</b> <b>2016/17 Bar Sales - \$26,831.56</b> <b>2% = \$536.63</b>	30/06/2026	No	Restricted Club <sup>2</sup>

#### <sup>1</sup> **Full club licence**

This licence authorises the licensee to supply liquor on the licensed premises to a member of the club for consumption on and off the licensed premises and to an authorised gaming visitor or a guest of a member for consumption on the licensed premises.

#### <sup>2</sup> **Restricted club licence**

A restricted club licence authorises the licensee to supply liquor on the licensed premises to a member of the club, an authorised gaming visitor or a guest of a member for consumption on the licensed premises.

#### <sup>3</sup> **Renewable limited club licence**

This licence authorises the club to supply liquor on the licensed premises to a member or guest of a member for consumption in the licensed clubrooms and may include additional approvals.

Property Services is currently undertaking an audit of all sporting clubs leases to ascertain the number of clubs currently operating with a lease containing (or not containing) a 2% bar clause.

**4. Conclusion**

**4.1 Environmental Implications**

Nil

**4.2 Social Implications**

The Mordialloc Bowls Club has a long history of social connectivity and encouraging recreational opportunities that the provision of ongoing security of tenure recognises. The club has displayed its commitment to improving its facilities for the benefit of the sport and the community that surrounds the sport.

**4.3 Resource Implications**

Financial implications that may occur as a result of redirecting the proceeds from the '2% Clause' would be a reduction in Council revenue by approximately \$1,000. Leases of 10 years or more require public advertisements to be placed in local papers at a cost of approximately \$1,000.

**4.4 Legal / Risk Implications**

Leases provide Council with an effective mechanism for managing the risk associated with the occupation of Council's property by others. Contemporary lease terms that respond to emerging risks are essential. The inclusion of option extensions in long term leases enables Council to make any required adjustments to documents to appropriately respond to emerging risks and liabilities.

**Appendices**

Appendix 1 - Mordialloc Bowls Club Lease – Public Submissions (Ref 18/486277) [↓](#)

Appendix 2 - Section 223 Committee Report - Mordialloc Bowls Club - Lease (Ref 18/483253) [↓](#)

Author/s: Angela Granter, Acting Team Leader Property Services  
Reviewed and Approved By: Julian Harvey, Manager Property, Arts and Leisure Services  
Daniel Freer, General Manager City Assets and Environment

# 10.4

## MORDIALLOC BOWLS CLUB - SECTION 223 COMMITTEE REPORT AND LEASE

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**From:** Peter & Lorraine [REDACTED]  
**Sent:** Thursday, 12 July 2018 9:03 AM  
**To:** Steve Staikos; Geoff Gledhill  
**Cc:** [REDACTED]  
**Subject:** Mordialloc Bowls Club Lease

Hi Mayor Steve and Ward Councillor Geoff,

One of our club members drew my attention to this weeks Mordialloc Chelsea Leader newspaper where under the General Notices section was a City of Kingston renewal of lease for the Mordialloc Sailing Club.

It detailed years of lease and rental but there was no clause that said they had to pay a 2% levy on their gross bar sales. When the bowls club renewal of lease was gazetted last week it mentioned under cost the 2% levy on Gross bar sales.

I have been told countless times by council staff that all sporting and community groups within the City of Kingston have to pay this 2% levy.

Why then can the City of Kingston advertise in the Leader newspaper that the Mordialloc Sailing Club will be exempt this 2% levy charge ?

If what is written for residents to see and comment on why are we as a bowls club expected to pay a 2% levy when other sporting clubs in the area will be exempt.

Can I just say that from the start of lease renewal negotiations the club has been against having to pay this 2% levy and think it is just a revenue raising exercise by council.

Will leave this with you to sort out.

Regards Peter



12 July 2018

Mr N Black

Acting Property Manager

Arts and Leisure Services

City of Kingston

PO Box 1000

Mentone VIC 3194

CITY OF KINGSTON

16 JUL 2018

- ☐ PERMANENT  
☐ 1 - 2 YEARS  
☐ 3 - 10 YEARS  
☐ 11 - 35 YEARS

Dear Mr Black

Re: Proposed Lease of Council Land – Mordialloc Bowls club

I wish to put a submission to Council regarding the proposed lease, as described in the Public Notice section of The Leader newspaper.

My complaint is against the proposed 2% of 'Gross Bar Takings' which is being imposed on the Club. I was involved in the final discussion on this proposed lease and in these discussion was advised that, in future, all Club leases were to include this impost. We accepted this in good faith.

We now find that other Clubs are not having to have this tariff imposed on them. I notice that in a recent issue of The Leader that Mordialloc Sailing Club does not have this 2% levy on bar sales included in their listing of the lease requirements.

Our small Club, which is run by volunteers, seems to be being picked on here. We expect the Council to apply lease requirements in an even manner, especially where this extra requirement means the Club does not have full control over its finances.

I ask that the 2% levy on bar sales be removed from the Mordialloc Bowls Club Inc. lease.

Regards,



John Widdowson

M and J Widdowson  
 1B Daryall Court  
 Cheltenham VIC 3192

2/199 Nepean Highway

Aspendale, Vic 3194

5 July 2018

Mr Nicholas Beck

Kingston City Council

Acting Manager Property

Arts and Leisure Services

PO Box 1000, Mentone Vic 3194

**Re Proposed Lease of Council Land -38 McDonald St Mordialloc**

**Dear Sir**

I wish to make a submission about this matter as a ratepayer

I have administered sporting Clubs for 50+ years in this Council and its predecessor. I am appalled by the 2% provision of your proposal for the following reasons

- I object to Volunteers working to raise money for Council, particularly in this case such people being aged people predominately over 65 years of age and also not covered by Council insurance etc. whilst raising revenue for them
- Alcohol shouldn't be a vehicle for Council raising money
- If my comments are to be ignored or disregarded, the principle of the 2% should be imposed on every Sporting Club lease or rates no matter the nature of the Club's purpose e.g. lifesaving, footy, cricket (senior and junior), tennis, soccer etc.
- Their lease last year was \$3794, the years prior \$4548 and \$3602. The proposal now is \$3922+2% of bar sales and increase of 3.4% on last year. Other Sporting Clubs do not pay this amount. For example Mordialloc Football and Cricket have paid nil and have all maintenance done (The Bowls Club does their own)
- Other Bowling clubs such as Edithvale (a larger land mass) and Chelsea, Parkdale pay substantially less and no 2%. Clubs on owned land such as Mentone /Cheltenham should pay 2% in their rates to be consistent

Further I know this Club in the last 8 years has

- Paid \$270000 towards their synthetic greens
- Paid \$60000 towards their sports lighting
- Have maintained and improved their surrounds without any help from Council
- Make their Clubrooms and greens freely available to the Community incl your staff

I would keep quiet if the 2% was removed and other Clubs have a lease payment commensurate

Further if this submission is ignored or rejected, can you tell me who I can appeal the decision to please

Brian Douglas



CITY OF  
KINGSTON

## Section 223 Committee Report

DATE 30 July 2018 @4.30PM  
Chelsea Room, 1230 Nepean Highway, Cheltenham

**Present:** Cr Ron Brownlees OAM  
Cr Rosemary West OAM  
Mr Daniel Freer  
Mr Julian Harvey

**In attendance:** Angela Granter, Acting Team Leader Property Services

### 1. Apologies

Cr Geoff Gledhill

### 2. Foreshadowed Declaration by Councillors or Officers of any Conflict of Interest

There were no Conflicts of Interest submitted to the meeting.

### 3. Submissions

It is recorded that John Widdowson presented to the meeting on his submission. The key issue discussed was lack of equality in Council applying the 2% bar clause to sporting clubs within the City of Kingston.

It is recorded that Peter Cochrane presented to the meeting on his submission. The issues raised were:

1. Opposition to the 2% on gross bar sales.
2. Would only consider paying the 2% if:
  - All sporting and social clubs had to pay it; and
  - If the monies raised went into a sinking fund and not directly into Council income.
3. Consistency in applying in the 2% on gross bar sales across sporting and social clubs and that Council does not automatically apply the 2% requirement.

It is note the Phil Hardy (the Club's current President) attended with Mr Cochrane (the Club's immediate prior President).

### 3. Submission consideration

The Committee noted that three formal submissions were received on the Mordialloc Bowling Club Lease and these will be considered at the Ordinary Meeting of Council on 27 August 2018.

The meeting closed at 5.35pm.

**Confirmed**

**Mr Julian Harvey (Committee Chair)**

**31/7/2018**

*community inspired leadership*

18/483253 PAGE 1



# Ordinary Meeting of Council

27 August 2018

**Agenda Item No: 10.5**

## **DRAFT LEASE AND LICENCE POLICY**

**Contact Officer: Angela Granter, Acting Team Leader Property Services**

### **Purpose of Report**

The purpose of this report is to provide an update on the Draft Lease and Licence Policy.

### **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.

### **OFFICER RECOMMENDATION**

That Council:

1. Adopt the draft Lease and Licence Policy for the purpose of community consultation;
2. Receive a report at the October Ordinary Meeting of Council summarising the outcome of the community consultation; and
3. Consider a revised Lease and Licence Policy for adoption at the October Ordinary Meeting of Council.

### **1. Executive Summary**

Council's current Leasing Policy was adopted in 2004. Officers commenced an in depth review of the policy in 2017 which included considerable internal consultation. A report and draft Lease and Licence Policy was presented at the Councillor Information Session on 19 March 2018.

Subsequently the draft Lease and Licence Policy has been updated (Policy). Refer to appendix 1 for the draft Policy. The changes to the draft Policy since March 2018 are:

- Where a 2% 'bar clause' is applicable, a sinking fund has been introduced to be used for the renewal or replacement of property improvements
- Introduction of long lease terms
- A change in obligation for the applicability of the rent incentive and a cap of 50% rental reduction through third party community use
- Dealing with rental arrears through annual reporting to Council that will include:
  - o Payment plans
  - o Restricting access
  - o Interest charges
  - o Debt collection
  - o Lease termination.
- Clear expression that tenants with unpaid rent are ineligible to access the Annual Grants Program.

It is recommended that the draft Policy be publicly exhibited for community consultation for 28 days along with existing Group 1 (fully subsidised e.g. kindergartens) and Group 2 (majority subsidised e.g. sporting clubs) tenants being individually notified of the consultation. A report summarising the outcome of the community consultation along with a proposed Lease and Licence Policy will then be tabled for adoption at the October 2018 Ordinary Meeting of Council.

## **2. Background**

In 2004, Council adopted a Leasing Policy to establish guiding principles to effectively manage Council's leased and licensed assets. The policy sought to standardise lease agreements and set fees and charges to be applied to occupancies of Council owned and controlled land. The key intent was provide consistency in the way Council managed its property portfolio.

Councillors were briefed on the key aspects of the draft Lease & Licence Policy at the Councillor Information Session (CIS) on 9 October 2017. Internal consultation was subsequently undertaken and a revised draft Lease and Licence Policy was presented at CIS held on 19 March 2018.

Issues raised:

- Policy position on the transparent and consistent treatment of rental arrears has also be raised (see 3.2.6)
- Consideration of additional information in regard to installation and maintenance of security systems in Council facilities (see 3.2.5).

A summary of the changes to the draft Policy since it was discussed at CIS in March 2018 is provided below in part 3.2 of this report.

## **3. Discussion**

### **3.1 Council Plan Alignment**

Goal 1 - Our well-planned, liveable city supported by infrastructure to meet future needs

Direction 1.3 - Infrastructure and property investment for a functional city now and into the future

The revised policy will provide a framework for how Council deals with its property portfolio that is principled based, providing a consistent approach to property leasing and licencing.

### **3.2 Consultation Plan**

On adoption of the draft Policy for the purpose of public consultation, it is proposed that the draft Policy will be exhibited publicly via the *yourkingstonyoursay* website with a public notice in the Leader newspapers. Existing Group 1 (fully subsidised e.g. kindergartens) and Group 2 (majority subsidised e.g. sporting clubs) tenants will be individually notified of the opportunity to provide feedback on the draft Policy.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Policy approach [clause 4]**

Leases and licences that:

- Maximise community benefit;

- Protect the rights of Council and tenants;
- Are fair and provide equity and inclusion; and
- Are simple and transparent.

**3.3.2      Sinking fund for tenants with a liquor licence [clause 5.4 and 5.18]**

The 2% rental clause for groups with a liquor licence was included in the schedule of Fees and Charges within the 2018/19 adopted budget. Where this rental is applicable, funds are to be set aside by the tenant in a sinking fund to be used for the renewal or replacement of property improvements. The 2% shall apply gross sales of alcoholic beverages only. Guidance will be provided to clubs on how to properly account for sales. The utilisation of the funds is to be reported on in the tenant's annual report and annual financial statements.

**3.3.3      Lease term [clause 5.5]**

- 50 years (maximum term) – Ground leases involving significant tenant investment and non-council sourced funds of over 85%;
- 21 Years – dedicated use facilities with established users who have historically established and built the facilities or make a significant financial contribution to the redevelopment of the property (greater than 20%), stable administration and foreseeable proper fit with Councils Strategic direction – Lifesaving clubs- Bowling Clubs, Yacht Clubs;
- 4-9 years –leases where longer term criteria are not met but the tenant has an established history and good strategic fit with Councils objectives are offered leases of up to 9 years; and
- 1-3 Years – Leases of up to 3 years are offered generally to new tenants to allow for the establishment of the tenant.

**3.3.4      Incentive for rent credit for shared use [clause 5.6]**

The onus for to qualify for the incentive rental credit is on the tenant to provide documentary evidence of the third party(ies) use of the facility. It is proposed that each approved third party use will attract a 10% discount on rental. A tenant's rental can be reduced up to a maximum of 50% through individual third party regular usage. Liquor rental components do not attract a discount. The discount shall not apply to venues that operate gaming.

**3.3.5      Standard terms and conditions [clause 5.7]**

Standard lease documents will not be varied with special conditions added at the discretion of the Manager Property, Arts and Leisure. It is proposed that a model lease be made available online with standard terms and conditions including standard maintenance schedules to ensure consistency and transparency in the leasing process. In regard to the installation and maintenance of security systems, the standard maintenance schedules deal with this issue, for example, for Group 1 tenants Council is responsible for the upgrade of the security system as required. For Group 2 and 3 tenants security system obligations rest with the tenant.

**3.3.6      Rental arrears [clause 5.28]**

The draft Policy makes it explicit that tenants with unpaid rent are ineligible to access the Annual Grants Program.

The draft Policy sets out a five stage process for the collection of unpaid rent as follows:

- Stage 1** Within the first 60 days, the Property Services Department will attempt to collect the unpaid rent. This will be done through regular contact with the tenant including, but not limited to, face to face discussion, telephone conversations and emails. Council officers will keep an accurate record of all action taken.
- Stage 2** After a further 60 days a payment plan arrangement will be offered to the tenant. The tenant will be informed at this time, that if there is no agreement to discuss payment plan options, the matter of unpaid rent will escalate.
- Stage 3** After 150 days the tenant will be informed that interest will now accrue from this date onwards on the unpaid rent.
- Stage 4** After 180 days Council's debt collection agency will be instructed to send a Final Demand Letter in an attempt to prompt a response from the tenant.
- Stage 5** Officers will provide for Council consideration a recommendation on the treatment of any outstanding debt supported by documentary evidence of each step having been undertaken, responses received and consideration of demonstrated circumstances on their merits.

Council will decide on the appropriate course of action. This includes:

- restricting access
- lease termination

A report will be presented annually to Council detailing each tenant's compliance with the essential terms of their lease over the preceding 12 months. This report will include recommendations to address any non-compliance matters and the status of unpaid rent collection based on the 5 stage process above.

#### **4. Conclusion**

Council properties are valuable public assets and it is essential that they are managed transparently and equitably. The draft Lease and Licence Policy guide Council officers, existing and potential tenants and improve community awareness of Council's approach for leasing Council property.

##### **4.1 Environmental Implications**

Not applicable.

##### **4.2 Social Implications**

Sporting and community groups occupy a substantial number of Council buildings and with Council support through rental subsidy and capital investment, this supports community service delivery into the future.



**4.3 Resource Implications**

Council continues to bear the greatest burden of cost for maintenance, renewal, compliance and insurance for each tenanted or licensed property. The draft Policy, redirects the revenue from the 2% bar clause from Council to a tenant sinking fund and as a result Council will collect less in revenue.

**4.4 Legal/ Risk Implications**

There is external legal oversight of the standard lease document which is not varied. Any special conditions are added at the discretion of the Manager Property, Arts and Leisure. It is proposed that a model lease be made available online with standard terms and conditions to facilitate transparent leasing processes.

**Appendices**

Appendix 1 - DRAFT Lease & Licence Policy (Ref 18/14839) [↓](#)

Author/s:	Angela Granter, Acting Team Leader Property Services
Reviewed and Approved By:	Julian Harvey, Manager Property, Arts and Leisure Services Daniel Freer, General Manager City Assets and Environment

# 10.5

## DRAFT LEASE AND LICENCE POLICY

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# Lease & Licence Policy

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## 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 City Assets and Environment
POLICY OWNER	Manager Property Arts and Leisure Services
ADOPTED BY	Council on Select date
REVIEW DATE	31/08/2022
CM REF AND VERSION	18/14839
VERSION HISTORY	

## 2 Purpose

The purpose of this policy is to provide a framework for a consistent, fair and transparent allocation of Council owned and managed facilities. This policy establishes guiding principles to maximise community access to Council facilities for existing and emerging communities.

## 3 Scope

This policy applies to all Council owned and controlled properties including freehold and Crown Land to which Council has been appointed as the Committee of Management. The policy does not apply to property that is occupied by Council.

## 4 Policy Statement

Council recognises the significant contribution Community based clubs and organisations provide to the community in the achievement of the objectives set out in the Council Plan. The relationship with Council and its tenants is supported by Leases and Licences that:

- Maximise community benefit
- Protect the rights of tenants and Council
- Are fair and provide equity and inclusion
- Are simple and transparent

## 5 Policy Details

### 5.1 Lease

**Leases are used to grant the exclusive use of a property for a term in excess of 1 year. The seasonal use of property by different sporting codes is accommodated by granting seasonal leases for pavilions.** Council has three categories leases for the purposes of establishing the level of subsidy provided to determine the rental and maintenance regime:

- Group 1 - Fully subsidised - eg Kindergartens  
 Group 2 - Majority subsidised - eg Sports Clubs  
 Group 3 - No subsidy - Commercial tenants

Group 1	Example	Rent
Community not for profit groups.  Have limited capacity to generate significant income.  Must be an incorporated association. Subsidy Range: >99%	Kindergartens Historical Societies Life Saving Clubs Community Centres Seniors Groups	Minimum rent Set by User Fees and Charges in annual budget to cover administration costs.



Group 2	Example	Rent
Community, sporting and recreational not for profit groups. Have some capacity to generate significant income (i.e. bar sales, commercial hall hire). Rent is subsidised by Council. Must be an incorporated association.  Subsidy Range: 75%-99%	Tennis Clubs Pony Clubs Soccer Clubs Netball Clubs Yacht Clubs Football Clubs Cricket Clubs Hockey Clubs	Rent is a percentage of the depreciated replacement value of the facility. Where the Tenant has exclusive use of land then an additional rental calculation of a percentage of the value of the land is added.
Group 3	Example	Rent
Commercial Tenants  Subsidy Range: 0%	Tour De Café APT SunnyBoy Cafe	Rent is market value.

## 5.2 Licence

**Licences are used to grant a non-exclusive right to occupy a property for a term exceeding 1 year.** Licences are granted for the use a property shared with another licensee or the community generally. A license will be used to allocate a sports club with access to an oval for training and matches that at other times is available for use by the general community. Council will use licenses to maximize the use of property for the benefit of the community and recognise the seasonality of sporting uses of recreation facilities.

## 5.3 Occupation Agreement

Short term occupation on a perennial basis will be provided via an occupation agreement in recognition of the reoccurring use of property and associated community benefit.

## 5.4 Rental

Council is committed to providing access to property for the benefit of the Kingston community. Council does not seek to derive profit from leases in Group 1 or Group 2.

- Leases in Group 1 are offered at a peppercorn rental,
- Leases in Group 2 are offered at a significant subsidy and based upon the value of the building that is to be leased.
- Leases in Group 3 are purely commercial and are offered at market rates and on market terms.

The rental for leases is calculated as follows:

<b>Group 1</b>	Minimum rent set by the User Fees and Charges annual budget.
<b>Group 2</b>	0.2% of the depreciated replacement asset value
<b>Group 3</b>	To be based on market value.

Tenants that have a liquor licence are required to set aside, in an approved Sinking Fund, 2% of Gross Bar Sales to help fund improvements and maintenance of the

Property. Funds must be directed to the renewal or replacement of improvements at the property. Funds are not be used for operational costs or tenants fixtures, fittings and chattels. The utilisation of funds is required to be reported in the annual report and accounts of the tenant.

Tenants that operate gaming from a Council property are not entitled to access any subsidy for that part of the premises that is licensed and will enter into a rental based on an annual fee per electronic gaming machine benchmarked with like facilities.

### 5.5 Lease Term (not applicable to Group 3)

Council recognises that organisations need to be certain about their future to enable them to support the community, plan for investment and capitalize upon volunteerism. Lease terms fall into 4 Categories and are based upon the circumstances of the tenant and the strategic direction of Council:

- **Maximum term** – 50 years – Ground leases involving significant tenant investment and non-council sourced funds. of over 85%
- **21 Years** – dedicated use facilities with established users who have historically established and built the facilities or make a significant financial contribution to the redevelopment of the property (greater than 20%), stable administration and foreseeable proper fit with Councils Strategic direction – Lifesaving clubs- Bowling Clubs, Yacht Clubs.
- **4-9 years** –leases where longer term criteria are not met but the tenant has an established history and good strategic fit with Councils objectives are offered leases of up to 9 years.
- **1-3 Years** – Leases of up to 3 years are offered generally to new tenants to allow for the establishment of the tenant.

### 5.6 Shared Use Incentives

Councils aim's is to increase community usage of all facilities incentives as a way of encouraging clubs to share their facilities with the Community an incentive is available to Group 1 and Group 2 Tenants . **The incentive is not available to Group 3 tenants or facilities that include gaming. Liquor rental component does not attract a discount.**

#### 5.6.1 Incentive Formula

Council will credit a tenant's account with a maximum of 10% reduction of rent for each third party Community Group usage on a regular and recurring basis.

A tenant's rental can be reduced up to a maximum of 50% through third party community group usage.

#### 5.6.2 Eligibility & Application

In order to qualify for the incentive tenants must provide the User Coordinator with documents as evidence of the benefit to the local community together with the terms of the third parties group's use of the facility. Based on the submission and benefit to the community, the User Coordinator will either recommend approval of the 10% reduction, reduce the percentage discount or reject the reduction in its entirety. Tenants are encouraged to discuss potential shared use with their User Coordinator prior to making commitments.

*An example of the operation of the incentive scheme*

Mordialloc Sports Club (MSC) occupy the Ben Kavanagh Pavilion paying \$10,000/year in rent. The Mordialloc Men's Shed would like a space to meet weekly on a Tuesday afternoon and cook a BBQ for their members. MSC offers their pavilion for \$1/week and a \$20/week contribution to utilities. Council approves the arrangement and authorises a reduction of 10%, equating to \$1,000 ( $\$10,000 \times 10\% = \$1,000$ ).

### 5.6.3 Eligibility and selection of a tenant

- Have User Coordinator support.
- Be an incorporated association or equivalent;
- Be a not for profit community based organisation (unless a commercial Tenant);
- Have open membership to the general public or to residents of the City of Kingston;
- Maintain appropriate insurances, including public liability;
- Have an appropriate risk management plan; and

## 5.7 Standard Conditions

Council is committed to reducing unnecessary administration and has adopted standard lease, licence, occupancy agreements and maintenance schedules which form the basis of all tenancy agreements. The Standard documents have been reviewed and legally drafted to ensure the rights of tenants and Council are protected. These standard documents will not be varied.

Special Conditions can be added to agreements to address specific circumstances at the discretion of the Manager Property, Arts and Leisure. No special condition shall be included to invalidate an essential term or to hamper the intent of Council. Council reserves its right to pass on any costs incurred as a result of requests for inclusion of Special Conditions.

Selecting the most appropriate agreement will be determined by the type of tenant, use, level of access required and length of occupation.

Negotiations and execution of a new lease or licence shall be finalised within six months of the lease or licence being given to the Tenant for signing. If the date for finalisation of the lease or licence has passed (and a further extension of the negotiation deadline has not been granted) the Tenant shall be deemed an occupier on a month to month arrangement subject to determination at Council's sole option..

Each lease or licence shall include (but not limited to) the following annexures:

- Plan of the premises,
- Standard maintenance schedule,
- Service agreement. Special conditions may be included to meet specific requirements of Council or the Tenant.

## 5.8 Maintenance

A maintenance schedule is included in lease and licence agreements and outlines the obligations and responsibilities for each party. The level of maintenance required is based on the capacity of the Tenant to maintain the premise, generate income, fee structure and whether the tenant has installed assets, fittings and fixtures.

Tenants must ensure they budget for regular maintenance of their leased or licenced premises in accordance with their maintenance schedule. Prior written consent from Council must be obtained before undertaking any works on the facility. Council must be consulted prior to the Tenant applying for any grants for capital improvements, fittings or fixtures. Below is a summary table of what each schedule dictates in terms of maintenance, for more detail please read the schedule within the lease or licence.

Schedule 1	Schedule 2	Schedule 3
Generally for Group 1 tenants, schedule places the onus on Council to complete a majority of maintenance.	Generally for Group 2 tenants, schedule calls for Council to complete all structural maintenance whilst the tenant will complete all other maintenance items.	Generally for Group 3 tenants, the schedule calls for all maintenance to be completed by the tenant other than what is required by law as the landlord.

## 5.9 Insurance and Risk Management

Council will insure at full replacement value all Council owned improvements, excluding fencing, lighting, synthetic surfaces, chattels or contents.

All Tenants are required to take out public liability insurance noting the interest of Council. The minimum cover is \$20 million.

## 5.10 Occupational Health and Safety obligations

The Tenant or Licensee must have in place appropriate evacuation plans and participate in emergency drills. Tenants are required to adhere to occupational health and safety requirements and essential safety measures in the building.

## 5.11 Hazard and incident reporting

Tenants must inform Council immediately of any:

- Hazards that are related to Kingston City Council infrastructure and have the potential to cause injury to any person.
- Incidents which resulted in or had the potential to cause injury to any person whether a part of the tenant's organisation, or a member of the public.

## 5.12 Casual third party hire (not applicable to Group 3)

Some Tenants may be permitted to hire the premises to third parties for one off events. The Tenant must have an appropriate hire agreement, policy and schedule of fees available to the community and must be provided to Council upon request.

It is the responsibility of the Tenant to ensure the third party has appropriate insurances and permits.



The Tenant must agree to charge a maximum of cost plus 20% of the direct expenses incurred as a result of making the facility available for community groups.

Upon demand the tenant must provide to Council a statement of direct costs. A list of all hirers must be given to Council upon request. Council may also require that the Tenant contribute a percentage of the revenue received towards maintenance of the facility or provide evidence that the revenue has been spent on the facility.

#### **5.13 Outgoings**

All Tenants are required to pay for outgoing and in a multiuse facility shall be responsible for their portion of the outgoing. The relevant department manager shall determine the apportionment of outgoing.

#### **5.14 Subletting**

Council generally does not support subletting, however in some cases may approve on application a sublet to a complimentary use. Subletting is the assignment of part of the leased area to a third party for exclusive occupation.

#### **5.15 Hours of Use (not applicable to Group 3)**

The Tenant must vacate the leased area by midnight. All functions must cease at 11.30pm or earlier if in accordance with other relevant regulations and permits.

#### **5.16 Liquor Licence**

All Tenants must obtain written consent from Council prior to applying for a new liquor licence or applying for an amendment to a liquor licence. Council reserves its rights to object to any expansion or intensification and withhold any permission at its sole discretion.

#### **5.17 Gambling**

The Tenant must not permit any gambling or lotteries to be conducted in a Council facility without the appropriate Council approvals and permits. Council will have regard to the scale and intensity of any gaming activity conducted by a tenant determine the rental to be charged from the property. It is the policy of Council that no subsidy should apply to that part, or parts of the premises in which gaming activity is conducted or supported. **Council does not support any additional gaming on its property and will work with tenants to reduce gaming.**

#### **5.18 Reporting**

All Tenants are required to provide various reports as a condition of their agreement, which may include but not limited to: annual report (including office bearers, financial statements), a list of hirers that used the premises in the previous financial year, business plan or strategy.

#### **5.19 Community Benefit (not applicable to Group 3)**

All Tenants must deliver direct and indirect benefits to the community in areas such as health and wellbeing, support services, social inclusion, cultural and

recreational activities. These community benefits are to be reported annually to the User Coordinator.

#### **5.20 Environmental Sustainability**

Council is committed to reducing its environmental footprint. Council strongly encourages tenants and users of its facilities to employ and utilize environmentally sustainable practices to improve the environment.

#### **5.21 Signage**

The Tenant must seek Council's prior written consent and obtain the necessary planning permits before erecting any signage at the Premises. Council will only support signage that identifies the tenant(s) occupying the space. Any and all advertising signs of sponsors are to be temporary signs that are removed at the end of each day.

#### **5.22 Child Safe Standards**

Any Tenant that is engaged in activities which involve children must comply with the Child Safe Standards pursuant to the Child Wellbeing and Safety Act 2005 (Vic) as amended from time to time.

#### **5.23 Working with Children**

The Tenant must ensure that the Tenant's employees and volunteers are required to apply for a Working with Children Check under the Working with Children Act 2005 have done so before working with children on Council land.

#### **5.24 End of tenure**

Prior to the expiry of the Term, Council will review the use of the Premises to assess the strategic requirements of Council and to determine the suitability of entering into a new lease with the tenant. This review is to be undertaken by the User Coordinator with the assistance of the existing occupant and Councils Community Buildings and Property Services Departments. The review will include

- The Tenant's current services, and programs, and the tenant's capacity to provide proposed services and programs.
- Whether the Tenants use of the Property is well/fully utilised;
- Whether the Tenant has adhered to the terms of the agreement including maintenance obligations;
- Whether the Tenant's service provides community benefit to the municipality;
- Whether the Tenant's service continues to be relevant to and within the municipality.

#### **5.25 Commercial Agreements**

Council owns and manages several commercial properties within the municipality. Leases and Licences to occupy Property for commercial purposes are set by either a competitive market mechanism such as an 'Expression of Interest' campaign (E.O.I) or by a market valuation by a suitability qualified property valuer.

### **5.26 New or Refurbished Buildings**

Council will not allow access to a new or refurbished building without a prior lease or licence in place.

### **5.27 Diversity and inclusion (not applicable to Group 3)**

Council recognises that a gender inclusion gap exists in sports. Council encourages clubs to achieve gender equality and diversity by actively pursuing strategies to include female participation in recreational sport at all levels including, on field, operations and administration.

### **5.28 Unpaid Rent & Compliance Reporting**

**Tenants with unpaid rent are ineligible to access the Annual Grants Program.**

The process for collection of unpaid rent is as follows:

- Stage 1** Within the first 90 days, the Property Services Department will attempt to collect the unpaid rent. This will be done through regular contact with the tenant including, but not limited to, face to face discussion, telephone conversations and emails. Council officers will keep an accurate record of all action taken.
- Stage 2** After a further 60 days a payment plan arrangement will be offered to the tenant. The tenant will be informed at this time, that if there is no agreement to discuss payment plan options, the matter of unpaid rent will escalate.
- Stage 3** After a further 150 days the tenant will be informed that interest will now accrue from this date onwards on the unpaid rent.
- Stage 4** After a further 180 days Council's debt collection agency will be instructed to send a Final Demand Letter in an attempt to prompt a response from the tenant.
- Stage 5** At this stage Officers will provide for Council consideration a recommendation on the treatment of any outstanding debt supported by documentary evidence of each step having been undertaken, responses received and consideration of demonstrated circumstances on their merits.

Council will decide on the appropriate course of action. This includes:

- restricting access
- lease termination

A report will be presented annually to Council detailing each tenant's compliance with the essential terms of their lease over the preceding 12 months. This report will include recommendations to address any non-compliance matters and the status of unpaid rent collection based on the 5 stage process above.

## **6 Delegation Authority and Decision Guidelines**

A variation or exemption from policy will only be approved by Council. Such an exemption request must be made in writing and outline the reason and rationale behind the requested exemption.

### 6.1 Human Rights Charter

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

## 7 Related Documents and Resources

Building Act 1993

Children's Services Act 1996 and Children's Services Regulations 2004

Child Wellbeing and Safety Act 2005

Crown Land Reserves Act 1978

Education and Care Services National Law 2010

Equal Opportunity Act 2010

Gambling Regulation Act 2003

Liquor Control Reform Act 1998

Local Government Act 1989

Occupational Health and Safety Act 2004

Planning and Environment Act 1987

Retail Leases Act 2003

Tobacco Act 1978

## 8 Transition arrangements

This policy applies to all leases struck after the adoption of this policy by Council. Existing Group 1 and Group 2 tenants may request their current lease to be brought under the provisions of this Policy, upon agreement by Council a new lease will be provided and lease surrender will be executed.

## 9 Definitions

<b>Depreciated Asset Value</b>	The current replacement cost of an asset less, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset.
<b>Lease</b>	A contract under which the lessor (Council), grants exclusive possession of land to a tenant (group or organisation) for a specified purpose and term.
<b>Licence</b>	A contract under which the licensor (Council), grants non-exclusive use of land to a licensee (group or organisation) for a specified use and period.
<b>Committee of Management</b>	A committee appointed by the State Government to manage Crown Land.
<b>Community Group</b>	A recognised not-for-profit organisation or group of people who are link by social ties or share common perspectives who engage in joint action that is of ultraistic motivation intended to advance the community.



<b>Crown Land</b>	Lands reserved and/or administered under the Crown Land (Reserves) Act 1978, Land Act 1958 and Forests Act 1958 forming the Crown Estate in Victoria.
<b>Permitted Use</b>	The use to which Council agrees for a property to be used by a tenant.
<b>Property</b>	The land together with any improvements including buildings.
<b>Outgoings</b>	The expenses directly attributable to the operation, maintenance or repair of the Property. These include, gas, water, power, rubbish removal, grease traps, etc.
<b>Maintenance</b>	Everyday repairs that need to be carried out as a result of fair wear and tear.
<b>Seasonal Allocation</b>	The short term licence granted by Council to a licensee to use an area on specific dates and times for a specific purpose.
<b>Service Agreement</b>	An agreement between Council and tenant whereby the tenant agrees to provide a specified service to the community in exchange for subsidised access to a property.
<b>Tenant Commercial Operator</b>	An organisation or business that provides goods, services or activities for financial gain.
<b>User Coordinator</b>	The first port of call and main Council officer that acts as a conduit between a 'User' (tenant) and all of Council's departments.
<b>Sinking Fund</b>	A bank account formed for the purpose of periodically setting aside money for the eventual refurbishment, renovation or replacement of a wasting asset.

## Ordinary Meeting of Council

27 August 2018

Agenda Item No: 10.6

### **RESPONSE TO NOTICE OF MOTION NO. 15/2016 - CR BROWNLEES - PLANNING POLICY (PARKING AND REAR SETBACKS) AND TO NOTICE OF MOTION NO. 20/2018 CR HUA - IMPACT OF MULTI-UNIT DEVELOPMENT ON PARKING**

Contact Officer: Alex Reid, Traffic & Transport Engineer

#### **Purpose of Report**

This report sets out progress on Notice of Motion No. 20/2018 Cr Hua - impact of multi-unit development on parking. It also proposes the timetable and content for consultation on the findings of the Kingston Car Parking Study – Issues and Opportunities Discussion Paper. This is the traffic and transport component of Council's Neighbourhood Character Study and Housing Strategy. It was produced for Notice of Motion No 15/2016 Cr Brownlees Planning Policy (Parking and Rear Setbacks).

#### **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.

#### **OFFICER RECOMMENDATION**

That Council:

1. Receive information about progress on Council's investigation on the impact of multi-unit development on parking and additional costs for the further analysis requested.
2. Receive a further report to the September Ordinary Meeting of Council on the timing and content of community consultation on the Issues and Opportunities Discussion Paper (first deliverable of the Kingston Car Parking Study).

#### **1. Executive Summary**

The Kingston Car Parking Study responds to the City of Kingston's Notice of Motion. 15/2016 of 22 August 2016 to consider the application of a car parking overlay for strategic areas of Kingston that require at least one (1) car parking space for each bedroom in new multi-unit developments. Traffic and Transport engaged a transport planning consultancy, MR Cagney, to undertake the Kingston Car Parking Study. The first stage of the study was to prepare an Issues and Opportunities Discussion Paper, which focussed on areas around activity centres. MR Cagney gave a presentation on the draft report and themes of the Issues and Opportunities Discussion Paper to Councillors at the Strategic Councillor Information Session on 18 June 2018. Council requested a further session with MR Cagney to work through a range of issues, which will be held in September.

At the Ordinary Meeting of Council on 25 June 2018, Council adopted Notice of Motion No 20/2018 – Impact of Multi-Unit Developments on Parking. In response to this Notice of Motion, Officers have commissioned MR Cagney to prepare an additional investigation of the impact of multi-development on parking, focussing on areas outside activity centres.

## **2. Background**

At its meeting of 22 August 2016 Kingston City Council resolved to:

*“1. Receive the officer's report in response to Notice of Motion No 15/2016 [Planning Policy (Parking and Rear setbacks)].*

*2. Note that in accordance with Council's resolution at its Ordinary Meeting on 22 February 2016, officers have allocated budget and resources in the 2016/17 financial year to review its Neighbourhood Character Study and Housing Strategy following the release of the Managing Residential Development Advisory Committee's report.*

*3. Instruct officers to include in the formulation of the briefs for the work identified in recommendation 2, a traffic and transport component that considers the application of a car parking overlay for strategic areas of Kingston that require at least one (1) car parking space for each bedroom in new multi-unit developments and the possibility of requiring a 5 metre setback at the rear of new multi-unit developments.”*

Following the Notice of Motion, Traffic and Transport engaged a transport planning consultancy, MRCagney, to prepare the Kingston Car Parking Study. The Issues and Opportunities Discussion Paper is the first deliverable of the overall study which will inform future community engagement activities and the final study recommendations. This paper focussed on activity centres.

At its meeting of 25 June 2018, Council resolved:

*That the officers prepare a report on the impact of multi-unit development on street parking, local traffic and emergency services. Further that the report also include policy recommendation on:*

- 1. Improved car parking requirements to be incorporated into future Kingston Planning Scheme;*
- 2. Policy for street parking restrictions for those streets that are jammed with unit development;*
- 3. That Council advocate to the State Government for changes to the Scheme to ensure Mandatory Parking requirements in areas of most Planning need.*
- 4. Other measures that could be put in place to solve these problems.*
- 5. That officers request Council's traffic consultant to consider these issues as part of the Parking Study and that a report on the estimated cost of the extra consultancy be reported back to Councillors at a Councillor Information Session.*

Following this Notice of Motion, Traffic and Transport has engaged MR Cagney to undertake further research into the impact of multi-development on parking – focussing on areas outside activity centres.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 4 - Our free-moving safe, prosperous and dynamic city  
Direction 4.4 - Integrated accessible transport and free moving city

The Kingston Car Parking Study identifies issues and opportunities for parking management in the municipality – particularly in activity centres. Further research being undertaken by MR Cagney will focus on areas outside activity areas. These works seek to ensure parking management is fair, equitable, and of greatest benefit to the community.

#### **3.2 Consultation/Internal Review**

In preparing this report, assistance has been provided from internal department teams with reference to the issues and opportunities raised in the Issues and Opportunities Discussion Paper.

The Project Brief for the Kingston Car Parking Study requires MR Cagney to develop a detailed consultation plan including innovative and contemporary way to engage the Community. In its submission MR Cagney recommended a targeted approach involving specific stakeholders such as a Councillors, guidance groups, local traders, residents, visitors and other interest groups. MR Cagney have considerable experience as presenters and facilitators to develop and undertake an informative consultation process which includes workshops and presentations.

Discussion with MR Cagney and the Communications and Community Relations Department considered the use of 'Care Factor' surveys as a way of engaging the community about their experience of streets and town centres in the municipality. 'Care Factor' surveys seek to identify the attributes and characteristics that make centres enjoyable places. Respondents are asked to identify key factors that makes a place enjoyable, welcoming, interesting or unique to visit. This survey will determine the relative importance that residents place on car parking compared to other access and amenity issues. The results can be analysed for the municipality and compared with similar surveys at other locations. The survey response data can also be broken down to smaller areas such as wards or suburbs to take account of local community views.

The City Strategy Department, which is leading the Council's Neighbourhood Character Study and Housing Strategy, support the use of 'Care Factor' surveys as part of consultation. This approach will be supported by:

- 'Your Kingston, Your Say' on-line surveys, social mapping and direct feedback, and
- 'User group' workshops and presentations undertaken by MR Cagney.

It is proposed to undertake this consultation in October and November 2018.



### **3.3 Operation and Strategic Issues**

#### **3.3.1 Impact of Multi-Development on Parking.**

To investigate the impact of multi-developments on parking in streets outside activity centres, Council has commissioned MR Cagney to undertake further research in 10 residential streets that are located away from activity centres and public transport, which nevertheless have high levels of sub-division and multi-unit developments.

The survey will seek to identify the key characteristics of these streets to see how they relate to parking. The characteristics include proximity to other land uses – such as public transport, activity centres, and other uses such as schools, sporting facilities, and the foreshore. It will also look at the geometry of the road – such as the width of the road and nature strip and bends in the road. The function of the road will also be looked at – for example is there a bus route, high traffic flows and speeds, or pedestrian activity. The built environment will be considered – for example the number of units per block and the number of parking spaces available. Other characteristics such as parking levels, parking restrictions and census data will be investigated.

This investigation will help to identify key ‘trigger levels’ when the level of development impacts on parking. This will help Council identify possible actions to reduce the impact of development on parking. The results of this study will be reported to Council during the September meeting cycle.

There is a high correlation between the work requested in the Notice of Motion and the work already completed on the Kingston Car Parking Study. Thus, the most efficient means in order to complete this additional work is to have it completed by the same consultants rather than engaging an additional consultant. Current workload pressures mean an in-house analysis would not be able to be completed in time for the report to be present to the September Council Meeting, thus significantly delaying the consultation. The cost of the additional car parking surveys is \$5,000 and for the additional analysis by MR Cagney is \$10,000.

#### **3.3.2 Consultation**

It is proposed to undertake consultation on the content of the Issues and Opportunities Discussion Paper in October and November 2018. The content of the consultation is set out in 3.2 of this report.

### **4. Conclusion**

This report provides information to about Council’s investigation on the impact of multi-unit development on parking. It also seeks direction on the timing and content of community consultation on the Issues and Opportunities Discussion Paper – the first deliverable of the Kingston Car Parking Study.

**4.1 Social Implications**

The Issues and Opportunities Paper of the Kingston Parking Strategy recognises the impact that car parking has on the local community. It provides a number of options to manage car parking in residential street to improve residents' amenity, particularly in close to activity centres. Further investigations being undertaken will investigate the impact multi-unit development has on parking in areas further way from activity centres.

**4.2 Resource Implications**

The further investigation into multi-unit development on parking will cost about \$15,000 and be funded from the Traffic and Transport Department consultancy budget.

**4.3 Legal / Risk Implications**

If consultation is not undertaken in October or November, Council would not be able to consult residents about the Kingston Car Parking Study until February 2019 (due to the Christmas break) and this will delay the traffic and transport input into Council's Neighbourhood Character Study and Housing Strategy.

Author/s:	Alex Reid, Traffic & Transport Engineer
Reviewed and Approved By:	Ross Gregory, Manager Traffic and Transport Daniel Freer, General Manager City Assets and Environment

## **11. Corporate Services Reports**

# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 11.1

## 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 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.

### OFFICER RECOMMENDATION

- That Council approve the following grant applications:
  - United Filipino Elderly Association - \$1000.00
  - Aspendale North Kindergarten - \$1150.00
  - Love Our Street Cheltenham 3192 - \$1000.00
  - The Lemnian Community of Victoria - \$1000.00
  - Griefline Community and Family Services Inc. - \$1000.00
  - Chelsea Heights Kindergarten - \$1000.00
  - Southern Suburbs Orchid Society - \$1000.00
- 2. That Council not approve the following grant applications:
  - Katharine Spencer
  - Douzi Auctioneer Pty Ltd T/As Eview Group Chelsea
  - Chelsea Heights Primary School
  - St Mark's Primary School

### 1. Executive Summary

The Quick Response Grants Program gives individuals and community groups the opportunity to apply for small grants 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 \$2,000.00.

Quick Response Grants are a category under Council's Community Grants Program.

### 2. Background

In November 2015 Council adopted the Quick Response Grants Program and 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 an Ordinary Meeting of Council.



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; or who is in needing circumstances.

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. Council Plan Alignment**

Goal 3: Our connected, inclusive, healthy and learning community  
Direction 3.4 Promote an active, healthy and involved community life

#### **3.2. Operation and Strategic Issues**

##### **3.2.1. Assessment of Application Criteria**

Applications for Quick Response Grants are assessed against the criteria outlined in the guidelines as follows:

- Does the proposed activity/event/project support the delivery of one or more of Council Plan strategic goals?
- Does the proposed activity/event/project benefit the City of Kingston residents?
- Has the applicant demonstrated a clear need for funds?
- If the applicant is an organisation, that it is a not-for-profit and has a bank account in the name of organisation.
- If the applicant is an organisation, are funds needed at short notice or can they wait for the Annual Grants program?
- Can the project be funded under any other Council grant program?

