Agenda

Ordinary Council Meeting

Monday, 28th September 2026

Commencing at 7:00pm
Council Chamber
1230 Nepean Highway, Cheltenham

This is the Agenda for the Council Meeting. For assistance with any agenda items, please call our free interpreting service on 131 450

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Il presente è l'ordine del giorno della seduta di consiglio. Per ricevere assistenza con le voci dell'ordine del giorno, chiamare il nostro servizio di interpretariato gratuito al numero 131 450

Đây là Chương Trình Nghị Sự của buổi Họp Hội Đồng Thành Phố. Để được hỗ trợ về bất kỳ mục nào trong chương trình họp, vui lòng gọi điện thoại đến dịch vụ thông dịch miễn phí theo số 131 450

यह काउंसिल की मीटिंग के लिए एजेंडा है। एजेंडे से जुड़ी किन्हीं चीज़ों के साथ सहायता के लिए, कृपया हमारी नि:शुल्क दुभाषिया सेवा को 131 450 पर कॉल करें

Esta es la agenda para la reunión del Ayuntamiento. Para obtener ayuda con los artículos de la agenda, póngase en contacto con nuestro servicio gratuito de interpretación en el 131 450

هذا جدول الأعمال لاجتماع مجلس البلدية. للحصول على المساعدة فيما يتعلّق بأيّ بندٍ من بنود الجدول يُرجى الاتصال بخدمات الترجمة الشفهية المجانية الخاصة بنا على الرقم 131 450.

Ito ang Agenda para sa Pagpupulong ng Konseho. Para sa tulong sa anumang item sa agenda, mangyaring tawagan ang aming libreng serbisyo ng interpreting sa 131 450

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Peter Bean
Chief Executive Officer
Kingston City Council

City of KINGSTON

ACKNOWLEDGEMENT OF COUNTRY

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

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

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

Notice is given that a Meeting of Kingston City Council will be held at Council Chamber, 1230 Nepean Highway, Cheltenham at 7:00 PM on Monday, 28 September 2026.

1. Apologies

2. Confirmation of Minutes of Previous Meetings
Minutes of Ordinary Council Meeting 24 August 2026
Minutes of Special Council Meeting 26 August 2026

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

4. Petitions
4.1 Petition - Save Greenlink Sandbelt Indigenous Plant Nursery 5

5. Delegates' Reports, Councillor Statements and Presentation of Awards

6. Question Time

7. Planning and Place Reports
7.1 Town Planning Application Decisions - August 2026 9
7.2 KP-2025/438 - 13-19 Healey Street, Moorabbin 21
7.3 KP-2025/534 - 27 & 29-33 Ryans Road, Clayton South 137
7.4 Proposed Planning Scheme Amendment C233king - Update to the Schedule to Clause 53.01 223

8. Community Strengthening Reports
8.1 Response to Resolution - Notice of Motion 2/2025 - Communication Board Trial for Community Spaces 239

9. Infrastructure and Open Space Reports
9.1 Award of Contract CON-26/074 Tootal Road, Dingley Village Road Reconstruction Dingley Arterial to McClure Road 247
9.2 Draft Public Lighting Policy 255
9.3 2025/26 Capital Works Outcomes 271

10. Customer and Corporate Support Reports
10.1 Performance Report – Council and Wellbeing Plan Year One – Quarter Four (April to June 2026) 287
10.2 Performance Statement for the year ended 30 June 2026 and Governance and Management Checklist 2025-26 353
10.3 Draft Councillor Social Media Guidelines 391
10.4 Response to Resolution - Strengthening Governance Rules 403
10.5 Audit and Risk Committee Report to Council 533
10.6 Governance and Compliance Report 537

11. Chief Finance Office Reports

11.1 Full-year Finance Report June 2026 and Financial Statements for the Year Ended 30 June 2026 571

11.2 Property Strategy - 14 Friendship Square, Cheltenham 649

11.3 Property Strategy - 39 Follett Road, Cheltenham 693

12. Notices of Motion

12.1 Notice of Motion No. 19/2026 - Cr Athanasopoulos - Future Delivery of Beach Maintenance within Patterson Lakes 781

13. Urgent Business

14. Confidential Items 787

14.1 Property Matters

14.2 CEO Employment Matters

Explanation of Meeting Procedure

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

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

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

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

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

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

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

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

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

Explanation of Meeting Procedure

City of KINGSTON

Questions

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

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

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

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

Confidential Business

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

Courtesy to the Mayor

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

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?

The Council Meeting is live streamed with closed captions. iPads are available for members of the public in the gallery to view the live stream. Please ask a member of staff for a unit prior to the meeting.