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**4. Applications**

<b>Name:</b>	Unified Filipino Elderly Association Inc	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	Bus excursions for the Elderly group. There will be three trips organised for July, August and September 2018 to provide interaction and entertainment for the elderly residents of Kingston.	
<b>How the funds will be used:</b>	Bus Hire, entrance fee and meals	
<b>Assessment Criteria:</b>		
• The activity/event/project supports one or more of the Council Plan strategic goals		✓
• The activity/event/project benefits the City of Kingston residents		✓
• The applicant has demonstrated a clear need for funds		✓
• The applicant is an individual or not for profit organisation		✓
• Funds are needed at short notice		✓
• The project cannot be funded under any other Council Grant program		✓
<b>Grants received in current or last financial year</b> Nil		
<b>Officer Comment:</b> Officers have obtained the following information regarding this organisation:  The UFEA group formed early 2018 and since becoming incorporated they meet at Melaleuca Activity Hub on Saturdays. They currently have approximately 20 members.  This group was previously part of PEASER and PEASER has received the following grant monies from Council:  2017/18 - Quick Response Grant - \$2000.00  This application meets the assessment criteria and is recommended for a grant of \$1000.00		

<b>Name:</b>	Katharine Spencer	
<b>Amount requested:</b>	\$1000.00	
<b>Description of Project/Event:</b>	I have been accepted into a Juris Doctor at Monash University to start in 2019 (April). I have been accepted as a full fee paying student and the fees are excessive, I can apply for a government FEE Help Loan to pay the fees but other necessary items like books and study materials are not included.	
<b>How the funds will be used:</b>	The funds will be used to buy books and necessary study materials to support me in my first year of study. As I have just completed an undergraduate degree in Community Development, I have not been working and therefore the cost of books and other materials are quite expensive.	
<b>Assessment Criteria:</b>		
• The activity/event/project supports one or more of the Council Plan strategic goals		✓
• The activity/event/project benefits the City of Kingston residents		x
• The applicant has demonstrated a clear need for funds		x
• The applicant is an individual or not for profit organisation		✓
• Funds are needed at short notice		✓
• The project cannot be funded under any other Council Grant program		✓
<b>Grants received in current or last financial year</b> Nil		
<b>Officer Comment:</b> This application does not meet this assessment criteria and is not recommended for approval.		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

<b>Name:</b>	Douzi Auctioneer Pty Ltd T/As Eview Group Chelsea	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	Charity event to raise money for dog shelters Community Family Fun Day and Dog-A-Thon Event	
<b>How the funds will be used:</b>	To contribute towards marketing the event, children's activities & entertainment, safety & signage requirements	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"><li>• The activity/event/project supports one or more of the Council Plan strategic goals</li></ul>		✓
<ul style="list-style-type: none"><li>• The activity/event/project benefits the City of Kingston residents</li></ul>		✓
<ul style="list-style-type: none"><li>• The applicant has demonstrated a clear need for funds</li></ul>		✓
<ul style="list-style-type: none"><li>• The applicant is an individual or not for profit organisation</li></ul>		x
<ul style="list-style-type: none"><li>• Funds are needed at short notice</li></ul>		✓
<ul style="list-style-type: none"><li>• The project cannot be funded under any other Council Grant program</li></ul>		✓
<b>Grants received in current or last financial year</b>		
2017/18 - Event Sponsorship – Dogathon Charity Golf Day - \$1000.00		
<b>Officer Comment:</b>		
This application does not meet the assessment criteria and is not recommended for approval.		
However, the event is to receive event sponsorship from Council under its Event Sponsorship Policy having completed a separate application process.		

<b>Name:</b>	Aspendale North Kindergarten	
<b>Amount requested:</b>	\$1150.00	
<b>Description of Project/Event:</b>	Aspendale North Kindergarten wishes to purchase a variety of resources to aid in the delivery of our educational program for students with sensory processing difficulties and children on the autism spectrum.	
<b>How the funds will be used:</b>	The generosity of these funds would allow our Kinder to purchase a variety of indoor and outdoor resources. These resources include a waterproof sensory swing and stand, nylon wrap therapy swing, whizzy dizzy, mini trampoline, zig zag balance board, mini pyramid bean bag, a wedge move and sit cushion, weighted lap cushion, therapy putty, handheld and tubular massagers.	
<b>Assessment Criteria:</b>		
<ul style="list-style-type: none"><li>• The activity/event/project supports one or more of the Council Plan strategic goals</li></ul>		✓
<ul style="list-style-type: none"><li>• The activity/event/project benefits the City of Kingston residents</li></ul>		✓
<ul style="list-style-type: none"><li>• The applicant has demonstrated a clear need for funds</li></ul>		✓
<ul style="list-style-type: none"><li>• The applicant is an individual or not for profit organisation</li></ul>		✓
<ul style="list-style-type: none"><li>• Funds are needed at short notice</li></ul>		✓
<ul style="list-style-type: none"><li>• The project cannot be funded under any other Council Grant program</li></ul>		✓
<b>Grants received in current or last financial year</b>		
2017/18 – Quick Response Grant – July 2017 \$1000.00		
2017/18 – Quick Response Grant –December 2017 - \$1000.00		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1150.00.		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

<b>Name:</b>	Chelsea Heights Primary School	
<b>Amount requested:</b>	\$1250.00	
<b>Description of Project/Event:</b>	To raise enough money to purchase a Defibrillator machine for our school community. Having a defibrillator at the school would help save a life of someone within our school community or even in a nearby streets, giving a person a better chance of survival and care while waiting for an ambulance to attend. Having seen firsthand the benefits of having one of these machines, I know this will make a real difference to a person in this situation.	
<b>How the funds will be used:</b>	Purchase a defibrillator for our school.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"> <li>The activity/event/project supports one or more of the Council Plan strategic goals</li> <li>The activity/event/project benefits the City of Kingston residents</li> <li>The applicant has demonstrated a clear need for funds</li> <li>The applicant is an individual or not for profit organisation</li> <li>Funds are needed at short notice</li> <li>The project cannot be funded under any other Council Grant program</li> </ul>	<ul style="list-style-type: none"> <li>x</li> <li>x</li> <li>x</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application is not recommended for approval as it is proposed not to grant funds to schools that have a State Government funding source.		

<b>Name:</b>	Love Our Street Cheltenham 3192	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	Volunteers getting together for 1 hour a month to clear the streets of litter in the area of Cheltenham. Creates cleaner environment for visitors and residents to enjoy. Research also suggests that 'clean environments lead to less littering and more binning. People in areas that are kept clean are	
<b>How the funds will be used:</b>	The Group requires several items to set up: T-shirts to be printed, first aid kit, first aid training, caps, bags to collect rubbish, gloves, grabbers to pick up rubbish, environmental cleaner to clean the bags, tarpaulins to transport the rubbish, plastic boxes for storage of items when not in use, printing of promotional items, advertising, promotion or visiting of local schools etc, use of computers for facebook, communication etc.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"> <li>The activity/event/project supports one or more of the Council Plan strategic goals</li> <li>The activity/event/project benefits the City of Kingston residents</li> <li>The applicant has demonstrated a clear need for funds</li> <li>The applicant is an individual or not for profit organisation</li> <li>Funds are needed at short notice</li> <li>The project cannot be funded under any other Council Grant program</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1000.00		



**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

<b>Name:</b>	St Mark's Primary School	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	St Mark's Primary School will hold its Biennial School fete on Friday 23rd November. This is an event that is traditionally well attended by all our local community and is a great afternoon for friends and families to come together and have some fun and enjoy all the stalls and things we have on offer which include: Hot food, drinks, entertainment from our local community groups, plants, cake stall, giant auction and raffle, rides and many fun activities for the children.	
<b>How the funds will be used:</b>	St Mark's Primary School will use the funds to go towards our Raffle prizes. The profit raised from the raffle and the fete will be used to upgrade parts of the school grounds in 2019.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"> <li>The activity/event/project supports one or more of the Council Plan strategic goals</li> <li>The activity/event/project benefits the City of Kingston residents</li> <li>The applicant has demonstrated a clear need for funds</li> <li>The applicant is an individual or not for profit organisation</li> <li>Funds are needed at short notice</li> <li>The project cannot be funded under any other Council Grant program</li> </ul>	<ul style="list-style-type: none"> <li>x</li> <li>x</li> <li>x</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
Nil		
<b>Officer Comment:</b>		
This application is not recommended for approval as it is proposed not to grant funds to schools that have a State Government funding source.		

<b>Name:</b>	The Lemnian Community of Victoria	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	The Lemnian Community of Victoria would like to apply for this grant to purchase a defibrillator which will be housed at the community premises at Springvale Road Braeside. The defibrillator will ensure that the Lemnian Community of Victoria can offer lifesaving assistance to its general members and elderly community in the case of an emergency and prior to a specialised medical treatment being received. As a large number of the community's members are elderly the purchase of this defibrillator can provide vital intervention in a life and death situation.	
<b>How the funds will be used:</b>	The purchase of a defibrillator.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"> <li>The activity/event/project supports one or more of the Council Plan strategic goals</li> <li>The activity/event/project benefits the City of Kingston residents</li> <li>The applicant has demonstrated a clear need for funds</li> <li>The applicant is an individual or not for profit organisation</li> <li>Funds are needed at short notice</li> <li>The project cannot be funded under any other Council Grant program</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b>		
2017/18 - Quick Response Grant – July 2017 - \$1000.00		
<b>Officer Comment:</b>		
This application meets the assessment criteria and is recommended for approval for an amount of \$1000.00		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

<b>Name:</b>	Griefline Community and Family Services Inc.	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	With this grant we are hoping to replace ageing computer equipment and purchase 2 tub-style chairs for use in counselling sessions.	
<b>How the funds will be used:</b>	Funds from this grant will be used to upgrade 2 10 year old computers for program and volunteer use. The grant will also assist in the purchase of 2 chairs for use in face to face counselling sessions which are offered free of charge to the community. Example is attached.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"><li>• The activity/event/project supports one or more of the Council Plan strategic goals</li><li>• The activity/event/project benefits the City of Kingston residents</li><li>• The applicant has demonstrated a clear need for funds</li><li>• The applicant is an individual or not for profit organisation</li><li>• Funds are needed at short notice</li><li>• The project cannot be funded under any other Council Grant program</li></ul>	<div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div>
<b>Grants received in current or last financial year</b> 2017/18 – Community Grant - \$4158.00		
<b>Officer Comment:</b> This application meets the assessment criteria and is recommended for approval for an amount of \$1000.00		

<b>Name:</b>	Chelsea Heights Kindergarten	
<b>Amount requested:</b>	\$2000.00	
<b>Description of Project/Event:</b>	To extend the sand pit and fix the surrounding dirt area that was impacted by the recent rebuild of Chelsea Heights Kindergarten	
<b>How the funds will be used:</b>	Chelsea Heights Kindergarten has recently been rebuilt. The outside area was not included in the building grant. The building required that the sand pit be reduced to half its original size. Post build we are left with a sand pit too small and an area of dirt that is unsuitable for children. To fix this problem we approached the Chelsea Kindergarten committee and asked if we could acquire (at a very cheap price) 22 large rocks from the sandpit at the old Chelsea Kindergarten site (they were property of their kindergarten committee). Rather than these rocks go to waste they have been relocated to the Chelsea Heights Kindergarten at low cost. They will be used to extend the sandpit back to the original size and this resolve the issue of the unsuitable patch of dirt. We need to fix the sandpit ASAP as the current pile of rocks area a safety risk and we have therefore fenced them off restricting access to a large portion of the children's play area.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"><li>• The activity/event/project supports one or more of the Council Plan strategic goals</li><li>• The activity/event/project benefits the City of Kingston residents</li><li>• The applicant has demonstrated a clear need for funds</li><li>• The applicant is an individual or not for profit organisation</li><li>• Funds are needed at short notice</li><li>• The project cannot be funded under any other Council Grant program</li></ul>	<div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div> <div>✓</div>
<b>Grants received in current or last financial year</b> 2017/18 – Community Grant - \$2000.00		
<b>Officer Comment:</b> This application meets the assessment criteria and is recommended for approval for an amount of \$1000.00		

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

<b>Name:</b>	Southern Suburbs Orchid Society Inc	
<b>Amount requested:</b>	\$1000.00	
<b>Description of Project/Event:</b>	Annual orchids show & sale of orchids & orchid specific supplies for growing & cultivating orchids. Orchids are a widely known and enjoyed plant about which the general public has a limited knowledge about their care & cultivation. Unfortunately such information is not readily available. At our show this information will be available from members of our club who have extensive knowledge and experience. They will be demonstrating as well as providing one on one advice. There is an opportunity for attendees to purchase quality orchids of many varieties a lot of which are not readily available elsewhere. The show is widely publicized in the local press (see attached copy of articles promoting last year's show), gardening magazines, gardening programs on commercial and community radio and through local garden clubs.	
<b>How the funds will be used:</b>	Rent of Wishart Senior Citizens clubroom, 946 Nepean Highway Moorabbin, for conducting the show.	
<b>Assessment Criteria:</b>	<ul style="list-style-type: none"> <li>• The activity/event/project supports one or more of the Council Plan strategic goals</li> <li>• The activity/event/project benefits the City of Kingston residents</li> <li>• The applicant has demonstrated a clear need for funds</li> <li>• The applicant is an individual or not for profit organisation</li> <li>• Funds are needed at short notice</li> <li>• The project cannot be funded under any other Council Grant program</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>
<b>Grants received in current or last financial year</b> 2017/18 – Community Grant - \$1000.00		
<b>Officer Comment:</b> This application meets the assessment criteria and is recommended for approval for an amount of \$1000.00		

## **5. Conclusion**

The grant applications in this report have been assessed according to the assessment criteria approved by Council in the Quick Response Guidelines.

### **5.1. Environmental Implications**

Not applicable to this report.

### **5.2. Social Implications**

The allocation of Quick Response Grants allows for Council to provide funds on a small scale to groups and individuals or towards projects or events that are consistent with Council's strategic directions and of benefit to Kingston's residents and community.

### **5.3. Resource Implications**

Funds for Quick Response Grants are allocated by Council through its annual budget process.

### **5.4. Legal / Risk Implications**

Not applicable to this report.

## **Appendices**

Appendix 1 - Quick Response Grant Application - Unified Filipino Elderly Association (Ref 18/87421) [↓](#)

Appendix 2 - Quick Response Grant Application QRG020818 - Katharine Spencer - August 2018 (Ref 18/483034) [↓](#)

Appendix 3 - Quick Response Grant Application QRG030818 - Douzi Auctioneer Pty Ltd trading as Eview Group Chelsea (Ref 18/483057) [↓](#)

Appendix 4 - Quick Response Grant Application QRG040818 - Aspendale North Kindergarten - August 2018 (Ref 18/483060) [↓](#)

Appendix 5 - Quick Response Grant Application QRG060818 - Chelsea Heights Primary School - August 2018 (Ref 18/483079) [↓](#)

Appendix 6 - Quick Response Grant Application QRG070818 - Love Our Street Cheltenham 3192 - August 2018 (Ref 18/483084) [↓](#)

Appendix 7 - Quick Response Grant Application QRG090818 - St Mark's Primary School - August 2018 (Ref 18/483085) [↓](#)

Appendix 8 - Quick Response Grant Application QRG110818 - The Lemnian Community of Victoria - August 2018 (Ref 18/483442) [↓](#)

Appendix 9 - Quick Response Grant Application QRG120818 - GriefLine Community and Family Services Inc - August 2018 (Ref 18/483939) [↓](#)

Appendix 10 - Quick Response Grant Application QRG130818 - Chelsea Heights Kindergarten - August 2018 (Ref 18/486305) [↓](#)

Appendix 11 - Quick Response Grant Application QRG010818 - Southern Suburbs Orchid Society Inc (Ref 18/487339) [↓](#)

Author/s: Gabrielle Pattenden, Governance Officer

Reviewed and Approved By: Phil DeLosa, Manager Governance

Paul Franklin, General Manager Corporate Services



# 11.1

## QUICK RESPONSE GRANTS

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## Quick Response Grants - June 2018

### Quick Response Grants Application Form

Application 00014 From Unified Filipino Elderly Association, Inc.

#### Applicant Details

\* indicates a required field

**Applicant \*** Unified Filipino Elderly Association, Inc.

**Contact Person 1 \*** Ms Evelyn Villanueva

**Contact Person 1  
Primary Address \***

**Contact Person 1  
Primary Phone Number \***

**Contact Person 1  
Alternative Phone  
Number** Must be an Australian phone number

**Contact Person 1  
Primary Email \***

**Type of organisation \***

- ☒ Not-for-profit
- ☐ School
- ☐ Community Group
- ☐ Individual

#### Activity Description

**Short project description \*** Bus excursions for the Elderly group. There will be three trips organised for July, August and September 2018 to provide interaction and entertainment for the elderly residents of Kingston.

Provide a short description of your project/activity/event

**Location of Project \*** Buses will depart from Kingston Melaleuca Centre.  
What is the location of your activity/project/event?

**Who will benefit from the project? \*** Elderly residents of Kingston Council  
Describe how the proposed activity/event/project benefits City of Kingston residents

**Total project cost \*** \$2,000.00  
Must be a dollar amount

**Amount requested \*** \$2,000.00  
Must be a dollar amount and no more than 2000

**When are the funds required? \*** 02/07/2018  
Must be a date

## Quick Response Grants - June 2018

### Quick Response Grants Application Form

Application 00014 From Unified Filipino Elderly Association, Inc.

**What will the funds be used for? \***

Bus Hire, entrance fee and meals  
Describe how the funds will be spent

**Please attach any supporting information**

*No files have been uploaded*  
For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \***

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**How were the funds raised?**

**Has you received any funding from Kingston City Council for this project?**

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

#### Applicant Bank Details

**Does your organisation have a bank account?**

☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

Barbara Ann Price  
If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

Personal information collected by Council is used for municipal purposes as specified in the Local Government Act 1989. The personal information will be held securely and used solely by Council for these purposes and/or directly related purposes.

## Quick Response Grants - June 2018

### Quick Response Grants Application Form

Application 00014 From Unified Filipino Elderly Association, Inc.

Council may disclose this information to other organisations if required or permitted by legislation. The applicant understands that the personal information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer. A full copy of our Privacy Policy may be obtained from the Kingston website: <http://www.kingston.vic.gov.au/Contact-Us/Privacy> or from one of our Customer Service Centres.

### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name** Barbara Ann Price

**Position held (if applicable)** Vice President

**Date** 01/06/2018  
Must be a date

### Declaration



Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG020818 From Miss Katharine Spencer

### Applicant Details

\* indicates a required field

<b>Applicant *</b>	Miss Katharine Spencer
<b>Contact Person 1 *</b>	Miss Katharine Spencer
<b>Contact Person 1 Primary Address *</b>	[REDACTED]
<b>Contact Person 1 Primary Phone Number *</b>	[REDACTED]
<b>Contact Person 1 Alternative Phone Number</b>	Must be an Australian phone number
<b>Contact Person 1 Primary Email *</b>	[REDACTED]
<b>Type of organisation *</b>	<input type="radio"/> Not-for-profit <input type="radio"/> School <input type="radio"/> Community Group <input checked="" type="radio"/> Individual

### Activity Description

<b>Short project description *</b>	<p>I have been accepted into a Juris Doctor at Monash University to start in 2019 (April). I have been accepted as a full fee paying student and the fees are excessive, I can apply for a government FEE Help Loan to pay the fees but other necessary items like books and study materials are not included.</p> <p>Provide a short description of your project/activity/event</p>
<b>Location of Project *</b>	<p>Monash University Law Campus</p> <p>What is the location of your activity/project/event?</p>
<b>Who will benefit from the project? *</b>	<p>Juris Doctor is a three year research degree, once completing I would like to pursue a career in social justice and human rights law. Therefore the broader community will benefit from this project. I would like to work specifically with CALD and migrant/refugee communities.</p> <p>Describe how the proposed activity/event/project benefits City of Kingston residents</p>
<b>Total project cost *</b>	<p>\$1,000.00</p> <p>Must be a dollar amount</p>

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG020818 From Miss Katharine Spencer

**Amount requested \***

\$1,000.00

Must be a dollar amount and no more than 2000

**When are the funds required? \***

30/10/2018

Must be a date

**What will the funds be used for? \***

The funds will be used to by books and necessary study materials to support me in my first year of study. As I have just completed an undergraduate degree in Community Development, I have not been working and therefore the cost of books and other materials are quite expensive.

Describe how the funds will be spent

**Please attach any supporting information***No files have been uploaded*

For example, references, images or annual reports

### Budget Details

**Have any other funds been raised? \***☐ Yes☒ No**If yes, how much?**

Must be a dollar amount

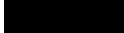
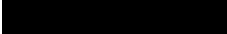
**How were the funds raised?****Has you received any funding from Kingston City Council for this project?**☐ Yes☐ No**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

### Applicant Bank Details

**Does your organisation have a bank account?**☐ Yes☒ No**Bank Name****Bank BSB****Bank Account Number****If you would prefer payment by cheque, who**

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG020818 From Miss Katharine Spencer

#### should this be made out to?

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

Personal information collected by Council is used for municipal purposes as specified in the Local Government Act 1989. The personal information will be held securely and used solely by Council for these purposes and/or directly related purposes.

Council may disclose this information to other organisations if required or permitted by legislation. The applicant understands that the personal information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer. A full copy of our Privacy Policy may be obtained from the Kingston website: <http://www.kingston.vic.gov.au/Contact-Us/Privacy> or from one of our Customer Service Centres.

#### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name** Katharine Spencer

**Position held (if applicable)** Student

**Date** 17/07/2018  
Must be a date

#### Declaration



Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

Application QRG030818 From Douzi Auctioneer Pty Ltd T/As Eview Group Chelsea

#### Applicant Details

\* indicates a required field

**Applicant \*** Douzi Auctioneer Pty Ltd T/As Eview Group Chelsea

**Contact Person 1 \*** Sofia Vatos

**Contact Person 1  
Primary Address \***

**Contact Person 1  
Primary Phone Number \***

**Contact Person 1  
Alternative Phone  
Number**

Must be an Australian phone number

**Contact Person 1  
Primary Email \***

**Type of organisation \***

- ☐ Not-for-profit
- ☒ School
- ☐ Community Group
- ☐ Individual

#### Activity Description

**Short project description \***

Charity event to raise money for dog shelters  
Community Family Fun Day and Dog-A-Thon Event  
Provide a short description of your project/activity/event

**Location of Project \***

Chelsea Bicentennial Park  
What is the location of your activity/project/event?

**Who will benefit from  
the project? \***

Not for profit Animal Shelter  
Local community & families sharing the day together  
with their dogs. There will be activities for the kids & food  
trucks to enjoy & promotion of animal welfare groups. Fun  
day for all the family  
Describe how the proposed activity/event/project benefits City of  
Kingston residents

**Total project cost \***

\$6,000.00  
Must be a dollar amount

**Amount requested \***

\$2,000.00  
Must be a dollar amount and no more than 2000



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

Application QRG030818 From Douzi Auctioneer Pty Ltd T/As Eview Group Chelsea

**When are the funds required? \***

31/08/2018  
Must be a date

**What will the funds be used for? \***

To contribute towards marketing the event, children's activities & entertainment, safety & signage requirements  
Describe how the funds will be spent

**Please attach any supporting information**

*No files have been uploaded*  
For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \***

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**How were the funds raised?**

Douzi Auctioneer P/L T/As Eview Chelsea, will be donating time & resources to contribute to the event to help make it a great success for the community,

**Has you received any funding from Kingston City Council for this project?**

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

#### Applicant Bank Details

**Does your organisation have a bank account?**

☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG030818 From Douzi Auctioneer Pty Ltd T/As Eview Group Chelsea

Personal information collected by Council is used for municipal purposes as specified in the Local Government Act 1989. The personal information will be held securely and used solely by Council for these purposes and/or directly related purposes.

Council may disclose this information to other organisations if required or permitted by legislation. The applicant understands that the personal information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer. A full copy of our Privacy Policy may be obtained from the Kingston website: <http://www.kingston.vic.gov.au/Contact-Us/Privacy> or from one of our Customer Service Centres.

### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name** Sofia Vatos

**Position held (if applicable)** Director

**Date** 19/07/2018  
Must be a date

### Declaration



Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG040818 From Aspendale North Kindergarten

### Applicant Details

\* indicates a required field

<b>Applicant *</b>	Aspendale North Kindergarten
<b>Contact Person 1 *</b>	Mrs Erica Smith
<b>Contact Person 1 Primary Address *</b>	[REDACTED]
<b>Contact Person 1 Primary Phone Number *</b>	[REDACTED]
<b>Contact Person 1 Alternative Phone Number</b>	Must be an Australian phone number
<b>Contact Person 1 Primary Email *</b>	[REDACTED]
<b>Type of organisation *</b>	<input checked="" type="radio"/> Not-for-profit <input type="radio"/> School <input type="radio"/> Community Group <input type="radio"/> Individual

### Activity Description

<b>Short project description *</b>	<p>Aspendale North Kindergarten wishes to purchase a variety of resources to aid in the delivery of our educational program for students with sensory processing difficulties and children on the autism spectrum.</p> <p>Provide a short description of your project/activity/event</p>
<b>Location of Project *</b>	<p>The resources will be used at Kinder both indoors and outdoors</p> <p>What is the location of your activity/project/event?</p>
<b>Who will benefit from the project? *</b>	<p>Aspendale North Kinder have a number of students with sensory processing difficulties and students on the autism spectrum. We have a strong working relationship with Yarrabah Special School and as such often have students each year who are attending both Aspendale North Kindergarten and Yarrabah School. Children with sensory processing difficulties and/or on the autism spectrum can often find everyday situations stressful and difficult to manage. We would like to purchase a range of resources to help provide a sensory space and additional resources targeting the needs of these children. This would benefit all of the children at Kinder, up to</p>

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG040818 From Aspendale North Kindergarten

100 students, and will be available to all 3 and 4 year olds at the Kindergarten. People with sensory processing difficulties find it difficult to process sensory information in a range of inputs such as auditory, touch and vestibular. Providing the appropriate equipment and resources can allow the body to receive the necessary feedback to aid in sensory regulation and help to relieve stressful triggers. Describe how the proposed activity/event/project benefits City of Kingston residents

**Total project cost \***

\$1,150.00  
Must be a dollar amount

**Amount requested \***

\$1,150.00  
Must be a dollar amount and no more than 2000

**When are the funds required? \***

20/08/2018  
Must be a date

**What will the funds be used for? \***

The generosity of these funds would allow our Kinder to purchase a variety of indoor and outdoor resources. These resources include a waterproof sensory swing and stand, nylon wrap therapy swing, whizzy dizzy, mini trampoline, zig zag balance board, mini pyramid bean bag, a wedge move and sit cushion, weighted lap cushion, therapy putty, handheld and tubular massagers. Describe how the funds will be spent

**Please attach any supporting information**

*No files have been uploaded*  
For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \***

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**How were the funds raised?**

**Has you received any funding from Kingston City Council for this project?**

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG040818 From Aspendale North Kindergarten

#### Applicant Bank Details

**Does your organisation have a bank account?**

- ☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

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#### Declaration

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**Name**

Erica Smith

**Position held (if applicable)**

ANK Grants Officer

**Date**

17/07/2018  
Must be a date

**Declaration**

- ☒  
Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**Quick Response Grants - August 2018**  
**Quick Response Grants Application Form**  
**Application QRG040818 From Aspendale North Kindergarten**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**  
**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG060818 From Chelsea Heights Primary School

### Applicant Details

\* indicates a required field

**Applicant \*** Chelsea Heights Primary School

**Contact Person 1 \*** Mrs Anne Leggett

**Contact Person 1  
Primary Address \***

**Contact Person 1  
Primary Phone Number \***

**Contact Person 1  
Alternative Phone  
Number**

Must be an Australian phone number

**Contact Person 1  
Primary Email \***

**Type of organisation \***

- ☐ Not-for-profit
- ☒ School
- ☐ Community Group
- ☐ Individual

### Activity Description

**Short project description \***

To raise enough money to purchase a Defibrillator machine for our school community. Having a defibrillator at the school would help save a life of someone within our school community or even in a near by streets, giving a person a better chance of survival and care while waiting for an ambulance to attend. Having seen first hand the benefits of having one of these machines, I know this will make a real difference to a person in this situation.  
Provide a short description of your project/activity/event

**Location of Project \***

Chelsea Heights Primary School  
What is the location of your activity/project/event?

**Who will benefit from the project? \***

The school community as well as any other visitors and stakeholders.  
Describe how the proposed activity/event/project benefits City of Kingston residents

**Total project cost \***

\$2,500.00  
Must be a dollar amount

**Amount requested \***

\$1,250.00

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG060818 From Chelsea Heights Primary School

Must be a dollar amount and no more than 2000

**When are the funds required? \***

01/10/2018  
Must be a date

**What will the funds be used for? \***

Purchase a defibrillator for our school.  
Describe how the funds will be spent

**Please attach any supporting information**

Filename: Bendigo Bank Approved Application Chelsea Heights Primary School\_.docx  
File size: 14.4 kB

Filename: Defib For Life.pdf  
File size: 666.0 kB  
For example, references, images or annual reports

### Budget Details

**Have any other funds been raised? \***

☒ Yes  
☐ No

**If yes, how much?**

\$1,250.00  
Must be a dollar amount

**How were the funds raised?**

The funds raised so far have been through a contribution from the Bendigo Bank Aspendale Gardens.

**Has you received any funding from Kingston City Council for this project?**

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

### Applicant Bank Details

**Does your organisation have a bank account?**

☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG060818 From Chelsea Heights Primary School

**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

### Privacy Statement

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**Name** Anne Leggett

**Position held (if applicable)** Business Manager

**Date** 25/07/2018  
Must be a date

### Declaration



Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

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## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG070818 From Love our Street Cheltenham 3192

### Applicant Details

\* indicates a required field

**Applicant \*** Love our Street Cheltenham 3192

**Contact Person 1 \*** Ms Kathleen O'Meara

**Contact Person 1  
Primary Address \***

**Contact Person 1  
Primary Phone Number \***

**Contact Person 1  
Alternative Phone  
Number**

Must be an Australian phone number

**Contact Person 1  
Primary Email \***

**Type of organisation \***

- ☐ Not-for-profit
- ☐ School
- ☒ Community Group
- ☐ Individual

### Activity Description

**Short project description \***

Volunteers getting together for 1 hour a month to clear the streets of litter in the area of Cheltenham.

Creates cleaner environment for visitors and residents to enjoy. Research also suggests that 'clean environments lead to less littering and more binning. People in areas that are kept clean are less likely to litter.' (source: Community Change)

Provide a short description of your project/activity/event

**Location of Project \***

Cheltenham

What is the location of your activity/project/event?

**Who will benefit from the project? \***

Local residents, Kingston Council, Port Philip Bay

Describe how the proposed activity/event/project benefits City of Kingston residents

**Total project cost \***

\$8,000.00

Must be a dollar amount

**Amount requested \***

\$2,000.00

Must be a dollar amount and no more than 2000

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG070818 From Love our Street Cheltenham 3192

**When are the funds required? \***

01/10/2018  
Must be a date

**What will the funds be used for? \***

The Group requires several items to set up: T-shirts to be printed, first aid kit, first aid training, caps, bags to collect rubbish, gloves, grabbers to pick up rubbish, environmental cleaner to clean the bags, tarpaulins to transport the rubbish, plastic boxes for storage of items when not in use, printing of promotional items, advertising, promotion or visiting of local schools etc, use of computers for facebook, communication etc.

Money is requested to cover:

once off cost of silkscreening for tshirt printing 200.00

30 x printed @ adult Tshirts @ 23.50 each 705.00

30 x printed hi-vis tank tops @ 14.10 423.00

50 x bags (to put rubbish into) 130.00

A Frame and advertising banner 300.00

First Aid Training for 2 people 400.00

First Aid Kit 50.00

Logo design and applications 420.00

Update beach design website 200.00

TOTAL 2828.00

Goods will be stored at 18 Jells Road, Cheltenham. They will remain property of the group.

Describe how the funds will be spent

Describe how the funds will be spent

**Please attach any supporting information**

Filename: LOS 3192 C.png

File size: 178.8 kB

For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \***

☒ Yes  
☐ No

**If yes, how much?**

\$1,000.00  
Must be a dollar amount

**How were the funds raised?**

personal group donations, time donated, technology donated, items donated

**Has you received any funding from Kingston City Council for this project?**

☐ Yes  
☒ No

**If yes, how much?**

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG070818 From Love our Street Cheltenham 3192

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

#### Applicant Bank Details

**Does your organisation have a bank account?**

☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

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#### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name**

Kathleen O'Meara

**Position held (if applicable)**

President Love Our Street Cheltenham 3192

**Date**

26/07/2018  
Must be a date

**Declaration**

☒



Quick Response Grants - August 2018  
Quick Response Grants Application Form  
Application QRG070818 From Love our Street Cheltenham 3192

Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**

**Further details of Project Description, Location and Who will benefit:**

I am grateful to Council and Beach Patrol Australia for approving my request to start up the 7th Love Our Street (LOS) group, and the first for Kingston Council. As you know our Council already enjoys the benefits of 5 Beach Patrol groups. The LOS groups support Beach Patrol by picking up street litter that would otherwise end up in storm water drains, then flow into our water ways and Port Phillip Bay.

Now more than ever community litter is a big issue. Individuals can take action to support their own community, by being part of a group of likeminded people who are concerned about litter and the environment. This leads to feeling more connected to people in the local area while enjoying the effect of combined action that brings not only greater results, but a sense of pride in being part of the solution. We all benefit. Community, schools, groups, businesses and individuals can enjoy cleaner spaces that support our wildlife and marine creatures, contributing to a better world.

Action will take place in and around Cheltenham as members see the need. Starting in the Charman Rd and Station Street areas and extending to other areas such as Kingston Heath Reserve, or streets around shopping centres, schools and the train station.

Please note the following corrections:

Total Project cost \$3000, or which we are asking Council for \$2000, for listed items. Please delete the amount of \$420 for logo design and application, a cost which we will likely not need to cover.

Together we are making a bigger difference.

Thank you

Regards  
Kathy O'Meara

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG090818 From St Mark's Primary School

### Applicant Details

\* indicates a required field

<b>Applicant *</b>	St Mark's Primary School
<b>Contact Person 1 *</b>	Mrs Shannon Fox
<b>Contact Person 1 Primary Address *</b>	[REDACTED]
<b>Contact Person 1 Primary Phone Number *</b>	[REDACTED]
<b>Contact Person 1 Alternative Phone Number</b>	[REDACTED] <small>Must be an Australian phone number</small>
<b>Contact Person 1 Primary Email *</b>	[REDACTED]
<b>Type of organisation *</b>	<input type="radio"/> Not-for-profit <input checked="" type="radio"/> School <input type="radio"/> Community Group <input type="radio"/> Individual

### Activity Description

<b>Short project description *</b>	<p>St Mark's Primary School will hold its Biennial School fete on Friday 23rd November. This is an event that is traditionally well attended by all our local community and is a great afternoon for friends and families to come together and have some fun and enjoy all the stalls and things we have on offer which include:</p> <p>Hot food, drinks, entertainment from our local community groups, plants, cake stall, giant auction and raffle, rides and many fun activities for the children.</p> <p>Provide a short description of your project/activity/event</p>
<b>Location of Project *</b>	<p>St Mark's Primary School</p> <p>What is the location of your activity/project/event?</p>
<b>Who will benefit from the project? *</b>	<p>The fete will benefit the City of Kingston residents as it will bring families and friends together for an afternoon of entertainment and food and drinks.</p> <p>Describe how the proposed activity/event/project benefits City of Kingston residents</p>
<b>Total project cost *</b>	<p>\$20,000.00</p> <p>Must be a dollar amount</p>

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG090818 From St Mark's Primary School

**Amount requested \*** \$2,000.00  
Must be a dollar amount and no more than 2000

**When are the funds required? \*** 23/11/2018  
Must be a date

**What will the funds be used for? \*** St Mark's Primary School will use the funds to go towards our Raffle prizes. The profit raised from the raffle and the fete will be used to upgrade parts of the school grounds in 2019.  
Describe how the funds will be spent

**Please attach any supporting information** *No files have been uploaded*  
For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \*** ☐ Yes  
☒ No

**If yes, how much?**  
Must be a dollar amount

**How were the funds raised?** N/A

**Has you received any funding from Kingston City Council for this project?** ☐ Yes  
☒ No

**If yes, how much?**  
Must be a dollar amount

**If yes, when did you receive the funding?**  
Must be a date

#### Applicant Bank Details

**Does your organisation have a bank account?** ☒ Yes  
☐ No

**Bank Name** [REDACTED]

**Bank BSB** [REDACTED]

**Bank Account Number** [REDACTED]

**If you would prefer payment by cheque, who** St Mark's Parents Association



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG090818 From St Mark's Primary School

#### should this be made out to?

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

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#### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

#### Name

Shannon Fox

#### Position held (if applicable)

President, Fete Committee - St Mark's Primary School

#### Date

27/07/2018  
Must be a date

#### Declaration



Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG110818 From The Lemnian Community of Victoria

### Applicant Details

\* indicates a required field

**Applicant \*** The Lemnian Community of Victoria

**Contact Person 1 \*** Mrs Penny Angelides-Ward

**Contact Person 1  
Primary Address \***

**Contact Person 1  
Primary Phone Number \***

**Contact Person 1  
Alternative Phone  
Number**

Must be an Australian phone number

**Contact Person 1  
Primary Email \***

**Type of organisation \***

- ☒ Not-for-profit
- ☐ School
- ☐ Community Group
- ☐ Individual

### Activity Description

**Short project description \***

The Lemnian Community of Victoria would like to apply for this grant to purchase a defibrillator which will be housed at the community premises at Springvale Road Braeside. The defibrillator will ensure that the Lemnian Community of Victoria can offer lifesaving assistance to its general members and elderly community in the case of an emergency and prior to a specialised medical treatment being received. As a large number of the community's members are elderly the purchase of this defibrillator can provide vital intervention in a life and death situation.

Provide a short description of your project/activity/event

**Location of Project \***

906 Springvale Rd, Braeside Vic 3195

What is the location of your activity/project/event?

**Who will benefit from the project? \***

The benefit of this project/purchase will be the members of the Lemnian Community of Victoria. The defibrillator may prevent death and/or serious or permanent impairment due to the lack of assistance being in a timely manner prior to the arrival of an ambulance or other medical intervention.

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG110818 From The Lemnian Community of Victoria

Describe how the proposed activity/event/project benefits City of Kingston residents

**Total project cost \***

\$3,000.00

Must be a dollar amount

**Amount requested \***

\$2,000.00

Must be a dollar amount and no more than 2000

**When are the funds required? \***

31/08/2018

Must be a date

**What will the funds be used for? \***

The purchase of a defibrillator.

Describe how the funds will be spent

**Please attach any supporting information**

Filename: defib.pdf

File size: 106.2 kB

For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \***

☐ Yes

☒ No

**If yes, how much?**

Must be a dollar amount

**How were the funds raised?**

**Has you received any funding from Kingston City Council for this project?**

☐ Yes

☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

#### Applicant Bank Details

**Does your organisation have a bank account?**

☒ Yes

☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG110818 From The Lemnian Community of Victoria

**Bank Account Number**



**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

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### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name**

Penny Angelides-Ward

**Position held (if applicable)**

Secretary

**Date**

30/07/2018  
Must be a date

**Declaration**



Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG120818 From GriefLine Community and Family Services Inc.

### Applicant Details

\* indicates a required field

<b>Applicant *</b>	GriefLine Community and Family Services Inc.
<b>Contact Person 1 *</b>	Ms Catherine Cini
<b>Contact Person 1 Primary Address *</b>	[REDACTED]
<b>Contact Person 1 Primary Phone Number *</b>	[REDACTED]
<b>Contact Person 1 Alternative Phone Number</b>	Must be an Australian phone number
<b>Contact Person 1 Primary Email *</b>	[REDACTED]
<b>Type of organisation *</b>	<input checked="" type="radio"/> Not-for-profit <input type="radio"/> School <input type="radio"/> Community Group <input type="radio"/> Individual

### Activity Description

<b>Short project description *</b>	<p>With this grant we are hoping to replace ageing computer equipment and purchase 2 tub-style chairs for use in counselling sessions. GriefLine's small operating budget struggles to cover these important items and a small Quick Response Grant will enable us to significantly improve the efficiency and effectiveness of our programs. The computers are used extensively by volunteers for a range of purposes including email and skype counselling, and data entry (anonymous caller information). Our current programs include:</p> <ul style="list-style-type: none"> <li>-Anonymous helpline staffed by trained volunteers 12 midday until 3am, every day of the year.</li> <li>-Face to face counselling (individual and occasional groups) for children experiencing a range of issues including family breakup, family illness and bereavement, bullying and mental illness.</li> <li>-'Silent Grief' Program – a group program designed to support mothers and grandmothers who have an adult child or grandchild with a disability, mental illness or drug addiction.</li> <li>-Migrant support – Migrant Forum, dedicated Chinese / Mandarin speaking helpline (including a Skype service),</li> </ul>
------------------------------------	---

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG120818 From GriefLine Community and Family Services Inc.

support for the Japanese community, support for international students, refugees and newly arrived migrants.

-Annual seminar / information series

-Talks and presentations to community groups

Provide a short description of your project/activity/event

#### Location of Project \*

GriefLine - 479 Warrigal Road Moorabbin

What is the location of your activity/project/event?

#### Who will benefit from the project? \*

The grant will increase our capacity to continue to directly benefit Kingston residents, both highly-valued volunteers and those accessing our services. Those to benefit include:

- Volunteers

- Students undergoing placement at GriefLine

- People from the community attending face to face counselling

Describe how the proposed activity/event/project benefits City of Kingston residents

#### Total project cost \*

\$2,000.00

Must be a dollar amount

#### Amount requested \*

\$2,000.00

Must be a dollar amount and no more than 2000

#### When are the funds required? \*

30/09/2018

Must be a date

#### What will the funds be used for? \*

Funds from this grant will be used to upgrade 2 10 year old computers for program and volunteer use. Volunteers respond to email and skype requests for help, and assist by entering demographic data and caller information (anonymous) including referrals from Victoria Police (Victoria Police require comprehensive reporting on referral outcomes). The grant will also assist in the purchase of 2 chairs for use in face to face counselling sessions which are offered free of charge to the community. Example is attached.

Describe how the funds will be spent

#### Please attach any supporting information

Filename: tub-style counselling chair.png

File size: 98.0 kB

For example, references, images or annual reports

#### Budget Details

#### Have any other funds been raised? \*

☐ Yes

☒ No

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG120818 From GriefLine Community and Family Services Inc.

**If yes, how much?**

Must be a dollar amount

**How were the funds raised?**

**Has you received any funding from Kingston City Council for this project?**

- ☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

#### Applicant Bank Details

**Does your organisation have a bank account?**

- ☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

#### Privacy Statement

Personal information collected by Council is used for municipal purposes as specified in the Local Government Act 1989. The personal information will be held securely and used solely by Council for these purposes and/or directly related purposes.

Council may disclose this information to other organisations if required or permitted by legislation. The applicant understands that the personal information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer. A full copy of our Privacy Policy may be obtained from the Kingston website: <http://www.kingston.vic.gov.au/Contact-Us/Privacy> or from one of our Customer Service Centres.

#### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG120818 From GriefLine Community and Family Services Inc.

information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name** Sheradon Carroll

**Position held (if applicable)** Grants Advisor

**Date** 31/07/2018  
Must be a date

**Declaration** ☒  
Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG130818 From Chelsea Heights Kindergarten

### Applicant Details

\* indicates a required field

**Applicant \*** Chelsea Heights Kindergarten

**Contact Person 1 \*** Mrs Kim Fleming

**Contact Person 1  
Primary Address \***

**Contact Person 1  
Primary Phone Number \***

**Contact Person 1  
Alternative Phone  
Number**

Must be an Australian phone number

**Contact Person 1  
Primary Email \***

**Type of organisation \***

- ☒ Not-for-profit
- ☐ School
- ☐ Community Group
- ☐ Individual

### Activity Description

**Short project description \***

To extend the sand pit and fix the surrounding dirt area that was impacted by the recent rebuild of Chelsea Heights Kindergarten

Provide a short description of your project/activity/event

**Location of Project \***

Chelsea Heights Kindergarten outdoor area  
What is the location of your activity/project/event?

**Who will benefit from the project? \***

The children of Chelsea Heights Kindergarten. We love our kindergarten's outdoor area. Our kids love the sandpit, it's not uncommon to see 10 kids in there together digging up a storm! It is an inclusive and sensory activity that is popular every day at kindergarten.

Describe how the proposed activity/event/project benefits City of Kingston residents

**Total project cost \***

\$3,493.60  
Must be a dollar amount

**Amount requested \***

\$2,000.00  
Must be a dollar amount and no more than 2000

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG130818 From Chelsea Heights Kindergarten

**When are the funds required? \***

07/09/2018  
Must be a date

**What will the funds be used for? \***

Chelsea Heights Kindergarten has recently been rebuilt. The outside area was not included in the building grant. The building required that the sand pit be reduced to half it's original size. Post build we are left with a sand pit too small and an area of dirt that is unsuitable for children. To fix this problem we approached the Chelsea Kindergarten committee and asked if we could acquire (at a very cheap price) 22 large rocks from the sandpit at the old Chelsea Kindergarten site (they were property of their kindergarten committee). Rather than these rocks go to waste they have been relocated to the Chelsea Heights Kindergarten at low cost. They will be used to extend the sandpit back to the original size and this resolve the issue of the unsuitable patch of dirt. We need to fix the sandpit ASAP as the current pile of rocks area a safety risk and we have therefore fenced them off restricting access to a large portion of of the children's play area.

Describe how the funds will be spent

**Please attach any supporting information**

Filename: Sandpit quote.pdf  
File size: 281.5 kB  
For example, references, images or annual reports

#### Budget Details

**Have any other funds been raised? \***

☒ Yes  
☐ No

**If yes, how much?**

\$1,500.00  
Must be a dollar amount

**How were the funds raised?**

The Chelsea Heights Kindergarten recently held a successful Trivia night. All proceeds have been allocated to moving costs, equipment requirements and landscaping/working bee costs.

**Has you received any funding from Kingston City Council for this project?**

☐ Yes  
☒ No

**If yes, how much?**

Must be a dollar amount

**If yes, when did you receive the funding?**

Must be a date

#### Applicant Bank Details

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG130818 From Chelsea Heights Kindergarten

**Does your organisation have a bank account?**

- ☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

Chelsea Heights Kindergarten

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

### Privacy Statement

Personal information collected by Council is used for municipal purposes as specified in the Local Government Act 1989. The personal information will be held securely and used solely by Council for these purposes and/or directly related purposes.

Council may disclose this information to other organisations if required or permitted by legislation. The applicant understands that the personal information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and/or correction should be made to Council's Privacy Officer. A full copy of our Privacy Policy may be obtained from the Kingston website: <http://www.kingston.vic.gov.au/Contact-Us/Privacy> or from one of our Customer Service Centres.

### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name**

Kim Fleming

**Position held (if applicable)**

Vice President

**Date**

01/08/2018  
Must be a date

**Declaration**

- ☒  
Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF**

**Quick Response Grants - August 2018**  
**Quick Response Grants Application Form**  
**Application QRG130818 From Chelsea Heights Kindergarten**

**copy of your application will be attached to the email.**

**IF YOU DO NOT RECEIVE AN EMAIL YOUR APPLICATION HAS NOT BEEN SUBMITTED.**



## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG010818 From Southern Suburbs Orchid Society Inc.

### Applicant Details

\* indicates a required field

<b>Applicant *</b>	Southern Suburbs Orchid Society Inc.
<b>Contact Person 1 *</b>	Mr Alan Randle
<b>Contact Person 1 Primary Address *</b>	[REDACTED]
<b>Contact Person 1 Primary Phone Number *</b>	[REDACTED]
<b>Contact Person 1 Alternative Phone Number</b>	[REDACTED] <small>Must be an Australian phone number</small>
<b>Contact Person 1 Primary Email *</b>	[REDACTED]
<b>Type of organisation *</b>	<input type="radio"/> Not-for-profit <input type="radio"/> School <input checked="" type="radio"/> Community Group <input type="radio"/> Individual

### Activity Description

<b>Short project description *</b>	<p>Annual orchids show &amp; sale of orchids &amp; orchid specific supplies for growing &amp; cultivating orchids.</p> <p>Orchids are a widely known and enjoyed plant about which the general public has a limited knowledge about their care &amp; cultivation. Unfortunately such information is not readily available. At our show this information will be available from members of our club who have extensive knowledge and experience. They will be demonstrating as well as providing one on one advice.</p> <p>There is an opportunity for attendees to purchase quality orchids of many varieties a lot of which are not readily available elsewhere.</p> <p>The show is widely publicized in the local press (see attached copy of articles promoting last years show), gardening magazines, gardening programs on commercial and community radio and through local garden clubs.</p> <p><small>Provide a short description of your project/activity/event</small></p>
<b>Location of Project *</b>	<p>Wishart Senior Citizens Club, 964 Nepean Hwy. Moorabbin</p> <p><small>What is the location of your activity/project/event?</small></p>

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

#### Application QRG010818 From Southern Suburbs Orchid Society Inc.

<b>Who will benefit from the project? *</b>	Kingston residents and the general public who are interested in the care and cultivation of orchids will have access to information on orchids as listed under the project description above. Describe how the proposed activity/event/project benefits City of Kingston residents
<b>Total project cost *</b>	\$3,350.00 Must be a dollar amount
<b>Amount requested *</b>	\$1,000.00 Must be a dollar amount and no more than 2000
<b>When are the funds required? *</b>	22/09/2018 Must be a date
<b>What will the funds be used for? *</b>	Rent of Wishart Senior Citizens clubroom, 946 Nepean Highway Moorabbin, for conducting the show. Describe how the funds will be spent
<b>Please attach any supporting information</b>	<hr/> Filename: CSG 1718-170 Financials.pdf File size: 1.2 MB <hr/> Filename: Leader Article.docx File size: 1.4 MB For example, references, images or annual reports

#### Budget Details

<b>Have any other funds been raised? *</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>If yes, how much?</b>	\$1,000.00 Must be a dollar amount
<b>How were the funds raised?</b>	Members subscriptions, raffle proceeds at monthly meetings and commission on sale of members plants at monthly meetings
<b>Has you received any funding from Kingston City Council for this project?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>If yes, how much?</b>	Must be a dollar amount
<b>If yes, when did you receive the funding?</b>	Must be a date

#### Applicant Bank Details

## Quick Response Grants - August 2018

### Quick Response Grants Application Form

Application QRG010818 From Southern Suburbs Orchid Society Inc.

**Does your organisation have a bank account?**

- ☒ Yes  
☐ No

**Bank Name**

[REDACTED]

**Bank BSB**

[REDACTED]

**Bank Account Number**

[REDACTED]

**If you would prefer payment by cheque, who should this be made out to?**

If you are an individual under 18 and are successful in being awarded a grant, please provide the name of a parent or guardian as the cheque will be made out in their name.

### Privacy Statement

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### Declaration

I have read and understood the Quick Response Grants Guidelines.

I agree that the information in this application and the attachments is, to the best of my knowledge, true and correct. I shall notify Kingston City Council of any changes to this information or circumstances that may affect this application. I understand that this is an application only and may not necessarily result in funding approval.

**Name**

Alan Randle

**Position held (if applicable)**

Treasurer

**Date**

03/08/2018  
Must be a date

**Declaration**

- ☒  
Please tick to agree with the Declaration

**Please review your application and ensure all fields marked with an \* are completed.**

**NOTE: when you submit your application you will receive an email confirming this. A PDF**

**Quick Response Grants - August 2018**  
**Quick Response Grants Application Form**  
**Application QRG010818 From Southern Suburbs Orchid Society Inc.**

**copy of your application will be attached to the email.**

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# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 11.2

## ASSEMBLY OF COUNCILLORS RECORD REPORT

Contact Officer: Phil DeLosa, Manager Governance

### Purpose of Report

To provide copies of the Assembly of Councillors records in line with Section 80A of the Local Government Act 1989 to support openness and transparency of Governance processes.

### 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.

### OFFICER RECOMMENDATION

That Council note the contents of this report for the public record.

### 1. Executive Summary

This report contains records for all meetings defined as an Assembly of Councillors under Section 80A of the Local Government Act 1989, (the Act).

### 2. Background

The Act requires that Assembly of Councillors records are reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making and to place on public record any declarations of direct or indirect interests by Councillors.

### 3. Discussion

#### 3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.1 - Support decision making to provide an efficient and effective council which embodies the principles of democracy

The reporting of Assembly of Councillors meets the requirements of the Act and is critical to Direction 5.1.

#### 3.2 Consultation/Internal Review

Not applicable to this report.

### **3.3 Operation and Strategic Issues**

#### **3.3.1 Legislative Requirements**

As prescribed by section 80A of the Act, the written record only needs to be a simple document that records:

- The names of all Councillors and staff at the meeting;
- A list of the matters considered;
- Any conflict of interest disclosed by a Councillor; and
- Whether a Councillor who disclosed a conflict leaves the assembly.

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

Section 80A of the Act requires a Councillor attending an assembly to disclose a conflict of interest and leave the room whilst the matter is being considered.

This requirement is explained in further detail in Practice Note No. 6 Assemblies of Councillors which was authored by Local Government Victoria. This Practice Note advises that unlike Council meetings, it is not necessary for a Councillor to disclose any details of the conflict of interest. It is sufficient to just disclose that the conflict of interest exists and this is all that should be recorded.

The rationale behind this limited requirement is to protect Councillors' privacy. In Council or Special Committee meetings, Councillors have an option under the Act to disclose a conflict of interest in writing to the CEO, which allows for the nature and type of the conflict of interest to remain private. The Act does not provide this option in relation to Assemblies of Councillors and thus Councillors are only required to disclose the existence of a conflict of interest and not the nature and type of interest at an assembly.

## **4. Conclusion**

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

### **4.1 Environmental Implications**

Nil

### **4.2 Social Implications**

Tabling Assembly of Council records supports disclosure and transparency of Council operations.

### **4.3 Resource Implications**

Nil

### **4.4 Legal / Risk Implications**

Reporting Assemblies of Councillors to Council meets the legislative requirement contained in section 80A of the Act.

**Appendices**

Appendix 1 - Assembly of Councillors Record PSAEC Meeting 26th July 2018 (Ref 18/483284) [↓](#)

Appendix 2 - Assembly of Councillors Record - Planning Councillor Information Session - 6 August 2018 (Ref 18/506434) [↓](#)

Appendix 3 - Assembly of Councillors Record - Strategic Councillor Information Session - 13 August 2018 (Ref 18/497973) [↓](#)

Appendix 4 - Assembly of Councillors Record - Strategic Councillor Information Session - 20 August 2018 (Ref 18/506035) [↓](#)

Author/s: Phil DeLosa, Manager Governance

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

# 11.2

## ASSEMBLY OF COUNCILLORS RECORD REPORT

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2	Assembly of Councillors Record - Planning Councillor Information Session - 6 August 2018.....	695
3	Assembly of Councillors Record - Strategic Councillor Information Session - 13 August 2018.....	699
4	Assembly of Councillors Record - Strategic Councillor Information Session - 20 August 2018.....	703



# Assembly of Councillors Record

This Form **MUST** be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

## Assembly details: Public Spaces and Environment Advisory Committee

**Date:** 26<sup>th</sup> July 2018

**Time:** 6pm – 9pm

**Assembly Location:** Mordialloc and Moorabbin Rooms, Ground Floor, 1230 Nepean Highway, Cheltenham

**Assembly Reason:** Public Spaces and Environment Advisory Committee Meeting

### Attendees:

Joseph Astbury  
Paul Baumgartner  
Warren De Silva  
Nina Earl  
Margaret Hunter  
Pamela Payne  
Mary Rimington  
Claire McPhee  
Dr Jeff Yugovic, Biosis

### Councillor/s:

Cr Rosemary West (Chair)

### Officer/s:

Emily Boucher, Principal Environment Officer  
Tony Collins, Team Leader Parks and Recreation  
Lee James, Natural Resource Supervisor  
Daivd Sheppard, Project Director Green Wedge

### Apologies:

Barry Bush  
Robin Erwin  
Walter Grahame  
Claire Houston  
Penny McGuire-White  
Judy Wilks

### Matter/s Discussed:

Draft Biodiversity Strategy 2018-2023 and supporting documentation

**Conflict of Interest Disclosures:** none

**Did senior officer present ask for disclosure of Conflicts of Interest?** No

**Councillor Disclosures:** (refer 2 over page).

## Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

**Record if a Councillor left the meeting during the discussion.**

no

**Officer Disclosures: (refer 4 over page)**

**Completed by:** Emily Boucher

**Date:** 31<sup>st</sup> July 2018

**Assembly of Councillors Record - Any record of an Assembly of Councillors is reported at next practicable Council meeting and recorded in the Minutes.**

**Requirements and explanation:**

**1. Section 80A(1) and (2) Officer Requirements (re Written Record to be made of disclosure of Conflicts of Interest):**

Section 80A(1) and (2) of the Local Government Act 1989, stipulates:

- "(1) At an assembly of Councillors, the Chief Executive Officer must ensure that a written record is kept of:
  - (a) the names of all Councillors and members of Council staff attending,
  - (b) the matters considered,
  - (c) any conflict of interest disclosures made by a Councillor attending under subsection (3),
  - (d) whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly."
- (2) The Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable-
  - (a) reported at an ordinary meeting of the Council; and
  - (b) incorporated in the minutes of that Council meeting."

**2. Section 80A(3) and (4) Councillor Requirements (re Conflict of Interest):**

Section 80A(3) and (4) of the Local Government Act 1989, stipulates:

- "(3) If a Councillor attending an assembly of Councillors knows, or would reasonably be expected to know, that a matter being considered by the assembly is a matter that, were the matter to be considered and decided by Council, the Councillor would have to disclose a conflict of interest under section 79, the Councillor must, at the time set out in subsection (4), disclose to the assembly that he or she has a conflict of interest and leave the assembly whilst the matter is being considered by the assembly. Penalty: 120 penalty units.
- (4) A Councillor must disclose the conflict of interest either-
  - (a) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or
  - (b) if the Councillor realises that he or she has a conflict of interest after consideration of the matter has begun, as soon as the Councillor becomes aware that he or she has a conflict of interest."

**3. Section 3(1) definition:**

"**Assembly of Councillors**" (however titled) means a planned or scheduled meeting of at least five Councillors and one member of Council staff, or an advisory committee of the Council where one or more Councillors are present which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a function, duty or power of the Council that has been delegated to a person or Committee; or

but does not include a meeting of the Council, a Special Committee of the Council, a club, association, peak body, political party or other organisation."

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:-

- Meeting / briefing of five Ward Councillors;
- Advisory committee or Village Committee Meeting where 1 or more Councillor is present
- Other Councillor briefing sessions;
- Budget discussions;
- Workshops re key Council priorities;
- Site inspections / preliminary planning conferences;

providing **at least five Councillors and one Council Staff member is present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

*As a matter of good practice, it would be considered exceptional not to deem any scheduled / planned meeting of five or more Councillors and an officer/s as an Assembly of Councillors. If you require further clarification, please call the Governance team.*

**4. Section 80B Officer Requirements (re Disclosure of Conflicts of Interest):**

A member of Council staff who has a conflict of interest in a matter in which they also have delegated power, duty or function must:

- not exercise the power or discharge the duty or function; and
- disclose the type of interest and the nature of the interest to the Chief Executive Officer, in writing, as soon as he or she becomes aware of the conflict of interest in the matter, including those situations when the Officer is exercising a statutory power or duty of the Chief Executive Officer.

## Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

### Assembly details:

**Date:** 6 August 2018

**Time:** 5.45pm

**Assembly Location:** Oakleigh Room, 1230 Nepean Highway, Cheltenham

**Assembly Reason:** Planning Councillor Information Session

### Attendees:

#### Councillors

Cr Steve Staikos (Mayor)  
 Cr Tamsin Bearsley  
 Cr Ron Brownlees OAM  
 Cr Geoff Gledhill  
 Cr George Hua  
 Cr Georgina Oxley  
 Cr Rosemary West OAM

#### Officers

John Nevins, Chief Executive Officer  
 Mauro Bolin, General Manager Community Sustainability  
 Paul Franklin, General Manager Corporate Services  
 Jonathan Guttmann, General Manager Planning and Development  
 Megan O'Halloran, Manager Communications & Community Relations  
 Phil De Losa, Manager Governance  
 Paul Marsden, Manager City Strategy  
 Ian Nice, Manager City Development  
 Tony Ljaskevic, Manager Information Services  
 Ross Gregory, Manager Traffic and Transport  
 Jaclyn Murdoch, Team Leader - Planning Appeals and Compliance  
 Naomi Crowe, Team leader City Development Administration  
 Kelly Hatherall, Technical & Systems Co-ordinator  
 Toby Gilbert, Vegetation Management Officer  
 Stephanie O'Gorman, Governance Officer

#### Apologies

Cr Barth  
 Cr Eden





## Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

### Matter/s Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Strategic CIS Meeting of 16 July 2018
4. Pick My Project
5. Individual Ward Briefing
6. Planning Delegation Policy Emails - June 2018
7. Draft Agenda - Planning Committee - See Separate Agenda
8. Planning Compliance in the Green Wedge - Quarterly report August 2018
9. IT Support
10. E-Pathway Application Demonstration
11. Heritage Victoria Correspondence - Pompei's Landing
12. Amendment VC148 Update
13. Report on Legal Advice
14. Civic Parking Permit Policy
15. Invitations
16. CEO/Councillors Discussion

### Conflict of Interest Disclosures:

**Did senior officer present ask for disclosure of Conflicts of Interest?**

Yes

**Councillor Disclosures: (refer 2 over page).**

Nil

**Record if a Councillor left the meeting during the discussion.**

NA

**Officer Disclosures: (refer 4 over page)**

Nil

**Completed by:** Stephanie O'Gorman

**Date:** 6/8/2018



**Assembly of Councillors Record - Any record of an Assembly of Councillors is reported at next practicable Council meeting and recorded in the Minutes.**

**Requirements and explanation:**

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  - (b) incorporated in the minutes of that Council meeting."

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- (4) A Councillor must disclose the conflict of interest either-
  - (a) immediately before the matter in relation to which the Councillor has a conflict of interest is considered; or
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but does not include a meeting of the Council, a Special Committee of the Council, a club, association, peak body, political party or other organisation."

**Brief Explanation:**

Some examples of an *Assembly of Councillors* will include:-

- Meeting / briefing of five Ward Councillors;
- Advisory committee or Village Committee Meeting where 1 or more Councillor is present
- Other Councillor briefing sessions;
- Budget discussions;
- Workshops re key Council priorities;
- Site inspections / preliminary planning conferences;

providing **at least five Councillors and one Council Staff member is present** and the matter/s considered are intended **or likely to be** subject of a future decision by the Council **OR** an officer decision under delegated authority.

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**4. Section 80B Officer Requirements (re Disclosure of Conflicts of Interest):**

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- not exercise the power or discharge the duty or function; and
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## Assembly of Councillors Record

This Form MUST be completed by:

- (i) The appropriate attending Council Officer or;
- (ii) Chairperson of any Council Advisory Committee where there is no Council Officer present and returned IMMEDIATELY to the Manager Governance for filing.

### Assembly details:

**Date:** 13 August 2018

**Time:** 5.45pm

**Assembly Location:** 1230 Nepean Highway Cheltenham

**Assembly Reason:** Strategic Councillor Information Session

### Attendees:

#### Councillors

Cr Steve Staikos (Mayor)  
Cr Tamara Barth (arrived at 6.01pm)  
Cr Tamsin Bearsley  
Cr Ron Brownlees OAM  
Cr David Eden (arrived 5.56pm)  
Cr Geoff Gledhill  
Cr George Hua  
Cr Georgina Oxley (arrived 5.56pm)  
Cr Rosemary West OAM

#### Officers

John Nevins, Chief Executive Officer  
Mauro Bolin, General Manager Community Sustainability  
Paul Franklin, General Manager Corporate Services  
Daniel Freer, General Manager City Assets and Environment  
Jonathan Guttman, General Manager Planning and Development  
Tracey Cheeseman, Media Advisor  
Phil De Losa, Manager Governance  
Joanne Creedon, Governance Officer  
Julian Harvey, Manager Property, Arts and Leisure Services  
Tim Bearup, Manager Libraries and Social Development  
Jihan Wassef, Team Leader Social Development  
Amy Wallis, Family Violence Project Officer  
Ross Gregory, Manager Traffic and Transport

#### Guests

Mary Anne Lane, Manager Communications and Stakeholder Relations, Southern Program Alliance  
Scott Nichols, Southern Program Alliance  
Rebecca Feary Gibb, Communications and Stakeholder Relations Adviser, Level Crossing Removal Authority



# Assembly of Councillors Record

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## Apologies:

Nil

## Matter/s Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Strategic CIS Meeting of 16 July 2018
4. Notes of the Public Spaces and Environment Advisory Committee 26th July 2018
5. Business and Economic Development Advisory Committee Notes - 12 April 2018
6. Adoption of the Kingston Arts and Cultural Strategy 2018-2022
7. Commercial Use of Council Land Policy
8. Mordialloc Bowls Club - Section 223 Committee Report and Lease
9. Prevention of Family Violence Action Plan – Draft
10. LXRA Update on Carrum Foreshore Promenade
11. Community Buildings Environmentally Sustainable Design (ESD) policy
12. Stormwater Quality In-Lieu Contributions
13. Invitations
14. Climate Change Strategy 2018-2025 Endorsement
15. Ward Advisory Committees
16. Draft Agenda - Ordinary Meeting of Council – 27 August 2018
17. Councillor/CEO Only Discussion – Confidentiality Status Reports

## Conflict of Interest Disclosures:

Nil

## Did senior officer present ask for disclosure of Conflicts of Interest?

Yes

## Councillor Disclosures: (refer 2 over page).

## Record if a Councillor left the meeting during the discussion:

NA

## Officer Disclosures: (refer 4 over page)

Nil

Completed by: Joanne Creedon, Governance Officer

Date: 13/08/2018



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### Assembly details:

**Date:** 20 August 2018

**Time:** 5.45pm

**Assembly Location:** 1230 Nepean Highway Cheltenham

**Assembly Reason:** Strategic Councillor Information Session

### Attendees:

#### Councillors

Cr Steve Staikos (Mayor)  
Cr Tamara Barth (arrived at 6.00pm)  
Cr Tamsin Bearsley  
Cr Ron Brownlees OAM  
Cr David Eden  
Cr Geoff Gledhill  
Cr George Hua (arrived at 5.55pm)  
Cr Georgina Oxley  
Cr Rosemary West OAM

#### Officers

John Nevins, Chief Executive Officer  
Mauro Bolin, General Manager Community Sustainability  
Paul Franklin, General Manager Corporate Services  
Daniel Freer, General Manager City Assets and Environment  
Jonathan Guttmann, General Manager Planning and Development  
Megan O'Halloran, Manager Communications & Community Relations  
Phil De Losa, Manager Governance  
Tim Bearup, Manager Libraries and Social Development  
Connee Maggio, Team Leader Library Customer Service  
Ross Gregory, Manager Traffic and Transport  
Anthony Ziem, Acting Manager Community Buildings  
Julian Harvey, Manager Property, Arts and Leisure Services  
Angela Granter, Acting Team Leader Property Services

#### Guest

Andrew Marty, Managing Director, SACS Consulting

### Apologies:

Nil



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## Matter/s Discussed:

1. Apologies
2. Disclosures by Councillors, Officers and Contractors of any Conflict of Interest
3. Notes of the Strategic CIS Meeting of 13 August 2018
4. CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries
5. Energy Efficient Street Lighting
6. Response to Notice of Motion No. 15/2016 - Cr Brownlees - Planning Policy (Parking and Rear Setbacks) and to Notice of Motion No. 20/2018 Cr Hua - Impact of Multi-Unit Development on Parking
7. CEO Performance Review
8. Amendment C163 (Tarella Road)
9. Community Buildings Environmentally Sustainable Design (ESD) policy
10. Response to Notice of Motion No. 6/2016 - Cr Gledhill - Draft Mooring Policy for Mordialloc Creek – Update
11. Draft Lease and Licence Policy
12. Mordialloc Bowls Club - Section 223 Committee Report and Lease
13. Confidential Briefing - Parkdale Secondary College - Joint Use Agreement
14. Response to Notice of Motion No. 23/2018 - Cr West - Additional Community Panel for the NCS and Housing Strategy
15. Special Meeting Request Notice
16. Appointment of Members to the Arts and Cultural Advisory Committee
17. Proposed CIS Presentation by Gambling Alliance
18. Invitations

## Conflict of Interest Disclosures:

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Yes

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Nil

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NA

**Officer Disclosures: (refer 4 over page)**

The CEO, John Nevins disclosed a Conflict of Interest in Item 5 - CEO Performance Review

Completed by: Joanne Creedon, Government Officer

Date: 20 August 2018

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# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 11.3

## APPOINTMENT OF MEMBERS TO THE ARTS AND CULTURAL ADVISORY COMMITTEE

Contact Officer: Joanne Creedon, Governance Officer

### Purpose of Report

The purpose of this report is to recommend the appointment of new members to the Arts and Cultural Advisory Committee.

### 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.

### OFFICER RECOMMENDATION

That Council appoint the following applicants as members of the Arts and Cultural Advisory Committee until 30 June 2020:

- Emily Harms
- Matt Harvey
- Jill Page
- Joey Santos
- Geoff Robinson

### 1. Executive Summary

Following a resolution of Council in March 2018, five (5) membership vacancies were identified on the Arts and Cultural Advisory Committee (the Committee).

Officers then advertised for nominations to fill the vacancies in April 2018. Six applications were received and in accordance with the Committee's Terms of reference, each applicant was invited to interview as part of the appointment process.

Following the review of the applications and the completion of the interview process it is recommended that Council appoint five new members to the Committee.

### 2. Background

At its Ordinary Meeting on 26 March 2018 Council resolved:

1. *That Council endorse the continuation of the following Advisory Committees and adopt the terms of reference contained in Appendix 1 of this report:*
  - **Arts and Cultural Advisory Committee**
  - *Business and Economic Development Advisory Committee*
  - *Community Safety Advisory Committee*
  - *Public Spaces and Environment Advisory Committee*
  - *Sport and Recreation Advisory Committee*

2. *That Council endorse the continuation of the Access and Equity Advisory Committee and adopt the updated committee terms of reference contained in Appendix 2 of this report.*
3. *That Council endorse the continuation of the Youth Advisory Committee and undertake a review of the committee's terms of reference.*
4. *That the Festivals and Events Advisory Committee be reclassified as a Network Committee.*
5. ***That the current membership of the Advisory Committees be extended until 30 June 2019 and a recruitment process undertaken to fill current vacancies that exist on committees (with an appointment until 30 June 2020).***

Officers identified that there were five (5) vacancies on the Arts and Cultural Committee with the three existing members confirming the extension of their membership until June 2019.

In accordance with the resolution a recruitment process was undertaken. Adverts were placed in local newspapers and on Council's website and the Kingston Arts website calling for membership nominations. Officers also distributed the adverts through Council's arts and culture networks.

Six applications were received. A summary of these applications is contained in Appendix 1 of this report. Having reviewed the application forms, all applicants were invited to interview in line with the Committee Terms of Reference (Appendix 2). Five of the six applicants took part in the interview process.

### **3. Discussion**

#### **3.1 Council Plan Alignment**

Goal 3 - Our connected, inclusive, healthy and learning community

Direction 3.1 - Respond to our community's social needs

Council is responsive to the needs of the community and recognises the important feedback role that Advisory Committees play.

#### **3.2 Consultation/Internal Review**

Officers advertised for vacancies on the Arts and Cultural Advisory Committee via the following outlets:

- Council website;
- Kingston Arts website;
- Council social media platforms;
- Local newspapers; and
- Council arts and cultural networks

#### **3.3 Operation and Strategic Issues**

##### **3.3.1 Appointment Process**

A total of six (6) applications were received (Appendix 1). Five (5) vacancies were available on the committee.

In accordance with the Terms of Reference, all applicants that submitted application forms were invited to an interview with the Team Leader, Arts and Cultural Services, Manager Property, Arts and Leisure Services and Cr Bearsley as Council's representative on the committee. Five of the six applicants were interviewed.

The interview panel deemed the five applicants who were interviewed to be suitable to join the committee. Appointments will run until 30 June 2020.

**3.3.2 Continuation of Existing Members**

The Council resolution requires that membership of the existing committee members be extended until 30 June 2019 and that a recruitment process be undertaken to fill current vacancies that exist on committees (with an appointment until 30 June 2020).

All three (3) existing members of the committee have confirmed that they will retain their membership until June 2019.

The appointment of the new members will bring the committee membership to a total of eight (8) members.

**4. Conclusion**

The appointment of new members to the Arts and Cultural Committee will further enhance the Committee's advice to Council on matters concerning arts and culture within the municipality.

All applicants that are recommended for appointment meet the criteria for membership as set out in the Terms of Reference. Each will bring specific knowledge and expertise from their respective industry/community sector and it is therefore expected that each member will add value to the Committee.

**4.1 Environmental Implications**  
NA

**4.2 Social Implications**  
Appointing members of the community to Arts and Cultural Advisory Committee enables community participation in specific areas of Council business, which ensures that Council considers the views of the community in its decision making processes.

**4.3 Resource Implications**  
NA

**4.4 Legal / Risk Implications**  
NA

**Appendices**

Appendix 1 - Summary of Applications – Arts and Cultural Advisory Committee  
August 2018 (Ref 18/496171) [↓](#)

Appendix 2 - Arts and Cultural Advisory Committee Terms of Reference (Adopted 26  
March 2018) (Ref 15/68815) [↓](#)

Author/s: Joanne Creedon, Governance Officer  
Reviewed and Approved By: Phil DeLosa, Manager Governance  
Paul Franklin, General Manager Corporate Services

# 11.3

## APPOINTMENT OF MEMBERS TO THE ARTS AND CULTURAL ADVISORY COMMITTEE

1	Summary of Applications – Arts and Cultural Advisory Committee August 2018 .....	713
2	Arts and Cultural Advisory Committee Terms of Reference (Adopted 26 March 2018) .....	715



## Summary of Applications – Arts and Cultural Advisory Committee August 2018

<b>Name</b>	<b>Summary</b>	<b>Interview</b>	<b>Selection Criteria</b>	<b>Recommendation</b>
<b>Nicholas Bufalo</b>	Professional actor, writer and director (TV and Theatre), local resident	Withdrew	N/A	N/A
<b>Emily Harms</b>	Marketing and communications professional in Melbourne and London arts and culture industries, currently employed at the Wheeler Centre, Melbourne, Local resident	Yes	Meets selection criteria	Appoint to committee
<b>Matt Harvey</b>	Commercial photographer, arts enthusiast, local resident	Yes	Meets selection criteria	Appoint to committee
<b>Jill Page</b>	President and Senior Vocal Convenor of Eisteddfod by the Bay, conductor of Vivace Voices, OAM for services to the Arts 2017, local resident	Yes	Meets selection criteria	Appoint to committee
<b>Geoff Robinson</b>	Creative Producer for Arts Access Victoria, PhD in Fine Art, advocate for artists with disabilities, Coordinator of Arts Day South (City of Kingston)	Yes	Meets selection criteria	Appoint to committee
<b>Joey Santos</b>	Musician, member of St Andrew's Choir, Co-founder Unified Filipino Elderly Association, local resident	Yes	Meets selection criteria	Appoint to committee



<b>Name of Committee:</b>	<b>Arts &amp; Cultural Advisory Committee</b>
<b>Purpose of Committee:</b>	<p>The Arts and Cultural Advisory Committee has been established to provide advice to the City of Kingston in relation to broad-based arts and cultural issues within the community.</p> <p>The Arts and Cultural Advisory Committee is an advisory committee of Council with a Councillor or Councillors nominated on an annual basis.</p> <p>The establishment of the Arts and Cultural Advisory Committee provides an important forum for identifying municipal-wide issues and opportunities and advising Council about effective policy and service provision regarding arts and cultural within the City of Kingston.</p> <p>As with all City of Kingston Advisory Committees, the Arts and Cultural Advisory Committee has a citywide focus. The committee should focus on issues and opportunities that are relevant across the entire municipality.</p> <p>The committee should provide specialist advice to Council as an input into decisions that impact municipal-wide Council policy.</p> <p>The Arts and Cultural Advisory Committee has no delegated decision making power from Council.</p>
<b>Council Plan Objectives</b>	<p>To provide advice to Council on the provision of :</p> <ul style="list-style-type: none"> <li>• Quality community facilities that are well used and accessible specifically arts and Cultural facilities</li> <li>• A city responsive to the needs and aspirations of the community through extensive community consultation for Arts and Cultural activities</li> <li>• Connected and effective community groups are supported through the provision of the diverse range of Arts and Cultural activities i.e. the Arts Grants Program</li> <li>• A city rich with Cultural vitality through the implementation of the Arts and Cultural Strategy, Public Art Strategy, diverse Arts and Cultural Activities including Cultural Heritage.</li> </ul>

## ADVISORY COMMITTEE TERMS OF REFERENCE



<b>Criteria for Membership:</b>	<ul style="list-style-type: none"> <li>• Current involvement in service provision, policy or program development in arts and culture;</li> <li>• Endorsement by their organisation if applicable;</li> <li>• Strong community networks and linkages;</li> <li>• An ability to constructively participate in an advisory capacity;</li> <li>• An ability to represent a broad range of views that reflect the diversity of the community;</li> <li>• A strong understanding of the local community and its social, environmental and economic influences;</li> <li>• Good knowledge and understanding of the local issues that are relevant to arts and culture;</li> <li>• A willingness to contribute positively to meetings in a fair and unbiased manner;</li> <li>• An ability to look beyond personal interests for the benefit of the community and residents of the City of Kingston;</li> <li>• An ability and willingness to encourage participation from and provide feedback to the community regarding Policy Area;</li> <li>• A capacity to commit to the Strategic Advisory Committee for the required duration;</li> <li>• A willingness to celebrate the success and achievements of arts and culture in the City of Kingston;</li> </ul>
<b>Selection of Members:</b>	<p>The selection of the membership will involve calling for nominations. An advertisement may be placed in the local media and on Council's website. Specific representatives may be invited to nominate. A nomination form must be completed by interested representatives and all nominations will be assessed against the Criteria for Membership.</p> <p>All nominees will be interviewed before appointment to the Committee. The interview panel will consist of a least two Councillors on the Committee and at least one Council Officer representative.</p> <p>Appointment will be for a period of two years, with a maximum of two terms i.e. four years. Should there be a need for the Arts and Cultural Advisory Committee to continue beyond this time, a re-appointment process will be undertaken for all members in accordance with the selection process outlined in these terms of reference.</p> <p>If inadequate nominations are received during the re-appointment process, members whose term has expired (i.e. served for the max four years) are eligible to re-nominate.</p>
<b>Chairperson:</b>	<p>The role of Chairperson shall be undertaken by a Councillor.</p> <p>A Councillor may also choose not to undertake the role of Chair. In this case an independent Advisory Committee member may be elected to the role through a vote or consensus among the independent members.</p> <p>The appointed Chairperson is responsible for the conduct of meetings, ensuring fair and equitable opportunities for views and opinions to be voiced and discussed by the Advisory Committee.</p> <p>A deputy Chairperson should be elected to chair meetings in the absence of the Chairperson.</p>

## ADVISORY COMMITTEE TERMS OF REFERENCE



<b>Membership:</b>	<p>The Arts and Cultural Advisory Committee will consist of the following membership structure:</p> <ul style="list-style-type: none"> <li>• A maximum of three (3) Councillor representatives (appointed by Council resolution)</li> <li>• A maximum of six (6) representatives from service providers/ agencies or organisations who have expertise and experience in the provision of arts and cultural services in the City of Kingston; and</li> <li>• A maximum of two (2) community representatives with an interest in the provision of arts and cultural services in the City of Kingston</li> </ul> <p>Co-opted representatives will be invited to participate from time to time when specialised skills and knowledge are required and to contribute from their field of expertise.</p>
<b>Executive Support:</b>	<p>The Governance Department will:</p> <ul style="list-style-type: none"> <li>• Provide terms of reference to new committee members.</li> <li>• Facilitate a review process for the committee and its terms of reference every two years.</li> <li>• Provide information and education on good governance issues such as; conflict of interest, confidentiality and register of interests.</li> <li>• Offer training for the chairperson if required.</li> <li>• Oversee the recruitment and selection process for committee membership.</li> </ul> <p>The Arts and Cultural Services Department will:</p> <ul style="list-style-type: none"> <li>• Compile and circulate agendas, attend meetings, compile and distribute minutes.</li> <li>• Compile the annual report of the committee on behalf of the Chairperson</li> <li>• Facilitate the annual Arts and Cultural grants process.</li> </ul> <p>The General Manager of City Assets and Environment and selected Council Officers will provide professional advice to the committee as required.</p>
<b>Quorum and Voting:</b>	<p>The Committee will operate with 'one third plus one' of the total membership.</p> <p>It is preferable that decisions of the Arts and Cultural Advisory Committee are made by consensus however; there may be circumstances where a matter is decided by a vote.</p> <p>Each member is entitled to one vote, except that the Chairperson who may exercise a casting vote should this be necessary.</p>



## ADVISORY COMMITTEE TERMS OF REFERENCE



<p><b>Conflict of Interest and Confidentiality:</b></p>	<p>The Local Government Act identifies direct and indirect conflicts of interest which require disclosure as and when they arise. Members of the Arts and Cultural Advisory Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as members of the Arts and Cultural Advisory Committee.</p> <p>Any matter deemed by a member to represent a Conflict of Interest shall be reported to the Chairperson and the Governance Department either prior to a meeting or before the specific item is discussed and dealt with in line with the Act and any relevant Council policies or guidelines.</p> <p>It is intended that the Arts and Cultural Advisory Committee will be a forum for discussing proposed policies and actions that may impact the Kingston Community.</p> <p>It is envisaged that members will be provided with information that is not available in the public realm. It will be critical that committee members are seen as a group that can be trusted with confidential information.</p> <p>The Arts and Cultural Advisory Committee's ability to fulfill its purpose will be severely hampered if that trust is undermined in any way. Given the level of confidentiality that will be associated with some of the information provided to members, any discussion with non-committee members is limited to information already available to the public.</p> <p>Confidential discussion will not be disclosed without the Chair's prior approval.</p>
<p><b>Meetings:</b></p>	<p>Meetings of the Arts and Cultural Committee will be held quarterly or more often by arrangement with the committee members and Chairperson. A schedule of meetings will be developed and agreed to annually.</p> <p>The Committee will also hold one (1) Special Meeting per year to assess applications for the annual Arts Grants program.</p> <p>Under special circumstances a meeting may be cancelled or re-scheduled. A Council venue that is central for all members to access will be nominated for meetings.</p> <p>It is expected that each member of the Arts and Cultural Advisory Committee will attend a minimum of two (2) meetings each year.</p> <p>The Arts and Cultural Advisory Committee may hold joint meetings to deal with issues that cover the reach of more than one Advisory Committee.</p>

## ADVISORY COMMITTEE TERMS OF REFERENCE



<b>Guiding Principles:</b>	<ul style="list-style-type: none"> <li>• We are inclusive, open minded and respectful of everyone's perspective</li> <li>• We put our personal agendas aside and provide advice for the greater good of the diverse City of Kingston community</li> <li>• Challenging and exploring are an integral part of what we do and how we operate</li> <li>• We represent and commit to the value of the committee</li> <li>• We actively participate and engage in the work of the committee</li> <li>• We are punctual, well prepared, timely with responses and we follow through</li> <li>• We are realistic about what we can achieve</li> <li>• We have a strong focus on outcomes</li> </ul>
<b>Reporting:</b>	<ul style="list-style-type: none"> <li>• A report of each Arts and Cultural Advisory Committee meeting is to be presented to a Councillor Information Session.</li> <li>• Minutes of each meeting will be provided to all Councillors of the City of Kingston.</li> <li>• A report of the Arts and Cultural Advisory Committee activities will be presented to the Council by 30 June annually.</li> </ul>
<b>Related Documents:</b>	<p><u>Council Plan 2017-2021</u></p> <p><u>Living Kingston 2035</u></p> <p><u>Arts and Cultural Strategy 2011 - 2015</u></p> <p><u>Public Art Policy</u></p> <p><u>Public Art Strategy 2012 - 2016</u></p>

# Ordinary Meeting of Council

27 August 2018

Agenda Item No: 11.4

## KINGSTON PERFORMANCE REPORT 2017/18 - QUARTER 4

Contact Officer: Annette Forde, Corporate Planning and Performance Officer

### Purpose of Report

This report provides an update on the progress of the Council Plan 2017-2021 through Council's key actions and performance indicators for the fourth Quarter 2017/18.

### 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.

### OFFICER RECOMMENDATION

That Council receive the Kingston Performance Report 2017/18, Quarter 4.

### 1. Discussion

Council achieved excellent performance results in the April to June quarter, with progress targets for the majority of key actions achieved for the year and most performance indicators being within the expected or acceptable range.

#### Key highlights include:

- Moved into the final stages of the energy efficient street light fitting replacement.
- Development of the Family Violence Prevention Action Plan and a Prevention of Violence Against Women Working Group.
- Completed an accessible 'changing places' toilet at Westall Hub to provide support for people with disabilities and upgrades to existing toilets.
- Completed the refurbishment of Rene Anderson former pre-school (\$0.9m).
- Completed the Chelsea Heights Kindergarten construction works (\$1m).
- Facilitated increased usage of the Kingston Jobs Portal.
- Renewed the organisation's Customer Service Charter using 'deliberative engagement' with the community.
- Implemented online processing of Land Information Certificates and online rates payments.
- Hosted a 'Hackathon' at RMIT to encourage innovative thinking to meet future needs.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

**Actions**

The majority (86.1%) of the 172 actions in the performance report are 'on track' or completed with 12.2% (21 actions) 'in progress' and 1.7% (three actions) 'off track'.

During the year, 51 new actions were added following Council Resolutions (18 actions) and Notices of Motion (33 actions).

The three off track actions are shown below:

Off Track Action	Comment
<b>Transition Maternal Child Health services to a new integrated state-wide software platform (CDIS)</b>	The Municipal Association of Victoria reported they experienced a delay in mapping our data to the new system in quarter two and there has been a further delay in quarter three. MAV has given us a new date of September 2018 for the transition.
<b>Develop a business case to advocate with State Government for the Cheltenham Court House to be used by Kingston Council for potential community uses.</b>	Some discussions have been undertaken with Cheltenham Police regarding how the facility is currently being used. Further investigation about potential community use to be considered in 2018.
<b>Develop and implement an Integrated Transport Strategy</b>	The Integrated Transport Strategy will be developed during 2018/19 and consider walking, cycling, public transport, freight and passenger vehicles.

**Performance Indicators**

Most (32) of the 40 performance indicators are on track or 'in progress' (within the expected or acceptable variance range), with eight off track.

Of the eight indicators off track - three are in Goal 1, one in Goal 2, one in Goal 4 and three in Goal 5. The off track indicators are detailed below:

Off Track Indicator	Comment
<b>Adopted Council annual capital budget – Quarterly % spent</b>	Capital expenditure for the year was \$8.8M lower than the original adopted budget of \$58.4M for 2017/18 due to unavoidable delays in some projects. Those projects are ongoing and the budget will be carried forward into the 2018/19 year.
<b>SP1 Time taken to decide planning applications (financial year to date)</b>	There has been a higher than usual number of planning applications received, meaning that it has been difficult to decide all applications within 85 days, however, we expect the number of days to decrease as we reduce the backlog of applications following recent staff recruitment.
<b>SP2 Planning applications decided within required timeframes</b>	Active planning applications have been reduced from 477 in April to 439 in June, although incoming applications also increased in June to 103, up from a monthly average of 80-90. We are implementing a training program to ensure the number of days to complete an application is recorded correctly.



**City of Kingston  
Ordinary Meeting of Council**

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**27 August 2018**

<b>Off Track Indicator</b>	<b>Comment</b>
<b>Missed bins – domestic (garbage, recycling &amp; green waste) YTD</b>	Council officers are working with the contractor to reduce the number of missed bins.
<b>Health Services – Food samples taken and analysed</b>	The sampling program has commenced for the statutory period of 1 January to 31 December. While the KPI is slightly below target for the year to date, it will be corrected over the coming months to meet the statutory requirements.
<b>E3 Resignations and terminations compared to average staff (permanent staff) (audited)</b>	Staff turnover was 13.56% in 2017/18, similar to turnover in 2016/17 (13%).
<b>Customer Service telephone calls answered within service standard (20 seconds) year to date</b>	High call volumes affected response times, which affected the result. A recent increase in staffing, combined with refocusing on call management in the team has seen an improvement in recent months which we will continue to work on.
<b>Freedom of Information requests completed on time (YTD)</b>	As at 30 June there were 14 requests on hand with seven applications in progress, four not valid, and three dealt with outside the Act. Of the seven in progress, two out of three were completed on time.

## **2. Conclusion**

Council achieved excellent performance results in the April to June quarter, with progress targets for the majority of key actions achieved for the year and most performance indicators being within the expected or acceptable range.

## **Appendices**

Appendix 1 - Kingston Performance Report April - June 2018 (Ref 18/481410) [↓](#)

Author/s: Annette Forde, Corporate Planning and Performance Officer  
Reviewed and Approved By: Bridget Draper, Team Leader Corporate Performance  
Caroline Reidy, Manager Finance and Corporate Performance  
Paul Franklin, General Manager Corporate Services

# **11.4**

## **KINGSTON PERFORMANCE REPORT 2017/18 - QUARTER 4**

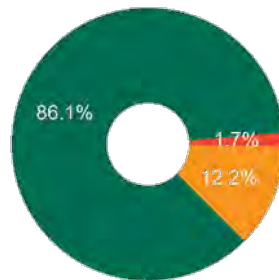
<b>1</b>	<b>Kingston Performance Report April - June 2018 .....</b>	<b>727</b>
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# Kingston Performance Report

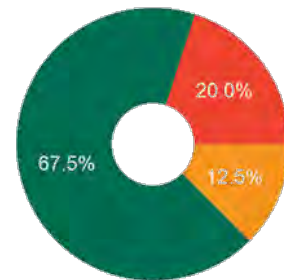
APRIL - JUNE 2018



Expenditure



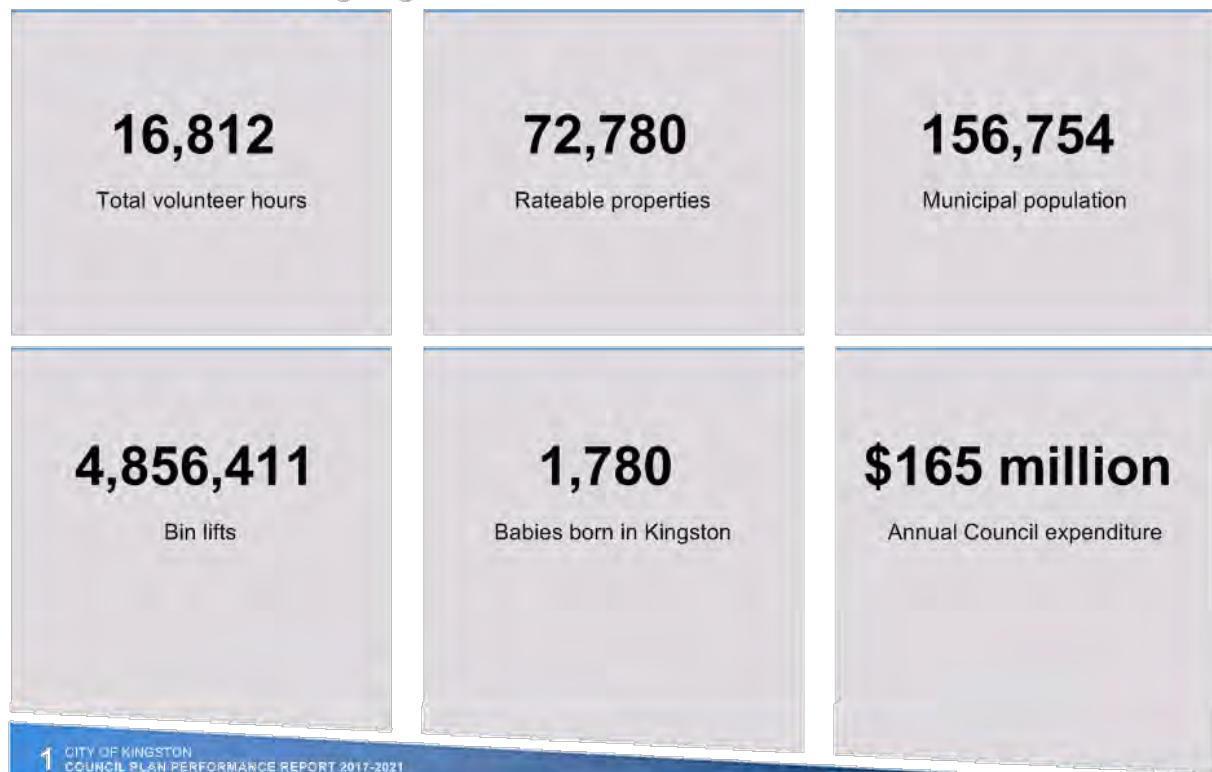
Actions



Performance Indicators

● BUDGET SPENT   
 ● BUDGET REMAINING   
 ● ON TRACK   
 ● IN PROGRESS   
 ● OFF TRACK

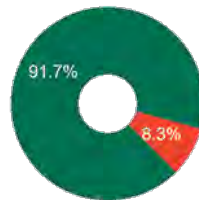
## Annual Service Highlights



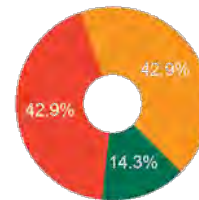
# 1 Our well-planned, liveable city supported by infrastructure to meet future needs



Expenditure



Actions



Performance Indicators

● BUDGET SPENT
 ● BUDGET REMAINING
 ● ON TRACK
 ● IN PROGRESS
 ● OFF TRACK

## Annual Service Highlights

**13,000 km**

Streets swept

**1,108**

New planning applications received

**8 km**

Kilometres of footpath renewed

**240**

Buildings and public toilets maintained on a daily basis

**554**

Asset protection permits issued

**\$500 million**

Approximate value of development

## Our Services



HOME

- Building permits
- Planning permits
- Urban land use policy & planning



LIFESTYLE

- Maintenance & development of Council's buildings



ENVIRONMENT

- Drain maintenance
- Manage Council's property portfolio
- Planning & design for community assets




TRAVEL








- Footpaths, bicycle paths & road maintenance







## Our well-planned, liveable city supported by infrastructure to meet future needs




### 1.1. Intergenerational land use planning for a sustainable community





INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Adopted Council annual capital budget - Quarterly % spent</b>	Capital expenditure for the year was \$8.8M lower than the original adopted budget of \$58.4M for 2017/18 due to unavoidable delays in some projects. Those projects are ongoing and the budget will be carried forward into the 2018/19 year.	100.00%	100.00%	84.93%	 <b>off track</b>


ACTION	PROGRESS	STATUS
<b>Develop the Kingston Housing and Neighbourhood Character strategy using innovative engagement methods</b>	The 'Kingston - Planning our Future' community engagement has included three Ward meetings in late 2017 with over 600 people attending. During April to June 2018, there were also three listening posts, six guided walking tours and a survey and online feedback tools available. From July 2018, a community panel will work on developing a set of overarching principles for the project.	 <b>completed</b>
<b>Utilise the planning system to influence the provision of car parking in areas where significant change is occurring</b>	A Kingston Parking Study was conducted by consultant MR Cagney, with a draft report provided to Councillors and further community consultation to occur later in the year.	 <b>completed</b>
<b>Develop an Affordable Housing Implementation Plan to work with State Government, Housing Associations and developers to increase the availability of affordable housing</b>	SGS Economics and Planning has been appointed to prepare an Affordable Housing Implementation Plan. The scope of the project has been widened to include additional requirements by Council. It is anticipated that the Plan will be completed by the end of 2018.	 <b>completed</b>
<b>Review planning mechanisms and local planning policy and legislation to proactively contribute to increase the supply of social and affordable housing in Kingston.</b>	SGS Economics and Planning has been appointed to prepare an Affordable Housing Implementation Plan, anticipated to be completed by the end of 2018.	 <b>completed</b>
<b>Prepare a draft Kingston Social and Affordable Housing Policy to sit alongside Councils Housing Strategy</b>	The Affordable Housing Implementation Plan is being prepared by SGS Economics and Planning. It is anticipated that the Plan will be completed by the end of 2018.	 <b>completed</b>
<b>Review previous findings and recommendations of the Social Housing Committee (2008-2012)</b>	Officers have appointed SGS Economics and Planning to prepare an Affordable Housing Implementation Plan. It is anticipated that the Plan will be completed by the end of 2018. This work will be informed by officers consideration and review of the findings and recommendations of the Social Housing Committee (2008-2012)	 <b>completed</b>
<b>Investigate and scope the role of an affordable housing officer.</b>	A 12-month Social and Affordable Housing Implementation Coordinator position was advertised in June 2018.	 <b>completed</b>