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131 450
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Recording of Meetings

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

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

Minutes

Ordinary Council Meeting

Monday, 24th August 2026

kingston.vic.gov.au

Peter Bean
Chief Executive Officer
Kingston City Council

City of KINGSTON

Table of Contents

1. Apologies 3
2. Confirmation of Minutes of Previous Meetings 3
3. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest 3
4. Petitions 4
5. Delegates' Reports, Councillor Statements and Presentation of Awards 4
6. Question Time 5
7. Items for Tabling under the Local Government Act 2020 14
8. Planning and Place Reports 16
9. Community Strengthening Reports 27
10. Infrastructure and Open Space Reports 28
11. Customer and Corporate Support Reports 30
12. Chief Finance Office Reports 31
13. Notices of Motion 32
14. Urgent Business 36
15. Confidential Items 36

The meeting commenced at 7:00 PM in the Council Chamber, 1230 Nepean Highway, Cheltenham.

Present:
Cr Georgina Oxley (Mayor)
Cr Sarah O'Donnell (Deputy Mayor)
Cr Jane Agirtan
Cr Kirralee Ashworth-Collett
Cr Tony Athanasopoulos
Cr Georgia Erevnidis
Cr Chris Hill
Cr Chris Howe
Cr Nikki Kaur
Cr Hadi Saab
Cr Caroline White

In Attendance:
Peter Bean, Chief Executive Officer
Jonathan Guttmann, General Manager Planning and Place
Dan Hogan, General Manager Customer and Corporate Support
Samantha Krull, General Manager Infrastructure and Open Space
Kate Waters, General Manager Community Strengthening
Jaclyn Murdoch, Manager City Development
Kelly Shacklock, Manager Governance, Risk and Integrity
Sharon Lozsan, Team Leader Council Governance
Ellie Lockard, Council Governance Officer
Gemma Jacob, Council Governance Officer
Justin Welsford, Media and Communications Advisor

1. Apologies

There were no apologies submitted to the meeting.

2. Confirmation of Minutes of Previous Meetings

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos **Seconded: Cr O'Donnell**

That Council confirm the Minutes of the Ordinary Council Meeting held on 27 July 2026.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

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

Cr Ashworth-Collett foreshadowed a general conflict of interest in item 9.2.

4. Petitions

4.1 Petition - Opposition to the Sale of 39 Follett Road, Cheltenham

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr O'Donnell**

That Council:

1. Receive the petition and refer it to the CEO for consideration; and
2. Notify the head petitioner of the outcome following consideration of the petition.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

5. Delegates' Reports, Councillor Statements and Presentation of Awards

The Chair acknowledged the tenure of outgoing General Manager Customer and Corporate Support, Dan Hogan.

Councillor Statements

Cr Kaur made a statement on her successful election as Melaleuca ward councillor.

Cr Athanasopoulos made a statement congratulating Cr Kaur on her successful by-election.

Cr White made a statement regarding her suspension from role of Councillor.

COUNCIL RESOLUTION

Moved: Cr Athanasopoulos **Seconded: Cr Agirtan**

That Council receive the councillor statements.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

6. Question Time

Question Time was held at 7.15pm.

A total of 45 questions were received, five disallowed under the Governance Rules. Preambles submitted with questions were not read out.

Question from Dean:

Kingston's Play Your Way Strategy identifies the need to "establish a suburb level play space in the northern section of Aspendale", with Attenborough Park identified as an ideal location where new space may be realised through the Level Crossing Removal Project.

Can Council advise what progress has been made towards delivering this recommendation, including whether Council has assessed potential alternative locations such as Browns Reserve, and whether the current Level Crossing Removal Project presents an opportunity to deliver this play space or other new community recreational facilities in northern Aspendale?

General Manager Infrastructure and Open Space, Samantha Krull, responded:

The Play Your Way Strategy outlines Council's long-term strategic intent for the provision of play and active recreation across Kingston.

Council's implementation is focussed on the delivery of priority local and small local playground renewal projects identified through the Strategy. At this stage, planning for Attenborough Reserve, or alternative locations such as Browns Reserve, has not been undertaken.

The strategy also identified the Level Crossing Removal Project as an opportunity for enhanced play and active recreation outcomes in the Mordialloc area. While Council has continued to advocate for improved community recreation outcomes, no active recreation infrastructure has been incorporated by LXRP into the design for the Mordialloc Station upgrade.

Council will continue to implement the priorities of the Play Your Way Strategy and consider future opportunities to address the identified need for enhanced active recreation facilities as partnership and funding opportunities arise.