ACTION	PROGRESS	STATUS
<b>Participate in forums in the southern region to influence strategic planning for infrastructure, employment and housing investment</b>	Ongoing participation in the State Government's development of a Southern Metropolitan Region Land Use Framework Plan has included attendance at regular meetings with the appointed consultant team and representatives of the Department of Environment, Land, Water and Planning, with a draft report to be released late 2018.	 completed
<b>Capitalise on the opportunities for Kingston presented in the Monash National Employment and Innovation Cluster planning</b>	Council continued to work with the Victorian Planning Authority (VPA) and land owner Goodman Group Australia on a proposed planning scheme amendment to rezone the Clayton Business Park site in the Monash National Employment and Innovation Cluster (NEIC). It is anticipated that a Planning Scheme Amendment will be lodged with Council in 2019.	 completed
<b>Update the Kingston Planning Scheme review to take account of the new Council Plan and Plan Melbourne</b>	The Kingston Planning Scheme is being reviewed in accordance with the Planning and Environment Act 1987, with initial consultation undertaken at Ward Meetings in 2017. The State Government, through its Smart Planning program, has released a new framework for planning schemes across Victoria and extended the due date for reviews until the end of 2018.	 completed
<b>Develop strategies and undertake required Planning Scheme Amendments in areas including stormwater quality, public open space provision and potentially contaminated land</b>	Amendments in relation to public open space and stormwater quality were approved by the Minister for Planning and came into effect on 26 April 2018 and 31 May 2018 respectively. Investigations are currently being undertaken to inform strategies around potentially contaminated land.	 completed

## 1.2. Effectively influence the urban and architectural design of the City









INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>SP1 Time taken to decide planning applications (financial year to date)</b>	There has been a higher than usual number of planning applications received, meaning that it has been difficult to decide all applications within 85 days, however, we expect the number of days to decrease as we reduce the backlog of applications following recent staff recruitment.	85.00 Days	85.00 Days	105.00 Days	 off track
<b>SP2 Planning applications decided within required timeframes</b>	Active planning applications have been reduced from 477 in April to 439 in June, although incoming applications also increased in June to 103, up from a monthly average of 80-90. We are implementing a training program to ensure the number of days to complete an application is recorded correctly.	56.00%	56.00%	46.52%	 off track
<b>Percentage of VicSmart applications completed within 10 Days</b>		100.00%	100.00%	98.43%	 in progress




ACTION	PROGRESS	STATUS
<b>Embrace the opportunities presented through 'City Shaping' infrastructure projects (e.g. Level Crossing Removal Work) to plan for innovative new community meeting spaces</b>	<p>The Cheltenham Structure Plan Review and Mentone Station and Gardens Urban Design Framework were adopted by the Council in December. Resolutions to be implemented include the assembly of land and use of Council's mortuary car park to provide for new public open space and increase in car parking. Further discussions with stakeholders including City of Bayside and LXRA are being held to progress Planning Scheme amendments for Cheltenham and Mentone.</p> <p>Officers continue to provide feedback to the LXRA on removal sites within the southern corridor with Council being represented on the Carrum Revitalisation Reference Group.</p>	 completed
<b>Provide an integrated development approvals (planning and building applications) service to meet the needs of residents and businesses</b>	Twelve different application types are now available in the in e-pathway online lodgement system. All referrals are now paperless and data dating back to the 1970s has been integrated into one business system to reduce duplication and allow for a smoother transition into a paper independent environment. A new touch screen TV at the front counter area allows applicants to view all plans electronically via our website and lodge and pay online through the TV.	 on track
<b>Continually review opportunities to enhance the ability of our customers to understand the planning process and access relevant information</b>	A series of comprehensive information guides to assist the community to understand the planning process were completed in the Oct-Dec 2017 quarter.	 completed
<b>Maintain a proactive relationship with representatives of the construction industry when undertaking works in the municipality</b>	<p>The 'Getting It Right on Your Building Site' has been updated and published on the Council's construction webpage reflecting current requirements for management of stormwater on building sites. 'Getting it Right' postcards have also been produced to hand out to builders and developers.</p> <p>Council's Construction Engagement and Compliance Officer continues to attend monthly on-site meetings with the Construction Liaison Officer to meet builders and to highlight the importance of compliance with CMP requirements.</p>	 completed

ACTION	PROGRESS	STATUS
<b>Undertake consultation with the community and the REIV and other groups within the construction industry to determine and map incidences of termite infestation within Kingston</b>	After extensive research, there was no conclusive evidence to suggest that the City of Kingston should be declared a termite prone area.	 completed



## 1.3. Infrastructure and property investment for a functional city now and into the future

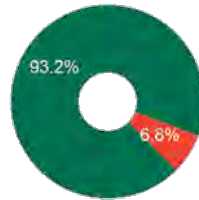
INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Leases / Licence renewal completed</b>	90 were completed in the 2017/18 financial year.	26.00	26.00	90.00	 on track
<b>Building maintenance requests % completed within agreed timeframes</b>		80.00%	80.00%	77.98%	 In progress
<b>Rights of Way - sales completed by Council</b>	Sale completed for road abutting 408 Station Street Bonbeach.	10.00	10.00	7.00	 In progress
ACTION	PROGRESS				STATUS
<b>Plan and facilitate the mechanisms to secure the required infrastructure to support key, large scale development projects (Clayton Business Park, etc.)</b>	Investigations are being undertaken to determine the infrastructure required for large scale developments. This includes consideration of Section 173 Agreements and/or an Infrastructure Contributions Plan for the Clayton Business Park site.				 completed
<b>Plan and build drainage upgrades to reduce local and major flooding</b>	Drainage projects completed during 2017/18 included the next stage along Fraser Ave in Edithvale, Nepean Hwy service road near Thrift Park in Parkdale (\$0.48M) and improvements to the road and drains in Dahmen St (\$1.11M) and Westley St (\$0.95M) in Carrum. Major works in Edithvale Commons at the rear of Kinross Ave in Edithvale (\$2.07M) have commenced.				 completed
<b>Footpath Program</b>	Footpath construction has been completed in sections of Endeavour Way, Lakewood Boulevard, Malcolm Road & Woodlands Drive Braeside; White Street, Mordialloc and Walker Grove Cheltenham. Contracts have been awarded for Station Street, Chelsea and a further section of Malcolm Road Braeside.  Works currently in design phase include: McLeod Road, Carrum; Wells Road, Patterson Lakes; Mernda Lane, Bonbeach; Whatley's Drain, Carrum; Chandler Street, Parkdale; Heatherton Road, Clayton South; Nepean Highway, Moorabbin and Lehem Avenue Oakleigh South.				 on track
<b>Road - Reconstruction Program</b>	Major projects completed in 2017/18 include Old Wells Road, Patterson Lakes and Thames Promenade, Chelsea/Chelsea Heights road reconstruction. Projects currently in progress include Dahmen Street, Westley St & McLeod Road, Carrum; Governor Road and McDonald Street, Mordialloc. Projects in design phase include Barkly Street, Mordialloc; French Avenue, Edithvale; Rowans Road, Highett and Chelsea Road, Chelsea.				 on track
<b>Work with VicRoads on key strategic road considerations including the Westall Bypass, Mordialloc Bypass and South Road Study</b>	Officers are reviewing the Environmental Effects Statement for the Mordialloc Bypass and considering shared path alignments and intersection designs. The South Road study is nearing completion and VicRoads has advised that it will be released in quarter 3, 2018.  The Westall Road extension was not successful in receiving funding through the 2018/19 budget.				 on track

ACTION	PROGRESS	STATUS
<b>Request State Government undertake an Environmental Impact Assessment on the potential impacts of the Mornington Peninsula Freeway extension on Braeside Park, Waterways wetlands, Green Wedge, Aboriginal and Culture Heritage and amenity issues.</b>	The State Government announced in 2017 that an Environmental Effects Statement is required for the Mordialloc Freeway project. Council officers attended Technical Reference Group meetings and prepared a submission on the Environmental Effects Statement draft scoping requirements for the Mordialloc Freeway.	 <b>completed</b>
<b>Continue to work with the LXRA in creating land access, lease or maintenance agreements for assets on State Government land that Council will own and/or maintain</b>	Council continues to work with LXRA to achieve the best result for Kingston.	 <b>in progress</b>
<b>Acquire the land 2-8 Balcombe Rd Mentone from VicRoads to develop open space</b>	Settlement has been delayed pending Vic Roads accepting responsibility for remediation of contamination arising from the site's former use as a petrol station. VicRoads are yet to concede a specific clause within the contract of sale that passes onto Council responsibility for potential claims in regard to contamination.	 <b>in progress</b>

## 2 Our sustainable green environment with accessible open spaces



Expenditure



Actions



Performance Indicators

● BUDGET SPENT   
 ● BUDGET REMAINING   
 ● ON TRACK   
 ● IN PROGRESS   
 ● OFF TRACK

### Annual Service Highlights

**4,000 T**

Tonnes of hard waste collected

**90,000**

Street and park trees

**75**

Playing fields

**367**

Parks and reserves

**1,500,000 L**

Litres of recycled water used across all parks and reserves

**4,710**

Drainage pits cleaned

### Our Services



HOME

- Waste collection



LIFESTYLE

- Sports & recreation










ENVIRONMENT








- Foreshore management & maintenance
- Maintaining parks, sports grounds & streetscapes
- Parks & sports ground master plan projects
- Stormwater management
- Sustainable environmental management

## Our sustainable green environment with accessible open spaces

### 2.1. Environmental resilience and sustainability

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Missed bins - domestic (garbage, recycling &amp; green waste) YTD</b>	Council officers are working with the contractor to reduce the number of missed bins.	3,350.00	3,350.00	4,836.00	 off track
<b>WC5 Kerbside collection waste diverted from landfill (audited)</b>	May and June tonnages are lower end predictions due to not receiving the actual figures from Cleanaway yet.	50.00%	50.00%	50.84%	 on track
ACTION	PROGRESS				STATUS
<b>Develop a Climate Change Strategy and strategic actions that build resilient environments, infrastructure, facilities and communities</b>	A draft Climate Change Strategy was presented to Council in April 2018 and consultation occurred through May and June 2018.				 completed
<b>Educate the community on domestic renewable energy options</b>	Two community workshops were held in 2017 with participation of approximately 30 people per workshop. Further workshops will be organised for later in 2018.				 completed
<b>Review the outcomes of the Environmental Effects Statement to be undertaken by the State Government on the impacts of Grade Separation works on the environmentally significant Edithvale - Seaford Wetlands. If appropriate appoint an expert environmental consultant to review and advocate for the best environmental outcomes for the wetland.</b>	Council officers attended Technical Reference Group meetings and, with legal assistance, presented Council's submission through the Environmental Effects Statement Advisory Committee Hearing process.				 completed
<b>Promote education programs such as community sustainability workshops, schools sustainability leadership program and Big Green School festivals</b>	Council officers have re-engaged the Dolphin Research Institute to deliver environmental education to all primary schools and continue to engage with a number of schools on the Big Green Schools Program.				 completed
<b>Replace streetlights across the municipality with new energy efficient lighting</b>	Installation of street lights commenced in February this year and will be completed by the end of August. Around 5,300 of the 7,300 lights have been changed.				 on track







ACTION	PROGRESS	STATUS
<b>Advocate to the Premier of Victoria the Opposition Leader, the Minister for Water, the State Member for Carrum and Melbourne Water expressing our concern over the high levels of Toxic BGA present in Lake Carramar and seeking their immediate action in addressing the outbreak and providing measures to maintain the water quality to secondary contact standards.</b>	A letter was sent to the Minister for Water, receiving the response that a feasibility study is being undertaken to identify and assess engineering options to allow through flows to Lake Carramar and indicating that, once completed, local residents will be consulted.	 completed
<b>Develop advocacy strategies to the State Government seeking support for a ban on the distribution of free single use plastic bags, both acting alone and in cooperation with other organisations and groups including Council's Business and Economic Advisory Committee and Public Spaces and Environment Advisory Committee</b>	Both advisory committees have been consulted and are supportive. The State Government is holding an inquiry into the banning of plastic bags. In addition, Council's on-line ASPIRE project continues to assist businesses to exchange resources.	 completed
<b>Install "Seal the Loop" fishing bins on Chelsea and Mordialloc Piers and consider other potential sites across Kingston, to ensure proper disposal of fishing lines and hooks.</b>	Following discussions with Parks Victoria and Zoos Victoria, several fishing sites within Kingston have been identified where Seal the Loop branding will be fitted to existing bin receptacles such as 'wheelie bins' and timber bin housings.  This will ensure the Seal the Loop messaging is still conveyed to the community at key sites whilst removing the need to install additional bins in areas that are already adequately serviced. The sites include Mordialloc Pier precinct, Governor Road Boat Ramp and each side of the Patterson River bay entrance. The branding has now been fabricated and is anticipated to be installed by August 2018.	 on track
<b>In partnership with Melbourne Water, monitor the uptake and progress of the two-year pilot project for developers to opt in to contributing to regionally based storm water quality outcomes</b>	In February, Council officers presented at the International Conference on Water Sensitive Design about the success of the stormwater in-lieu contributions scheme. Officers continue to provide informal support and advice to other local governments considering implementing such a scheme. A report detailing the outcomes of the two-year pilot will be presented to Council in August 2018.	 completed
<b>Plan and build Kingston's water quality and reuse master plan using developer contributions to harvest stormwater to irrigate sports fields</b>	Council approved a two-year trial project, where developers can make an optional monetary contribution to Kingston's stormwater harvesting as an alternative to achieving stormwater quality requirements onsite.  Contributions are being held within an account that will be used to implement future stormwater treatment and reuse projects once sufficient funds have been collected. Conceptual designs are being prepared for Moorabbin Reserve as it has the potential to treat a large catchment that extends into the industrial area.	 on track
<b>Improve the economic recovery of waste and reduce reliance on landfill for waste generated by Council, through development of a waste minimisation strategy</b>	A Waste Minimisation Strategy commenced development in February 2018 and a Waste Education Strategy in May 2018 to respond to this action.	 in progress
<b>Develop strategies to ensure that Council's waste management practices are responsive to the changing ways in which people live and work within the municipality</b>	Commenced the development of a Waste Minimisation Strategy in February 2018 and a Waste Education Strategy in May 2018 to respond to this action, with both strategies expected to be finalised in August 2018.	 in progress

## 2.2. Greening Kingston and place making







INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Parks Community Engagement Program - Total Hours YTD</b>	<p>For the full year, the community contributed a total of 3,787 hours to Parks environmental projects. Key tasks undertaken included: weed control, revegetation, litter removal and community education tasks.</p> <p>For the whole of the financial year, about 40% of hours were contributed by schools or school-based apprentice groups, 25% by the Green Army, and 35% from community groups/volunteers and corporate groups.</p>	2,000.00	2,000.00	3,787.00	 on track
ACTION	PROGRESS				STATUS
<b>Work with landowners in the Green Wedge to encourage alternate land use activities where uses are incompatible with the Green Wedge Plan</b>	<p>Currently there is only one application (materials recycling) within the Green Wedge for consideration.</p> <p>Proactive initiatives by Council officers to increase compliance and understanding from owners and tenants within the Green Wedge, has resulted in a large reduction in the number of illegal activity sites. In addition, Council officers will undertake a thorough audit regime to ensure that any previous land use approvals and/or compliance details of sites within this area are documented for future reference.</p>				 completed
<b>Identify opportunities to expedite the Chain of Parks Project by delivering a range of passive and active recreational activities in the Green Wedge</b>	<p>Council approved a Park Plan for Spring Road Reserve in November 2017. Stage 1 (gravel path works and the off-lead area) has been completed.</p> <p>Investigations into the feasibility of constructing sports fields on Spring Road highlighted the deficiencies of the site for sports fields, and the Dingley cricket and football clubs have advised that they do not support Spring Road Reserve as a suitable site. To accommodate the usage demand, following the growth of the Dingley cricket and football clubs and the Aspendale Stingrays, alternative sites and potential reallocation of clubs to different grounds are being explored.</p>				 completed
<b>Play a leadership role in facilitating a key opportunity identified in State Planning Policy to provide opportunities for renewable energy generation in the Green Wedge</b>	<p>A draft Climate Change Strategy, including references to large-scale solar and renewable energy opportunities, was endorsed by Council in April 2018 with consultation in May and June. A feasibility study for large-scale solar in the Green Wedge will be presented to Council in the second half of 2018.</p>				 completed
<b>Complete the transition from landfill and work with land owners on future land uses in the Green Wedge</b>	<p>Consultants have been engaged to look at the feasibility of solar in the Green Wedge. Council is also working with land occupiers on the transition of landfill land to parkland - e.g. Victory Road landfill.</p>				 completed
<b>Advocate to the Commonwealth Airports Minister asking the Commonwealth Government to review the Moorabbin Airport Masterplan with a view to minimising the risk to pilots and to surrounding residents by halting any more non-aviation, non- Green-Wedge-compliant development on Moorabbin airport</b>	<p>A letter has been sent to the Minister.</p>				 completed

ACTION	PROGRESS	STATUS
<b>Engage Planisphere to review the existing Green Wedge Plan in line with Ministerial Direction to review after five years, rename to Green Wedge Management Plan and undertake a community consultation process</b>	Officers have prepared a brief for the Green Wedge Plan Review project which will include the concurrent commissioning of an Agricultural Feasibility Study.	 completed
<b>Advise Council on the preparation of a planning scheme amendment to incorporate the Green wedge plan into Kingston Planning Scheme</b>	A brief for the Green Wedge Management Plan Review project - which will include the concurrent commissioning of an Agricultural Feasibility Study, has been prepared. Once completed, the Green Wedge Management Plan Review will inform any future Planning Scheme Amendment process to be considered by Council.	 completed
<b>Consider the preparation of a planning scheme amendment to rezone Special Use 2 and Green Wedge Zone land to Green Wedge A Zone – explicitly excludes golf courses which are zoned Special Use 1 Zone.</b>	Officers have prepared a brief for the Green Wedge Plan Review project which will include the concurrent commissioning of an Agricultural Feasibility Study. Once completed, the Review will inform the scope of any future Planning Scheme Amendment process.	 completed
<b>Consider the feasibility to authorise a planning scheme amendment to rezone the Waterways wetlands and other Melbourne Water land into the Kingston Green Wedge.</b>	Officers have prepared a brief for the Green Wedge Plan Review project which will include the concurrent commissioning of an Agricultural Feasibility Study. . The updated Plan will form the basis of any planning scheme amendments and will consider the role of Melbourne Water land in future.	 completed
<b>Determine the potential impacts of the Southern Metropolitan Cemeteries Trust's proposed cemetery on the current uses within the Green Wedge.</b>	As part of the Green Wedge Management Plan review project, officers will seek the Southern Metropolitan Cemeteries Trust's view on this project.	 completed
<b>Ensure all planning applications with indigenous vegetation or other significant environmental issues have an expert ecological assessment undertaken and provided to councillors for review. Consider developing a role for a conservation planner.</b>	Council resolved on the 26 March 2018 to not create a new position, but to refine internal processes to ensure Clause 52.17 of the Kingston Planning scheme is dealt with appropriately.	 completed
<b>Review and implement Kingston's Tree Management Policy to ensure trees are established, protected and maintained</b>	<p>The draft Street and Park Tree Management Strategy was developed following feedback from community consultation and will be presented to Council early in the new financial year.</p> <p>Ongoing tree data collection by Council's Programmed Tree Maintenance Contractor has ensured 1/3 of the municipality has now been assessed. This data will provide important information for the proposed tree database allowing officers to strategically manage the urban forest.</p> <p>Council Officers have been in discussions with Resilient Melbourne about mapping the tree canopy cover on public and private land. This project is due for completion in early 2019 and the collected data will allow Council to set realistic and measurable targets for tree canopy increase into the future.</p>	 completed






ACTION	PROGRESS	STATUS
<b>Advocate for a green rail and road corridors within Kingston</b>	<p>The April to June quarter saw the Parks team undertake the planting of 5,000 plants along the Wells Road corridor, south of Springvale Road. Continued weed control/maintenance of vegetation along Station Street (between Carrum to Aspendale), the vegetation near stations managed by Council and the vegetation along Wells Road between Mordialloc and Patterson Lakes has also occurred.</p> <p>Discussions with the LXRA project continue which will provide opportunities for further open space and vegetation areas.</p>	 <b>in progress</b>
<b>Advocate to Parks Victoria for Patterson River beautification works</b>	<p>Council continues to advocate to Parks Victoria for improvements and asset renewal to improve the amenity of this area. We have also been advocating to the LXRA for beautification at the interface of level crossing works with the Patterson River.</p>	 <b>completed</b>
<b>Prepare a draft plan for community consultation that is supported by Vic Roads and Vic Track that outlines maintaining and enhancing existing plantings along Nepean Hwy</b>	<p>Investigation to consider the aims and requirements of potential landscaping treatments has begun with a project developed.</p>	 <b>completed</b>
<b>Review ways to enforce more compliance with developer applications that remove vegetation such as: site inspections, developer fees for vegetation removal, encourage native planting and increase fines for non compliance.</b>	<p>In March 2018, Council resolved to support a recommendation to create a temporary (two-year) position to carry out enforcement of landscape plans.</p>	 <b>completed</b>



## 2.3. Activating and protecting the foreshore through strategic partnerships











INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Beach Foreshore Cleansing Contract Compliance</b>	Overall, this service has been consistently delivered above the required expectations during the previous 12 months with services delivered as per the scheduled and agreed program and Asset Condition Audits within the required cleansing standards.	90.00%	90.00%	96.47%	 on track
ACTION	PROGRESS				STATUS
<b>Progressively implement the Coastal Management Plan 2014 to protect the foreshore and waters of Port Phillip Bay</b>	Revegetation with indigenous plant species has been carried out at key strategic sites in Mentone, Mordialloc, Aspendale, Bonbeach and Carrum. Plantings will continue in at Parkdale, Edithvale and Chelsea in 2018.  Erosion control & dune protection fencing works have been completed at Mordialloc, Parkdale, Aspendale and Bonbeach.				 completed
<b>Develop and implement the Mentone Foreshore Precinct Plan</b>	Following presentation of the draft concept design, a letter has been sent to the Department of Environment Land Water and Planning to prompt early engagement with the State Government on this significant project.				 completed
<b>Prepare a concept design for the Parkdale Yacht Club</b>	An agreed concept design was approved by Council in June 2018.				 completed
<b>Redevelop the Edithvale Lifesaving Club</b>	Council approved a planning permit for the new building in June 2018. Tenders are currently being sought and works are expected to commence in October 2018.				 completed
<b>Continue to review the litter data and beach cleaning program</b>	In 2017/2018 on average over 60t of rubbish was collected from the foreshore each month. Tonnage data peaks during summer where over 110t of rubbish was removed during January, and declines during the cooler months where 25t was removed during June. This amount excludes seaweed collection following storms, where for example over 700t was removed in December 2017 from the Mentone foreshore following severe weather.  Council will continue to monitor and assess the foreshore bin locations and where the opportunity arises, such as activity precinct upgrades and boardwalk installations, relocate bins to provide more stability and less maintenance issues after storm events.				 completed

## 2.4. Review and implement the Open Space Strategy to ensure high quality and increased capacity of the open space network




INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Open Space Mowing Contract Compliance</b>	Overall, this service has continued to be delivered above the expected standards and specifications.	90.00%	90.00%	95.49%	 on track
ACTION	PROGRESS				STATUS
<b>Conduct an open space needs assessment and review the open space allocation across areas within Kingston</b>	<p>The demand for use of sports ovals by seasonal clubs was met through a Winter seasonal allocation process and increased supply of fields:</p> <ul style="list-style-type: none"> <li>* Shared use of Keeley Reserve west between the Kingston City Soccer Club and Dingley Junior Football Club for junior Sunday competitions.</li> <li>* Shared use of Edithvale Common with junior soccer competition on Saturdays and junior football on Sundays.</li> <li>* Activation of Walter Galt Reserve No. 2, including temporary facilities.</li> <li>* Increased use of Chadwick Reserve.</li> <li>* Planning for the development of sporting fields at Kerr Ave Reserve, Aspendale Gardens.</li> <li>* Activating the use of the sporting fields at Cornish College for community use - soccer pre-season.</li> </ul>				 completed
<b>Undertake a Dingley sports ground feasibility study including investigation of the suitability of the Spring Road land in Dingley for sports grounds</b>	Feasibility and planning undertaken, with community consultation likely to occur in mid to late 2018.				 completed
<b>Investigate the purchase of Latrobe Street rail crossing land for open space purposes</b>	Following an approach by Council about the possibility of acquiring or leasing this land, Vic Track has advised that they're not currently willing to dispose of the land due to future LXRA works, however they may change this view once the LXRA works are completed.				 completed
<b>Undertake a review of the potential for sports ovals and supporting infrastructure in the Green Wedge</b>	The draft Sport and Recreation Strategy provides strategic input relating to the use of the Green Wedge for sporting purposes.				 completed

## 2.5. Provide for a variety of sport and recreation opportunities across Kingston through the Sport and Leisure Strategy

ACTION	PROGRESS	STATUS
<b>Develop a sport and leisure strategy to respond to the increasing current and future demands on facilities in Kingston</b>	Sports club consultation has been undertaken, with a summary of feedback and adoption of the sport and leisure strategy scheduled for August.	 completed
<b>Continue to invest to increase the capacity of existing sports fields</b>	Sports field improvement projects have been completed at Bonbeach Recreation Reserve, Walter Galt No.2, Heatherton and the Grange Reserve. All grounds will returned to community access for the 2018 winter season.	 completed
<b>Undertake a feasibility study and concepts for a high ball stadium development in Kingston and make provision for implementation in the long term financial plan</b>	A feasibility study has been completed and Council awaits favourable funding opportunities to pursue the development of High Ball Stadium facilities within Kingston.	 completed
<b>Undertake a review of all indoor sports court provision throughout Kingston to ensure they meet the current and future needs of residents.</b>	Council is monitoring external funding opportunities for identified sites. An update was presented to Council in June 2018, and further planning and design work will now commence at Bonbeach Reserve and Mordialloc College.	 completed
<b>Review the installation of a cooling system for the Chelsea Basketball Club</b>	A new air conditioning system is planned for installation early 2018/19 and is to be funded through the 2018/19 budget.	 completed
<b>Look for opportunities to increase passive recreation through all Master plans</b>	Works for the Ben Kavanagh and Bonbeach Recreation Reserve Master Plans, included improving the turf coverage at Bonbeach Recreation Reserve and landscaping improvements around the Ben Kavanagh Pavilion.	 completed
<b>Partner with agencies and clubs to promote new opportunities for sport and recreation participation</b>	The Southern Metro Football Facility Strategy has been completed, with a launch to be programmed before end of football season. The strategy was developed with AFL Victoria, Southern Football Netball League, Southern Metro Junior Football League and other councils.	 completed
<b>Investigate locations and requirements for a permanent Disc Golf Course within the City of Kingston</b>	Following Council's endorsement of Bald Hill Park as the preferred site for a disc golf course, a risk assessment has been completed and community consultation will commence in late 2018.	 completed
<b>Undertake a Facilities Development Plan for Grange Reserve</b>	An architect has been appointed to undertake the feasibility assessment of the site, with initial findings to be presented to Ward Councillors. Council is working with the club on interim solutions to meet NPL facility standards.	 completed

ACTION	PROGRESS	STATUS
<b>Prepare a facilities development plan for the Roy Dore Reserve including a multi-use pavilion and make provision for implementation in the long term financial plan.</b>	The Facility Development Plan has been prepared and presented to Councillors.  Council has written to State and Commonwealth governments seeking funding support and Councillors are discussing the next steps to advocate for the project. A funding application for \$800,000 was submitted to the State Government's Major Facilities Funding program and AFL Victoria has committed \$100,000 in partnership funding towards the project.	 completed
<b>Work with local sporting clubs and residents to plan and deliver facility improvements at Regents Park</b>	Council adopted the Regents Park Master Plan in February 2018. Its implementation is subject to the provision of future funding.	 completed
<b>Continue to implement the Playground Strategy and ensure trees in playgrounds are considered for shade in all playground designs and master plans</b>	Works completed at Peter Scullin included a new shelter and BBQs; works completed at Southern Rd Reserve included tree planting, shelter and a BBQ.	 completed
<b>Commit to upgrade of Mentone Reserve Soppett Pavilion and utilisation of State Government's \$1m contribution</b>	Council agreed to fund the pavilion project at its September 2017 meeting. Officers are now working to secure funding from State Government, which has been increased to a notional \$1.5m and from the club \$100K, as well as recommending project steering group meetings.	 completed
<b>Implement the Dales Park development plan</b>	The upgrade of the netball courts and car parking area was completed in March 2018. The facility has reopened for community access and use.	 completed
<b>Implement the Moorabbin Reserve master plan</b>	Detailed design was completed for the master plan and construction of the concrete path network is underway. Construction of the Moorabbin reserve car park and lighting works will be completed in August.	 on track
<b>Upgrade the Ben Kavanagh Reserve Pavilion</b>	Practical completion of works was achieved in May 2018 and the facility is now in full use.	 completed
<b>Upgrade the G R Bricker athletics track</b>	The works on the track have been completed and it has been reactivated for community access and use.	 completed
<b>Construct the Cliff Sambell Pavilion at Gerry Green reserve</b>	Council agreed to award a tender to DURA Construction in August 2017 and demolition work commenced during October 2017, with the building due for completion in late 2018.	 in progress
<b>Consult with the local community on the construction of two floodlit netball courts at Bonbeach Recreation Reserve; one floodlit netball court at Chelsea Recreation Reserve; one floodlit netball court and planning for a second netball court and / or match-day warm up area at Regents Park</b>	Consultation has been completed, with Chelsea and Bonbeach courts moving to the construction phase. Regents Park has been delayed with a challenge in VCAT over vegetation removal.	 completed

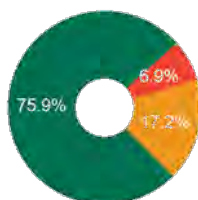


ACTION	PROGRESS	STATUS
<b>Report on the provision of BBQs across Kingston's Open Space to assess benefits and constraint of current and future locations and the need for any policy change</b>	The report is in progress, with the scope broadened to include consideration of suburbs where there are currently no barbeques.	 on track
<b>Transfer management of the GR Bricker Reserve Athletics Centre and implementation of fees for casual use to Council's Parks and Recreation team</b>	Fees were applied from January 2018 and included in the 2018/19 Budget.	 completed
<b>Renew Patterson Lakes Tennis Club's synthetic grass tennis courts 1, 2 &amp; 5 through the allocation of \$50,000.</b>	A contractor is undertaking the works, which will be handed over to the club in mid to late July. Lighting upgrade works were completed in June 2018.	 completed

# 3 Our connected, inclusive, healthy and learning community



Expenditure



Actions



Performance Indicators



## Annual Service Highlights

**3,000**

Yearly enrolments in Learn to Swim program

**227**

Number of community groups supported by Social Development team

**1,041,301**

Library loans

**16,014**

Immunisations administered

**157,912**

Community care hours delivered to people who are older and/or have a disability

**650**

Children attending family and children's centres each week on average

## Our Services



HOME

- Home maintenance for the elderly & people with disabilities



LIFESTYLE

- Community centres
- Early years childcare & education
- Grants
- Libraries
- School aged childcare programs




HEALTH

- Community development & social planning
- Domestic, personal & respite care for the elderly & people with disabilities
- Maternal & child health & immunisation
- Leisure & aquatic centres
- Volunteering & delivered meals
- Youth services & family support

## Our connected, inclusive, healthy and learning community









### 3.1. Respond to our community's social needs

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
Family Support Team - contacts with vulnerable families		1,600.00	1,600.00	4,975.00	 on track
ACTION	PROGRESS				STATUS
Promote health and wellbeing through the development and implementation of evidence-based priorities in the Municipal Public Health and Wellbeing Plan	The Kingston Public Health and Wellbeing Plan 2017-2021 was adopted by Council in October 2017. Health and wellbeing programs and actions will be implemented throughout 2018, including healthy exercise clubs at neighbourhood houses and community centres.				 completed
Update Council's social strategies when due for renewal	Consultation was held for the Multicultural Action Plan 2013-2017 in quarter three, with results used to develop action plans. The draft Community Safety 2018 - 2021 Action Plan has been developed and year 1 will be implemented in 2018.				 completed
Support the community to understand the causes of family violence and work towards prevention strategies	Council's Family Violence Action Plan is due to be endorsed in August 2018, once development is completed.				 in progress
Utilise opportunities to reduce the density of poker machines in the municipality.	Council joined the leadership group of Councils for the Alliance for Gambling Reform in August 2017. Work is currently being undertaken to assess activities and advocacy campaigns.				 completed
Support Council teams with the implementation of the Child Safe Standards and facilitate the 1-4 year old reporting frameworks.					 completed
Develop a Prevention of Violence Against Women (PVAW) Working Group to determine and report on the prevalence of domestic/family violence in Kingston	A Prevention of Violence Against Women(PVAW) Working Group has been established.				 completed
Develop and implement a Kingston Domestic and Family Violence Prevention Action Plan.	Council endorsed the development of a Family Violence Prevention Action Plan and formation of the Family Violence Working Group. The Working Group is currently undertaking community consultation to support the development of the Action Plan.  The Family Violence Action Plan is due to be endorsed by Council in August 2018. A staff education forum conducted in February was well attended. Council also hosted a White Ribbon Night in July 2017 to raise awareness on the prevention of gendered family violence.				 in progress









ACTION	PROGRESS	STATUS
<b>Advocate to the State and Federal Government on behalf of the Berkeley Living Facility in Patterson Lakes and other similar facilities to protect the rights and well-being of its residents from potential rogue operators.</b>	An advocacy letter was sent to the State and Federal governments.	 completed





### 3.2. Provide equitable access to services and facilities for all community members, irrespective of background and ability


INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
Home Care Packages delivered by AccessCare Southern		150.00	150.00	252.00	 on track
People who are older and/or have a disability receiving community care		2,800.00	2,800.00	2,924.00	 on track
ACTION	PROGRESS				STATUS
Continue to implement the aged and disability care reforms and explore the implications and opportunities for Council.	Council officers continually review the latest information on aged and disability sector reforms and provide feedback through State and Commonwealth Government consultation papers.  For the past 6 months our NDIS transition workers have been educating and assisting Kingston's clients eligible for NDIS to prepare for the change and also supporting them through the process.				 completed
Prepare eligible residents for the introduction of the National Disability Insurance Scheme (NDIS)	Council NDIS transition officers are engaging with other councils, Department of Health and Human Services and NDIS within the region to ensure accurate information is made available to clients to facilitate their transition.				 completed
Build public, accessible 'Changing Places' and toilets for people with disabilities at strategic locations and deliver upgrades to existing public toilets	A Changing Places toilet has been developed as part of the Westall Hub and a further facility was opened at the Riding for the Disabled Centre in Moorabbin. A further project is under design for Bicentennial Park Playground later in 2018/19.				 on track
Complete phase one of the Dingley Village Neighbourhood House renewal project	Concept work has been endorsed by community stakeholders and the design was endorsed by Council in January 2018. \$750K of grant funding for phase 1 works has also been secured through the State Governments Living Libraries Programme in December 2017.  Community consultation was held in late March and detailed design work is progressing on schedule. Construction is expected to commence during late 2018.				 in progress
Support vibrant, well utilised community centres in appropriate locations	Council continued to promote the multipurpose use of its facilities.				 completed
Council establish a service level agreement with the Patterson Lakes Community Centre to facilitate upgrades to the Centres outdoor space.	Following Council approval in late 2017, an agreement has now been put in place to facilitate the refurbishment and long term management of the open space at Patterson Lakes Community Centre. Works were completed in early April 2018.				 completed

### 3.3. Enhance the wellbeing and participation of families and children

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
Vulnerable children supported by Council's Family, Youth and Children's Services department		10.00	10.00	28.00	 on track
Volunteer hours provided in community programs - Youth and Family Services	Volunteering hours across Freeza and Universal magazine have increased with young people undertaking online activities as well as face to face involvement. The Youth Services team will be recruiting for further volunteers for Universal Magazine, Freeza and Youth Advisory Committee early in 2018-19.	1,620.00	1,620.00	1,297.00	 in progress
Before School Care Utilisation rate		65.00%	65.00%	95.39%	 on track
Family and Children's Centres (Edithvale, Parkdale, Carrum) 3 and 4-year old Sessional Kinder utilisation rate		94.00%	94.00%	98.00%	 on track
After School Care Utilisation rate		75.00%	75.00%	90.64%	 on track
Family and Children's Centres Childcare Utilisation rate across Council's three centres (excluding sessional kindergarten)		93.20%	93.20%	97.50%	 on track
ACTION	PROGRESS	STATUS			
Build the Aspendale Gardens Kinder playground	Work commenced on site in late March 2018 and was completed by 30 June 2018.	 completed			
Engage with the Westall community to inform the design of an integrated early years' service model that will meet local community needs	Foundation services commenced in October 2017 and four year-old Kindergarten commenced in January 2018. Supported playgroups are operating, however, no other child care services are operational at this time, due to the current over supply in the area.	 completed			
Transition Maternal Child Health services to a new integrated state-wide software platform (CDIS)	The Municipal Association of Victoria reported they experienced a delay in mapping our data to the new system in quarter two and there has been a further delay in quarter three. MAV has given us a new date of September 2018 for the transition.	 off track			











ACTION	PROGRESS	STATUS
<b>Provide an accessible immunisation service targeting children and families</b>	In addition to requiring Meningococcal W immunisations to be rolled out to all the schools in our municipality for a second year, the Victorian Dept of Health has announced a new campaign to vaccinate all children aged from 6 months to under 6 years with the flu vaccine this winter. Planning for this is underway as the extra workload will impact Council's infant sessions.	 completed
<b>Develop Councils Youth Strategy (2017-2021)</b>	A current literature review of the research and information about young people and their needs has been completed. A review of the actions and their outcomes from 2016-17 has been completed also.	 in progress

## 3.4. Promote an active, healthy and involved community life

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>AF6 Utilisation of aquatic facilities (per head of municipal population) (audited)</b>	The favourable result is due to strong attendances.	4.63	4.63	5.49	 on track



### 3.5. Learning and development

ACTION	PROGRESS	STATUS
<b>Position Libraries and Social Development for the future through community consultation and strategy development</b>	Community consultation and planning for the Library Strategy has been progressing well. In addition, community consultation has been undertaken to inform the draft Family Violence Action Plan, due to be considered by Council in August 2018.	 completed
<b>Implement a new library management system and library website to further enhance customer service</b>	The tender evaluation process is progressing well, with recommendations expected to be finalised in August/September 2018.	 on track
<b>Support increased community literacy, including digital literacy</b>	Council continues to support community literacy through providing many activities and resources for the public at all stages of life.  Council was formally accredited as an e-Smart Library in December 2017 - which recognises a variety of measures that have been put in place by the service to enable the community to access online services - with training, policies and safety precautions in place.	 on track
<b>Provide integrated library and community services for the new Westall Community Hub</b>	The construction of the new Westall Community hub was completed with doors opened to the public in October 2017.	 completed
<b>Ensure further multi purposing of libraries and community centres as community learning spaces</b>	Libraries and community centres continue to deliver a range of programs and community learning spaces. The recent addition of Westall Community Hub has enabled a significant expansion of services to meet the diverse needs of the Kingston community.	 on track
<b>Develop a Heritage and History Centre</b>	Works have been progressing to prepare the old Maternal Child and Health building in Como Parade for use as a Heritage and History Centre.	 on track
<b>Investigate the establishment of a Farm Museum</b>	Assessment of items has been completed, and further liaison undertaken both with the Lebon family and with Parks Victoria to consider site options if it were to proceed.	 in progress
<b>Consider the restoration of the Heritage Nylex Sign on the Nepean Highway</b>	Council resolved to seek funding from external parties to pay for the restoration of the sign. Council officers facilitated a meeting with community members in April 2018 about funding strategies. An update will be brought to Councillors in the second half of 2018.	 completed
<b>Develop a business case to advocate with State Government for the Cheltenham Court House to be used by Kingston Council for potential community uses.</b>	Some discussions have been undertaken with Cheltenham Police regarding how the facility is currently being used. Further investigation about potential community use to be considered in 2018.	 off track
<b>Determine the future use of the Masonic Hall</b>	Council has resolved to locate its Youth Services function at the Masonic Hall.	 completed

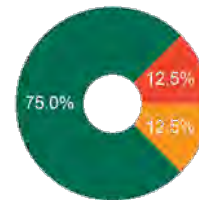
# 4 Our free-moving safe, prosperous and dynamic city



Expenditure



Actions



Performance Indicators



## Annual Service Highlights

**69**

School crossings

**20,618**

Pets registered in Kingston

**34,839**

Parking infringements issued annually by Parking Contractor

**432**

Food samples taken annually

**15,729**

Businesses in Kingston

**27,382**

Annual hours of use of City of Kingston arts and cultural venues

## Our Services



HOME

- Community local law enforcement



LIFESTYLE

- Animal management
- Arts & cultural services
- Economic development & business support
- Festivals & events
- Urban activity centre development



HEALTH

- Food safety regulation & health monitoring services










TRAVEL

- Community transport for the elderly & people with disabilities
- Street lighting maintenance
- Parking enforcement & prosecutions
- Parking management
- Road safety
- Traffic engineering
- Transport planning

## Our free-moving safe, prosperous and dynamic city





### 4.1. Vibrant shopping centres and employment precincts

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Footpath Trading applications processed within 15 days</b>	19 footpath trading applications were processed in this quarter, with 100% achieved within 15 days.	90.00%	90.00%	100.00%	 on track
ACTION	PROGRESS				STATUS
<b>Develop and implement a capital and renewal program to improve the amenity of activity/retail centres</b>	Investigations continue into the development of the capital and renewal plan for minor activity centres with civil asset conditions rating confirmed.				 completed
<b>Review the Cheltenham Structure Plan and prepare urban design framework for Mentone station and gardens in light of the work of the Level Crossing Removal Authority</b>	Both the Cheltenham Structure Plan Review and Mentone Station and Gardens Urban Design Framework were adopted by Council in December 2017.				 completed
<b>Implementation of the key initiatives identified in the Mentone Renaissance project</b>	Detailed design plans for the Piazza and Mentone parade (west side) are being refined.				 completed
<b>Work with the Level Crossing Removal Authority to ensure that the works in Bonbeach, Edithvale and Carrum provide opportunities to further enhance the existing retail centres</b>	Liaison with the LXRA has continued, with meetings to encourage the support of each of the retail centres along the southern corridor. Officers are meeting fortnightly with the Southern Alliance Program to discuss the urban design outcomes of the level crossing and revitalisation program.				 completed
<b>Review the requirement for a Structure Plan for Clayton South to include Westall Activity Centre, Industrial areas, Non Green Wedge landfill sites, traffic, open space, street trees, passive and active recreation and residential amenity.</b>	Council is working closely with the Victorian Planning Authority (VPA) and Goodman Limited to develop a Comprehensive Development Plan for Clayton Business Park in Clayton South that will enable the redevelopment of the site for mixed use development over the long term.  The VPA are also undertaking significant planning work for the Monash National Employment and Innovation cluster and will take advantage of the benefits offered by its access to Westall Station, Westall Road, Monash University and Monash Medical Precinct.				 completed
<b>Advocate to the State Government for the inclusion of the following projects as part of the Carrum Revitalisation project:</b> - Additional Storage facilities for Carrum Lifesaving Club - \$150,000 - Further contribution to Carrum Sailing and Motor Boat club of \$350,000 to cover the shortfall in their upcoming facility redevelopment and project management costs - others as required	Officers are meeting fortnightly with the LXRA to work through the Carrum level crossing and revitalisation project. This includes advocacy for additional funding for the Carrum Lifesaving Club and Sailing and Motor Boat Club.				 completed





ACTION	PROGRESS	STATUS
<b>Consider how to improve the viability and street scape of the shopping strips of Chelsea (Nepean Highway) and Edithvale (Nepean Highway)</b>	At its meeting in April 2018, Council resolved to undertake a Structure Plan for Chelsea Activity Centre. Officers are progressing this work with further updates to be provided to Council in the second half of 2018.	 <b>completed</b>
<b>Consider in consultation with the local business owners and residents, improvements to the viability and streetscape of the Parkdale Shopping Centre in Como Parade West</b>	Engagement has been conducted with traders and nearby residents about future infrastructure needs and will be used to inform the scope of improvement works to be delivered in Parkdale.	 <b>completed</b>







## 4.2. Understand and support our thriving profitable local economy






INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Level of satisfaction of participants at business education initiatives</b>	The average rating from participants at business education initiatives is "very high" to "excellent".	90.00%	90.00%	96.25%	 on track
ACTION	PROGRESS				STATUS
<b>Analyse economic data on the regional economy and employment trends to inform decision making'</b>	Council was updated in May on key findings from the Kingston Economic Profile. Key findings from the Profile have also been promoted across the organisation, with updated statistics being included in Council presentations. A subscription to Economy ID was negotiated in this quarter and has been promoted across the organisation.				 completed
<b>Work across the peak regional bodies to support economic investment in Kingston and in the broader South East Region</b>	South East Economic Development managers continue to meet monthly to discuss matters arising from South East Melbourne Board meetings and other regional activities.  Kingston contributed to two grant applications submitted by SEM to the Future Industries Fund - for pharmaceuticals and alternative energy projects. A regional event titled 'Digital Direction Day' was delivered in this quarter, in conjunction with Mornington Peninsula and Frankston councils.				 completed
<b>Encourage local job seekers to register on the Kingston Jobs portal and undertake data analytics to better understand trends in the Kingston employment market</b>	The Kingston Jobs Portal continues to grow, with the number of jobs posted and page views steadily increasing. Targeted marketing and promotion for the Portal has resulted in a corresponding spike in page views each month.				 completed
<b>Facilitate business education and skills development</b>	Business education events delivered in this quarter provided opportunities for skill development in marketing a business, taxation and digital directions.				 completed
<b>Work with telecommunication providers to ensure Kingston businesses have access to appropriate high speed broad band services and promote the internet as an essential service</b>	Discussions with Telstra about 5G and opportunities for local businesses were held this quarter. In addition, further discussions were held with experts in the Internet of Things to help inform Council's role in assisting the local economy to embrace such opportunities. We will continue to monitor and promote such opportunities through our networks.				 completed
<b>With the setting up of Amazon operations in South East Melbourne, Council will continue to support local business and local jobs and advocate to Amazon to ensure they will meet the requirements of being a good corporate citizen.</b>	Advocacy to Amazon has been completed.				 completed

## 4.3. Rich in arts, innovation and tourism

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Attendances at Kingston Arts events</b>		20,150.00	20,150.00	25,919.00	 <b>on track</b>
ACTION	PROGRESS				STATUS
<b>Work with investors in Kingston seeking to introduce 'tourist or lifestyle based' businesses that will add to its ability to attract visitors to the City</b>	Discussions have occurred with several potential investors who are looking to establish new visitor-focused developments in the municipality. At this stage, all are still in the 'site search' phase.				 <b>in progress</b>
<b>Develop and implement the Arts and Culture Strategy</b>	Consultation for the draft Arts and Cultural Strategy 2018-22 was held throughout June and July 2018 and the community feedback will be incorporated into the draft before endorsement by Council.				 <b>on track</b>
<b>Support arts and entertainment focused businesses and entrepreneurship in our urban centres</b>	Council is working with a local arts operative to establish a creative arts studio. Links between the arts sector and the Aspire program have also been fostered with positive outcomes for re-use of materials.				 <b>in progress</b>










#### 4.4. Integrated accessible transport and free moving city




ACTION	PROGRESS	STATUS
<b>Develop and implement an Integrated Transport Strategy</b>	The Integrated Transport Strategy will be developed during 2018/19 and consider walking, cycling, public transport, freight and passenger vehicles.	 off track
<b>Provide facilities for cyclists to support and encourage cycling, particularly at train stations</b>	Provision for improved bicycle facilities at each of the upgraded stations is part of the reference designs for the stations to be replaced by LXRA.  A 'Copenhagen' separated bicycle lane is being proposed for the length of Station Street as part of the level crossing removals. Council is working with LXRA to progress the design of this path and seek funding support for its completion.	 on track
<b>Develop and implement safe and effective local area traffic management solutions</b>	There was a slight delay with the installation of the Warren Road Pedestrian Operated Signals between Parkdale Hub and Don Tatnell Leisure Centre. However, work will commence on this project shortly.  The Traffic Management Program for 2018/19 includes: * Chapel Road, Moorabbin - speed humps * French Avenue and Fraser Avenue, Edithvale - speed humps and roundabout * Pedestrian operated signals at Edithvale Hub * Farm Road, Cheltenham - raised pedestrian crossings around Kingston Heath Primary School and Farm Road Pre School * Keith Street / Nepean Highway, Parkdale intersection safety improvements	 on track
<b>Develop a Parkdale Local Area Traffic Management (LATM) Study incorporating residential and trader parking protections and parking demand on Parkdale Station</b>	The study has been completed and traffic calming treatments are being implemented.	 completed
<b>Council to contribute \$100k and project manage the installation of the traffic signals at Burdekin and Governor Rds</b>	Installation was completed in June 2018 and the signals are now operational.	 completed
<b>Monitor and review the car parking within local streets surrounding Regents Park following the development of netball courts and work with residents and clubs to explore a parking permit system and parking changes for the numbered streets.</b>	An information bulletin was sent to residents in the area seeking their feedback on the proposed changes. Consultation closes at the end of July with a decision to be made in August.	 in progress
<b>Consider the South East Regional Freight Strategy</b>	The main priority of this strategy in Kingston is the construction of the Mordialloc Bypass, which is being progressed.  On a smaller scale, recommended access improvements to Braeside are being progressed through a proposed special charge scheme with the property owners.	 in progress
<b>Appropriately manage and enforce Council's parking areas particularly around schools</b>	Local Laws and our parking contractors continue to patrol all school crossings and issue infringements to any vehicles observed offending.	 completed

ACTION	PROGRESS	STATUS
<b>Identify opportunities and advocate for more parking with the removal of level crossings</b>	<p>More car parking is being proposed at the Carrum and Cheltenham level crossing removals, following advocacy from Council given the strong road connections to these stations.</p> <p>The preliminary car park design for Carrum shows an additional seven car parking spaces, with Council's comments suggesting a further change that will provide an additional 20 spaces. In addition, a further 45 car parking spaces have been provided opposite the shopping centre.</p>	 <b>in progress</b>
<b>Investigate the need for ticketed parking for non-residents near the foreshore and shopping strips</b>	<p>This is explored as part of the draft Car Parking Strategy which is being refined by Councillors ahead of planned consultation later in 2018.</p>	 <b>completed</b>
<b>Identify opportunities and advocate for cycle and walkway connections with the removal of level crossings</b>	<p>The Mentone and Cheltenham level crossing removals enhance the walking connections to the stations and through the activity centres.</p> <p>Council is working closely with LXRA and other stakeholders on developing a separated bicycle path along Station Street from Mordialloc to Carrum.</p> <p>The design for Carrum Station includes a second entry at Walkers Road to improve pedestrian connections from the residential part of Carrum.</p>	 <b>completed</b>
<b>Confirm alignment of the remaining section of the Bay Trail and undertake construction works</b>	<p>Council granted a notice of decision for the planning permit to remove vegetation and modify vehicle cross overs for this project. This has been challenged at VCAT, with a hearing set for July 2018.</p> <p>Coastal Management Act consent and Public Transport Victoria approval for the bus stops has been obtained and VicRoads have provided in-principle approval for the detailed design, pending a few minor changes. A tender process has been conducted to obtain a price for the works; however award of the contract is on hold pending the outcome of the VCAT hearing.</p>	 <b>on track</b>
<b>Determine the alignment of the east west cycling connection</b>	<p>The alignment of the east west cycling connection has been determined and the first stage has been completed. The second stage between Springs Road and Viney Street is planned for construction in 2018/19.</p>	 <b>completed</b>



#### 4.5. Keeping our community safe and protected

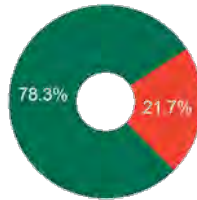
INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Health Services - Inspections of registered premises</b>	The number of inspections is higher than target due to an increase in registered premises and inspections conducted at festivals and markets.	1,795.00	1,795.00	1,838.00	 on track
<b>Fines and official warnings issued for animal offences</b>	Improved compliance by animal owners has meant that the number of fines and warnings is lower than expected.	1,000.00	1,000.00	940.00	 in progress
<b>Health Services - Food samples taken and analysed</b>	The sampling program has commenced for the statutory period of 1 January to 31 December. While the KPI is slightly below target for the year to date, it will be corrected over the coming months to meet the statutory requirements.	400.00	400.00	354.00	 off track
<b>Health Services - Customer requests received for investigations and/or action</b>	The number of customer service requests received and actioned are well above expectations for the year with 113 more complaints investigated compared to the previous year.	870.00	870.00	1,015.00	 on track
<b>AM2 Animals reclaimed [percentage of collected registered and unregistered animals impounded (including feral cats), returned to their owner]</b>		60.00%	60.00%	75.88%	 on track
ACTION	PROGRESS	STATUS			
<b>Explore opportunities for a 24/7 dog off leash beach in the southern part of the municipality</b>	Currently in the formal consultation phase for designating an area on the Edithvale foreshore.	 completed			
<b>Review and consult the community for other opportunities for dog off leash areas given the changing nature of the housing stock within the City</b>	Local Laws regularly receives requests from the community for consideration of new dog off leash areas. These areas are assessed and, if suitable, reported to Council for further consideration.	 completed			
<b>Update the Spring Road Reserve Park Plan to include a designated off leash area within the Spring Road Reserve, Dingley Village and develop a communication strategy to promote the new area within the Reserve.</b>	The Spring Road Reserve Master Plan has been completed with a designated dog off leash area in the northern section of the park. The design and placement of signs is now underway.	 completed			
<b>Build more resilient communities in Kingston, by creating a relief and recovery system in accordance with State Government emergency recovery legislation</b>	Kingston's Municipal Emergency Management Plan is published on Council's website and meets the new legislative requirements once the Bill receives the Royal Assent.	 completed			

ACTION	PROGRESS	STATUS
<b>Ensure Kingston is prepared for disaster through the implementation of strategic emergency management and disaster recovery plans</b>	The Emergency Management Policy and Action Plan was adopted in December 2017. Draft Guidelines and a template for incident-specific relief and recovery and a community engagement strategy template are being developed.	 on track
<b>Implement Kingston's Road Safety Strategy</b>	<p>Active travel programs are being developed and implemented with local primary schools. Additionally, Council has taken over the delivery of road safety training for pre-school students across Kingston. We are delivering this across the municipality through school terms two and three.</p> <p>Kingston has led the development of a Mandarin language version of VicRoads 'Wiser Driver' road safety program for older adults in conjunction with the Cities of Whitehorse, Greater Dandenong and Monash.</p>	 completed
<b>Ensure Council's enforcement functions remain relevant to the key changes occurring in the City</b>	We are continually assessing methods and areas of enforcement as changes are made within the municipality - e.g. modifying enforcement practices around building sites and rail crossing projects.	 completed

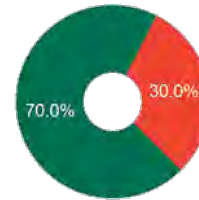
# 5 Our well-governed and responsive organisation



Expenditure



Actions



Performance Indicators



## Annual Service Highlights

**6,621**

Live chat sessions

**122,413**

Incoming correspondence registered

**30**

Free Wi-Fi hotspots

**1,277**

Employees

**117,994**

Calls to customer service

**5,472**

Annual hits on Council Meeting web streaming

## Our Services



HOME

- Customer service
- Property rating & collection services



LIFESTYLE

- Communications & community relations
- Lobbying on behalf of the community










HEALTH

- Emergency management coordination










## Our well-governed and responsive organisation

### 5.1. Support decision making to provide an efficient and effective Council which embodies the principles of democracy

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Requests actioned through the Customer Request Management System (CRM) within service standards (year to date %)</b>	Of the 42,966 requests received in 2017/18, 45,114 were completed within target time. There has been an 18% increase in the volume of requests compared to last year and a 15% increase in requests completed within target time compared to last year.	90.00%	90.00%	90.20%	 on track
<b>Proportion of positive versus negative references about Council in the media</b>	In the April to June quarter, there were 113 mentions of Council with 4 negative (4%), 17 neutral (15%) and 92 positive (81%).	75.00%	75.00%	81.00%	 on track
ACTION	PROGRESS				STATUS
<b>Prepare a report detailing the process to be adopted to allow for recording of the gallery in the Council Chamber during Ordinary Council meetings and Planning Committee Meetings.</b>	A report is being prepared for Council to be presented by 30 September.				 in progress
<b>Embed a community engagement component in all key Council projects from commencement of the project</b>	All key Council projects incorporated community engagement, including eight online consultations in quarter four.				 completed
<b>Establish local ward based committees and review existing Advisory Committees</b>	A report on establishing Ward based committees was presented to Council on 23 July 2018 where council resolved to reconsider the report at the September 2018 Council meeting.  The review of the Advisory Committees has been completed and recruitment is underway for those committees that require additional members. Membership for all committees has been extended to June 2019.				 in progress
<b>Investigate a Junior Council</b>	The Junior Council has been established and the first Junior Council meeting took place in May 2018. Council will continue to work with Chelsea Rotary Club to oversee the project.				 completed
<b>Develop an advocacy document to take to State and Federal Government for funding of major projects by end of 2017</b>	The Planning our Future booklet was published in May 2017 and outlines the key strategic priorities for the Council. It was distributed to local MPs at a breakfast meeting in May and will continue to be used while advocating on major projects.				 completed




## 5.2. Responsible and sustainable financial management










INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
Organisational labour costs, variance from budget		10.00%	10.00%	5.16%	 on track
Rates revenue received as a percentage of rates outstanding		96.00%	96.00%	96.00%	 on track
Supplementary property valuations completed		3,000.00	3,000.00	3,526.00	 on track
ACTION	PROGRESS				STATUS
Continue to encourage increased take-up of electronic rates notices	<p>A new eNotice platform was released in July 2017, making it easier for ratepayers to sign up to receive rates notices electronically.</p> <p>We are now investigating sending a 'welcome' email to ratepayers when they purchase a new property, encouraging them to sign up to electronic rate notices.</p>				 on track
Implement online processing of Land Information Certificates	An online process was implemented in August 2015, with minor refinements addressed in 2017/18, dependent upon software releases.				 completed
Review the Rating Strategy	<p>A Rating Survey was held to determine the community's views about Council Rates. The results informed the Rating Strategy for 2018/19 which was available for public consultation within the draft Budget 2018/19.</p> <p>A Residential Heritage differential has been introduced for the 2018/19 financial year.</p>				 completed
Implement and administer Patterson Lakes Beach Maintenance Special Charge	The special charge commenced 31 August 2017. All notices have been issued and collection of the levy is aligned with the rate notice payment cycles.				 completed
Investigate and encourage more local content in contracts – e.g. the use of local contractors to undertake work	<p>The Procurement Policy was adopted in June 2018, whereby Council continues to recognise that local businesses are an integral part of the community and is committed to improving opportunities for local suppliers to compete for Council contracts, while still achieving value for money.</p> <p>Where possible, Council will measure local content and/or benefit provided to the Kingston community by suppliers. Information regarding local content and/or benefit will be collected and assessed during the evaluation.'</p>				 completed
Investigate the establishment of a policy whereby a local club associated contractor could tender for elements of work on Council building projects	Local contractors are already able to tender for Council works. There is an opportunity to work with Council's Economic Growth & Innovation Department to create links between smaller contractors and larger tenderers.				 completed







### 5.3. Foster staff health and wellbeing, promote our organisational values and encourage leadership and high productivity

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>E3 Resignations and terminations compared to average staff (permanent staff) (audited)</b>	There were 115 resignations/terminations in 2017/18.	10.00%	10.00%	13.56%	 <b>off track</b>

ACTION	PROGRESS	STATUS
<b>Develop and implement the Kingston Business Continuity Plan</b>	The Business Continuity Plan has been completed, with the roll out of team-specific sub-plans continuing.	 <b>on track</b>

#### 5.4. A responsive and well managed organisation

INDICATOR	COMMENT	FULL YEAR TARGET	QUARTERLY TARGET	QUARTERLY RESULT	STATUS
<b>Customer Service - First point of contact resolution (YTD)</b>	This high result is reflective of the commitment and focus of the team around the service experience of our customers.	80.00%	80.00%	85.00%	 on track
<b>Victorian Ombudsman complaints received for internal investigation</b>		24.00	24.00	0.00	 on track
<b>Customer Service telephone calls answered within service standard (20 seconds) year to date</b>	High call volumes affected response times, which affected the result. A recent increase in staffing, combined with refocusing on call management in the team has seen an improvement in recent months which we will continue to work on.	80.00%	80.00%	66.00%	 off track
<b>Freedom of Information requests completed on time (YTD)</b>	As at 30 June there were 14 requests on hand with 7 applications in progress, 4 not valid, and 3 dealt with outside the Act. Of the 7 in progress, 2 out of 3 were completed on time.	100.00%	100.00%	66.00%	 off track
ACTION	PROGRESS				STATUS
<b>Provide a new monthly report updating Council on the status of and costs associated with all legal cases and disputes Council engages in.</b>	Since January 2018, monthly reports are being presented at Councillor Information Sessions.				 completed
<b>Develop asset management plans for Council assets, including the establishing of acceptable levels of service in terms of quality, quantity, reliability, cost and responsiveness</b>	A review of the corporate Asset Management Policy and Strategy documents has been completed. Services have been defined to enable tracking of operational and capital expenditure to indicate total service costs, not costs of individual sites. We are currently linking asset to service outcomes to enable reporting by service as well as asset type.				 on track
<b>Develop a list of all new assets that will be constructed as part of the LXRA projects along the Frankston train line, with indicative future maintenance and replacement costs;</b>	We are working in collaboration with the LXRA team. As plans mature and negotiations continue, potential new assets and agreements will be established.				 in progress
<b>Prepare an asset management plan and a compliance risk assessment for the Edithvale Public Golf Course</b>	Council is working with the Golf Club to identify the scope of works, prior to engaging specialist expertise to prepare an asset management plan and risk compliance assessment. A draft plan is expected to be prepared in 2018/19 and will inform the sub lease agreement between Council and the Golf Club.				 in progress
<b>Review the staff Performance Management System</b>	Work has started on an online performance management system.				 completed

ACTION	PROGRESS	STATUS
<b>Provide customer service with a major IT focus</b>	<p>Completed improvements to customer service include replicating request processes from ePathway to City Watch, including payments for consistency of service; a call back requests process for the customer request management (CRM) system and a visitor management system for the Cheltenham office.</p> <p>Projects currently in progress include online request automation through to a CRM where possible; exploring SMS as a channel to develop service capability for specific request types; call interaction data capture through the call centre; and an upgrade to deliver increased functionality for other channels</p>	 <b>in progress</b>
<b>Renew the organisation's Customer Service Charter in consultation with the community</b>	The organisation's Customer Service charter, in consultation with the community, was implemented in March 2018.	 <b>completed</b>
<b>Research the benefits of a 'single view' (within IT systems) of our customer</b>	Investigation and commissioning of a report by Symphony3 has been completed.	 <b>completed</b>
<b>Establish a Customer Advocate to ensure the 'customer' has a stronger voice within the organisation</b>	This position has been established to strengthening the 'customer's voice' in the organisation.	 <b>completed</b>
<b>Enhance online payment and service requests options for residents and ratepayers</b>	Work has continued on developing the electronic rate notice portal. Ratepayers can now make online rates payments, change their address details and make direct debit applications through the portal.	 <b>on track</b>
<b>Manage the Governance Framework and the Compliance Policy</b>	With the draft Local Government Act released in December 2017, focus is now on the implementation plan for the commencement of the new Act (stage 1 scheduled for 1 July 2018). All proposed sections have been reviewed and project planning with project owners has commenced.	 <b>on track</b>



# Ordinary Meeting of Council

27 August 2018

**Agenda Item No: 11.5**

## **ADOPTION OF THE ANNUAL STATEMENTS TO 30 JUNE 2018**

**Contact Officer: Caroline Reidy, Manager Finance and Corporate Performance**

### **Purpose of Report**

The purpose of this report is to present to Council for adoption the DRAFT Annual Financial Report and Performance Statement for the 2017/18 financial year as Council's "In Principle Statements" and to authorise their submission to the Victorian Auditor-General. The report also presents the Governance and Management Checklist for adoption by Council.

### **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.

### **OFFICER RECOMMENDATION**

That Council:

1. Note the recommendation from Council's Audit Committee;
2. Adopt the 2017/18 Annual Performance Statement and Annual Financial Report (Annual Statements) as Council's "in principle" statements for 2017/18;
3. Authorise Cr Oxley (Acting Mayor), Cr Gledhill and the Chief Executive Officer to sign the final audited 2017/18 Annual Statements; and
4. Authorise Cr Oxley (Acting Mayor) and the Chief Executive Officer to sign the Governance and Management Checklist.

### **Background**

Pursuant to Section 126 of the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014, Council's 2017/18 Annual Financial Report and Performance Statement have been prepared for adoption in principle and the authorisation of two Councillors and the Chief Executive Officer to certify the Statements having been reviewed and cleared by the Auditor-General and Audit Committee. Likewise the Governance and Management Checklist has been recommended for authorisation.

Copies of the "In Principle" Annual Financial Report and Performance Statements and the Governance and Management Checklist are on display in the public gallery foyer for perusal by interested members of the gallery.

### **Annual Financial Report**

Included are the draft Annual Financial Report for Kingston City Council for the year 1 July 2017 to 30 June 2018, which have been drawn up so as to present fairly the financial transactions of Council for the 2017/18 financial year and to report on the financial position of Council as at 30 June 2018. The Financial Report has been prepared in accordance with the Local Government Act 1989, the Local Government (Planning and Reporting) Regulations 2014, Australian Accounting Standards and other mandatory professional reporting requirements.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

To assist understanding of this Financial Report and accompanying notes it is pertinent to point out circumstances that have an impact on the statements in 2017/18.

**Comprehensive Income Statement**

The Surplus for the year is \$40.8 million, that is, \$20.7 million favourable to the budgeted surplus of \$20.1 million. This positive result is influenced by the following:

- Developer monetary contributions (which are recognised as income) of \$9.2 million being added to the Open Space and Stormwater Reserves;
- Capital Grants received of \$4.6 million were \$0.7 million favourable to budget which is primarily due to extra unbudgeted grants of \$0.6m for the roads to recovery program;
- Operating grants total \$33.8 million and are \$2.2 million favourable to budget. The AccessCare Southern team is \$2.1 million favourable due to the timing of payments and the conservative budgeting for Home Care and Linkages Packages; resulting in favourable positions of \$1.1 million and \$1.0 million respectively. Grants and Subsidies also includes \$2.2 million following an early payment by the Victorian Grants Commission for half of the 2018/19 year grant. Accounting Standards require this revenue to be taken into account in the 2017/18 financial year.
- Other Income includes unbudgeted “found” assets of \$1.0 million comprising road and drainage of \$0.9 million and land of \$0.1 million. These are not newly constructed roads for the year, they represent road asset additions due to improved accuracy of data since moving all Council roads to the new asset management system;
- The Fair Value of Council's two investment properties were adjusted for market movement as at 30 June 2018. This resulted in an overall decrement of \$0.3 million. This non-cash amount was unbudgeted;
- Council's total Capital program expenditure was \$49.6 million while \$35.7 million of expenditure was capitalised and \$3.8 million transferred to work in progress. A total of \$10.1 million was expensed to the Income Statement (\$3.0 million unfavourable) as the budgeted capital expenditure did not meet Council's threshold limit for asset recognition.
- Depreciation of \$24.6 million was \$3.7 million favourable to budget following the revaluation adjustment realignment of buildings and road assets. Note this is a non-cash item.
- Borrowing costs of \$0.4 million are \$0.1 million favourable to budget due to a slightly lower than anticipated interest rate for the loan for the purchase of Council's main offices at 1230 Nepean Highway.

Allowing for these items would indicate an “adjusted” Surplus of \$29.1 million and this result yields a favourable variance on the Income Statement of \$9.0 million. This variance includes the following items:

Rates Income	\$1.4 million F
Statutory Fees and Fines	\$0.2 million F
User Fees	\$1.3 million F
Grants - Operating	\$2.2 million F
Interest	\$1.6 million F
Net movement in other Operating Accounts	\$2.3 million F

**Rates & Charges**

Rate revenue totalled \$134.4 million and is \$1.4 million favourable to budget. This includes a total of \$1.9 million derived during the year from Supplementary Valuation assessments issued in which the value of the property was adjusted to reflect a physical change to the property and to ensure that all ratepayers continue to contribute equitably to the City.

**Statutory Fees and Fines**

Statutory Fees and Fines increased \$0.1 million to \$9.5 million in 2017/18 when compared to 2016/17 (\$9.4 million). This is largely due to an increase in town planning fees (\$0.3 million) and offset by a decrease in parking infringement income (\$0.1 million).

**User Fees**

User Fees increased \$0.5 million to \$22.6 million in 2017/18 when compared to 2016/17. This is largely due to an increase in child care/children's program income of \$0.4 million and an increase in Kingston leisure centre and recreation income of \$0.4 million. User fees are favourable to budget by \$1.3 million mainly in childcare \$0.5 million favourable with strong utilisation, and \$0.4m favourable in Leisure Centres with a strong performance in memberships at both centres.

**Grants and Subsidies - Operating**

Operating Grants and Subsidies total \$33.8 million and decreased by \$1.5 million compared to 2016/17 due largely to the payments brought forward for the Victorian Grants Commission Funding paid in the 2016/17 financial year (\$2.2 million). The 2017/18 result has also seen future years' payments brought forward also by \$2.2 million. The underlying favourable variance of \$2.1 million relates to higher than expected grants in Home Care packages.

**Grants and Subsidies - Capital**

Capital Grants of \$4.6 million have decreased by \$0.7 million compared to 2016/17 and are \$0.7 million favourable to budget largely due to an extra unbudgeted \$0.6 million received for the roads to recovery program.

**Contributions - Monetary**

Contributions recognised were \$11.1 million in 2017/18, an increase of \$5.0 million from the previous year. Cash contributions from developers totalled \$9.2 million in 2017/18 which is \$4.3 million higher than the previous year. \$8.5 million of these developer cash contributions are transferred to the Open Space Reserve Account that can be utilised by Council in the future to acquire and/or develop open space. Council spent \$6.3 million from the Open Space Reserve Account in 2017/18.

**Other Income**

Other Income totals \$4.7 million in 2017/18 which is an increase of \$0.3 million on 2016/17 and includes interest income of \$3.0 million in 2017/18 which is an increase of \$0.6 million on 2016/17 and favourable to budget by \$1.6 million largely due to higher cash reserves invested. Other Income also includes Found Assets related to roads of \$0.9 million and land of \$47k.

**Employee Costs**

Employee Costs totalled \$74.6 million in 2017/18 which is \$1.7 million higher than 2016/17 and \$3.6 million favourable to budget. Council also delivered a 2.0% productivity target which amounted to \$1.0 million saved in formulating the original budget of \$78.3 million.

**Materials and Services**

Materials and Services expenditure totalled \$81.7 million in 2017/18, \$10.3 million higher when compared to \$71.4 million in 2016/17 financial year. This includes \$10.1 million of capital works expenditure budgeted as Capital Expenditure taken to the income statement compared to \$5.6 million in 2016/17.

**Depreciation & Amortisation**

In accordance with Australian Accounting Standard AASB 116 *Property, Plant and Equipment*, all non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the service potential of those assets. In 2017/18 \$24.6 million was taken up as a non-cash expense in the Income Statement compared with \$25.0 million in 2016/17, \$3.7 million lower than the budgeted amount of \$28.3 million. This is a “non-cash” book entry.

**Balance Sheet**

The ‘current portion’ of the Balance Sheet has improved due to an increase in other financial assets up \$17.0 million to \$119.1 million from \$102.1 million in 2016/17. The Working Capital ratio has increased to 361% in 2017/18 compared to 349% in 2016/17. Council’s assured cashflows means that it can be confident that it can pay its accounts as and when they fall due.

Trade and other receivables have increased by \$1.2 million in 2017/18 to \$9.3 million from \$8.1 million in 2016/17. This includes one invoice for \$600,000 which was paid during July. The current provision for Doubtful Debts has been reviewed and is considered adequate. Rate debtors have increased by \$0.3 million to \$4.4 million (or 3.3% of Rates Income) since 2016/17.

Australian Accounting Standard AASB 116 *Property, Plant and Equipment* requires that the carrying amount of all non-current assets be kept current. A full revaluation was conducted of Council’s Land and Buildings as at 30 June 2018 by our valuers - Opteon. A full valuation of property is undertaken every 2 years. The next valuation will be as at 30<sup>th</sup> June 2020. Infrastructure assets have been revalued to their current replacement costs at 30 June 2018 and this has contributed to an overall \$6.2 million increase in their book value with current book value of \$537 million.

Land under roads has been adjusted by a market movement percentage to \$679 million up \$100 million from \$579 million in 2016/17. Council now manages \$2.6 billion of assets on behalf of the community.

Non Current Liabilities include interest-bearing loans and borrowings which have decreased to \$8.8 million in 2017/18 from \$14.8 million in 2016/17 due to the accelerated loan repayment schedule due to favourable interest rates.



### **Cash Flow Statement**

In total, Council's cash holdings have increased by \$5.3 million during 2017/18 to \$16.6 million. This excludes other Financial Assets (Investments more than 3 months to maturity) of \$119.1 million, up from \$102.1 million in 2016/17. \$9.0 million of this will be utilised to pay for capital works carried forward from 2017/18 to 2018/19.

- Net cash provided by operating activities is \$67.8 million, which is \$0.1 million lower than 2016/17.
- Net cash used in investing activities has decreased by \$28.9 million to \$56.3 million in 2017/18 largely due to the timing of investments maturing and being reinvested.
- Net cash used in financing activities of \$6.2 million is \$4.8 million higher than 2016/17 mainly due to no new borrowings being undertaken by Council as a part of its debt reduction strategy.

### **Performance Statement**

The performance statement contains information about the performance of the Council for the financial year and is a key section of the annual report whereby Council makes itself accountable to the community.

Commencing in 2014/15 the Victorian Government has introduced a mandatory system of performance reporting for councils which prescribes performance information to be included in councils' annual reports. Councils must describe the prescribed indicators and measures in the performance statement so it is clear to the audience what is being measured.

In addition, the performance statement now includes the results achieved in relation to the prescribed service performance outcome, financial performance and sustainable capacity for the financial year and three preceding years moving forward. For the financial performance indicators and measures, the performance statement must also include the forecast results for four years based on the financial statements included in the strategic resource plan.

Reporting trend information helps the community understand changes in council performance over time and acts as a point of reference for results. The regulations require that council must also provide an explanation of any material variations in the results between the current years other years disclosed to enable the reader to form an understanding of the reason for the variation.

The Act (Sections 131,132,133) states that the performance statement must contain the prescribed indicators and measures of service performance outcome measures (12), financial performance (12) and sustainable capacity (6) and the results for each indicator.

Detailed commentaries of the outcomes are included in the attached Performance Statement.

### **Governance and Management Checklist**

Council has documents or procedures in place to cover all 24 Governance and Management Checklist items. This is consistent with the result for 2016/17. Under the Local Government (Planning and Reporting) Regulations 2014 the Governance and Management Checklist must be certified by the Mayor and CEO and be included in the Annual Report. The Governance and Management Checklist is attached to this report.

### **Management Representation to the Council**

The following representations are provided to the Council by Management in connection with the audit of the financial report and performance statement of Kingston City Council for the year ended 30 June 2018. The audit was undertaken for the purpose of VAGO being able to obtain sufficient and appropriate audit evidence on which to express an opinion as to whether the financial report presents fairly, in all material respects, in accordance with applicable Australian Accounting Standards, and the financial reporting requirements of the *Local Government Act 1989* and whether the performance statement presents fairly in accordance with the requirements of the *Local Government Act 1989*.

We (Management) confirm that, to the best of our knowledge and belief, the representations we make below to Council are based on information available to us, having made such enquiries as we considered necessary to appropriately inform ourselves on these matters.

### **Preparation of the financial report**

We have fulfilled our responsibilities, as set out in the terms of the audit engagement, for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the requirements of *Local Government Act 1989*.

1. We have prepared the financial report as a not-for-profit entity for the purpose of reporting under Australian Accounting Standards.
2. All transactions have been recorded in the accounting records and are reflected in the financial report.<sup>1</sup>
3. Proper accounts and records of the transactions and affairs of the council and such other records as sufficiently explain the financial operations and financial position of the council have been kept in accordance with the *Local Government Act 1989*, where applicable.
4. The effects of uncorrected misstatements are immaterial, both individual and in the aggregate, to the financial report as a whole.

### **Access to information**

5. We have provided Audit with:
  - a. access to all information of which we are aware that is relevant to the preparation of the financial report such as records, documentation and other matters
  - b. any additional information that Audit have requested from us for the purpose of the audit
  - c. unrestricted access to persons within the council from whom you determined it necessary to obtain audit evidence<sup>2</sup>

### **Controlled entities**

6. We have undertaken a control assessment using the criteria outlined in AASB 10 *Consolidated Financial Statements*. Our assessment has not identified any controlled or jointly controlled entities that require consolidation.

### **Joint arrangements**

7. We have undertaken an assessment of our contractual arrangements to determine whether they are joint arrangements as per the requirements of AASB 11 *Joint Arrangements*.

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<sup>1</sup> ASA 580 *Written Representations*, paragraph 11(b)

<sup>2</sup> ASA 580.11(a)/ASA 210 *Agreeing the Terms of Audit Engagements*, paragraph 6

**Fraud disclosure**

8. We are not aware of any actual or suspected fraud affecting Kingston City Council that involves:
  - a. management
  - b. employees who have significant roles in internal control or
  - c. others where the fraud could have a material effect on the financial report.<sup>3</sup>
9. We are not aware of any allegations (to the extent we are legally able to disclose these to you in accordance with the requirements of the *Independent Broad-based Anti-Corruption Commission Act 2011*) of fraud, or suspected fraud, affecting Kingston City Council's financial report communicated by employees, former employees, analysts, regulators or others<sup>4</sup>.

**Internal control**

10. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and/or error<sup>5</sup>. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable financial report, and adequate financial records have been maintained. We have disclosed to you details of all deficiencies in internal control of which we are aware.

**Legal**

11. There are no known or suspected instances of non-compliance with laws or regulations whose effects should be considered when preparing the financial report.
12. There is no known actual or possible litigation and claims whose effects should be considered when preparing the financial report.
13. The council has satisfactory title to all assets (excluding those assets held in the name of the Crown), and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
14. The council has complied with all aspects of contractual agreements that would have a material effect on the financial report in the event of noncompliance.
15. Kingston City Council has been properly managed in accordance with the requirements of the *Local Government Act 1989*.
16. We have complied with, in all material respects, the requirements of *Local Government Act 1989* for the establishment and keeping of relevant accounts, registers and other appropriate records.

**Accounting estimates**

17. We believe that the significant assumptions and judgements we have used in making accounting estimates for inclusion in the financial report are reasonable, appropriately supported and, where required, disclosed<sup>6</sup>.

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<sup>3</sup> ASA 240 *The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report*, paragraph 39(c)

<sup>4</sup> ASA 240.39(d)

<sup>5</sup> ASA 240.39(b)

<sup>6</sup> ASA 540 *Auditing Accounting Estimates, Including Fair Value Accounting Estimates, and Related Disclosures*, paragraph 22

**Financial statement disclosures**

18. The financial report discloses all significant accounting policies used in the preparation of the financial report. We considered the substance of the underlying transactions as well as their legal form in selecting the appropriate accounting policies and related disclosures for the financial report.

**Asset and liability fair values (including property, plant and equipment)**

19. We consider the measurement methods, including related assumptions, used to determine fair values relating to assets and liabilities to be appropriate based on the nature and purpose of the asset/liability. These have been consistently applied and appropriately disclosed in the financial report.

In addition, we have considered the requirements of AASB 13 *Fair Value Measurement* relating to the fair value of property, plant and equipment. These assets have been valued on the basis that the highest and best use of the asset is obtained from its current use, taking into consideration what is physically possible, legally permissible and financially feasible. Our fair value assessment did not identify any internal or external events that would trigger a reassessment of the assets' highest and best use.

Further, we confirm that the assumptions used by us in the categorisation of observable and un-observable inputs within the fair value valuation hierarchy are reasonable and have been fully disclosed in accordance with the accounting standards and other applicable financial reporting requirements.

20. We have considered the requirements of AASB 136 *Impairment of Assets* when assessing the impairment of assets and in ensuring that no assets are stated in excess of their recoverable amount.
21. Asset useful lives have been reviewed and we are satisfied that they reflect the assets' expected period of use.
22. Allowances for depreciation have been adjusted for all important items of property, plant and equipment that have been abandoned or are otherwise unusable.

**Related parties and key management personnel**

23. We have determined who are the key management personnel of Kingston City Council in accordance with AASB 124 *Related Party Disclosures* and we are satisfied that our assessment is completed and appropriate.
24. We are satisfied that the compensation paid to key management personnel has been properly reported in note 6.1 to the financial statements in accordance with AASB 124 *Related Party Disclosures*, and includes all required components of compensation. We have not identified any significant transactions with government-related entities that would require disclosure in accordance with AASB 124 *Related Party Disclosures*.
25. We have disclosed to you the identity of all non-government related parties (including any controlled entities), related party relationships and transactions of which we are aware. We have assessed these transactions to not be material to the financial statements and therefore not required to be disclosed in the financial report under AASB 124 *Related Party Disclosures*.



**Responsible persons and executive officer disclosures**

- 26. We have disclosed the number and names of any individual who held a responsible person position for Kingston City Council at any time during the year ended 30 June 2018 including all remuneration received/receivable by those individuals as per the requirements of *AASB 124 Related Party Disclosures*.
- 27. We have disclosed the names of the relevant responsible Ministers at any time during the year ended 30 June 2018.
- 28. We have disclosed the remuneration of all executive officers as per the requirements of *AASB 124 Related Party Disclosures*. This includes all short-term, post-employment, other long-term benefits and any termination benefit.

**Future plans**

- 29. There were no material commitments for construction or acquisition of property, plant and equipment or to acquire other non-current assets, such as investments or intangibles, other than those disclosed in the financial report.
- 30. We have no plans or intentions that may materially affect the carrying values or classification of any assets and liabilities.

**Going concern**

- 31. We have assessed the council's ability to continue as a going concern and believe there are reasonable grounds to believe that the entity will be able to pay its debts as and when they fall due.

**Subsequent events**

- 32. No events have occurred subsequent to the balance sheet date that would require adjustment to, or disclosure in, the financial report.

**Preparation of the performance statement**

- 33. We have prepared and presented the performance statement in conformity with the requirements of *Local Government Performance Reporting Framework*. We consider the indicators to present fairly the performance of the council.
- 34. All relevant matters have been recorded in the council's records and are reflected in the performance statement<sup>7</sup>.
- 35. We believe the effects of uncorrected misstatements are not material, both individually and in the aggregate, to the performance statement taken as a whole.
- 36. We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud and/or error. We have established and maintained an adequate internal control structure to facilitate the preparation of a reliable performance statement. We have disclosed to you details of all deficiencies in internal control of which we are aware<sup>8</sup>.

**Publication of the financial report**

- 37. With respect to publication of the financial report and performance statement in hard copy, we will ensure that:
  - a. the financial report and performance statement accurately reflects the audited financial report and performance statement and

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<sup>7</sup> ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*, paragraph 56(b)

<sup>8</sup> ASAE 3000.A137

- b. the independent auditor's report has been reproduced accurately and in full.
38. The electronic presentation of the financial report and performance statement is our responsibility. Our responsibility includes ensuring that the electronic version of the financial report, the performance statement and the independent auditor's report presented on the website are the same as the final signed version of the financial report, the performance statement and independent auditor's report.
39. The Annual Financial Report may include additional financial and/or non-financial information other than the financial report, the performance statement and the independent auditor's report (referred to as 'other information'). With respect to other information that is included in the council's Annual Financial Report, we have informed you of all the sections/separate documents that we expect to issue that may comprise other information. With regard to any other information that we have not provided to you prior to the date of the auditor's report, that we intend to prepare and issue such other information and will provide it to you to enable you to complete your required procedures.

### **Independent Audit Committee Review**

Council's Independent Audit Committee reviewed the 2017/18 Draft Annual Financial Report and Performance Statement on 16 August 2018 and the Committee recommends that Council adopt and certify the attached statements "in principle" and submit them to the Auditor General. Further the Audit Committee has recommended that Council authorise the Mayor and CEO to certify the Governance and Management Checklist.

### **Certification Process**

A Council cannot submit its Annual Financial Report and Performance Statement to the Auditor-General or the Minister unless the council has passed a resolution giving "in principle" approval to the Annual Statements and certification by two Councillors and the Chief Executive Officer, on behalf of the council, to certify the statements once amendments or changes requested by the Auditor-General have been made. It is recommended that, Cr Oxley as the Acting Mayor, and Cr Gledhill as the second Councillor on the Audit Committee, be authorised to sign the statements.

It should be borne in mind that the purpose of this process is to ensure that Council is aware of, and supports, the Performance Statement, Annual Financial Report and Governance and Management Checklist and that the Councillors and the Chief Executive Officer when signing the statements do so with the knowledge, support, commitment and acceptance of responsibility by the Council.

### **Appendices**

Appendix 1 - DRAFT Annual Financial Report for Year Ending 30 June 2018 (Ref 18/36696) [↓](#)

Appendix 2 - Draft Performance Statement 30 June 2018 (Ref 18/480156) [↓](#)

Appendix 3 - 2017/18 Governance and Management Checklist (Ref 18/202872) [↓](#)

Appendix 4 - Minutes Audit Committee Meeting 16 August 2018 (Ref 18/502205) [↓](#)

Author/s: Caroline Reidy, Manager Finance and Corporate Performance  
Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

# 11.5

## ADOPTION OF THE ANNUAL STATEMENTS TO 30 JUNE 2018

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# Annual Financial Report

For the Year Ended 30 June 2018



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## Certification of the Financial Statements

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements.

P A Franklin .....  
**Principal Accounting Officer**

Date: .....

Location: .....

In our opinion, the accompanying financial report presents fairly the financial transactions of Kingston City Council for the year ended 30 June 2018 and the financial position of the Council as of that date.

As at the date of signing, we are not aware of any circumstances that would render any particulars in the financial report to be misleading or inaccurate. We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

G Oxley .....  
**Acting Mayor**

Date: .....

Location: .....

G Gledhill .....  
**Councillor**

Date: .....

Location: .....

J Nevins .....  
**Chief Executive Officer**

Date: .....

Location: .....

## Victorian Auditor-General's Report

Page reserved for VAGO report – to be inserted when available.



## Comprehensive Income Statement

For the Year Ended 30 June 2018

	Note	2018 \$'000	2017 \$'000
<b>Income</b>			
Rates and charges	2.1	134,353	130,138
Statutory fees and fines	2.2	9,468	9,397
User fees	2.3	22,548	22,103
Grants – operating	2.4	33,772	35,338
Grants – capital	2.4	4,631	5,343
Contributions – monetary	2.5	11,102	6,148
Contributions – non monetary	2.5	2,626	-
Interest income	2.7	3,022	2,384
Other income	2.7	1,686	1,965
Fair Value adjustment for investment property	5.3	-	47
<b>Total Income</b>		<b>223,208</b>	<b>212,863</b>
<b>Expenses</b>			
Employee costs	3.1	74,611	72,888
Materials and services	3.2	81,653	71,369
Depreciation and amortisation	3.3	24,568	24,994
Bad and doubtful debts	3.4	32	43
Borrowing costs	3.5	439	539
Net Loss on disposal of property, infrastructure, plant and equipment	2.6	843	693
Fair Value adjustment for investment property	2.7 & 5.3	296	-
<b>Total Expenses</b>		<b>182,442</b>	<b>170,526</b>
<b>Surplus for the year</b>		<b>40,764</b>	<b>42,337</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods:</b>			
Net asset revaluation increment/(decrement)	5.2	140,692	72,233
<b>Total comprehensive result</b>		<b>181,456</b>	<b>114,570</b>

The above comprehensive income statement should be read in conjunction with the accompanying notes.

## Balance Sheet

As at 30 June 2018

	Note	2018 \$'000	2017 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	4.1	16,601	11,329
Trade and other receivables	4.1	9,327	8,117
Other financial assets	4.1	120,026	102,933
Non current assets classified as held for sale	5.1	885	-
Other assets	4.2	591	795
<b>Total Current assets</b>		<b>147,430</b>	<b>123,174</b>
<b>Non-current assets</b>			
Trade and other receivables	4.1	-	27
Property, infrastructure, plant and equipment	5.2	2,416,983	2,259,239
Investment property	5.3	4,473	4,769
Intangible assets	4.2	699	1,118
<b>Total Non-current assets</b>		<b>2,422,155</b>	<b>2,265,154</b>
<b>Total Assets</b>		<b>2,569,585</b>	<b>2,388,328</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	4.3	15,042	11,331
Trust funds and deposits	4.3	5,752	3,763
Provisions	4.5	15,756	16,062
Interest bearing loans and borrowings	4.4	4,261	4,100
<b>Total Current liabilities</b>		<b>40,811</b>	<b>35,256</b>
<b>Non-current liabilities</b>			
Provisions	4.5	1,446	1,257
Interest bearing loans and borrowings	4.4	8,821	14,765
<b>Total Non-current liabilities</b>		<b>10,267</b>	<b>16,022</b>
<b>Total Liabilities</b>		<b>51,078</b>	<b>51,278</b>
<b>Net Assets</b>		<b>2,518,507</b>	<b>2,337,050</b>
<b>Equity</b>			
Accumulated surplus		1,377,984	1,342,369
Asset revaluation reserve	8.1	1,105,315	964,623
Other reserves	8.1	35,208	30,058
<b>Total Equity</b>		<b>2,518,507</b>	<b>2,337,050</b>

The above balance sheet should be read in conjunction with the accompanying notes.

## Statement of Changes in Equity

For the Year Ended 30 June 2018

2018	Note	Total \$'000	Accumulated Surplus \$'000	Asset Revaluation Reserve \$'000	Asset Replacement Reserve \$'000	Asset Development Reserve \$'000	Other Reserves \$'000
Balance as at 1 July 2017		<b>2,337,050</b>	<b>1,342,369</b>	<b>964,623</b>	<b>2,075</b>	<b>14,486</b>	<b>13,497</b>
Surplus for the year		40,764	40,764	-	-	-	-
Net asset revaluation increment/ (decrement)	8.1	140,692	-	140,692	-	-	-
Transfers to other reserves	8.1	-	(12,989)	-	-	8,457	4,531
Transfer from other reserves	8.1	-	7,839	-	(592)	(6,256)	(991)
<b>Balance as at 30 June 2018</b>		<b>2,518,507</b>	<b>1,377,984</b>	<b>1,105,315</b>	<b>1,483</b>	<b>16,688</b>	<b>17,037</b>

2017	Note	Total \$'000	Accumulated Surplus \$'000	Asset Revaluation Reserve \$'000	Asset Replacement Reserve \$'000	Asset Development Reserve \$'000	Other Reserves \$'000
Balance as at 1 July 2016		<b>2,222,481</b>	<b>1,302,565</b>	<b>892,389</b>	<b>2,075</b>	<b>12,836</b>	<b>12,616</b>
Surplus for the year		42,337	42,337	-	-	-	-
Net asset revaluation increment/ (decrement)	8.1	72,233	-	72,233	-	-	-
Transfers to other reserves	8.1	-	(8,873)	-	-	4,871	4,001
Transfer from other reserves	8.1	-	6,341	-	-	(3,221)	(3,120)
<b>Balance as at 30 June 2017</b>		<b>2,337,050</b>	<b>1,342,369</b>	<b>964,623</b>	<b>2,075</b>	<b>14,486</b>	<b>13,497</b>

The above statement of changes in equity should be read in conjunction with the accompanying notes.

## Statement of Cash Flows

For the Year Ended 30 June 2018

	Note	2018 Inflows/ (Outflows) \$'000	2017 Inflows/ (Outflows) \$'000
<b>Cash flows from operating activities</b>			
Rates and charges		134,096	130,600
Grants – operating		33,772	35,338
Grants – capital		4,631	5,343
Contributions – monetary		11,102	6,148
Statutory fees and fines		9,468	9,397
User fees		21,968	22,224
Interest received		2,973	1,828
Other receipts		728	751
Trust funds and deposits taken		11,300	8,700
Repayment of trust funds and deposits		(9,311)	(8,121)
Employee costs		(75,668)	(71,341)
Materials and services		(77,218)	(72,939)
<b>Net cash provided by / (used in) operating activities</b>	<b>8.2</b>	<b>67,839</b>	<b>67,927</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment		(39,407)	(41,368)
Proceeds from sale of property, infrastructure, plant and equipment	2.6	62	93
Payments for investments	4.1	(120,550)	(107,000)
Proceeds from sale of investments	4.1	103,550	63,000
<b>Net cash provided by / (used in) investing activities</b>		<b>(56,345)</b>	<b>(85,275)</b>
<b>Cash flows from financing activities</b>			
Finance costs		(439)	(539)
Proceeds from borrowings	4.4	-	3,250
Repayment of borrowings	4.4	(5,783)	(4,146)
<b>Net cash provided by / (used in) financing activities</b>		<b>(6,222)</b>	<b>(1,435)</b>
Net increase (decrease) in cash and cash equivalents		5,272	(18,783)
Cash and cash equivalents at the beginning of the financial year		11,329	30,112
<b>Cash and cash equivalents at the end of the financial year</b>	<b>4.1</b>	<b>16,601</b>	<b>11,329</b>
Financing arrangements	7.3		
Restrictions on cash assets	4.1	5,752	3,763

The above statement of cash flows should be read in conjunction with the accompanying notes.