In the interim, consistent with the strategy, Doug Denyer Reserve has been reclassified as a Local-level play space and is scheduled for upgrade in late 2026.

Questions from Louisa:

1. *Does the council acknowledge that ensuring the future viability of community-run organisations such as Greenlink Sandbelt Indigenous Nursery is vital in adhering to these and other priorities?*
2. *What is the council doing to ensure that Greenlink remains the vital preserver of indigenous flora, builder of community, and ensurer of climate resilience that it currently is, after their lease ends in June 2027?*

General Manager Infrastructure and Open Space, Samantha Krull, responded:

Council is aware of Greenlink Sandbelt Indigenous Nursery's need to relocate from its current site and recognises the important contribution the organisation makes to local biodiversity and the supply of indigenous plants across Kingston and the broader Sandbelt area.

Council officers have been engaging with Greenlink to understand its operational requirements and to explore potential relocation opportunities. A number of Council-owned and community sites have been considered as part of this process; however, no alternative location has been confirmed at this stage.

Any potential Council site would need to be assessed against its existing and planned community use, strategic purpose, planning requirements and any relevant site constraints. Council will continue to work with Greenlink to explore suitable options.

Questions from Ian:

It was stated, in reply to my last request in April, that a traffic speed and volume survey was scheduled for early May re intersection of Evans St, Lawborough Ave and McSwain St, Parkdale. However, in spite of my requesting to be informed of the ongoing status of the survey & ongoing plans, there has been nothing but silence from Council.

1. *Could Council please inform me if these surveys have currently been performed, & if not, when is it planned to perform them?*
2. *Also, what conditions would be need to be occurring to require road safety modifications as I have requested?*

General Manager Infrastructure and Open Space, Samantha Krull, responded:

A traffic speed and volume survey was undertaken on McSwain Street in May 2026 between Robert Street and Lawborough Avenue. The survey recorded an average daily traffic volume of 1,873 vehicles and an 85th percentile speed of 41.5 km/h.

When compared with surveys undertaken in 2017 and 2018, there has been no significant change in traffic conditions, with similar vehicles per day and 85th percentile speeds ranging up to 43.0 km/h.

The current traffic volumes and vehicle speeds remain within the acceptable range for a local residential street. Council Traffic Engineers review of crash data also identified no recorded crashes along McSwain Street in the past five years.

Based on these findings, traffic management treatments are not currently warranted.

Question from Naomi:

With the NDIS cuts now in place, community participation and quality of life is at the forefront of the minds of participants and their families. What is there in place for sport and community groups for Kingston residence? My son is 10, nonverbal, and I am yet to find a group sport or movement activity that will take him and allow for a social and community participation.

General Manager Community Strengthening, Kate Waters, responded:

Council recognises the importance of creating inclusive opportunities for people of all abilities to participate in sport and community groups. There are a number of free or low-cost inclusive and all-abilities opportunities available in Kingston, including SaintsPlay, Starfish Nippers, Riding for the Disabled, Sailability and Fishability, as well as inclusive programs offered by local sporting clubs. The AAA Play website is a useful resource for finding inclusive sporting opportunities locally.

That said, a Council officer will get in touch with you this week and help to identify suitable opportunities for your son.

The following five similar questions were grouped for response.

Questions from Cindy:

1. *Which Councillors have not been attending Council meetings in person?*
2. *Which Councillors have not been attending Council briefing sessions?*

Question from Eliza:

Will Councillors now be attending Council meetings now that the monitors have left Kingston?

Questions from Edamame:

1. *Why are Councillors allowed to attend meetings online and never show up for meetings leaving an empty chair in the chamber as the representative for our wards?*
2. *How long can Councillors continue to not show up to meetings in person and leave us with only a tiny box and a small face on the screen?*

General Manager Customer and Corporate Support, Dan Hogan, responded:

Under the Local Government Act 2020, Section 61 6A, "... a Councillor may attend and be present at a Council meeting by electronic means of communication".

Apologies for Councillors not attending Council Meetings or Council Briefings are published each month in the Council Meeting Agenda, respectively within Item 2, "Confirmation of Minutes of Previous Meetings" or the Informal Meeting of Councillors Records attached to the recurring Governance & Compliance Report respectively.

Questions from Alana:

1. *How much does Council cater for Councillors who don't attend Council meetings?*
2. *When Councillors walked out of the Council meeting that caused a loss of quorum and the meeting could not continue how much did the second meeting cost?*

General Manager Customer and Corporate Support, Dan Hogan, responded:

Officers assume both in-person and online attendance Council Meetings and vary the amount of catering requested to minimise waste, including any apologies received ahead of time.