## Statement of Capital Works

For the Year Ended 30 June 2018

	2018 \$'000	2017 \$'000
<b>Property</b>		
Land	2,694	8
Land improvements	582	986
<b>Total Land</b>	<b>3,276</b>	<b>994</b>
<b>Buildings</b>		
Building improvements	16,699	21,403
Leasehold improvements	-	-
<b>Total Buildings</b>	<b>16,699</b>	<b>21,403</b>
<b>Total Property</b>	<b>19,974</b>	<b>22,397</b>
<b>Plant and equipment</b>		
Plant, machinery and equipment	-	602
Computers and telecommunications	865	1,245
Library books	1,041	1,185
<b>Total Plant and equipment</b>	<b>1,906</b>	<b>3,032</b>
<b>Infrastructure</b>		
Roads	9,772	7,117
Bridges	-	-
Footpaths and cycleways	1,554	1,413
Drainage	4,962	3,639
Recreational, leisure and community facilities	5,317	3,667
Parks, open space and streetscapes	4,544	4,625
Off street car parks	904	455
Other infrastructure	648	329
<b>Total Infrastructure</b>	<b>27,702</b>	<b>21,245</b>
<b>Total Capital works expenditure</b>	<b>49,582</b>	<b>46,674</b>
<b>Represented by:</b>		
New asset expenditure	6,845	4,644
Asset renewal expenditure	27,766	27,298
Asset expansion expenditure	4,543	2,953
Asset upgrade expenditure	10,428	11,779
<b>Total Capital works expenditure</b>	<b>49,582</b>	<b>46,674</b>

The above statement of capital works should be read in conjunction with the accompanying notes

## Notes to the Financial Report

For the Year Ended 30 June 2018

### Overview

Kingston City Council was established by an Order of the Governor in Council on 15<sup>th</sup> December 1994 and is a body corporate. The Council's main office is located at 1230 Nepean Highway, Cheltenham Victoria.

### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1989, and the Local Government (Planning and Reporting) Regulations 2014.

### Significant accounting policies

#### Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of Australian Accounting Standards that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings and infrastructure, plant and equipment and intangibles (refer to note 5.2)
- the determination of depreciation for buildings, property, infrastructure, plant and equipment and intangibles (refer to note 5.2)
- the determination of employee provisions (refer to note 4.5).

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 1 Performance against budget

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of 10 percent and/or over \$2 million where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 13 June 2017. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for income and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

#### 1.1 Income and Expenditure

	Budget 2018 \$'000	Actual 2018 \$'000	Variance 2018 \$'000	Variance 2018 %	F/ U	Ref
<b>Income</b>						
Rates and charges	132,939	134,353	1,414	1.1	F	
Statutory fees and fines	9,221	9,468	247	2.7	F	
User fees	21,257	22,548	1,291	6.1	F	
Grants - Operating	31,558	33,772	2,214	7.0	F	1
Grants - Capital	3,899	4,631	732	18.8	F	2
Contributions - monetary	509	11,102	10,593	2,081.1	F	3
Contributions - non-monetary	1,000	2,626	1,626	162.6	F	4
Other income	2,633	4,708	2,075	78.8	F	5
<b>Total Income</b>	<b>203,016</b>	<b>223,208</b>	<b>20,192</b>	<b>9.9</b>	<b>F</b>	
<b>Expenses</b>						
Employee costs	78,251	74,611	3,640	4.7	F	6
Materials and services	75,785	81,653	(5,868)	(7.7)	U	7
Bad and doubtful debts	50	32	18	36.0	F	
Depreciation and amortisation	28,300	24,568	3,732	13.2	F	8
Borrowing costs	552	439	113	20.5	F	
Net loss on disposal of property, infrastructure, plant and equipment	-	843	(843)	-	U	9
Fair value adjustment for investment property	-	296	(296)	-	U	10
<b>Total Expenses</b>	<b>182,938</b>	<b>182,442</b>	<b>496</b>	<b>0.3</b>	<b>F</b>	
<b>Surplus (deficit) for the year</b>	<b>20,078</b>	<b>40,764</b>	<b>20,687</b>	<b>103.0</b>	<b>F</b>	

\* F = Favourable, U = Unfavourable

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 1 Performance against budget (cont'd)

#### 1.1 Income and Expenditure (cont'd)

##### (i) Explanation of material variances

Ref	Item	Explanation
1	Grants - Operating	Operating grants total \$33.8 million and are \$2.2 million favourable to budget. The AccessCare Southern team is \$2.1 million favourable due to the timing of payments and the conservative budgeting for Home Care Packages and Linkages Packages resulting in favourable positions of \$1.1 million and \$1.0 million respectively.
2	Grants - Capital	Capital grants total \$4.6 million and are \$0.7 million favourable to budget. This includes an extra unbudgeted \$0.6 million received for the roads to recovery program.
3	Contributions - Monetary	Monetary contributions total \$11.1 million and are \$10.6 million favourable to budget. This includes \$9.2 million in unbudgeted cash contributions from developers which are transferred to a reserve for use on open space and stormwater projects at a later date.
4	Contributions - Non monetary	Non monetary contributions total \$2.6 million which includes asset contributions from developers comprising land under roads (\$0.7 million), transport (\$1.1 million), drainage (\$0.5 million) and land (\$0.4 million). The budget was understated for these items in 2017/18 as the assets were not expected to be transferred to Council until later accounting periods.
5	Other Income	Other income is \$2.1 million favourable to budget. This includes interest income which is \$1.6 million favourable to budget due to higher than expected cash holdings invested at financial institutions at the best possible rates but within the Investment Policy's guidelines. Other revenue also includes \$1.0 million in found assets comprising road and drainage of \$0.9 million and land of \$47k. These are not newly constructed or acquired assets for the year, they represent additions due to improved accuracy of data since moving to a new asset management system.
6	Employee Costs	Employee costs total \$74.6 million and are \$3.6 million favourable to budget. The Community Sustainability division is \$3.3 million favourable across most departments, particularly Community Care and AccessCare (\$2.8 million favourable).
7	Materials and Services	Materials and Services expenditure is \$5.9 million unfavourable to budget due to an extra \$4.8 million expensed from the 2017/18 capital program compared to 2016/17.
8	Depreciation and Amortisation	Depreciation and amortisation totals \$24.6 million and is \$3.7 million favourable to budget. This is due to the budget over-estimating the valuation increases for 2017-18 and future budgets have been adjusted accordingly.
9	Net loss on disposal of property, plant and equipment	Total net loss on disposal of property, plant and equipment is \$0.8 million. This includes the demolition of 7 Council buildings (\$0.9 million loss which is a non cash item to adjust the asset register) and the sale of 2 Council vehicles and 2 items of plant (\$62k profit on sale). The budget assumes that there will be no profit or loss on disposal of assets.
10	Fair Value adjustment for Investment Property	The formal revaluation of land and buildings by independent valuer Opteon Solutions resulted in a \$0.3 million decrement to Council's investment property value. This non cash item was not budgeted for.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 1 Performance against budget (cont'd)

#### 1.2 Capital Works

	Budget 2018 \$'000	Actual 2018 \$'000	Variance 2018 \$'000	Variance 2018 %	F/U	Ref
<b>Property</b>						
Land	2,000	2,694	(694)	(34.7)	U	1
Land improvements	-	582	(582)	-	U	
<b>Total Land</b>	<b>2,000</b>	<b>3,276</b>	<b>(1,276)</b>	<b>(63.8)</b>	<b>U</b>	
Buildings	19,875	16,699	3,176	16.0	F	2
Building improvements	-	-	-	-		
<b>Total Buildings</b>	<b>19,875</b>	<b>16,699</b>	<b>3,176</b>	<b>16.0</b>	<b>F</b>	
<b>Total Property</b>	<b>21,875</b>	<b>19,974</b>	<b>1,901</b>	<b>8.7</b>	<b>F</b>	
<b>Plant and equipment</b>						
Plant, machinery and equipment	300	-	300	100.0	F	3
Computers and telecommunications	1,810	865	945	52.2	F	4
Library books	1,035	1,041	(6)	(0.6)	U	
<b>Total Plant and equipment</b>	<b>3,145</b>	<b>1,906</b>	<b>1,239</b>	<b>39.4</b>	<b>F</b>	
<b>Infrastructure</b>						
Roads	10,016	9,772	244	2.4	F	
Footpaths and cycleways	4,195	1,554	2,641	62.9	F	5
Drainage	5,503	4,962	541	9.8	F	
Off street car parks	300	904	(604)	(201.4)	U	6
Recreational, leisure and community facilities	7,368	5,317	2,051	27.8	F	7
Parks, open space and streetscapes	5,209	4,544	665	12.8	F	
Other infrastructure	754	648	106	14.0	F	
<b>Total Infrastructure</b>	<b>33,345</b>	<b>27,702</b>	<b>5,643</b>	<b>16.9</b>	<b>F</b>	
<b>Total Capital Works expenditure</b>	<b>58,365</b>	<b>49,582</b>	<b>8,783</b>	<b>15.0</b>	<b>F</b>	
<b>Represented by:</b>						
New asset expenditure	7,743	6,845	898	11.6	F	
Asset renewal expenditure	31,280	27,765	3,514	11.2	F	
Asset expansion expenditure	4,677	4,543	134	2.9	F	
Asset upgrade expenditure	14,665	10,428	4,237	28.9	F	
<b>Total Capital Works Expenditure</b>	<b>58,365</b>	<b>49,582</b>	<b>8,783</b>	<b>15.0</b>	<b>F</b>	

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 1 Performance against budget (cont'd)

#### 1.2 Capital Works (cont'd)

##### (i) Explanation of material variances

Ref	Item	Explanation
1	Land	Actual expenditure on land is \$0.7 million more than the budgeted \$2.0 million. The 2017-18 adopted budget included \$2M for rehabilitation and development of former landfill sites including Elder St, these project were rescheduled pending outcome of consultation and contractor negotiations. Offsetting this under expenditure, Council authorised the purchase 8-10 Barker St, Cheltenham (\$2.8 million) for additional open space in the local area.
2	Buildings	Capital expenditure on buildings is \$3.2 million less than the adopted budget of \$19.9 million. Deferred projects carried over to 2018/19 include Edithvale Life Saving Club (\$1.4 million), Parkdale Yacht Club (\$0.7 million), and Mills Road Depot development (\$3 million). These have been rescheduled for further consultation and approval of final design by authorities and Council. Edithvale LSC and Parkdale Yacht Club are now approved for construction.
3	Plant, machinery and equipment	There was no capital expenditure for plant and machinery during 2017-18 compared to the adopted budget of \$0.3 million. Machinery purchases were on hold pending a review of operational needs associated with consolidation of Depots to Mills Road, Braeside. Orders have now been placed with delivery early 2018/19.
4	Computers and telecommunications	Computer and telecommunications expenditure totals \$0.9 million, which is \$0.9 million less than the adopted budget of \$1.8 million. Programs for replacing desktop computers and other hardware have been on hold pending a major review of technology, work styles and future needs. This review has culminated in a \$1.2 million tender approved by Council July 2018 to replace and upgrade computer hardware. Favourable savings are carried over to 2018/19 to support the rollout program.
5	Footpaths & cycle ways	Capital expenditure on footpaths and cycleways was \$2.6 million less than the adopted budget of \$4.2 million. Bay Trail Shared Path (\$1.4 million) has been delayed following a VCAT appeal requiring funding carryover to 2018/19. Linking Karkarook Park to Settlement Creek (\$1.2 million) has been rescheduled pending negotiations for potential land acquisition and an agreed final alignment.
6	Off street car parks	Capital expenditure on car parks is \$0.6 million more than the adopted budget of \$0.3 million. Increased expenditure in this category recognises the \$2.4 million Dales Park Netball Redevelopment which includes \$0.65 million of carpark construction.
7	Recreational, leisure & community facilities	Recreational, leisure and community facilities expenditure totals \$5.0 million which is \$2.1 million less than the adopted budget of \$7.4 million. Ben Kavanagh Master Plan (\$0.8 million) and Moorabbin Reserve Master Plan (\$0.5 million) were rescheduled to minimise disruption while the pavilion construction works were in progress. Local Shopping Centre Improvements (\$0.25 million) are on hold due to private development proposals in the same location. Regents Park Master Plan and Netball Facilities (\$0.4 million) is rescheduled to 2018/19 pending planning approvals. Dane Rd High Fence (\$0.3 million) is under review pending outcome risk assessment.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 2 Funding for the delivery of our services

#### 2.1 Rates and charges

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. CIV approximates the market value of land and improvements.

The valuation base used to calculate general rates for 2017/18 was \$52.6 billion (2016/17 \$52.1 billion). The 2017/18 declared rate in the dollar was 0.21580 cents (2016/17 0.21130 cents).

A Municipal charge is levied at the rate of \$100 (2016/17 \$100) per rateable property and a Waste service fee (choices A to F) is levied at the rate of \$137 to \$230 (2016/17 \$135 to \$225) per rateable property.

	2018 \$'000	2017 \$'000
General Rates	112,358	109,002
Municipal charge	7,249	7,164
Waste service fee	12,197	11,825
Special rates and charges	116	71
Supplementary rates	1,931	1,688
Interest on rates and charges	502	389
<b>Total rates and charges</b>	<b>134,353</b>	<b>130,138</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2018 and the valuation will be first applied in the rating year commencing 1 July 2018.

Annual rates and charges are recognised as revenue when Council issues annual rates notices.

Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

#### 2.2 Statutory fees and fines

	2018 \$'000	2017 \$'000
Infringements and Costs	1,984	1,981
Parking infringements	3,518	3,644
Permits	454	496
Town planning fees	2,665	2,399
Family day care and school age care	491	520
Land Information Certificates	168	172
Other	188	185
<b>Total Statutory fees and fines</b>	<b>9,468</b>	<b>9,397</b>

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 2 Funding for the delivery of our services (cont'd)

#### 2.3 User fees

	2018 \$ '000	2017 \$ '000
Aged and health services	2,027	2,295
Building services	1,263	909
Child care/children's programs	5,746	5,339
Leisure centre and recreation	7,396	7,001
Registration and other permits	708	636
Waste management services	639	393
Rental income	4,004	4,659
Other	765	872
<b>Total user fees</b>	<b>22,548</b>	<b>22,103</b>

User fees are recognised as revenue when the service has been provided or Council has otherwise earned the income.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 2 Funding for the delivery of our services (cont'd)

#### 2.4 Funding from other levels of government

Grants were received in respect of the following:

	2018 \$'000	2017 \$'000
<b>Summary of grants</b>		
Commonwealth funded grants	27,041	28,508
State funded grants	11,362	12,174
<b>Total Grants Received</b>	<b>38,403</b>	<b>40,682</b>
<b>a) Operating grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Victorian Grants Commission (i)	4,631	6,519
AccessCare Southern	8,590	8,890
Home and Community Care	6,872	6,315
Family and Children	5,705	4,725
Other	70	705
<b>Recurrent - State Government</b>		
AccessCare Southern	1,064	1,280
Community Services	2,839	2,804
Family & Children	2,183	2,570
Libraries and Education	1,208	1,028
Beach cleaning	194	165
Community Safety and Education	76	101
Economic Development	-	42
Other	340	194
<b>Total Recurrent grants</b>	<b>33,772</b>	<b>35,338</b>
<b>Total Operating grants</b>	<b>33,772</b>	<b>35,338</b>
There were no non-recurrent operating grants in 2017/18 or 2016/17		
<b>b) Capital grants</b>		
<b>Recurrent - Commonwealth Government</b>		
Roads to Recovery	1,172	1,353
<b>Total Recurrent grants</b>	<b>1,172</b>	<b>1,353</b>
<b>Non-recurrent - Commonwealth Government</b>		
Buildings	-	2,206
<b>Non-recurrent - State Government</b>		
Sporting facilities	1,598	211
Foreshore Environment	172	1,030
Civil Infrastructure	482	543
Community Facilities	1,207	-
<b>Total Non-recurrent grants</b>	<b>3,459</b>	<b>3,990</b>
<b>Total Capital grants</b>	<b>4,631</b>	<b>5,343</b>

(i) Victorian Grants Commission funding for 2016/17 is higher than the comparative due to the first two quarterly instalments for 2017/18 funding being received in advance in June 2017. This also occurred in 2017/18 in that the first two instalments for 2018/19 being received in June 2018.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 2 Funding for the delivery of our services (cont'd)

#### 2.4 Funding from other levels of government (cont'd)

##### c) Unspent grants received on condition that they be spent in a specific manner

	2018	2017
	\$'000	\$'000
Balance at start of year	835	381
Received during the financial year and remained unspent at balance date	788	835
Received in prior years and spent during the financial year	(835)	(381)
Balance at year end	<b>788</b>	<b>835</b>

Grant income is recognised when Council obtains control of the contribution. This is normally obtained upon their receipt (or acquittal) or upon earlier notification that a grant has been secured.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 2 Funding for the delivery of our services (cont'd)

#### 2.5 Contributions

	2018 \$'000	2017 \$'000
<b>Monetary</b>		
Donations/contributions from developers	9,185	4,871
Various capital projects – contributions	1,616	497
Community sustainability	45	81
Environmental sustainability	232	361
Other	23	338
	<b>11,102</b>	<b>6,148</b>
<b>Non Monetary (i)</b>		
Asset Contributions from Developers	2,626	-
	<b>2,626</b>	<b>-</b>
<b>Total contributions</b>	<b>13,728</b>	<b>6,148</b>

- (i) Non monetary contributions in 2018 includes Land Under Roads (\$0.7 million), Transport (\$1.1 million), Drainage (\$0.5 million) and Land (\$0.4 million).  
There were no non-monetary contributions in 2017

Monetary and non-monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

#### 2.6 Net gain / (loss) on disposal of property, infrastructure, plant and equipment

	2018 \$'000	2017 \$'000
Proceeds from sale	62	93
Written down value of assets disposed	(905)	(786)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>(843)</b>	<b>(693)</b>
Comprising:		
Profit on disposal of property, plant and equipment	62	93
Loss on disposal of property, plant and equipment (i)	(905)	(786)
	<b>(843)</b>	<b>(693)</b>

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

- (i) The loss on disposal in 2018 includes the demolition of 7 buildings.

#### 2.7 Other income

	2018 \$'000	2017 \$'000
<b>Interest Income</b>		
Interest on cash and investments	3,022	2,384
	<b>3,022</b>	<b>2,384</b>
<b>Other Income</b>		
Found assets (i)	958	1,214
Other	727	750
Fair Value adjustment for investment property	-	47
	<b>1,686</b>	<b>2,011</b>
<b>Total Other Income</b>	<b>4,708</b>	<b>4,395</b>

(i) Found assets in FY 2017/18 includes road and drainage of \$0.9 million and land of \$47k. These are not newly constructed or purchased assets for the year, they represent asset additions due to improved accuracy of data since moving to the new asset management system.  
Interest is recognised as it is earned. Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 3 The cost of delivering services

#### 3.1 Employee costs

	2018 \$'000	2017 \$'000
<b>(a) Employee costs</b>		
Wages and salaries	57,286	55,899
Casual staff	8,014	8,300
Fringe benefits tax and WorkCover	1,260	1,203
Superannuation	5,884	5,425
Annual Leave and Long Service Leave	2,168	1,738
Redundancy	-	323
<b>Total employee costs</b>	<b>74,611</b>	<b>72,888</b>
<b>(b) Superannuation</b>		
Council made contributions to the following funds:		
<b>Defined Benefit fund</b>		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	568	582
	<b>568</b>	<b>582</b>
<b>Accumulation funds</b>		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	4,382	4,238
Employer contributions - other funds	1,924	1,480
<b>Total contributions</b>	<b>6,306</b>	<b>5,718</b>
Employer contributions payable at reporting date:	<b>562</b>	<b>520</b>

Refer to Note 8.3 for further information relating to Council's superannuation obligations.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 3 The cost of delivering services (cont'd)

#### 3.2 Materials and services

	2018 \$'000	2017 \$'000
Road infrastructure maintenance	19,218	14,098
Building maintenance	3,466	2,697
Waste and cleansing	12,835	12,172
Aged services	8,321	8,041
Parks, gardens and reserves	9,834	9,235
Leisure and culture	5,052	4,592
Accommodation expense	1,061	967
Information systems and telecommunications	3,801	3,225
Family services	3,460	3,296
Community engagement	1,929	1,768
Parking, monitoring and enforcement	3,130	2,602
Procurement and fleet management	1,636	1,450
Council business	974	1,426
People and culture	498	533
Finance and legal	3,712	2,687
Planning and building	1,228	1,185
Other	1,496	1,396
<b>Total materials and services</b>	<b>81,653</b>	<b>71,369</b>

#### 3.3 Depreciation and amortisation

	2018 \$'000	2017 \$'000
Land improvements	1,436	1,215
Buildings	6,641	6,797
Building improvements	372	236
Leasehold improvements	187	187
Roads/Bridges/Footpaths	10,176	10,848
Drainage	2,871	2,754
Plant and equipment	1,647	1,790
Heritage and culture	17	17
Library books	724	510
Software amortisation	498	640
<b>Total depreciation and amortisation</b>	<b>24,568</b>	<b>24,994</b>

Refer to Note 4.2(b) and 5.2 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 3 The cost of delivering services (cont'd)

#### 3.4 Bad and doubtful debts

	2018 \$'000	2017 \$'000
Other debtors	32	43
<b>Total bad and doubtful debts</b>	<b>32</b>	<b>43</b>
<b>Movement in provisions for doubtful debts</b>		
Balance at the beginning of the year	160	158
New Provisions recognised during the year	37	2
Amounts already provided for and written off as uncollectable	31	-
Amounts provided for but recovered during the year	(98)	-
Balance at end of year	<b>130</b>	<b>160</b>

A provision for doubtful debts is recognised when there is objective evidence that an impairment loss has occurred. Bad debts are written off when identified.

#### 3.5 Borrowing costs

	2018 \$'000	2017 \$'000
Interest – borrowings	439	539
<b>Total borrowing costs</b>	<b>439</b>	<b>539</b>

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

#### 3.6 Other expenses

	2018 \$'000	2017 \$'000
Auditors' remuneration (VAGO) – audit of the financial statements, performance statement and grant acquittals	61	58
Auditors' remuneration – internal	171	203
Operating lease rentals	1,465	1,444
Fair Value adjustment for investment property	296	-
<b>Total other expenses</b>	<b>1,993</b>	<b>1,705</b>

\* Audit fees and operating lease rentals are included under 'Finance & Legal' and 'Accommodation Expense' respectively in the total Materials and services (Note 3.2) expenditure on the Comprehensive Income Statement.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position

#### 4.1 Financial assets

##### a) Cash and cash equivalents

	2018 \$'000	2017 \$'000
Cash on hand	13	14
Cash at bank	9,587	7,315
Short term deposits	7,000	4,000
<b>Total cash and cash equivalents</b>	<b>16,601</b>	<b>11,329</b>

Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

Trust fund and deposits (Note 4.3)	5,752	3,763
<b>Total restricted funds</b>	<b>5,752</b>	<b>3,763</b>
<b>Total unrestricted cash and cash equivalents</b>	<b>10,849</b>	<b>7,566</b>

##### b) Other financial assets

Term deposits – current	120,026	102,934
<b>Total Other financial assets</b>	<b>120,026</b>	<b>102,934</b>
<b>Total financial assets</b>	<b>120,026</b>	<b>102,934</b>

#### Intended allocations

Although not externally restricted, the following amounts have been allocated for specific future purposes by Council. Refer to note 8.1 for a description of individual reserve amounts.

Asset development reserve	16,688	14,486
Green wedge and foreshore reserves	10,241	8,876
Aged care reserve	4,842	3,148
Asset replacement reserve	1,483	2,076
Defined benefit call reserve	1,000	1,000
Other reserves	954	472
<b>Total funds subject to intended allocations</b>	<b>35,208</b>	<b>30,058</b>

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.1 Financial assets (cont'd)

##### c) Trade and other receivables

	2018 \$'000	2017 \$'000
<b>Current</b>		
<i>Statutory receivables</i>		
Rate debtors	4,387	4,102
Net GST receivable	1,507	1,060
Infringement debtors	4,542	4,003
Provision for doubtful debts - infringements	(3,962)	(3,396)
	<u>6,474</u>	<u>5,769</u>
<i>Non statutory receivables</i>		
Other debtors (i)	2,983	2,508
Provision for doubtful debts – other debtors	(130)	(160)
	<u>2,853</u>	<u>2,348</u>
<b>Total current trade and other receivables</b>	<b>9,327</b>	<b>8,117</b>
<b>Non-current</b>		
<i>Statutory receivables</i>		
Rate Debtors	-	27
<b>Total non-current trade and other receivables</b>	<b>-</b>	<b>27</b>
<b>Total trade and other receivables</b>	<b>9,327</b>	<b>8,144</b>

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

(i) Other debtors includes an amount of \$600,000 invoiced to the Department of Health and Human Services in June 2018 for a milestone payment on a grant which was paid in July 2018.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.1 Financial assets (cont'd)

##### c) Trade and other receivables (cont'd)

	2018	2017
	\$'000	\$'000

##### (i) Ageing of Receivables

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	1,509	815
Past due by up to 30 days	155	850
Past due between 31 and 180 days	595	341
Past due between 181 and 365 days	476	274
Past due by more than 1 year	119	68
<b>Total Trade and other receivables</b>	<b>2,853</b>	<b>2,348</b>

##### (i) Ageing of individually impaired Receivables

At balance date, other debtors representing financial assets with a nominal value of \$130k (2017: \$160k) were impaired. The amount of the provision raised against these debtors was \$130k (2017: \$160k). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements. The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	6
Past due between 181 and 365 days	11	154
Past due by more than 1 year	119	-
<b>Total Trade and other receivables</b>	<b>130</b>	<b>160</b>

#### 4.2 Non-financial assets

##### a) Other assets

	2018	2017
	\$'000	\$'000
Prepayments	519	751
Accrued income	71	44
<b>Total other assets</b>	<b>591</b>	<b>795</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.2 Non-financial assets (cont'd)

##### b) Intangible assets

	2018 \$ '000	2017 \$ '000
Software	699	1,118
<b>Total intangible assets</b>	<b>699</b>	<b>1,118</b>

	Software \$ '000
<b>Gross carrying amount at cost</b>	
Balance at 1 July 2017	5,396
Additions from internal developments	
Other	79
<b>Balance at 30 June 2018</b>	<b>5,474</b>

#### Accumulated amortisation and impairment

Balance at 1 July 2017	4,278
Amortisation expense	498
<b>Balance at 30 June 2018</b>	<b>4,776</b>
<b>Net book value at 30 June 2017</b>	<b>1,118</b>
<b>Net book value at 30 June 2018</b>	<b>699</b>

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

#### Software

Purchased software is recognised as an intangible asset if it meets the recognition threshold of \$50,000. Purchased software is measured at cost less accumulated amortisation and impairment costs over a finite life not exceeding five years. The purchase price and any directly attributable costs of preparing the software for operation are included in the cost of the intangible asset. All expenditure below the threshold and ongoing maintenance and fees related to the software is expensed when incurred. Operating software integral to the operation of a personal computer is recorded as Property, Plant and Equipment.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.3 Payables

##### a) Trade and other payables

	2018	2017
<i>Unsecured</i>	\$'000	\$'000
Trade payables	8,874	4,723
Salary accruals	1,424	1,857
Other accruals	4,743	4,751
<b>Total Trade and other payables</b>	<b>15,042</b>	<b>11,331</b>

##### b) Trust funds and deposits

Refundable deposits	227	241
Fire services levy	635	636
Retention amounts	4,890	2,886
<b>Total Trust funds and deposits</b>	<b>5,752</b>	<b>3,763</b>

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

##### *Purpose and nature of items*

**Refundable deposits** – Deposits are taken by council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

**Fire Service Levy** - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

**Retention amounts** – Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.4 Interest-bearing liabilities

	2018 \$'000	2017 \$'000
<b>Current</b>		
Loans – secured (i)	4,261	4,100
	<b>4,261</b>	<b>4,100</b>
<b>Non-current</b>		
Loans – secured (i)	8,821	14,765
	<b>8,821</b>	<b>14,765</b>
<b>Total</b>	<b>13,082</b>	<b>18,865</b>
The maturity profile for Council's loans is:		
Not later than one year	4,261	4,100
Later than one year and not later than five years	8,821	13,530
Later than five years	-	1,235
	<b>13,082</b>	<b>18,865</b>

(i) Loans are secured over the general rates of the Kingston City Council.

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.5 Provisions

	Employee Leave	Landfill restoration	Enterprise Agreement (i)	Total
<b>2018</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Balance at the beginning of the financial year	15,373	392	1,553	17,318
Additional Provisions	-	1,023	-	1,023
Amounts Used	-	(83)	(1,553)	(1,636)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	497	-	-	497
<b>Balance at the end of the financial year</b>	<b>15,870</b>	<b>1,332</b>	<b>-</b>	<b>17,202</b>
<b>2017</b>				
Balance at the beginning of the financial year	15,379	414	-	15,793
Additional Provisions	-	-	1,553	1,553
Amounts Used	-	(22)	-	(22)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	(6)	-	-	(6)
<b>Balance at the end of the financial year</b>	<b>15,373</b>	<b>392</b>	<b>1,553</b>	<b>17,318</b>

(i) Council's Enterprise Agreement expired in February 2017 and the new agreement was under negotiation as at 30 June 2017 with a 'without prejudice' offer tabled at 2.3% to be back paid from 1/7/2016. A new provision was created in 2017 to reflect this amount. Council paid this backpay in November 2017 and this provision is no longer required for 2017/18.

	2018 \$'000	2017 \$'000
<b>Employee leave provisions</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>		
Annual leave	4,754	4,566
Long service leave	684	766
	<b>5,438</b>	<b>5,332</b>
<b>Current provisions expected to be wholly settled after 12 months</b>		
Annual leave	758	767
Long service leave	8,228	8,018
	<b>8,986</b>	<b>8,785</b>
<b>Total current employee leave provisions</b>	<b>14,424</b>	<b>14,117</b>
<b>Other provisions</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>		
Landfill restoration	1,332	392
Enterprise Agreement	-	1,553
	<b>1,332</b>	<b>1,945</b>
<b>Total current provisions</b>	<b>15,756</b>	<b>16,062</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.5 Provisions (cont'd)

	2018 \$'000	2017 \$'000
<b>Non-current employee provisions</b>		
Long Service Leave	1,446	1,257
<b>Total non-current provisions</b>	<b>1,446</b>	<b>1,257</b>
Aggregate carrying amount of provisions:		
Current	15,756	16,062
Non-current	1,446	1,257
<b>Total aggregate carrying amount of provisions</b>	<b>17,202</b>	<b>17,318</b>

The calculation of employee costs and benefits includes all relevant on costs and are calculated as follows at reporting date:

#### *Wages and salaries and annual leave*

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated personal leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as non-current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

#### *Long service leave*

Liability for Long Service Leave (LSL) is recognised in the provision for employee benefits.

LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment (7 years of service), is disclosed as a non-current liability. There is an unconditional right to defer settlement of the entitlement until the employee has completed the requisite years of service. This non-current LSL liability is measured at non-current present value.

#### *Landfill restoration*

Council is obligated to restore landfill sites to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.6 Financing arrangements

	2018 \$'000	2017 \$'000
Bank overdraft	5,000	5,000
Credit card facilities	150	150
Loans	13,082	18,865
<b>Total facilities</b>	<b>18,232</b>	<b>24,015</b>
Used facilities – credit cards	32	33
Used facilities - loans	13,082	18,865
<b>Unused facilities</b>	<b>13,114</b>	<b>18,898</b>

The municipality has an arrangement for offset of overdraft against bank balances including on-call accounts. As at balance date there was no use of the overdraft facility.

#### 4.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
<b>2018</b>					
<b>Operating</b>					
- Infrastructure works	2,166	222	-	-	2,388
- Parks, gardens, reserves	7,723	764	-	-	8,487
- Waste and cleansing	3,424	-	-	-	3,424
- Community sustainability	1,833	159	139	-	2,131
- Corporate services	1,848	237	-	-	2,085
	<b>16,994</b>	<b>1,382</b>	<b>139</b>	<b>-</b>	<b>18,515</b>
<b>Capital</b>					
- Buildings (i)	5,883	-	-	-	5,883
- Transport (i)	4,123	-	-	-	4,123
	<b>10,006</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10,006</b>
<b>Total</b>	<b>27,000</b>	<b>1,382</b>	<b>139</b>	<b>-</b>	<b>28,521</b>

- (i) Major capital expenditure commitments as at 30 June 2018 include: Acacia Avenue Preschool (\$1.9 million); Cliff Sambell Pavillion Development (\$1.7 million); and Kinross Avenue easement drain (\$1.5 million).

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 4 Our financial position (cont'd)

#### 4.7 Commitments (cont'd)

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
<b>2017</b>					
<b>Operating</b>					
- Infrastructure works	1,882	685	117	-	<b>2,684</b>
- Parks, gardens, reserves	6,992	5,857	142	-	<b>12,991</b>
- Waste and cleansing	6,810	2,338	-	-	<b>9,147</b>
- Community sustainability	1,937	1,724	280	-	<b>3,940</b>
- Corporate services	2,158	1,549	-	-	<b>3,707</b>
	<b>19,779</b>	<b>12,153</b>	<b>539</b>		<b>32,470</b>
<b>Capital</b>					
- Buildings	4,254	-	-	-	<b>4,254</b>
- Transport	6,873	-	-	-	<b>6,873</b>
	<b>11,126</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>11,126</b>
<b>Total</b>	<b>30,905</b>	<b>12,153</b>	<b>539</b>	<b>-</b>	<b>43,596</b>

#### Operating lease commitments (incl GST)

At the reporting date, the Council had the following obligations under non-cancellable operating leases for the lease of equipment, motor vehicles and land and buildings for use within Council activities (these obligations are not recognised as liabilities):

	2018 \$'000	2017 \$'000
Not later than one year	2,482	2,879
Later than one year and not later than five years	2,568	3,210
Later than five years	997	1,288
	<b>6,047</b>	<b>7,377</b>

Lease payments for operating leases are required by the accounting standard to be recognised on a straight line basis, rather than expensed in the years in which they are incurred.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage

#### 5.1 Non current assets classified as held for sale

	2018 \$'000	2017 \$'000
Cost of acquisition	885	-
Capitalised development costs	-	-
Borrowing costs capitalised during development	-	-
<b>Total non current assets classified as held for sale</b>	<b>885</b>	<b>-</b>

Non-current assets classified as held for sale (including disposal groups) are measured at the lower of its carrying amount and fair value less costs of disposal, and are not subject to depreciation. Non-current assets, disposal groups and related liabilities and assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.2 Property, infrastructure, plant and equipment

##### Summary of property, infrastructure, plant and equipment

	At Fair Value 30 June 2017	Acquisitions	Contributions	Found Assets	Revaluation	Depreciation	Disposal	Transfers	At Fair Value 30 June 2018
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Land	1,436,239	9,972	1,068	47	170,779	(1,436)	-	1,115	1,617,783
Buildings	277,960	9,925	-	-	(33,889)	(7,200)	(905)	3,547	249,439
Plant and equipment	8,795	2,877	-	-	(11)	(2,388)	-	103	9,376
Infrastructure	530,400	12,888	1,559	911	3,813	(13,047)	-	101	536,626
Works in progress	5,846	3,760	-	-	-	-	-	(5,846)	3,760
	<b>2,259,239</b>	<b>39,422</b>	<b>2,627</b>	<b>958</b>	<b>140,692</b>	<b>(24,071)</b>	<b>(905)</b>	<b>(980)</b>	<b>2,416,983</b>

##### Summary of works in progress

	Opening WIP	Additions	Transfers	Write Offs	Closing WIP
	\$'000	\$'000	\$'000	\$'000	\$'000
Buildings	5,547	3,760	(5,547)	-	3,760
Plant and Equipment	198	-	(198)	-	-
Infrastructure	101	-	(101)	-	-
	<b>5,846</b>	<b>3,760</b>	<b>(5,846)</b>	<b>-</b>	<b>3,760</b>

# Notes to the Financial Report

For the Year Ended 30 June 2018

## NOTE 5 Assets we manage (cont'd)

### 5.2 Property, infrastructure, plant and equipment (cont'd)

*Asset recognition thresholds and depreciation periods:*

	Depreciation Period Years	Purchase/ Construction \$'000	Asset Improvement \$'000
<b>Property</b>			
land	N/A	-	N/A
land under roads	N/A	10	N/A
land improvements (excluding building)	10-50	N/A	20
<b>Buildings</b>			
buildings	20-150	-	20
leasehold improvements	10	-	20
<b>Plant and equipment</b>			
plant and machinery	3-10	5	N/A
equipment	3-5	2	N/A
<b>Infrastructure</b>			
road pavements and seals	25-100	-	50
road kerb, channel and minor culverts	80	-	50
Bridges	100	-	50
footpaths and cycleways	60	-	50
Drainage	100	-	25
street furniture	10	10	10
traffic control	10	10	10
<b>Heritage and culture</b>	100	1	25
<b>Library books</b>	5	-	-
<b>Intangibles - software</b>	5	50	N/A

# Notes to the Financial Report

For the Year Ended 30 June 2018

## NOTE 5 Assets we manage (cont'd)

### 5.2 Property, infrastructure, plant and equipment (cont'd)

a) Property	Land under roads \$'000	Land - specialised \$'000	Land - non specialised \$'000	Land improvements \$'000	Total Land & Improvements \$'000	Heritage buildings \$'000	Buildings - specialised \$'000	Building improvements \$'000	Leasehold improvements \$'000	Total Buildings \$'000	Works in Progress \$'000	Total Property \$'000
At fair value 1 July 2017	579,091	578,247	246,245	38,481	1,442,065	36,668	442,581	7,959	1,867	489,074	5,547	1,936,686
Accumulated depreciation at 1 July 2017	-	-	-	(5,826)	(5,826)	(22,639)	(186,230)	(1,144)	(1,100)	(211,114)	-	(216,940)
	579,091	578,247	246,245	32,655	1,436,239	14,029	256,350	6,815	767	277,960	5,547	1,719,746
<b>Movements in fair value</b>												
Acquisition of assets at fair value	668	2,379	400	7,594	11,040	-	7,947	1,978	-	9,925	3,760	30,272
Found Assets	-	47	-	-	47	-	-	-	-	-	-	47
Revaluation increments/decrements	99,684	42,055	29,040	-	170,779	655	(14,335)	-	-	(13,681)	-	157,907
Fair value of assets disposed	-	-	-	-	-	-	(8,188)	-	-	(8,188)	-	(8,188)
Transfers	-	-	(536)	1,651	1,115	-	3,289	-	-	3,289	(5,547)	(6,690)
	100,351	44,480	28,904	9,245	182,980	655	(11,287)	1,978	-	(8,655)	(1,786)	172,539
<b>Movements in accumulated depreciation</b>												
Depreciation and amortisation	-	-	-	(1,437)	(1,437)	(391)	(6,250)	(372)	(187)	(7,199)	-	(8,636)
Revaluation increments/decrements	-	-	-	-	-	(1,129)	(19,079)	-	-	(20,208)	-	(20,208)
Accumulated depreciation of disposals	-	-	-	-	-	-	7,283	-	-	7,283	-	7,283
Transfers	-	-	-	-	-	-	258	-	-	258	-	258
	-	-	-	(1,437)	(1,437)	(1,520)	17,788	(372)	(187)	19,866	-	21,303
At fair value 30 June 2018	679,443	622,727	275,149	47,726	1,625,045	37,322	431,293	9,937	1,867	480,419	3,760	2,109,225
Accumulated depreciation at 30 June 2018	-	-	-	(7,262)	(7,262)	(24,159)	(204,019)	(1,516)	(1,287)	(230,980)	-	(238,243)
	679,443	622,727	275,149	40,464	1,617,783	13,163	227,274	8,421	580	249,439	3,760	1,870,982

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## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.2 Property, infrastructure, plant and equipment (cont'd)

b) Plant and Equipment	Heritage plant and equipment \$'000	Plant machinery and equip \$'000	Library books \$'000	Work in Progress \$'000	Total plant and equipment \$'000
At fair value 1 July 2017	1,846	24,443	17,135	198	43,622
Accumulated depreciation at 1 July 2017	(520)	(19,284)	(14,825)	-	(34,629)
	<b>1,326</b>	<b>5,159</b>	<b>2,310</b>	<b>198</b>	<b>8,993</b>
<b>Movements in fair value</b>					
Acquisition of assets at fair value	-	1,891	987	-	2,877
Revaluation increments/decrements	(25)	-	-	-	(25)
Fair value of assets disposed	-	(152)	-	-	(152)
Impairment losses recognised in operating result	-	-	-	-	-
Transfers	-	103	-	(198)	(95)
	<b>(25)</b>	<b>1,842</b>	<b>987</b>	<b>(198)</b>	<b>2,606</b>
<b>Movements in accumulated depreciation</b>					
Depreciation and amortisation	(17)	(1,647)	(724)	-	(2,388)
Revaluation increments/decrements	14	-	-	-	14
Accumulated depreciation of disposals	-	152	-	-	152
Transfers	-	-	-	-	-
	<b>(3)</b>	<b>1,495</b>	<b>(724)</b>	<b>-</b>	<b>(2,222)</b>
At fair value 30 June 2018	1,821	26,285	18,122	-	46,228
Accumulated depreciation at 30 June 2018	(523)	(20,779)	(15,550)	-	(36,852)
	<b>1,298</b>	<b>5,506</b>	<b>2,572</b>	<b>-</b>	<b>9,376</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.2 Property, infrastructure, plant and equipment (cont'd)

c) Infrastructure	Roads	Bridges	Footpaths and cycleways	Drainage	Other Infrastructure	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2017	553,234	10,430	94,377	286,537	13,468	101	958,147
Accumulated depreciation at 1 July 2017	(193,942)	(8,326)	(65,775)	(146,134)	(13,468)	-	(427,646)
	<b>359,291</b>	<b>2,104</b>	<b>28,601</b>	<b>140,403</b>	<b>-</b>	<b>101</b>	<b>530,501</b>
<b>Movements in fair value</b>							
Acquisition of assets at fair value	9,877	86	1,695	2,788	-	-	14,447
Found Assets	1,680	-	281	(583)	-	-	1,377
Revaluation increments/decrements	(4,197)	-	5,560	838	-	-	2,201
Fair value of assets disposed	-	-	-	-	-	-	-
Transfers	101	-	-	-	-	(101)	-
	<b>7,461</b>	<b>86</b>	<b>7,537</b>	<b>3,044</b>	<b>-</b>	<b>(101)</b>	<b>18,026</b>
<b>Movements in accumulated depreciation</b>							
Depreciation and amortisation	(8,483)	(105)	(1,587)	(2,871)	-	-	(13,047)
Revaluation increments/decrements	6,085	-	(3,107)	(1,367)	-	-	1,612
Found Assets	(568)	-	(196)	(298)	-	-	(465)
	<b>(2,966)</b>	<b>(105)</b>	<b>(4,890)</b>	<b>(3,940)</b>	<b>-</b>	<b>-</b>	<b>(11,900)</b>
At fair value 30 June 2018	560,694	10,516	101,914	289,580	13,468	-	976,172
Accumulated depreciation at 30 June 2018	(196,908)	(8,431)	(70,665)	(150,074)	(13,468)	-	(439,546)
	<b>363,786</b>	<b>2,085</b>	<b>31,249</b>	<b>139,506</b>	<b>-</b>	<b>-</b>	<b>536,626</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.2 Property, infrastructure, plant and equipment (cont'd)

##### *Acquisition*

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits detailed previously in this note have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

##### *Land under roads*

Council recognises land under roads it controls at fair value.

##### *Depreciation and amortisation*

Buildings, land improvements, plant and equipment, infrastructure and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life. Straight line depreciation is charged based on the residual useful life as determined each year. Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

##### *Finance leases*

Leases of assets where substantially all the risks and benefits incidental to ownership of the asset, but not the legal ownership, are transferred to the Council are classified as finance leases. Finance leases are capitalised, recording an asset and a liability at the lower of fair value of the asset and the present value of the minimum lease payments, including any guaranteed residual value. Lease payments are allocated between the reduction of the lease liability and the interest expense. Leased assets are amortised on a straight line basis over their estimated useful lives to the Council where it is likely that the Council will obtain ownership of the asset or over the term of the lease, whichever is the shorter. Council currently has no assets under a finance lease arrangement.

##### *Repairs and maintenance*

Routine maintenance, repair costs, and minor renewal costs are expensed as incurred. Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

##### *Leasehold improvements*

Leasehold improvements are recognised at cost and are amortised over the unexpired period of the lease or the estimated useful life of the improvement, whichever is the shorter.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.2 Property, infrastructure, plant and equipment (cont'd)

##### Valuation of land and buildings

Valuation of land and buildings were undertaken by a qualified independent valuer Opteon Solutions. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interest of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2018 are as follows.

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation
Land under roads	-	-	679,443	June 2018
Land - specialised	-	-	622,727	June 2018
Land - non-specialised	-	275,149	-	June 2018
Land improvements	-	-	40,464	June 2018
Heritage buildings	-	-	13,163	June 2018
Buildings - specialised	-	-	227,274	June 2018
Building improvements	-	-	8,421	June 2018
Leasehold improvements	-	-	580	June 2018
<b>Total</b>	<b>-</b>	<b>275,149</b>	<b>1,592,072</b>	

##### Valuation of infrastructure

Valuation of infrastructure assets was performed by qualified engineers at Council.

The date of the current valuation is detailed in the following table. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2018 are as follows:

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation
Roads	-	-	363,786	June 2018
Bridges	-	-	2,085	June 2018
Footpaths and cycleways	-	-	31,249	June 2018
Drainage	-	-	139,507	June 2018
Recreational, leisure and community facilities	-	-	-	June 2018
Waste management	-	-	-	June 2018
Parks, open space and streetscapes	-	-	-	June 2018
Other infrastructure	-	-	-	June 2018
<b>Total</b>	<b>-</b>	<b>-</b>	<b>536,626</b>	



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.2 Property, infrastructure, plant and equipment (cont'd)

##### *Description of significant unobservable inputs into level 3 valuations*

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 90%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$7 and \$3,000 per square metre.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$250 to \$400,000 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 20 years to 150 years. Replacement cost is sensitive to changes in market conditions with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 10 years to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2018 \$'000	2017 \$'000
<b>Reconciliation of specialised land</b>		
Land under roads	679,443	579,091
Parks and reserves	622,680	578,247
<b>Total specialised land</b>	<b>1,302,123</b>	<b>1,157,338</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 5 Assets we manage (cont'd)

#### 5.3 Investment property

	2018	2017
	\$'000	\$'000
Balance at beginning of financial year	4,769	4,723
Additions	-	-
Disposals	-	-
Fair value adjustments	(296)	47
Balance at the end of financial year	<b>4,473</b>	<b>4,769</b>

Investment property is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise.

Investment Property Assets consist of buildings at Peter Scullin Reserve, Mordialloc that are leased by a third party to operate a commercial restaurant and land and buildings at 42 Florence Street Mentone that are leased by a third party for office accommodation.

#### *Valuation of investment property*

Valuation of investment property has been determined in accordance with an independent valuation by Opteon Solutions who has recent experience in the location and category of the property being valued. The valuation is at fair value, based on the current market value for the property.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 6 People and relationships

#### 6.1 Council and key management remuneration

##### (a) Key Management Personnel

Names of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

<b>Councillors</b>	Councillor D Eden	(Mayor – 01 July 2017 – 15 Nov 2017)
	Councillor S Staikos	(Mayor – 16 Nov 2017 – 30 June 2018)
	Councillor G Gledhill	
	Councillor R A West OAM	
	Councillor T Bearsley	
	Councillor T Barth	
	Councillor R Brownlees OAM	
	Councillor G Oxley	
	Councillor G Hua	
<b>CEO</b>	Mr John Nevins	
<b>General Managers</b>	Mr Paul Franklin (General Manager Corporate Services)	
	Mr Mauro Bolin (General Manager Community Sustainability)	
	Mr Daniel Freer (General Manager City Assets and Environment)	
	Mr Jonathan Guttman (General Manager Planning and Development)	

	2018 No.	2017 No.
Total Number of Councillors	9	11
Chief Executive Officer and other Key Management Personnel	5	5
<b>Total Key Management Personnel</b>	<b>14</b>	<b>16</b>

##### (b) Remuneration of Key Management Personnel

Total remuneration of key management personnel was as follows:

	2018 \$'000	2017 \$'000
Short-term benefits	1,675	1,574
Long-term benefits	142	150
<b>Total</b>	<b>1,817</b>	<b>1,724</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 6 People and relationships (cont'd)

#### 6.1 Council and key management remuneration (cont'd)

##### (b) Remuneration of Key Management Personnel (cont'd)

The numbers of Key Management Personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2018 No.	2017 No.
\$ 0- \$ 10,000	-	2
\$ 20,000- \$ 29,999	-	2
\$ 30,000- \$ 39,999	7	5
\$ 50,000- \$ 59,999	1	1
\$ 70,000- \$ 79,999	1	1
\$ 80,000- \$ 89,999	-	-
\$230,000- \$239,999	-	1
\$240,000- \$249,999	-	1
\$250,000- \$259,999	1	-
\$260,000- \$269,999	1	2
\$270,000- \$279,999	2	-
\$350,000- \$359,999	-	-
\$370,000- \$379,999	-	1
\$380,000- \$389,999	1	-
	<b>14</b>	<b>16</b>

##### (c) Senior officer remuneration

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- (a) has management responsibilities and reports directly to the Chief Executive Officer; or
- (b) whose total annual remuneration exceeds \$145,000.

The number of Senior Officers are shown below in the relevant income bands.

	2018 No.	2017 No.
\$145,000-\$149,999	-	2
\$150,000-\$159,999	4	6
\$160,000-\$169,999	5	4
\$170,000-\$179,999	2	3
\$180,000-\$189,999	4	3
\$190,000-\$199,999	2	1
	<b>17</b>	<b>19</b>
	<b>\$'000</b>	<b>\$'000</b>

Total Remuneration for the reporting year of Senior Officers included above amounted to:

**2,918                      3,142**



## Notes to the Financial Report

For the Year Ended 30 June 2018

### **NOTE 6 People and relationships (cont'd)**

#### **6.2 Related party disclosure**

##### **(a) Transactions with related parties**

During the period Council entered into no transactions with related parties.

##### **(b) Outstanding balances with related parties**

No balances are outstanding at the end of the reporting period in relation to transactions with related parties.

##### **(c) Loans to/from related parties**

No loans were made to/from related parties of Council during the financial year.

##### **(d) Commitments to/from related parties**

No commitments were made to/from related parties of Council during the financial year.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 7 Managing uncertainties

#### 7.1 Contingent assets and liabilities

##### Contingent assets

###### Operating lease receivables

The Council has entered into commercial property leases. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 50 years. All leases include a CPI based revision of the rental charge annually.

Future minimum rentals under non-cancellable operating leases are as follows:

	2018 \$'000	2017 \$'000
Not later than one year	2,722	2,599
Later than one year and not later than five years	7,380	3,477
Later than five years	3,332	1,529
	<b>13,434</b>	<b>7,605</b>

##### Contingent liabilities

###### Superannuation

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme; matters relating to this potential obligation are outlined in Note 8.3. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists. At this point in time it is not known if additional contributions will be required, their timing or potential amount. 37 Council staff (2017: 41) are members of Vision Super's multi-employer defined benefits fund. Council established a Defined Benefit Call Reserve in 2014 to help provide for possible future calls on any unfunded liability of the fund. This reserve currently has a balance of \$1 million (2017: \$1 million).

###### Contingent liabilities arising from public liability

As a local authority with ownership of numerous parks, reserves, roads and other land holdings, the Council is regularly met with claims and demands allegedly arising from incidents which occur on land belonging to the Council. There are a number of outstanding claims against the Council in this regard. The Council carries \$120 million of public liability insurance and the maximum liability of the Council in any single claim is the extent of its excess. The primary insurer is CGU Insurance Limited. There are no claims, which Council is aware of which would fall outside the terms of the Council's policy.

###### Contingent liability arising from professional indemnity

As a local authority with statutory regulatory responsibilities, including the responsibility of issuing permits and approvals, the Council is met with claims and demands for damages allegedly arising from the actions of Council or its officers. The Council carries \$50 million of professional indemnity insurance and the maximum liability of the Council in any single claim is the extent of its excess. The primary insurer is CGU Insurance Limited. There are no instances or claims, which Council is aware of which would fall outside the terms of the Council's policy.

###### Other Contingent Liabilities

The Council is presently involved in several confidential legal matters which are being conducted through Council's solicitors. As these matters are yet to be finalised and the financial outcomes are unable to be reliably estimated, no allowance for these contingencies has been made in the financial statements.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 7 Managing uncertainties (cont'd)

#### 7.2 Change in accounting standards

The following new Australian Accounting Standards (AAS's) have been issued that are not mandatory for the 30 June 2018 reporting period. Council has assessed these pending standards and has identified the following potential impacts will flow from the application of these standards in future reporting periods.

##### *Financial Instruments - Disclosures (AASB 7) (applies 2018/19)*

This Standard requires entities to provide disclosures in their financial statements that enable users to evaluate: (a) the significance of financial instruments for the entity's financial position and performance; and (b) the nature and extent of risks arising from financial instruments to which the entity is exposed.

##### *Financial Instruments (AASB 9) (applies 2018/19)*

The key changes include the simplified requirements for the classification and measurement of financial assets, a new hedging accounting model and a revised impairment loss model to recognise impairment losses earlier, as opposed to the current approach that recognises impairment only when incurred.

##### *Revenue from contracts with customers (AASB 15) (applies 2019/20 for LG sector)*

The standard shifts the focus from the transaction-level to a contract-based approach. Recognition is determined based on what the customer expects to be entitled to (rights and obligations), while measurement encompasses estimation by the entity of the amount expected to be entitled for performing under the contract. The full impact of this standard is not known however it is most likely to impact where contracts extend over time, where there are rights and obligations that may vary the timing or amount of the consideration, or where there are multiple performance elements. This has the potential to impact on the recognition of certain grant income.

##### *Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities (AASB 2016-7) (applies 2019/20)*

This Standard defers the mandatory effective date of AASB 15 for not-for-profit entities from 1 January 2018 to 1 January 2019.

##### *Leases (AASB 16) (applies 2019/20)*

The classification of leases as either finance leases or operating leases is eliminated for lessees. Leases will be recognised in the Balance Sheet by capitalising the present value of the minimum lease payments and showing a 'right-of-use' asset, while future lease payments will be recognised as a financial liability. The nature of the expense recognised in the profit or loss will change. Rather than being shown as rent, or as leasing costs, it will be recognised as depreciation on the 'right-of-use' asset, and an interest charge on the lease liability. The interest charge will be calculated using the effective interest method, which will result in a gradual reduction of interest expense over the lease term.

##### *Income of Not-for-Profit Entities (AASB 1058) (applies 2019/20)*

This standard replaces AASB 1004 Contributions and establishes revenue recognition principles for transactions where the consideration to acquire an asset is significantly less than fair value to enable a not-for-profit entity to further its objectives.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 7 Managing uncertainties (cont'd)

#### 7.3 Financial instruments

##### (a) Objectives and policies

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the notes of the financial statements.

Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

##### (b) Market risk

Market risk is the risk that the fair value or future cash flows of our financial instruments will fluctuate because of changes in market prices. The Council's exposures to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

##### *Interest rate risk*

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which expose council to fair value interest rate risk. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 1989*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period. Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

##### (c) Credit risk

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council has exposure to credit risk on some financial assets included in our balance sheet. To help manage this risk:

- council has a policy for establishing credit limits for the entities Council deals with;
- council may require collateral where appropriate; and
- council only invests surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when Council provides a guarantee for another party. Details of our contingent liabilities are disclosed in Note 7.1. Council currently does not provide a guarantee for another party.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 7 Managing uncertainties (cont'd)

#### 7.3 Financial instruments (cont'd)

##### (c) Credit risk (cont'd)

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

##### (d) Liquidity risk

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements, it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- has a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- has readily accessible standby facilities and other funding arrangements in place;
- has a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitors budget to actual performance on a regular basis; and
- sets limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 7.1, and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 4.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

##### (e) Sensitivity disclosure analysis

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, the Council believes the following movements are 'reasonably possible' over the next 12 months (Base rates are sourced from Reserve Bank of Australia):

- A parallel shift of +2% and -2% in market interest rates (AUD).

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 7 Managing uncertainties (cont'd)

#### 7.4 Fair value measurement

##### *Fair value hierarchy*

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities
- Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period

##### *Revaluation*

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. Further details regarding the fair value hierarchy are disclosed at Note 5.2 Property, infrastructure, plant and equipment. In addition, Council usually undertakes a formal valuation of land, buildings and infrastructure assets on a regular basis ranging from 2 to 4 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### **NOTE 7      Managing uncertainties (cont'd)**

#### **7.4 Fair value measurement (cont'd)**

##### *Impairment of assets*

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

#### **7.5 Events Occurring After Balance Date**

No matters have occurred after balance date that require disclosure in the financial report

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 8 Other matters

#### 8.1 Reserves

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>(a) Asset revaluation reserve</b>			
<b>2018</b>			
<b>Property (i):</b>			
- Land	239,454	71,095	310,549
- Land under roads	178,828	99,684	278,512
- Buildings	141,098	(33,889)	107,209
	<b>559,380</b>	<b>136,890</b>	<b>696,270</b>
<b>Infrastructure (ii):</b>			
- Transport	287,745	4,342	292,087
- Drainage	112,215	(529)	111,687
	<b>399,960</b>	<b>3,814</b>	<b>403,774</b>
<b>Other:</b>			
- Heritage and culture	1,316	(11)	1,305
- Other	3,966	-	3,966
	<b>5,282</b>	<b>(11)</b>	<b>5,271</b>
<b>Total Asset revaluation reserve</b>	<b>964,623</b>	<b>140,692</b>	<b>1,105,315</b>
<b>2017</b>			
<b>Property:</b>			
- Land	179,447	60,007	239,454
- Land under roads	136,678	42,150	178,828
- Buildings	143,449	(2,351)	141,098
	<b>459,574</b>	<b>99,806</b>	<b>559,380</b>
<b>Infrastructure:</b>			
- Transport	315,244	(27,499)	287,745
- Drainage	112,289	(74)	112,215
	<b>427,533</b>	<b>(27,573)</b>	<b>399,960</b>
<b>Other:</b>			
- Heritage and culture	1,316	-	1,316
- Other	3,966	-	3,966
	<b>5,282</b>	<b>-</b>	<b>5,282</b>
<b>Total Asset revaluation reserve</b>	<b>892,389</b>	<b>72,233</b>	<b>964,623</b>

The Asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

- (i) Valuation of Property was performed by qualified independent valuers. Land buildings were valued by Opteon Solutions and land under roads by K.A Reed Group.
- (ii) Valuation of Infrastructure assets was performed by qualified engineers at Council. The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation. Valuation levels can fluctuate depending on contract rates incurred by Council during each year.



## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 8 Other matters (cont'd)

#### 8.1 Reserves (cont'd)

	Balance at beginning of reporting period \$'000	Transfer from Accumulated Surplus \$'000	Transfer to Accumulated Surplus \$'000	Balance at end of reporting period \$'000
<b>(b) Other reserves</b>				
<b>2018</b>				
Asset replacement reserve	2,075	-	(592)	1,483
Asset development reserve	14,486	8,457	(6,256)	16,688
Drainage contributions	88	-	-	88
Special rates	127	1	-	128
Aged care	3,148	1,694	-	4,842
Foreshore	559	1,336	(408)	1,488
Green wedge	8,317	1,020	(584)	8,753
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	-	470	-	470
Other	257	11	-	268
<b>Total Other reserves</b>	<b>30,058</b>	<b>12,989</b>	<b>(7,839)</b>	<b>35,208</b>
<b>2017</b>				
Asset replacement reserve	2,075	-	-	2,075
Asset development reserve	12,836	4,871	(3,221)	14,486
Drainage contributions	88	-	-	88
Special rates	127	-	-	127
Aged care	1,556	1,669	(77)	3,148
Foreshore	1,640	1,310	(2,391)	559
Green wedge	7,958	1,000	(641)	8,317
Defined benefit call	1,000	-	-	1,000
Other	247	21	(11)	257
<b>Total Other reserves</b>	<b>27,527</b>	<b>8,872</b>	<b>(6,341)</b>	<b>30,058</b>

The Asset replacement reserve is an appropriation to partially fund future costs associated with Council's buildings.

The Asset development reserve recognises the cash contributions made by developers, pursuant to the requirements of the *Subdivision of Land Act*. Total open space cash contributions of \$8.5m were received in 2017/18 (2016/17: \$4.9m). Council has elected to utilise these contributions for open space purchase and development.

Other Reserves represent appropriations provided by the community to be used for specific purposes.

The Foreshore and Green Wedge reserves were reserves created in 2011 via Council resolution which are used to accelerate the renewal and improvement to Council's foreshore and non-urban green wedge area.

The Defined benefit call reserve was established in 2014 to provide for possible future calls on any unfunded liability of the Defined benefit superannuation fund. Council ceased making contributions into this reserve in 2014/15.

The Stormwater Quality reserve was first established in 2017/18 to help fund various stormwater improvement projects throughout Council.

Other reserves include reserves created in 2012 for Sundowner Neighbourhood House and Chelsea Senior Citizens Centre due to Council taking over the operation of these facilities.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 8 Other matters (cont'd)

#### 8.2 Reconciliation of cash flows from operating activities to surplus / (deficit)

	2018	2017
	\$'000	\$'000
Surplus/(deficit) for the year	40,764	42,337
Depreciation/amortisation	24,568	24,994
Carrying value of property, infrastructure, plant and equipment disposed	905	786
Found assets / other	(958)	(1,214)
Fair value adjustments for investment property	296	(47)
Borrowing costs	439	539
Developer Asset Contributions (non cash)	(2,626)	-
<b>Changes in assets and liabilities:</b>		
(Increase)/decrease in trade and other receivables	(1,184)	1,049
Increase/(decrease) in accrued income	(120)	(556)
Increase/(decrease) in trade and other payables	3,879	(2,064)
Increase/(decrease) in trust funds and deposits	1,990	579
Increase/(decrease) in other liabilities	940	(22)
Increase/(decrease) in employee benefits	(1,056)	1,548
<b>Net cash provided by / (used in) operating activities</b>	<b>67,839</b>	<b>67,927</b>

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 8 Other matters (cont'd)

#### 8.3 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefits, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

##### **Accumulation**

The Fund's accumulation categories, Vision MySuper/ Vision Super Saver, receive both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ending 30 June 2018, this was 9.5% as required under Superannuation Guarantee legislation).

##### **Defined Benefit**

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

##### **Funding arrangements**

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund's Actuary.

As at 30 June 2017, a full triennial actuarial investigation was completed. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 103.1%. To determine the VBI, the fund Actuary used the following long-term assumptions:

Net investment returns:	6.5% pa
Salary information:	3.5% pa
Price inflation (CPI)	2.5% pa

Vision Super has advised that the estimated VBI at March quarter end 2018 was 106.2%. The VBI is to be used as the primary funding indicator. Because the VBI was above 100%, the 2017 interim actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

##### **Employer contributions**

##### **Regular contributions**

On the basis of the results of the 2017 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2018, this rate was 9.5% of members' salaries (9.5% in 2016/17). This rate will increase in line with any increase to the contribution rate. In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

##### **Funding calls**

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

## Notes to the Financial Report

For the Year Ended 30 June 2018

### NOTE 8 Other matters (cont'd)

#### 8.3 Superannuation (cont'd)

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall. Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries; it is unlikely that the Fund will be wound up. If there is a surplus in the Fund, the surplus cannot be returned to the participating employers. In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

#### **2017 triennial actuarial investigation surplus amounts**

The Fund's triennial investigation as at 30 June 2017 identified the following in the defined benefit category of which Council is a contributing employer:

- A VBI surplus of \$69.8 million;
- A total service liability surplus of \$193.5 million; and
- A discounted accrued benefits surplus of \$228.8 million.

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2017. Council was notified of the 30 June 2017 VBI during August 2017.

#### **2018 interim actuarial investigation**

An interim actuarial investigation will be conducted for the Fund's position as at 30 June 2018. It is anticipated that this actuarial investigation will be completed in December 2018.





# Performance Statement

For the Year Ended 30 June 2018

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## Certification of the Performance Statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

Principal Accounting Officer  
**P.A. Franklin**

\_\_\_\_\_

Dated:

\_\_\_\_\_

In our opinion, the accompanying performance statement of the Kingston City Council for the year ended 30 June 2017 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2014 to certify this performance statement in its final form.

Acting Mayor  
**Cr G. Oxley**

\_\_\_\_\_

Dated:

\_\_\_\_\_

Councillor  
**Cr G. Gledhill**

\_\_\_\_\_

Dated:

\_\_\_\_\_

**J. Nevins**  
Chief Executive Officer

\_\_\_\_\_

Dated:

\_\_\_\_\_

## Victorian Auditor-General's Report

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## Performance Statement

For the year ended 30 June 2018

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The Local Government Performance Reporting Framework (LGPRF) was introduced in 2014/15. The primary objective of the LGPRF is to provide comprehensive performance information that meets the needs of stakeholders. This is an objective that seeks to balance the needs and expectations of a number of audiences. In meeting this objective:

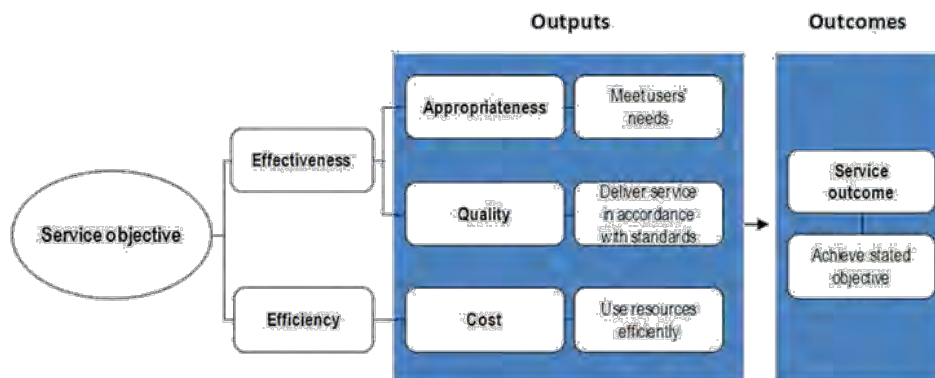
- Councils will have information to support strategic decision-making and continuous improvement;
- Communities will have information about council performance and productivity;
- Regulators will have information to monitor compliance with relevant reporting requirements; and
- State and Commonwealth Governments will be better informed to make decisions that ensure an effective, efficient and sustainable system of local government.

To provide a comprehensive picture of council performance, four indicator sets covering service performance, financial performance, sustainable capacity and governance & management have been developed across three thematic areas: service performance, financial performance and sustainability.

The indicators will cover the Council service areas of:

- Governance;
- Statutory Planning;
- Economic Development;
- Roads;
- Libraries;
- Waste Collection;
- Aquatic Facilities;
- Animal Management;
- Food Safety;
- Home and Community Care;
- Maternal and Child Health.

### Service Performance Framework



### Dimensions of the Service Performance Indicator Framework

Dimension	Definition	Indicators/Measures
<b>Appropriateness</b>	Output indicators that measure the extent to which services <i>meet users' needs</i>	Participation rate Response time
<b>Quality</b>	Output indicators that measure the extent to which a service is delivered <i>in accordance with defined standards</i>	Resource standard Service standard
<b>Cost</b>	Output indicators that measure how <i>efficiently services use their resources (inputs)</i> to produce outputs	Average cost per unit (unit cost)
<b>Service Outcome</b>	Outcome indicators that measure how well <i>the outcomes of the service have achieved the stated objective</i>	Community satisfaction Health and safety

It is intended that measures that cover additional areas of Council Service will be added to the data requirements in future years.

Other measures included in the framework have been developed to examine:

- Overall Financial Performance;
- Sustainable Capacity; and
- Governance and Management.

## Other Information

For the year ended 30 June 2018

### Basis of preparation

Council is required to prepare and include a Performance Statement within its annual report. The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 1989* and Local Government (Planning and Reporting) Regulations 2014.

Where applicable the results in the Performance Statement have been prepared on an accounting basis consistent with those reported in the Financial Statements. The other results are based on information drawn from Council Information systems or from third parties (e.g. Australian Bureau of Statistics and the Community Satisfaction Survey).

The Performance Statement presents the actual results for the current year and for the prescribed financial performance indicators, the forecast results as adopted in Council's Strategic Resource Plan which forms part of the Council Plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the Performance Statement. The Strategic Resource Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

### Our City

The City of Kingston is located in the middle southern suburbs of Melbourne, approximately 15km south of the Melbourne CBD and covers an area of 91 square kilometres. Every suburb in Kingston offers something different, from diverse businesses, housing, shops and restaurants, to beaches, bushland, parks and playgrounds. Kingston is also home to over 114 parks and playgrounds; including the magnificent award winning Bicentennial Park in Chelsea, Kingston Heath in Cheltenham and the UFO Park at Grange Reserve in Clayton South.

Kingston is one of the state's main employment centres, having one of the largest and most concentrated industrial sectors in Victoria. There are approximately 16,000 businesses with over 86,000 people employed throughout the City of Kingston. Our significant industrial sector generates an annual economic output of about \$20 billion per annum.

Community and business networks play an important role in linking and supporting local businesses. Almost 30% of the community work locally and are able to enjoy shorter travel times and an improved work-life balance.

Kingston's shopping amenities range from local neighbourhood shops and friendly village strips, to Southland Shopping Centre, DFO Moorabbin and major activity centres in Moorabbin, Cheltenham, Mentone, Mordialloc and Chelsea.

**Our suburbs**

Kingston's suburbs include Aspendale, Aspendale Gardens, Bonbeach, Braeside, Carrum, Chelsea, Chelsea Heights, Cheltenham, Clarinda, Clayton South, Dingley Village, Edithvale, Heatherton, Highett, Mentone, Moorabbin, Moorabbin Airport, Mordialloc, Oakleigh South, Parkdale, Patterson Lakes and Waterways.

**Population**

Kingston is a diverse community with a current estimate resident population of approximately 159,000 spanning a wide range of ages, household types and cultures. Our community is constantly growing; by 2036 Kingston's population is expected to reach 185,000, making up an anticipated 77,000 dwellings.

Consistent with national trends, Kingston's oldest residents comprise the fastest growing population group in the municipality. Future planning will explore how services will cope with the greater demand caused by this increase.

Kingston is a culturally diverse city with residents from over 153 countries who speak over 132 languages. About 37% of Kingston's population was born overseas, with 26% from non-English speaking backgrounds including Vietnamese, Indian, Sri Lankan, Greek, Italian and Chinese societies.

A copy of the Council Plan including the Strategic Resource Plan can be obtained from [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au).

The formulas used to determine the Results for 2017/18 are shown in the following tables.



## Sustainable Capacity Indicators

For the year ended 30 June 2018

<i>Indicator/measure</i>	<b>Results 2015</b>	<b>Results 2016</b>	<b>Results 2017</b>	<b>Results 2018</b>	<b>Material Variations and Comments</b>
<b>Own-source revenue</b> <i>Own-source revenue per head of municipal population</i>	\$980.41	\$1,152.22	\$1,059.19	\$1,062.00	The 2017/18 result is in line with 2016/17. The 2015/16 result contained a one-off \$13.5 million net gain on disposal of property and bed licences.
[Own-source revenue / Municipal population]					
<b>Recurrent grants</b> <i>Recurrent grants per head of municipal population</i>	\$216.37	\$209.29	\$234.07	\$209.65	The 2017/18 result is as per expectations and in line with 2015 and 2016. The 2017 result was higher as \$6.5m was received from the Victorian Grants Commission as future payments were brought forward to 2017/18. The 2018 result has also seen future years' payments brought forward which results in a "normal" year.
[Recurrent grants / Municipal population]					
<b>Population</b> <i>Expenses per head of municipal population</i>	\$1,086.22	\$1,095.61	\$1,087.86	\$1,132.57	The 2017/18 result is higher than 2016/17 because higher levels of expenditure of \$182m up by \$11.8m (7%) on 2016/17. This is due to increases in infrastructure works and parks contract expenditure originally budgeted as capital expenditure not meeting the asset recognition threshold. The municipal population has increased by 3% to 161,089.
[Total expenses / Municipal population]					

<i>Indicator/measure</i>	<b>Results 2015</b>	<b>Results 2016</b>	<b>Results 2017</b>	<b>Results 2018</b>	<b>Material Variations and Comments</b>
<i>Infrastructure per head of municipal population</i>	\$5,249.35	\$5,429.19	\$5,250.27	\$4,961.23	The result is consistent with expectations as the value of infrastructure did not increase at the same rate as population in Kingston.
[Value of infrastructure / Municipal population]					
<i>Population density per length of road</i>	249.03	252.00	254.71	261.75	The results demonstrate a gradual increase in population density as Kingston's population increases when compared to an already established road network.
[Municipal population / Kilometres of local roads]					
<b>Disadvantage</b> <i>Relative Socio-Economic Disadvantage</i>	9	9	9	9	The result reflects a relatively low average level of socio-economic disadvantage within Kingston's diverse communities, which is in line with results for neighbouring municipalities.
[Index of Relative Socio-Economic Disadvantage by decile]					

*Note that definitions are at the end of this document*

## Service Performance Indicators

For the year ended 30 June 2018

Service/indicator/measure	Results 2015	Results 2016	Results 2017	Results 2018	Material Variations and Comments
<b>Governance</b>					
<b>Satisfaction</b>					
<i>Satisfaction with council decisions</i>	58.00	58.00	60.00	53.00	This rating is sourced from an annual Community Satisfaction Survey that is co-ordinated by State Government and conducted by an independent research company on behalf of Victorian Councils. While results vary from year to year however looking at the trends over the last four years our results show an average score of 57% satisfaction. This is in line with the other metropolitan councils.
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]					
<b>Statutory Planning</b>					
<b>Decision making</b>					
<i>Council planning decisions upheld at VCAT</i>	63.00%	44.44%	35.71%	30.00%	Only 40 matters in total were appealed to VCAT in 2017/18, as a number were resolved prior through consent or at mediation. While these are reflected as decisions "not upheld", given agreement was reached in mediation by all parties, Council considers this to be a good outcome.
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100					

Service/indicator/measure	Results 2015	Results 2016	Results 2017	Results 2018	Material Variations and Comments
<b>Roads</b> <b>Satisfaction</b> <i>Satisfaction with sealed local roads</i>	68.00	67.00	67.00	69.00	<p>This rating is sourced from an annual Community Satisfaction Survey that is co-ordinated by State Government and conducted by an independent research company on behalf of Victorian Councils. While results vary from year to year looking at the trends over the last four years our results show an average score of 68% satisfaction. Kingston's result is in line with other metropolitan councils.</p>
[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads.]					
<b>Libraries</b> <b>Participation</b> <i>Active library members</i>	17.00%	17.81%	16.88%	17.16%	<p>There is a slight increase in active library members in 2017/18. The opening of a new library at Westall has contributed to this increase in active members.</p>
[Number of active library members / Municipal population] x100					
<b>Waste Collection</b> <b>Waste diversion</b> <i>Kerbside collection waste diverted from landfill</i>	50.00%	48.85%	50.09%	50.85%	<p>Waste diversion from landfill remains at a consistent percentage. Education programs targeting recycling will continue to improve this percentage.</p>
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100					



<b>Service/indicator/measure</b>	<b>Results 2015</b>	<b>Results 2016</b>	<b>Results 2017</b>	<b>Results 2018</b>	<b>Material Variations and Comments</b>
<b>Aquatic Facilities</b>					
<b>Utilisation</b>					
<i>Utilisation of aquatic facilities</i>	5.01	4.33	4.55	5.49	Utilisation continues to improve at Kingston's two centres due to increasing membership sales and swim school enrolments.
[Number of visits to aquatic facilities / Municipal population]					
<b>Animal Management</b>					
<b>Health and safety</b>					
<i>Animal management prosecutions</i>	23.00	17.00	11.00	13.00	Council Officers proactively resolve animal-related issues directly with those involved, reducing the number of cases prosecuted in the magistrate's court.
[Number of successful animal management prosecutions]					
<b>Food Safety</b>					
<b>Health and safety</b>					
<i>Critical and major non-compliance outcome notifications</i>	100.00%	100.00%	100.00%	98.96%	Major and Critical non-compliances continue to be treated as a matter of priority. Environmental Health Officers ensure that any high risk issues identified during the assessments are attended to immediately and action taken to remove or reduce the risk. The two non-compliance outcomes remaining at the end of the 2017/18 year were followed up in 2018/19.
[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100					

Service/indicator/measure	Results 2015	Results 2016	Results 2017	Results 2018	Material Variations and Comments
<b>Home and Community Care (HACC)</b> <b>Participation</b> <i>Participation in HACC service</i>	30.00%	30.00%	Reporting Ceased 1 July 2016	Reporting Ceased 1 July 2016	Reporting on HACC ceased on 1 July 2016 due to the introduction of the Commonwealth Government's NDIS and CHSP programs
Number of people that received a HACC service / Municipal target population for HACC services] x100					
<b>Participation</b> <i>Participation in HACC service by CALD people</i>	25.00%	24.82%	Reporting Ceased 1 July 2016	Reporting Ceased 1 July 2016	Reporting on HACC ceased on 1 July 2016 due to the introduction of the Commonwealth Government's NDIS and CHSP programs
Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100					
<b>Maternal and Child Health (MCH)</b> <b>Participation</b> <i>Participation in the MCH service</i>	77.00%	78.59%	78.12%	77.56%	The participation is consistent with last year. Those not attending council MCH services may be choosing to attend the four-year visit offered by their General Practitioner instead of Council's 3.5-year assessment.
[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100					
<b>Participation</b> <i>Participation in the MCH service by Aboriginal children</i>	85.00%	75.56%	71.21%	64.52%	The participation rate is down from last year. While disclosure of Aboriginal and Torres Strait Island (ATSI) status is voluntary, MCH nurses continue to encourage disclosure. Kingston MCH nurses encourage attendance by reminding all families of appointments and offer access to enhanced MCH services where needed.
[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100					

*Note that definitions are at the end of this document*

## Financial Performance Indicators

For the year ended 30 June 2018

Forecasts are based on the Strategic Resource Plan adopted by Council in June 2018

Dimension/indicator/measure	Results 2014/15	Results 2015/16	Results 2016/17	Results 2017/18	Forecasts				Material Variations and Comments
					2018/19	2019/20	2020/21	2021/22	
<b>Operating position</b> <b>Adjusted underlying result</b> Adjusted underlying surplus (or deficit)  [Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100	9.68%	19.77%	18.22%	15.51%	8.40%	7.62%	6.83%	7.03%	The 2017/18 result is positive and is supported by strong revenue from Supplementary Valuations, Planning Application fees and Grants received. The Long Term Financial Strategy is expected to remain positive over the forecast years.
<b>Liquidity</b> <b>Working capital</b> Current assets compared to current liabilities  [Current assets / Current liabilities] x100	194.62%	284.73%	349.37%	361.25%	246.81%	232.88%	206.81%	221.70%	The working capital ratio for 2017/18 is greater than last year due to higher cash holdings. Over the next four years Council's Working Capital Ratio will be in the range of 206% to 247% for the forecast period. Council's assured cash flows means that Council is confident it can pay its debts as and when they fall due. The current state-wide average for inner metropolitan Melbourne Councils for this indicator is approximately 260%.

Dimension/indicator/measure	Results 2014/15	Results 2015/16	Results 2016/17	Results 2017/18	Forecasts				Material Variations and Comments
					2018/19	2019/20	2020/21	2021/22	
<b>Unrestricted cash</b> Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	104.84%	209.26%	321.73%	332.51%	227.04%	211.01%	184.37%	198.94%	The higher cash reserves over a consistent level of current liabilities across the three comparative financial years deliver a higher 2017/18 Unrestricted Cash ratio.
<b>Obligations</b> <b>Loans and borrowings</b> Loans and borrowings compared to rates  [Interest bearing loans and borrowings / Rate revenue] x100	17.41%	15.76%	14.50%	9.75%	5.18%	1.23%	0.24%	0.00%	The result for this measure has reduced to 9.75% from 14.50% last year which is in line with expectations and is expected to further decrease over the 4 year period to 2021/22 as per Council's Long Term Financial Strategy. The decreasing forecast trend reflects the scheduled repayment of external debt over the four year. Council expects to be debt free in July 2021.
<b>Loans and borrowings</b> <b>repayments compared to rates</b> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	2.94%	3.97%	3.60%	4.64%	4.59%	3.92%	0.98%	0.24%	The 2017/18 result is in line with expectations and the future years reflect the debt reduction strategy within the Long Term Financial Plan.
<b>Indebtedness</b> Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	13.01%	9.73%	9.65%	6.00%	1.81%	0.99%	0.79%	0.80%	The lower 2017/18 result reflects a reduction in debt as per Council's Long Term Financial Strategy.



Dimension/indicator/measure	Results 2014/15	Results 2015/16	Results 2016/17	Results 2017/18	Forecasts				Material Variations and Comments
					2018/19	2019/20	2020/21	2021/22	
<b>Asset renewal</b> Asset renewal compared to depreciation [Asset renewal expense / Asset depreciation] x100	112.66%	116.59%	109.29%	108.19%	101.01%	113.35%	102.94%	78.19%	The 2017/18 result is consistent with preceding years with Council maintaining current assets renewal spend level in line with expectations and with the Long Term Financial Strategy.
<b>Stability</b> <b>Rates concentration</b> Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	64.60%	59.45%	62.45%	62.16%	67.89%	68.05%	68.19%	68.53%	The 2017/18 result and the forecast years are consistent with expectations. The 2015/16 result was influenced by the one-off gain on sale of assets.
<b>Rates effort</b> Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.28%	0.29%	0.25%	0.25%	0.21%	0.22%	0.23%	0.23%	The 2017/18 result is in line with preceding years and reflects budget expectations. The forecast reflects the Long Term Financial Strategy projections of rate revenue.
<b>Efficiency</b> <b>Expenditure level</b> Expenses per property assessment [Total expenses / Number of property assessments]	\$2,335.33	\$2,361.13	\$2,343.03	\$2,470.70	\$2,553.38	\$2,607.19	\$2,664.67	\$2,688.61	The 2017/18 result is higher than 2016/17 reflecting higher levels of expenditure of \$182m up by \$11.8m (7%) on 2016/17 reflecting increases in infrastructure works and parks contract expenditure originally budgeted as capital expenditure.

Dimension/indicator/measure	Results 2014/15	Results 2015/16	Results 2016/17	Results 2017/18	Forecasts				Material Variations and Comments
					2018/19	2019/20	2020/21	2021/22	
<b>Revenue level</b> Average residential rate per residential property assessment [Residential rate revenue / Number of residential property assessments]	\$1,584.47	\$1,658.81	\$1,716.68	\$1,743.52	\$1,826.31	\$1,852.46	\$1,881.88	\$1,911.60	The 2017/18 result is consistent with budget expectations. The forecast reflects the Long Term Financial Strategy.
<b>Workforce turnover</b> Resignations and terminations compared to average staff  [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	11.53%	28.31%	13.00%	13.56%	13.04%	13.04%	13.04%	13.04%	The 2017/18 result and forecast years are expected to be stable and reflect normal levels and long-term trends in workforce turnover. The 2015/16 result was higher than usual following the reduction of approximately 100 staff following Council's exit from residential aged care in 2016.

*Note that definitions are at the end of this document*

**Definitions**

Aboriginal child	means a child who is an Aboriginal person
Aboriginal person	has the same meaning as in the Aboriginal Heritage Act 2006
active library member	means a member of a library who has borrowed a book from the library
adjusted underlying revenue	means total income other than— (a) non-recurrent grants used to fund capital expenditure; and (b) non-monetary asset contributions; and (c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)
adjusted underlying surplus (or deficit)	means adjusted underlying revenue less total expenditure
annual report	means an annual report prepared by a council under sections 131, 132 and 133 of the Act
asset renewal expenditure	means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability
class 1 food premises	means food premises, within the meaning of the <i>Food Act 1984</i> , that have been declared as class 1 food premises under section 19C of that Act
class 2 food premises	means food premises, within the meaning of the <i>Food Act 1984</i> , that have been declared as class 2 food premises under section 19C of that Act
Community Care Common Standards	means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth
critical non-compliance outcome notification	means a notification received by council under section 19N(3) or (4) of the <i>Food Act 1984</i> , or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health
Culturally and Linguistically Diverse (CALD)	Means Culturally and Linguistically Diverse people born outside Australia in a country whose national language is not English
current assets	has the same meaning as in the Australian Accounting Standards (AAS)
current liabilities	has the same meaning as in the AAS
expenses	means expenses including employee costs, materials and services, bad and doubtful debts, depreciation and amortization, borrowing costs and other expenses.
food premises	has the same meaning as in the <i>Food Act 1984</i> and includes all street trader notifications
HACC program	means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth
HACC service	means home help, personal care or community respite provided under the HACC program
infrastructure	means non-current property, plant and equipment excluding land
local road	means a sealed or unsealed road for which the council is the responsible road authority under the <i>Road Management Act 2004</i>
MCH	means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age
major non-compliance outcome notification	means a notification received by a council under section 19N(3) or (4) of the <i>Food Act 1984</i> , or advice given to council by an authorised officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken
non-current assets	means all assets other than current assets

non-recurrent grant	means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan
non-current liabilities	means all liabilities other than current liabilities
own-source revenue	means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)
population	means the resident population estimated by council
rate revenue	means revenue from general rates, municipal charges, service rates and service charges
recurrent grant	means a grant other than a non-recurrent grant
relative socio-economic disadvantage	in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of the Socio-Economic Indexes for Areas (SEIFA) published from time to time by the Australian Bureau of Statistics on its Internet website
residential rates	means revenue from general rates, municipal charges, service rates and service charges levied on residential properties
restricted cash	means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year
target population	has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth
unrestricted cash	means all cash and cash equivalents other than restricted cash.
WorkSafe reportable aquatic facility safety incident	means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the <i>Occupational Health and Safety Act 2004</i> .



### Governance and Management Checklist 2017/18

The following are the results in the prescribed form of council's assessment against the prescribed governance and management checklist.

Column 1 Governance and Management Item	Column 2 Assessment
<b>1 Community engagement policy</b> (policy outlining Council's commitment to engaging with the community on matters of public interest)	Current policy in operation: 23/3/2015 & 18/9/2012 ✓
<b>2 Community engagement guidelines</b> (guidelines to assist staff to determine when and how to engage with the community)	Current guidelines in operation: 18/9/2012 ✓
<b>3 Strategic Resource Plan</b> (plan under section 126 of the Act outlining the financial and non-financial resources required for at least the next 4 financial years)	Plan adopted in accordance with section 126 of the Act: 25/6/2018 ✓
<b>4 Annual budget</b> (plan under section 130 of the Act setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required)	Budget adopted in accordance with section 130 of the Act: 25/6/2018 ✓
<b>5 Asset management plans</b> (plans that set out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	Current plans in operation: Asset Management Policy and Strategy adopted by Council 26/2/2018 Asset Management Plans: Drainage 01/03/2008; Transport 01/03/2008; Community Facilities 01/03/2008; Recreational Spaces 01/03/2008; Capital Works Forward Plan 25/6/2018 ✓
<b>6 Rating strategy</b> (strategy setting out the rating structure of Council to levy rates and charges)	The Rating Strategy is Section 7 of the Annual Budget 2018/19. ✓  Current strategy in operation: 25/6/2018
<b>7 Risk policy</b> (policy outlining Council's commitment and approach to minimising the risks to Council's operations)	Current policy in operation: 24/08/2016 ✓
<b>8 Fraud policy</b> (policy outlining Council's commitment and approach to minimising the risk of fraud)	Current policy in operation: 4/10/2016 ✓
<b>9 Municipal emergency management plan</b> (plan under section 20 of the Emergency Management Act 1986 for emergency prevention, response and recovery)	Prepared and maintained in accordance with section 20 of the Emergency Management Act 1986: 19/02/2014 ✓
<b>10 Procurement policy</b> (policy under section 186A of the Local Government Act 1989 outlining the matters, practices and procedures that will apply to all purchases of goods, services and works)	Prepared and approved in accordance with section 186A of the Local Government Act: 25/6/2018 ✓

### Governance and Management Checklist 2017/18

Column 1 Governance and Management Item	Column 2 Assessment
<b>11 Business continuity plan</b> (plan setting out the actions that will be taken to ensure that key services continue to operate in the event of a disaster)	Current plan in operation: 30/5/2018 ✓
<b>12 Disaster recovery plan</b> (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	Current plan in operation: 1/4/2015 ✓
<b>13 Risk management framework</b> (framework outlining Council's approach to managing risks to the Council's operations)	Current framework in operation: 8/07/2016 ✓
<b>14 Audit Committee</b> (advisory committee of Council under section 139 of the Act whose role is to oversee the integrity of a Council's financial reporting, processes to manage risks to the Council's operations and for compliance with applicable legal, ethical, and regulatory requirements)	Kingston's Audit Committee was established in 1997, prior to the legislative requirement that made Audit Committees mandatory. The current Audit Committee Charter was approved by Council on 23/04/2018.  Committee established in accordance with section 139 of the Act: 1/01/1997 ✓
<b>15 Internal audit</b> (independent accounting professionals engaged by the Council to provide analyses and recommendations aimed at improving Council's governance, risk and management controls)	Internal auditor engaged: 1/07/2013 and current contract expires 30/6/2019. ✓
<b>16 Performance reporting framework</b> (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Act)	Current framework in operation: 1/5/2018 ✓
<b>17 Council Plan reporting</b> (report reviewing the performance of the Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Council reports: Council Plan 2017-21 performance reports: Q1 2017/18 - 27/11/2017; Q2 2017/18 - 26/2/2018; Q3 2017/18 - 28/5/2018 ✓
<b>18 Financial reporting</b> (quarterly statements to Council under section 138 of the Act comparing budgeted revenue and expenditure with actual revenue and expenditure)	Quarterly statements presented to Council in accordance with section 138(1) of the Act: Quarterly Financial Statements: September 2017 – 27/11/2017; December 2017 - 26/2/2018; March 2018 - 28/5/2018; ✓
<b>19 Risk reporting</b> (six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Reports prepared and presented: Strategic & Operational Risk Update 4/12/2017 & 18/6/2018 ✓

### Governance and Management Checklist 2017/18

Column 1 Governance and Management Item	Column 2 Assessment
<b>20 Performance reporting</b> (six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the Act)	Reports prepared and presented: ✓ Report to CIS and Audit Committee - LGPRF Half year update 2017/18 and review of targets – service performance, sustainable capacity and financial Quarterly Performance Report and Financial Statements December 2017 - 26/2/2018; Monthly Top Corporate KPIs
<b>21 Annual report</b> (annual report under sections 131, 132 and 133 of the Act to the community containing a report of operations and audited financial performance statements)	2016/17 Annual report considered at a meeting of Council in accordance with section 134 of the Act: 23/10/2017. ✓
<b>22 Councillor Code of Conduct</b> (Code under section 76C of the Act setting out the conduct principles and the dispute resolution processes to be followed by Councillors)	Code of Conduct reviewed in accordance with section 76C of the Act: 13/02/2017 Amended Code of Conduct adopted 26/6/2017. ✓
<b>23 Delegations</b> (a document setting out the powers, duties and functions of Council and the Chief Executive Officer that have been delegated to members of staff)	Delegations reviewed in accordance with section 98(6) of the Act: ✓ Instrument of Delegation by Council to CEO 25/9/2017; Instrument of Delegation by Council to Staff 25/6/2017
<b>24 Meeting procedures</b> (a local law governing the conduct of meetings of Council and special committees)	Meeting procedures local law made in accordance with section 91(1) of the Act: 24/7/2017 ✓

I certify that this information presents fairly the status of council's governance and management arrangements.

\_\_\_\_\_  
**John Nevins**  
 Chief Executive Officer  
 Dated:

\_\_\_\_\_  
**Cr Georgina Oxley**  
 Acting Mayor  
 Dated:

# Minutes

## Audit Committee

16 August 2018 at 8.30 am  
Cheltenham Room

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1. **Apologies**  
Ms Claire Filson
2. **Declaration by members & officers of any interest or conflict of interest in items on the agenda**  
Nil
3. **Declaration by CEO of any breach of legislation/regulation that needs to be brought to the attention of the Audit Committee**  
Nil
4. **Declaration of any work undertaken at Council by Pitcher Partners outside of the Internal Audit Plan**
5. **Final 2017/18 Management Letter**  
No findings to report. Report noted by the Committee.
6. **Closing Report for the Financial Year ended 30 June 2018**  

There was some discussion about the graph on page 22 regarding the quality of financial reporting at Council.

Mr Nick Walker explained VAGO's initial self-assessment survey which was used to gather information for the benchmarking. He noted that most Councils weren't aware that the survey responses would translate into these results. Survey participants were also not made aware of their desired maturity level.

Management explained that they were perhaps conservative with their responses and the Committee were assured by management and HLB Mann Judd that Kingston are in a positive position regarding their financial reporting processes relative to other Councils.

Mr Nick Walker also informed the Committee that VAGO have now finished their review of Council's statements with only minor changes requested which have been incorporated into the Annual Statements.



## **7. 2017/18 Draft Financial and Performance Statements - Audit Committee Certification**

*Following a thorough review and discussion, the Audit Committee unanimously recommended to Council:*

1. *That the draft 2017/18 Annual Financial Report and Performance Statement be adopted as Council's 'in principle' statements for 2017/18; and*
2. *That the 2017/18 Governance and Management Checklist be adopted for certification.*

## **8. Annual Financial Report for Year Ended 30 June 2018**

The Committee reviewed the report and accompanying notes and there were some minor questions and clarifications sought.

Mr Bruce Potgieter has some minor rounding queries which he will supply after the meeting.

Mr Hugh Parkes, in reference to note 4.2 (Software), asked management to consider 4 key points:

- The continuing functionality of software;
- The condition of the software;
- Future software needs; and
- Storage of knowledge needed for Council operations.

Mr Paul Franklin noted that he will request an update from Mr Tony Ljaskevic at his next IT Strategy briefing.

Overall the Committee were extremely satisfied with the quality of the accounts.

## **9. Performance Statement for Year Ended 30 June 2018**

The Committee and HLB Mann Judd offered high praise for the variance commentary which was clear and detailed compared to other Councils.

No changes suggested for the Performance Statement.