In regards to costs for the reconvened Council Meeting, while I don't have the figures in front of me, variable costs would be predominately limited to additional hours of those staff members employed under Council's Enterprise Agreement. Senior Management and Executive are not able to claim additional hours or payment under their employment contracts.

The following five similar questions were grouped for response.

Question from Robert:

Is it correct that the seven top managerial executives who have "formed" themselves as the "Energy Management Group", have agreed, on page 120 of Agenda Item 8.3 tonight, to get our Councillors to vote for yet another highly paid position for another executive, an energy emissions auditor, to study energy use at Kingston Council, a position to be funded for two years by the $300,000 which was previously saved by Councillors from being wasted on carbon offset schemes?

Question from Vera:

Why doesn't Kingston Council simply save the $300,000 previously set aside for carbon-emission mitigation and vote tonight not to hire yet another executive whose sole purpose is to produce more climate reports and audits? See Item 8.3 in the Agenda

Question from Gil:

How can Council justify creating a new bureaucratic position (see Item 8.3) that will itself generate substantial carbon emissions by that person on $300,000, through their daily commuting, site inspections, office energy use, computers, servers, printing, meetings, mobile devices, catering and the full chain of supporting administration, almost certainly exceeding any emissions the role claims to reduce? Who will independently audit this new Council energy auditor's own carbon footprint and net impact, and if no one will, why is Council spending $300,000 of ratepayers' money to create this additional source of emissions and paperwork?

Question from Agnes:

If the Kingston Council cares so much about carbon emissions, why don’t they get their 1800 staff to work from home permanently to mitigate emissions?

General Manager Planning and Place, Jonathan Guttmann, responded:

As outlined in Section 2 of Item 8.3 on tonight’s Ordinary Council Meeting Agenda, this report follows the report of 27 October 2025, where Council resolved not to procure carbon offsets but use the allocated money for climate mitigating measures within the City of Kingston. The work completed by Officers in the report responds to this resolution.

The organisation does not audit an individual staff members own carbon footprint, rather it seeks through its business practices to promote opportunities for reductions in our emissions profile. This practically occurs

through deliberations regarding procurement and a broad range of operational business decisions.

The report provided on tonight's agenda reinforces that in addition to the focus on reducing carbon emissions, Council also maintains a focus on reducing energy consumption and therefore Councils operational costs.

Council has a Flexible Working Policy that provides opportunities for some staff to work from home across parts of the week. It is not possible for many staff to work from home due to the broad range of services the Council provides.

The following five similar questions were grouped for response.

Question from Julia:

How is the lack of replacement open space in Sir William Fry Reserve being addressed given it doesn't align with the EES outcomes?

Question from Graeme:

In light of the fact that Kingston Councillors have supported the SRL to buy the 11,880 homes and businesses in our area, what advice does Council have as to when these properties will be acquired? If not, will council seek details of why the 11,880 properties won't be purchased, as it's unlikely anyone other than the SRL would buy them?

Question from Sharon:

What analysis has been done of the impact on Kingston financially from the SRL project? What funding is available to council from the SRL to implement the Structure Plan?

Questions from Elena:

1. *Given the appointment of Mr Carroll as Premier and his support of the Melbourne Airport over the SRL, has council received any advice from the government on whether funding for the SRL will still be available?*
2. *Given Premier Carroll has stated Melbourne Airport rail was a higher priority will the CEO request the Premier attend council to set out the future timetable of the project continuing?*

General Manager Planning and Place, Jonathan Guttmann, responded:

The Council has raised through submissions the importance of ensuring all the open space utilised for the Suburban Rail Loop station and associated development activities in the Sir William Fry Reserve is replaced. The report that appears on tonight's agenda at Item 8.5 reinforces the views of the Advisory Committee on this matter, and also seeks a recommendation from Council to prioritise open space planning for the SRL Planning Precincts.

The Council has not supported the SRL to buy 11,880 homes and businesses, nor has the SRL done so. The SRL is not looking to acquire 11,880 properties.

The report prepared at Item 8.5 outlines the response from Council Officers in relation to the recent decision by the Minister for Planning to approve the planning controls for the SRL precinct areas. The report reinforces the importance of working with the SRL on a range of important infrastructure

planning matters that will assist in understanding medium to longer term capital infrastructure costs. The report also outlines the Infrastructure Contributions Mechanism that has been established to assist in funding State and Local Government infrastructure required within the planning precincts. Council will be seeking financial support to assist in doing the planning work required to determine the necessary infrastructure required for the planning area.