## **10. Governance & Management Checklist 2017/18**

Report noted by the Committee

## **11. Draft Management Representation Letter 2017/18**

Mr Nick Walker informed the Committee that this letter is standard and no specific issues included for Council.

Report noted by the Committee.

## **12. CAATS Review**

The Committee were very happy with the results and stressed the need to continue these tests in the future.

**13. Opportunity for Audit Committee to meet with HLB Mann Judd privately**

The Committee met briefly with HLB Mann Judd.

**14. Other Business**

The Committee thanked management for the high quality reports and stressed high praise for Caroline's Finance and Corporate Performance team.

The meeting closed at 9.35am.

Confirmed: ..... Chairman of Audit Committee

## **12. Notices of Motion**

## Ordinary Meeting of Council

27 August 2018

Agenda Item No: 12.1

### **NOTICE OF MOTION NO. 25/2018 - CR HUA - FEEDBACK REPORT FOR PLANNING SCHEME AMENDMENT C151 - KINGSWOOD GOLF COURSE**

Public exhibition for amendment C151 started on 19 July 2018, and it will conclude on 30th August 2018. Thousands of submissions have already been received by Council.

I move that:

1. Officers provide electronic or hard copies of all submissions received by Council to Councillors before the September Council Meeting.
2. Officers prepare a report for the September Council Meeting, and this report shall
  - a. include summary of the community feedback collected through the public exhibition process;
  - b. include the percentage of submission that is for and against the proposal;
  - c. not include any recommendation for the amendment itself.

Cr George Hua

#### **Officer Comment**

It is not usual practice to provide a report to Council providing public submission and associated analysis on an exhibited proposed planning scheme amendment. Usual practice is to circulate submissions received to Councillors and for officers to prepare a formal report for Council, with recommendations on the exhibited amendment and to include an analysis of submissions received in the report.



## Ordinary Meeting of Council

27 August 2018

Agenda Item No: 12.2

### **NOTICE OF MOTION NO. 26/2018 - CR OXLEY - DEBT RECOVERY**

I move that:

Officers develop a clear debt collection process/policy for tenants of Council owned facilities that includes:

- Clear contact methods and processes for dispute resolution
- Clear and fair methods for debt recovery

The policy/process is to take into consideration:

- The need for all tenants to be treated fairly and equally
- Extenuating circumstances that might arise and prevent the timeliness of rent being paid

A draft policy is to be presented to Council no later than the October Cycle.

Cr Georgina Oxley

## Ordinary Meeting of Council

27 August 2018

Agenda Item No: 12.3

### NOTICE OF MOTION NO. 27/2018 - CR WEST - POMPEI BOATSHED HERITAGE

I move that:

1. Council engage an independent heritage consultant, who is prepared to support some kind of heritage overlay for the Pompei boatshed, to advise whether Council should support a State heritage registration or a local Heritage Overlay for the boathouse, and to draft an updated citation or Statement of Significance for consideration.
2. Council implement this motion while at the same time, in accordance with the motion adopted on 23 July, investigating whether there may be any scope for Council to cooperate with the new owners of the Pompei Boatshed with a view to preserving the shed as a centre for wooden boatbuilding.
3. That this resolution be made public.

#### Background:

As we all know, the Pompei boat-house, where Jack and Joe Pompei used to build boats, has been sold, and Council now has an application for a four-storey apartment building with 13 units on the site. Council agreed to a request from a third party and offered to store the historic artefacts on the site, but unfortunately one of the executors wrote back to say the contents were all going to auction that Friday.

Thanks to a local Mordialloc Creek boatie, an application for a Heritage Overlay on the site was lodged with State Government agency Heritage Victoria last December. Heritage Victoria has recommended against State Heritage registration, but recommends that the Heritage Council “may wish to ....refer the recommendation to the City of Kingston for inclusion... in the local Heritage Overlay.” These recommendations will come to Council’s 27 August Ordinary Meeting.

Interested parties including Council are invited to make written submissions to the Heritage Council by 5pm on 17 September and to request a Heritage Council hearing to consider the HV recommendations which may be held in October. In my view, we as a community will be the poorer if we allow this important part of our heritage to be lost. And we Councillors will be held accountable for obtaining proper advice regarding whether it’s worth saving. Officers now estimate that the engagement of a “*heritage architect who would be willing to support the nomination*” would cost approximately \$5,000 and if we decide to go ahead with a permanent Heritage Overlay control, it would cost about \$40,000.

**City of Kingston  
Ordinary Meeting of Council**

**Agenda**

**27 August 2018**

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Unfortunately, 15 years ago as part of the Mordialloc Structure Plan, Council decided to rezone this site for residential development with a four-storey height limit – officers previously had plans to turn Pompeis Landing into a tour bus turning bay – and accordingly Council’s heritage consultant did not recommend including the site in the local Heritage overlay in 2001, though he did recommend “*protecting the valued character of the site ... through another form of planning control.*” I hope our community and our Council; has by now developed a more mature appreciation of our heritage, but this will now be put to the test.

Cr Rosemary West

**Appendices**

Appendix 1 - Resolution - Ordinary Meeting of Council 23 July 2018 - Item 12.3 (Ref 18/504351) [↓](#)

Appendix 2 - Recommendation of the Executive Director and Assessment of Cultural Heritage Significance - Pompei's Marine Boat Works and Landing (Ref 18/504336) [↓](#)

# 12.3

## NOTICE OF MOTION NO. 27/2018 - CR WEST - POMPEI BOATSHED HERITAGE

- 1 Resolution - Ordinary Meeting of Council 23 July 2018 - Item  
12.3 ..... 877
- 2 Recommendation of the Executive Director and Assessment  
of Cultural Heritage Significance - Pompei's Marine Boat  
Works and Landing ..... 879

**Resolution  
Ordinary Meeting of Council  
23 July 2018**

**12.3 Notice of Motion No. 24/2108 - Cr West - Pompei Boatshed**

**Moved: Cr West**

**Seconded: Cr Eden**

That Council investigate whether there may be any scope for Council to cooperate with the new owners of the Pompei Boatshed with a view to preserving the shed as a centre for wooden boatbuilding or other ways of commemorating Mordialloc's boatbuilding heritage.

**CARRIED**



## Recommendation of the Executive Director and assessment of cultural heritage significance under Part 3 of the *Heritage Act 2017*



**Name** Pompei's Marine Boat Works and Landing  
**Location** 557-561 Main Road Mordialloc, Kingston City  
**Hermes Number** 201522  
**Heritage Overlay Number** No Heritage Overlay



Pompei's Marine Boat Works and Landing, 2018

### EXECUTIVE DIRECTOR RECOMMENDATION TO THE HERITAGE COUNCIL:

- That the place NOT be included in the Victorian Heritage Register under Section 37(1)(b) of the *Heritage Act 2017*.
- The Heritage Council may wish to consider exercising its powers under s.49(1)(c) of the *Heritage Act 2017* to refer the recommendation to the City of Kingston for inclusion of the place in the local Heritage Overlay.

**STEVEN AVERY**  
 Executive Director

**Recommendation provided to the Heritage Council of Victoria:** 12 July 2018

**Recommendation publicly advertised and available online:** From 20 July 2018 for 60 days

This recommendation report has been issued by the Executive Director, Heritage Victoria under s.37 of the *Heritage Act 2017*. It has not been considered or endorsed by the Heritage Council of Victoria.

## EXTENT OF NOMINATION

### Date that the nomination was accepted by the Executive Director

21 May 2018

### Written extent of nomination

The three buildings/slipways that are included in the areas leased from the City of Kingston.

### Nomination extent diagram



### COMMENTS

The nomination for Pompei's Marine Boat Works and Landing referred to buildings and structural elements only. It did not mention objects such as boats or boat building equipment or other materials contained within the buildings or located externally.

## EXECUTIVE DIRECTOR RESPONSE SUMMARY

It is the view of the Executive Director that this place should not be included in the Victorian Heritage Register for the reasons outlined in this report.

The information presented in this report demonstrates that Pompei's Marine Boat Works and Landing may be of potential local significance, rather than state level significance. The Heritage Council may wish to consider exercising its powers under s.49(1)(c) of the *Heritage Act 2017* to refer the recommendation to the City of Kingston for inclusion in the Heritage Overlay of the planning scheme; or determine under s.49(1)(c)(ii) that it is more appropriate for steps to be taken under the *Planning and Environment Act 1987* or by any other means to protect or conserve the place.

## BACKGROUND

### WHAT IS THE HISTORY OF THE PLACE?

Salvatore Pompei arrived in Melbourne from Sicily in the early 1900s and settled in Mordialloc with his family. He began building boats at their Beach Road property and later taught boat building to his sons. Together they constructed timber clinker and carvel boats and also had fishing boats for hire from Mordialloc Creek. In the 1930s, the boat building business was relocated to the existing site where three to four boats were constructed each year. Jack Pompei, one of Salvatore's sons became known as 'Mr Mordialloc' and was awarded an OAM in 1987 for Service to Marine Search and Rescue Activities in Port Phillip Bay. He rescued hundreds of people from Port Phillip Bay and was an advocate for the conservation and rejuvenation of Mordialloc Creek. Following Jack's death in 2008, his brother Joe carried on the boat building business until the premises were sold in 2017. A new bridge constructed across Mordialloc Creek in 2009 was named Pompei Bridge and a sculpture was erected to acknowledge the Pompei family's contribution to the Mordialloc community.

### WHAT IS AT THE PLACE?

Pompei's Marine Boat Works and Landing is located between the railway line and Mordialloc Creek, Mordialloc. A two-storeyed c.1970s brick building incorporating part of an earlier building is located adjacent to the railway line. Boat moorings, slipways and five small scale buildings of varying size and materials are located opposite along the Mordialloc Creek. Most structures have signage incorporating the Pompei name. A wide dirt road runs between the creek and the c.1970s building, and boats of various materials, shapes and sizes in various states of repair are located on the land in front of and between the buildings.

## RECOMMENDATION REASONS

### REASONS FOR NOT RECOMMENDING INCLUSION IN THE VICTORIAN HERITAGE REGISTER [s.37(1)(b)]

Following is the Executive Director's assessment of the place against the tests set out in *The Victorian Heritage Register Criteria and Thresholds Guidelines (2014)*.

#### CRITERION A

**Importance to the course, or pattern, of Victoria's cultural history.**

##### STEP 1: A BASIC TEST FOR SATISFYING CRITERION A

The place/object has a *CLEAR ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history.

**Plus**

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

**Plus**

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

#### ***Executive Director's Response***

Pompei's Marine Boat Works and Landing has a clear association with:

- a) The process of timber carvel and clinker boat building.  
Carvel boats have hull planks which are joined edge to edge to form a smooth surface. Clinker boats have overlapping planks with a light timber frame.
- b) The custom of bayside recreation.  
In the late nineteenth century, a particular beachside culture developed which saw people travel to destinations close to Melbourne to take in the unpolluted air, and to bathe, picnic, promenade, boat and fish.

#### ***a) The process of timber carvel and clinker boat building.***

Like all timber boat building premises, the process of boat building is evident at the place through the timber boats in various stages of repair, signage attached to the buildings, and boat building equipment and materials. The association is also evident in documentary resources and oral history. The process of timber boat building has made a strong contribution to Mordialloc and to the boating community of Victoria. Pompei's Marine Boat Works and Landing was one of a number of boat building businesses established around Port Phillip Bay in the nineteenth and twentieth centuries. The process of timber carvel and clinker boat building is clearly evident in many extant boats across Victoria built using these techniques.

#### ***b) The custom of bayside recreation.***

Like many bayside places such as Williamstown, Mornington, Queenscliff, Brighton and Eastern Beach, Geelong, Mordialloc has a long association with the custom of bayside recreation. Mordialloc increased in popularity as a recreational destination from the 1860s with a focus on fishing, hunting and picnics on the banks of the creek. From the early twentieth century, the Pompei family contributed to these leisure activities by providing a boat hire service and the creek-side area of Pompei's Marine Boat Works and Landing still retains slipways, signage and sheds which indicate this use. The boat hire service is no longer operational. The association with the custom of bayside recreation is now more evident in documentary resources and oral history, but can still be read to some extent in the physical fabric of the place.

Criterion A is likely to be satisfied.



**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION A**

The place/object allows the clear association with the event, phase etc. of historical importance to be **UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA WITH SUBSTANTIALLY THE SAME ASSOCIATION.**

**Executive Director's Response****a) The process of timber carvel and clinker boat building**

Timber boat building no longer occurs at Pompei's Marine Boat Works and Landing and the reading of the cultural heritage values of the place is now reliant on the boat building equipment, signage and boats which are located in and around the buildings. The place no longer allows the process of boat building to be better understood than most other places in Victoria with substantially the same association.

There were a number of timber boat building businesses established around Port Phillip Bay from the late nineteenth to mid twentieth centuries including Lacco, Albutt, Cayzer and Blunts (VHR H1885). While most of these businesses have closed, Blunts remains operational. New businesses associated with the process of timber boat building including the Wooden Boat Shop at Sorrento and Frechville Heany Boatbuilders at Paynesville were opened in the late twentieth century. These places now allow the process of timber boat building to be understood better than Pompei's Marine Boat Works and Landing does.

**c) The custom of bayside recreation**

The custom of bayside recreation can be better understood at other places around Port Phillip Bay than it can at Pompei's Marine Boat Works and Landing including Williamstown, Mornington, Queenscliff, Brighton and Eastern Beach, Geelong. The banks of the Mordialloc Creek have changed substantially since the early twentieth century and there is little surviving physical fabric at the place which allows the custom of late nineteenth and early twentieth century bayside recreation to be understood.

Criterion A is not likely to be satisfied at the State level.

**CRITERION B**

**Possession of uncommon, rare or endangered aspects of Victoria's cultural history.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION B**

The place/object has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history.

**Plus**

The association of the place/object to the event, phase, etc *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources or oral history.

**Plus**

The place/object is *RARE OR UNCOMMON*, being one of a small number of places/objects remaining that demonstrates the important event, phase etc.

**OR**

The place/object is *RARE OR UNCOMMON*, containing unusual features of note that were not widely replicated

**OR**

The existence of the *class* of place/object that demonstrates the important event, phase etc is *ENDANGERED* to the point of rarity due to threats and pressures on such places/objects.



**Executive Director's Response**

Pompei's Marine Boat Works and Landing is associated with the process of timber boat building and the custom of bayside recreation. It has a clear association with both processes which are evident in the fabric of the place and in documentary resources and oral history.

The popularity of fibreglass boats from the 1950s resulted in the decline of the timber boat building industry and businesses gradually closed. Pompei's Marine Boat Works and Landing was one of the few remaining places in Victoria continue producing timber carvel and clinker boats and following Jack Pompei's death in 2008, his brother Joe carried on the business. The process of boat building no longer takes place at Pompei's Marine Boat Works and Landing and the c.1970s building has recently been sold. At the time of assessment, the boat building equipment and materials were being sold through auction and private sale. The process of timber boat building is now uncommon, but this process is no longer evident at Pompei's Marine Boat Works and Landing.

The custom of bayside recreation is not rare or uncommon and is demonstrated at many places around the Victorian coastline.

Criterion B is not likely to be satisfied.

**CRITERION C**

**Potential to yield information that will contribute to an understanding of Victoria's cultural history.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION C**

<p>The:</p> <ul style="list-style-type: none"> <li>• visible physical fabric; &amp;/or</li> <li>• documentary evidence; &amp;/or</li> <li>• oral history,</li> </ul> <p>relating to the place/object indicates a likelihood that the place/object contains <i>PHYSICAL EVIDENCE</i> of <i>historical interest</i> that is <i>NOT CURRENTLY VISIBLE OR UNDERSTOOD</i>.</p>
<p><b>Plus</b></p> <p>From what we know of the place/object, the physical evidence is likely to be of an <i>INTEGRITY</i> and/or <i>CONDITION</i> that it <i>COULD YIELD INFORMATION</i> through detailed investigation.</p>

**Executive Director's Response**

The process of timber boat building is well documented and understood. The patterns, materials, tools and equipment of Pompei's Marine Boat Works and Landing are of historical interest but there is little likelihood that these items could yield information which is not currently visible or understood.

There is no likelihood that the place contains physical fabric which demonstrates the custom of bayside recreation that is not currently visible or understood.

Criterion C is not likely to be satisfied.

**CRITERION D**

**Importance in demonstrating the principal characteristics of a class of cultural places and objects.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION D**

The place/object is one of a *CLASS* of places/objects that has a *clear ASSOCIATION* with an event, phase, period, process, function, movement, important person(s), custom or way of life in Victoria's history.

**Plus**

The *EVENT, PHASE, etc* is of *HISTORICAL IMPORTANCE*, having made a strong or influential contribution to Victoria.

**Plus**

The principal characteristics of the class are *EVIDENT* in the physical fabric of the place/object.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a clear association with the process of timber boat building and the custom of bayside recreation.

The process of timber boat building has made a strong contribution to Victoria which has many port cities and towns around its coastline including Melbourne, Geelong and Port Fairy. Pompei's Boat Works produced boats which remain in use for recreational and commercial purposes. The principal characteristics of the class are evident in the physical fabric of the place. But as timber boat building no longer occurs at the place, the reading of the cultural heritage values now relies on the boat building equipment, signage and boats which are located in and around the buildings.

The custom of bayside recreation has made a strong contribution to Victoria. Boating and fishing facilities are still evident at Pompei's Marine Boat Works and Landing but the main focus for bayside recreational activities is now further east along Mordialloc Creek towards Port Phillip Bay.

Criterion D is likely to be satisfied.

**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION D**

The place/object is a *NOTABLE EXAMPLE* of the class in Victoria (refer to Reference Tool D).

**Executive Director's Response**

Pompei's Marine Boat Works and Landing is no longer a notable example of a boat building business. It has no features that are of a higher quality or historical relevance than are typical of the class. It is not a pivotal or influential example in its class at a State level. Notable examples which demonstrate the process of timber boat building include Blunts Boatyard and Slipway, Williamstown (VHR H1885) where the boats have been built and repaired since the 1880s.

Pompei's Marine Boat Works and Landing is no longer a notable example of a bayside recreational place. It has no features that are of a higher quality or historical relevance than are typical of the class. It is not a pivotal or influential example in its class at a State level. Notable examples include the Eastern Beach Bathing Complex and Reserve, Geelong (VHR H0929) where the activities associated with the custom of bayside recreation are cohesive and clearly understood.

Criterion D is not likely to be satisfied at the State level.

**CRITERION E****Importance in exhibiting particular aesthetic characteristics.****STEP 1: A BASIC TEST FOR SATISFYING CRITERION E**The *PHYSICAL FABRIC* of the place/object clearly exhibits particular aesthetic characteristics.***Executive Director's Response***

At the time of its establishment, Pompei's Marine Boat Works and Landing was located in a more visually pleasing setting. But this has been compromised over time through changes to the landscape. In the 1930s, Mordialloc Creek had natural banks lined with mature trees. The creek now has concrete and stone walls with contemporary moorings so that it now has the appearance of a canal rather than a natural waterway. The road bridge has been widened and now encroaches on the area once occupied by Pompei's Marine Boat Works and Landing.

Under the exclusion guidelines for Criterion E, the following applies:

- XE1:** Lacks distinctiveness.  
The place has aesthetic qualities but they do not exceed those of the general class to which the place belongs.
- XE3** Degraded aesthetic qualities.  
The aesthetic characteristics of the place have been irreversibly degraded through changes to the fabric of the place and the changes to the setting of the place.

Criterion E is not likely to be satisfied.

**CRITERION F****Importance in demonstrating a high degree of creative or technical achievement at a particular period.****STEP 1: A BASIC TEST FOR SATISFYING CRITERION F**The place/object contains *PHYSICAL EVIDENCE* that clearly demonstrates creative or technical *ACHIEVEMENT* for the time in which it was created.**Plus**The physical evidence demonstrates a *HIGH DEGREE OF INTEGRITY*.***Executive Director's Response***

Pompei's Marine Boat Works and Landing contains no physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created. The c.1970s building, and the moorings, slipways and structures adjacent to the creek all exhibit common designs, materials and construction methods. The timber boats constructed at the place are highly regarded, but use similar construction methods and materials to other timber boats constructed during the same period.

Criterion F is not likely to be satisfied.

**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 people as part of their continuing and developing cultural traditions.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION G**

Evidence exists of a *DIRECT ASSOCIATION* between the place/object and a *PARTICULAR COMMUNITY OR CULTURAL GROUP*.

(For the purpose of these guidelines, '*COMMUNITY or CULTURAL GROUP*' is defined as a sizable group of persons who share a common and long-standing interest or identity).

**Plus**

The *ASSOCIATION* between the place/object and the community or cultural group is *STRONG OR SPECIAL*, as evidenced by the regular or long-term use of/engagement with the place/object or the enduring ceremonial, ritual, commemorative, spiritual or celebratory use of the place/object.

***Executive Director's Response***

Pompei's Marine Boat Works and Landing has a direct association with the boating community in Victoria, the Mordialloc community, and with the community more broadly.

Pompei's Marine Boat Works and Landing has been part of the social and built fabric of Mordialloc since the 1930s. The buildings, the signage, the boats outside the buildings and the boats lining the creek are appreciated as a landmark within the Mordialloc community and by people travelling to the Mornington Peninsula by road or rail.

Pompei's Marine Boat Works and Landing engenders varying degrees of attachment. The boating community are passionate about Pompei boats and hold them in high regard. This is demonstrated through numerous websites acknowledging their craftsmanship and the contribution they have made to the boating industry. There is attachment to the place itself and what has been produced there. But there is stronger attachment to the boats themselves.

The community more broadly also has a sense of attachment to the place which is demonstrated through the Facebook group 'Save Pompei's Landing'. It was created approximately six months ago and has 1,703 members. Posts indicate that members have lived or do live in the area, or are boating enthusiasts. There is a certain sense of nostalgia around the posts with many members sharing boating experiences and posting photos of the place and boats which were made there.

The association between Pompei's Marine Boat Works and Landing and the community is acknowledged through the naming of the bridge in recognition of the contribution the Pompei family has made to the Mordialloc community and by the sculpture located adjacent to the bridge.

Criterion G is likely to be satisfied.

**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION G**

The place/object represents a *PARTICULARLY STRONG EXAMPLE* of the association between it and the community or cultural group by reason of its *RELATIONSHIP TO IMPORTANT HISTORICAL EVENTS* in Victoria and/or its *ABILITY TO INTERPRET EXPERIENCES* to the broader Victorian community.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a particularly strong association to Mordialloc and to the Victorian boating community. It also has an association with the custom of bayside recreation. But due to the changed conditions of the place, the ability to interpret these experiences has been diminished.

The association between Pompei's Marine Boat Works and Landing and the boating community is in the appreciation of the high quality craftsmanship of the boats the Pompei's built. This association is better demonstrated through the boats themselves than through the place.

The social significance of Pompei's Marine Boat Works and Landing does not strongly resonate beyond the Mordialloc community or Victoria's boating community.

Criterion G is not likely to be satisfied at the State level.

**CRITERION H**

**Special association with the life or works of a person, or group of persons, of importance in Victoria's history.**

**STEP 1: A BASIC TEST FOR SATISFYING CRITERION H**

The place/object has a *DIRECT ASSOCIATION* with a person or group of persons who have made a strong or influential *CONTRIBUTION* to the course of Victoria's history.

**Plus**

The *ASSOCIATION* of the place/object to the person(s) *IS EVIDENT* in the physical fabric of the place/object and/or in documentary resources and/or oral history.

**Plus****The ASSOCIATION:**

- directly relates to *ACHIEVEMENTS* of the person(s) at, or relating to, the place/object; or
- relates to an *enduring* and/or *close INTERACTION* between the person(s) and the place/object.

**Executive Director's Response**

Pompei's Marine Boat Works and Landing has a direct association with the Pompei family and with Jack Pompei in particular. Jack Pompei was a well known identity in Mordialloc and was known further afield for his numerous rescues from Port Phillip Bay for which he was awarded an OAM in 1987. The association is evident in the physical fabric of the place through signage and surviving boat building equipment but is more evident in documentary resources and oral history. The association with the Pompei family has been acknowledged through the renaming of the bridge as Pompei Bridge and through the commissioning of a sculpture by Julie Squires which is located adjacent to the bridge but not on land associated with Pompei's Marine Boat Works and Landing.

Criterion H is likely to be satisfied.



**STEP 2: A BASIC TEST FOR DETERMINING STATE LEVEL SIGNIFICANCE FOR CRITERION H**

The place/object allows the clear association with the person or group of persons to be <i>READILY APPRECIATED BETTER THAN MOST OTHER PLACES OR OBJECTS IN VICTORIA</i> .
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***Executive Director's Response***

The association between Pompei's Marine Boat Works and Landing and the Pompei family is reliant on the existence and survival of the signage, boat building equipment, and boats in various stages of repair located around the site. The c.1970s building in which boat building took place has recently been sold and the materials and equipment associated with boat building are for sale. Apart from signage, there is little evidence on the creek side of the place which demonstrates the legacy of the Pompei family in a tangible way. The association between timber boat building and the Pompei family is arguably better demonstrated and more readily appreciated through the many boats they constructed. Their contribution to Mordialloc is acknowledged in the naming of Pompei Bridge and the visually dominant sculpture by Julius Squires located adjacent to the bridge

Criterion H is not likely to be satisfied at the State level.

## ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

### EXECUTIVE DIRECTOR'S ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE [s.40(1)(3)(c)]

Pompei's Marine Boat Works and Landing is significant for its association with the Pompei family and their highly respected boat building business. It also has a strong association with Jack Pompei who was known as 'Mr Mordialloc' and was awarded an OAM in 1987 for his Service to Marine Search and Rescue Activities in Port Phillip Bay. Pompei's Marine Boat Works and Landing has a strong association with Mordialloc and the Victorian boating community, but not with Victoria more broadly. Boat building no longer occurs at the place and the reading of the cultural heritage values of the place is now reliant on the boat building equipment, signage and boats which are located in and around the buildings.

## RELEVANT INFORMATION

<b>Local Government Authority</b>	City of Kingston
<b>Heritage Overlay</b>	No
<b>Other Overlays</b>	No
<b>Victorian Aboriginal Heritage Register</b>	The area is covered by an area of Aboriginal cultural heritage sensitivity associated with Mordialloc Creek.
<b>Other Listings</b>	No

### Comments

Heritage Victoria staff did not view the interior of the c.1970s building.

## HISTORY

### The establishment of Mordialloc

Pompei's Marine Boat Works and Landing is located on the Mordialloc Creek which was an outlet from the former Carrum Swamp to Port Phillip Bay. Prior to British settlement, the Boon Wurrung people camped in the sand dunes each summer where they harvested eels and shellfish, and hunted in the Karrum Karrum (Carrum) swamp. In 1852, 832 acres including the land on which Pompei's Marine Boat Works and Landing is located was set aside as an Aboriginal reserve which was closed in the 1860s.

The first bridge across Mordialloc Creek was constructed in the 1850s to allow travellers easy access to the Mornington Peninsula. By the early 1860s a fishing industry had been established which provided fish to Melbourne and the gold fields. In the late 1860s, Mordialloc saw an increase in popularity as one of the many recreational destinations around Port Phillip Bay. Like other places, Mordialloc offered sea bathing, but was also popular for fishing and hunting. Visitors arrived by road or bay steamer and after 1881, by rail. The permanent population began to increase after World War II and bayside recreational pursuits including fishing and boating continued.

### History of the Pompei family

Salvatore Pompei arrived in Melbourne from Sicily in the early 1900s and settled in Mordialloc with his wife Edna and their children in 1912. He began building boats at their Beach Road property and the first Pompei boat was registered in 1914. Salvatore taught boat building to his sons and together they constructed timber clinker and carvel boats including recreational boats, sailboats and working fishing boats. The Pompei family also had fishing boats for hire from Mordialloc Creek and all the family worked in the boat building or hire businesses. In the 1930s, the boat building business was relocated to the site adjacent to the railway line at what is now 557-561 Main Road, Mordialloc. Approximately three to four boats were constructed each year, in a range of lengths up to 50 feet. Jack Pompei, one of Salvatore's sons became known locally as 'Mr Mordialloc' and was awarded an OAM in 1987 for Service to Marine Search and Rescue Activities in Port Phillip Bay. He was highly regarded for rescuing hundreds of people from Port Phillip Bay and was an

advocate for the conservation and rejuvenation of Mordialloc Creek. Following Jack's death in 2008, his brother Joe carried on the boat building business until the premises were sold in 2017. When the new bridge across Mordialloc Creek was completed in 2009, it was renamed Pompei Bridge and a sculpture by Julie Squires was erected in a visually prominent site near the bridge to acknowledge the Pompei family's contribution to the Mordialloc community. Jack's son Leon Pompei continues to operate boat related businesses adjacent to the Mordialloc Creek.

#### **PHYSICAL DESCRIPTION**

Pompei's Marine Boat Works and Landing is located between the railway line and Mordialloc Creek, Mordialloc. A two storeyed c1970s brick building incorporating part of a c.1940s building is located adjacent to the railway line and boat moorings, slipways and five small scale buildings of varying size and materials are located opposite along the Mordialloc Creek. Most structures have signage incorporating the Pompei name. A wide dirt road separates the creek and the c.1970s building, and boats of various materials, shapes and sizes and in various states of repair are located on the land in front of and between the place.

#### **INTEGRITY/INTACTNESS**

Intactness – The intactness of the place is fair/poor. Pompei's Marine Boat Works and Landing has undergone many changes. A c.1940s building double gabled building appears to have been incorporated into the existing c.1970s brick building. The area around the creek has changed significantly from a natural creek bank lined with mature pine trees to a stone and concrete walled waterway with new moorings. (June 2018).

Integrity – The integrity of the place is fair/poor. The cultural heritage values of the place can be read in the extant fabric to some degree but are more readily understood through documentary resources and oral history. The reading of the cultural heritage values of the place is reliant on the boat building equipment, signage and boats which are located in and around the buildings. (June 2018).

#### **CONDITION**

The place is in fair condition. The c.1970s brick building is showing signs of deterioration with brickwork missing from the upper section on the southern end and there appears to be holes in the cladding material to the upper walls. The remainder of the place is in working order, with sheds around the creek in various states of repair and boats and materials scattered across the site. (June 2018).

**COMPARISONS****Places in the VHR associated with boating or boat building****Blunts Boatyard and Slipway, Williamstown (VHR H1885)**

Blunts Boatyard and Slipway is of historical significance to the State of Victoria. It is a rare surviving example of the many boat building businesses which once operated around Port Phillip Bay from the 1850s on. The Blunt family began boat building in Geelong in 1858 and have operated continuously from the Williamstown site since the 1880s. The use, equipment and layout of Blunts has not significantly changed since the early twentieth century, while many other yards have been substantially altered or have disappeared altogether. Blunts Boatyard and Slipway comprises timber sheds and a slipway system which occupies most of the yard and leads to a three-rail traverser system. There are several cradles of various ages in the yard and the timber pier and moorings are of a height suited to small vessels.



Blunts Williamstown (VHR H1885)

**Lifeboat Station, Port Fairy (VHR H1431)**

The Port Fairy Lifeboat Station is of historical, technical and architectural significance to the State of Victoria. It is of historical importance as a rare and remarkably intact reminder of the important role of oared lifeboats with volunteer crews in the days of sail-powered shipping and of the economic importance of coastal shipping to Port Fairy before the spread of railways. The lifeboat, the 1861 boat shed built to house it and the 1886 rocket shed with hand rescue equipment, form an exceptional collection of artefacts and structures. The lifeboat is of technological significance for its innovative design features. The lifeboat shed and bluestone rocket house contain a large amount of associated early rescue equipment and are of architectural importance as fine intact examples of rare building types.



Lifeboat Station, Port Fairy (VHR H1431)

**Melbourne University Boat Club Shed (VHR H0682)**

The Melbourne University Boat Club Shed is of historical significance to the State of Victoria for its associations with the University Boat Club, the oldest rowing club in Australia and with many of Victoria's and Australia's best rowers. It opened in 1908, coinciding with the 50th anniversary of the forming of the University Boat Club and is a two-storey building with oregon studs and jarrah weatherboards. The shed is a rare example of a substantial early twentieth century Rowing Club building, and is picturesquely designed to complement the river setting. A small hipped-roof belvedere stands on the north-east corner, overlooking the river. The verandahs are composed of three bays with a very simple triple arched valance with plain lattice pattern balusters on the first floor. The southern verandah has stilted segmental arches on the ground floor. The roof of the small lookout tower on the north-east corner has similar detailing.



Melbourne University Boat Club Shed (VHR H0682)



*Recreational places in beachside settings***Eastern Beach Bathing Complex and Reserve, Geelong (VHR H0929)**

Constructed between 1928 and 1939, the Eastern Beach Bathing Complex was the last major enclosed sea bathing facility to be constructed on Port Phillip Bay. Eastern Beach Promenade is also significant in being the only original structure that survives of the many sea-baths which once dominated Port Phillip Bay's foreshore and is unique within Victoria. Eastern Beach represents an innovative example of the work of structural engineer and architect, Harry Hare. The sea-baths are illustrative of the traditional pastime of sea bathing, and are representative of the transition from segregated and private bathing in the nineteenth century to mixed public bathing and pursuit of sport and leisure in the early 20th century.



Eastern Beach Bathing Complex and Reserve (VHR H0929)

**Bells Beach Surfing Recreation Reserve (VHR H2032)**

Bells Beach Surfing Recreation Reserve is significant as an international icon of Australian surfing culture. It comprises a high concentration of quality surfing spots created by swells from the southern ocean which form consistent, rideable waves. The roots of surfing in Victoria began at Lorne in 1920, and pioneer surfers were accessing Bell's Beach from 1939. The first surfing event was held in 1961, followed by the first annual Bells Beach Easter competition in 1962 which is recognised as the world's longest running surfing competition. The creation of the Bells Beach Surfing Recreation Reserve (a world first) in 1973 bears testimony to the special place of surfing and Bells Beach in Victorian social history. Bells Beach Surfing Recreation Reserve has historic significance to the development of surfboard and wetsuit technology. The Bells Beach conditions led to important developments in the surfing industry.



Bells Beach Surfing Recreation Reserve (VHR H2032)

**SUMMARY OF COMPARISONS****Places in the VHR associated with boating or boat building**

Unlike Pompei's Marine Boat Works and Landing, Blunts Williamstown (VHR H1885), the Lifeboat Station, Port Fairy (VHR H1431) and the Melbourne University Boat Club Shed (VHR H0682) all have substantial intact physical fabric which readily demonstrate their former uses and their cultural heritage values. Blunts Williamstown is directly associated with timber boat building. It remains operational and therefore more readily demonstrates the process of boat building than Pompei's Marine Boat Works and Landing. The other two places are not directly linked to boat building, but are easily readable places associated with other aspects of marine activity. The Lifeboat Station contains a lifeboat constructed at Williamstown, as well as buildings and objects associated with lifesaving. Unlike Pompei's Marine Boat Works and Landing it tells a complete story and the cultural heritage values are clearly evident in the physical fabric of the place. The Melbourne University Boat Club Shed is also not directly linked to the process of boat building but recreational activities associated with boating are clearly demonstrated through the physical fabric of the place.

**Recreational places in waterside settings**

Eastern Beach Bathing Complex and Reserve (VHR H0929) and Bells Beach Surfing Recreation Reserve (VHR H2032) are of cultural heritage significance for their enduring association with outdoor activities and recreational pursuits, which increased in popularity in the late nineteenth century. Although the same could be said for Pompei's Marine Boat Works and Landing these places have a cohesiveness and intactness that is lacking at Pompei's Marine Boat Works and Landing.

The Eastern Beach Bathing Complex and Reserve comprises a range of elements which were all designed and constructed at the same time, creating a cultural landscape which concentrates beach side activities at a single location. There is a clearly defined boundary which encapsulates significant elements.

Bells Beach Surfing Recreation Reserve is well known as a place intrinsically connected to surf and beach culture. Although there are no permanent structures at Bells Beach, it is a landscape associated with the development of world renowned surfing events, beach culture and associated industries during the twentieth century.

Both of these places have a long and enduring association with the development of waterside recreational pursuits which attracted visitors, initially from around the State and now internationally. The various elements at each place have developed concurrently, forming cohesive and tangible cultural landscapes. In comparison, the elements which contribute to Pompei's Marine Boat Works and Landing are located across an undefined site which has lost intactness and integrity.

**KEY REFERENCES USED TO PREPARE ASSESSMENT**

Eidelson, Meyer (1997) *Melbourne Dreaming* Aboriginal Studies Press

<http://pompeismarine.com/est1914/jack-pompei-boats-at-mordialloc/>, retrieved 18.06.2018

[http://www.boatregister.net/Builders\\_Victoria\\_2010.htm](http://www.boatregister.net/Builders_Victoria_2010.htm), retrieved 18.06.2018

<https://www.tradeboats.com.au/tradeboat-news/features/1205/historical-feature-aged-in-wood>, retrieved 20.06.2018

The History of Mordialloc, The Standard Newspapers Pty Ltd, Cheltenham, 1926. via [http://localhistory.kingston.vic.gov.au/img/article/228\\_1.jpg](http://localhistory.kingston.vic.gov.au/img/article/228_1.jpg), retrieved 12.06.2018

<http://www.classicwoodenboat.com.au>, retrieved 12.06.2018

<http://www.emelbourne.net.au/biogs/EM01008b.htm>, retrieved 13.06.2018

<http://pompeismarine.com/est1914/jack-pompei-boats-at-mordialloc/>, retrieved 29.06.2018

**ADDITIONAL IMAGES**

2017, Aerial view of site with Pompei's Boat Works Building circled in green. The Landing is circled in red.





2017, Front view of Pompei's Marine Boat Works and Landing.



2017, Looking south-east along Pompei's Landing.



2017, Looking towards creek.



2017, Looking west, with Pompei Bridge at right.



2017, Looking north, with Pompei's Boat Building on left at rear.





Looking east across Mordialloc Creek to Pompei's Landing.



2017, Looking south east along Mordialloc Creek.



2017, Looking north west along Mordialloc Creek.



2017, Signage on road side of creek side buildings.



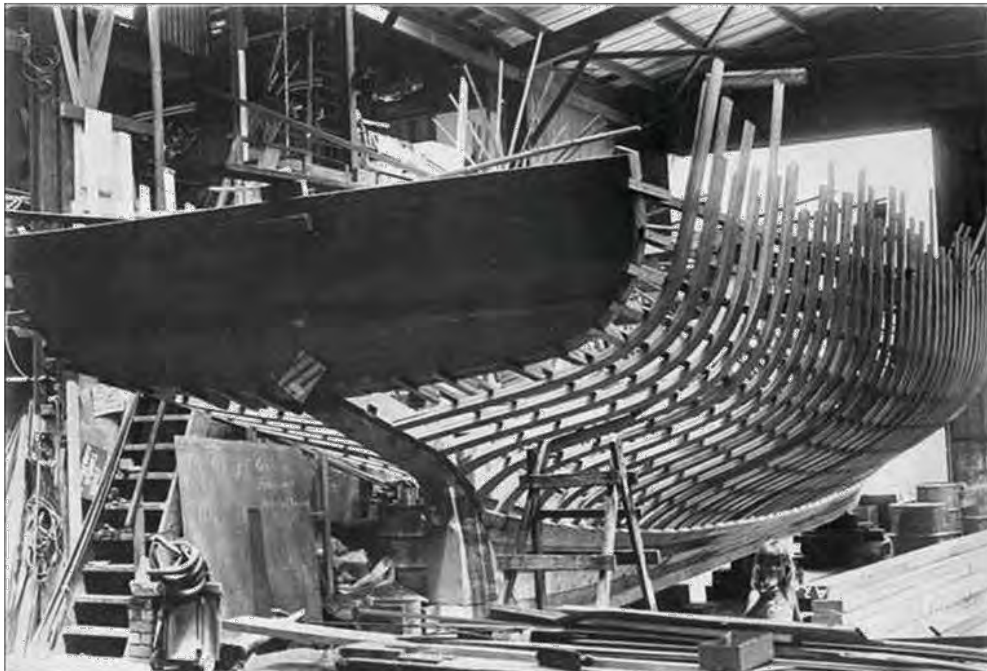
2017, Graffiti signage.

2017, Sculpture by Julie Squires on northern approach to Pompei Bridge.





2018, Interior of Pompei's Boat Works  
Source: [www.commercialrealestate.com.au](http://www.commercialrealestate.com.au).



n.d., Boat skeleton inside Pompei's boat building premises.  
Source: [www.localhistory.kingston.vic.gov.au](http://www.localhistory.kingston.vic.gov.au).



1985, Jack Pompei boat building.  
Source: *The Sun*.



1976, Jack Pompei advocating for creek rehabilitation.



n.d., Pompei boats for hire.  
Source: [www.localhistory.kingston.vic.gov.au](http://www.localhistory.kingston.vic.gov.au).



c.1970s, Front view of Pompei's Boat Works  
Source: <https://www.youtube.com/watch?v=aDHtJFtwJfw>.

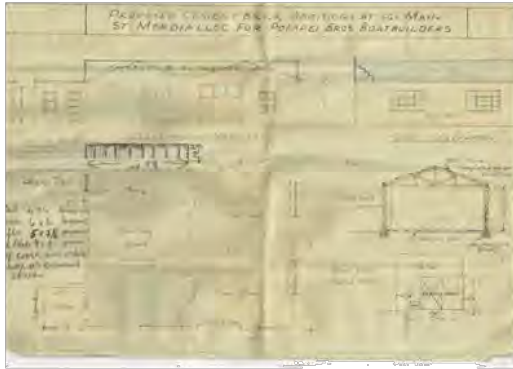


n.d., Pompei's boat hire.



c.1970s, Pompei's Boat Works, lower left and Pompei's landing below the creek in centre.





c.1970s, Plans for additions to Pompei's Boat Works.



c.1940s, Pompei's Boat Works.

Source: <https://www.youtube.com/watch?v=aDHtFtwJfw>

c.1940s, Mordialloc looking west. Pompei's Boat Works is circled in red.





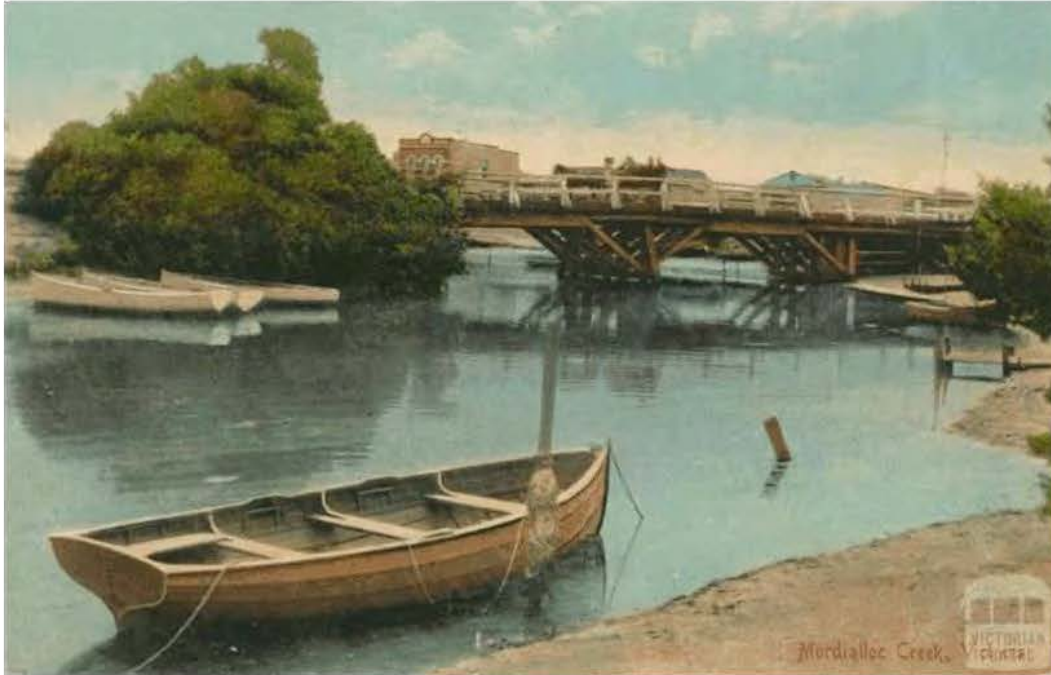
c.1940s, Lowering a Pompei boat into the Mordialloc Creek. Note the 1919 bridge, now replaced.  
Source: Submitted with nomination.



c.1920s, Mordialloc Bridge.  
Pompei's Landing is located to the left.  
Source: State Library of Victoria.



c.1900s, Bridge across Mordialloc Creek.  
Source: State Library of Victoria.



c.1908, Location of Pompei's landing looking west to the bridge across Mordialloc Creek.  
Source: Victorian Places.

## **14. Confidential Items**

## **14 Confidential Items**

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the Local Government Act 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

### **14.1 Parkdale Secondary College - Joint Use Agreement**

Agenda item 14.1 *Parkdale Secondary College - Joint Use Agreement* is designated confidential as it relates to contractual matters (s89 2d) and legal advice (s89 2f)

### **14.2 Heritage Victoria Correspondence - Pompei's Landing**

Agenda item 14.2 *Heritage Victoria Correspondence - Pompei's Landing* is designated confidential as it relates to proposed developments (s89 2e)

## **Confidential Appendices**

### **8.5 Planning Compliance in the Green Wedge - Quarterly report August 2018**

*Appendix 1, Green Wedge Spreadsheet for Council - Confidential - Aug 2018* is designated confidential as it relates to (s89 2h)

### **9.2 CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries**

*Appendix 1, Stage 1 - Library Management System (LMS) Evaluation Matrix* is designated confidential as it relates to (s89 2d)

### **9.2 CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries**

*Appendix 2, Stage 2 - Library Management System (LMS) Evaluation Matrix* is designated confidential as it relates to (s89 2d)

### **9.2 CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries**

*Appendix 3, Stage 3 - Library Management System (LMS) Evaluation Matrix* is designated confidential as it relates to (s89 2d)

### **9.2 CON-17/70 Supply, Implementation & Maintenance of a Library Management System (LMS) & CON-18/88 Supply, Installation & Maintenance of Self Serve Kiosks for Libraries**

*Appendix 4, Detailed Cost Summary* is designated confidential as it relates to (s89 2d)

## **RECOMMENDATION**

That in accordance with the provisions of section 89(2) of the *Local Government Act*

1989, the meeting be closed to members of the public for the consideration of the following confidential items:

**14.1 Parkdale Secondary College - Joint Use Agreement**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to contractual matters (s89 2d) and legal advice (s89 2f)*

**14.2 Heritage Victoria Correspondence - Pompei's Landing**

*This agenda item is confidential in accordance with the Local Government Act s89(2) as it relates to proposed developments (s89 2e)*

**Confidential Appendices**

**8.5 Planning Compliance in the Green Wedge - Quarterly report August 2018  
Appendix 1, Green Wedge Spreadsheet for Council - Confidential - Aug 2018**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2h)*

**9.2 CON-17/70 Supply, Implementation & Maintenance of a Library  
Management System (LMS) & CON-18/88 Supply, Installation &  
Maintenance of Self Serve Kiosks for Libraries  
Appendix 1, Stage 1 - Library Management System (LMS) Evaluation  
Matrix**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)*

**9.2 CON-17/70 Supply, Implementation & Maintenance of a Library  
Management System (LMS) & CON-18/88 Supply, Installation &  
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Appendix 4, Detailed Cost Summary**

*This appendix is confidential in accordance with the Local Government Act s89(2) as it relates to (s89 2d)*