The Council has not received advice from the Victorian Government regarding whether funding will still be available for the SRL.

Requests made directly to the Victorian Premier would be made by the Office of the Mayor.

The following twelve similar questions were grouped for response.

Questions from Rose:

1. *Because the VEC has self reported voting ballot irregularities in the Melaleuca count, and is making an application to VCAT about this, plus the Local Government Inspectorate, is it not fair, just and prudent to hold off the new Councillor's voting rights over coming Council decisions until this uncertain ballot scenario is sorted out by VCAT and the LGI?*
2. *Can Councillors vote to make this restriction happen?*

Question from Dominique:

Has Council contacted the police to notify them that a criminal act may possibly have occurred on Council premises with regard to the security of the ballot room, the security of access, the security of the CCTV system, and the confirmed ballot interference (by the VEC) in this Melaleuca election?

Questions from Roslyn:

1. *Does the actual separate ballot paper supplied in the Melaleuca election pack, where residents mark their preferences, have a hidden watermark to stop photocopies being included in the election count?*
2. *If not ... why not?*

Questions from Geoff:

1. *Was a meeting held at the Kingston Council offices in the last hours or days before the Melaleuca election count was finalised between the Kingston CEO, a representative of the VEC, and any other persons whatsoever, regarding issues of concern happening about the election count which was still ongoing and in active counting process in another room at the Council offices?*
2. *Was a decision made at this meeting to keep the counting going, and not to halt the election count?*

Questions from Stephen:

1. *For the sake of transparency and integrity, can the CEO please tell us why a meeting was held between himself and a VEC election official and any other persons, just before the Melaleuca election count was completed and still in progress?*
2. *Who else was present at this meeting between the CEO and the VEC official which was held hours or days before the election count had been finalised?*

Questions from Jagoda:

1. *If the Melaleuca by-election is deemed void by VCAT and the government bodies looking into it, will the decisions and votes done at Council by new Councillor Kaur, in the time period between her starting and ending, be retrospectively invalidated and those decisions adjusted and nullified accordingly?*
2. *In the event that the Melaleuca by-election is deemed void at VCAT, will our Council make sure, through whatever means possible, that the cost of a new election is borne by the VEC and not by the ratepayers of Kingston?*

Question from Irina:

Who made the decision and suggestion to hold the Melaleuca election counting at Kingston Council instead of the VEC Office, which is potentially unsecured for 24 hours, as there is no CCTV in the Election count room? Was it the VEC itself or a Council representative?

General Manager Customer and Corporate Support, Dan Hogan, responded:

Questions of process and integrity of the Melaleuca ward Councillor election should be directed to the Victorian Electoral Commission, but as per Media Release of the VEC of the 14th August, I draw the following;

"Nikki Kaur has been declared elected to Kingston City Council's Melaleuca Ward in a by-election held to fill an extraordinary vacancy.

Election Manager Rod Van Cooten declared the result at 10 am on Friday 14 August at the election office at 1230 Nepean Highway, Cheltenham.

However, the Victorian Electoral Commission (VEC) has today referred matters concerning postal voting in the by-election to Victoria's Local Government Inspectorate after irregularities were identified during routine election integrity checks.

Electoral Commissioner Sven Bluemmel said the VEC takes any allegation of interference with a person's vote seriously.

'The integrity of Victoria's elections is fundamental to public confidence in our democracy,' Mr Bluemmel said.

The VEC's focus is on ensuring the integrity and validity of the election. Any question of criminality is a matter for the relevant authorities.

'We will fully cooperate with and support any investigation undertaken by the appropriate agencies,' Mr Bluemmel said. 'Anyone with information about suspected interference in the Melaleuca Ward by-election should report it to the Local Government Inspectorate.'

Given the allegations of election interference, the VEC will also apply for an inquiry into the validity of the election through the Victorian Civil and Administrative Tribunal.

The VEC will not provide additional commentary on specific matters referred to the Local Government Inspectorate or before VCAT.

End quote.

I can further confirm that the Electoral Commissioner and Council's Chief Executive Officer did discuss the discovery of potential voting irregularities

and possible interference, part of routine and appropriate governance in the execution of their respective duties as the Electoral Commissioner and the Chief Executive Officer of the Council for whom the election was being conducted.

Question from Una:

Can the City of Kingston reprimand a Councillor for misleading the public when he or she makes a video post claiming that they are responsible for all the good projects happening in their ward, when in fact they made themselves absent during the important budget vote that would fund those very projects, creating an extraordinary situation at the City of Kingston, which led to a loss of quorum, which then necessitated Councillors return the next day to vote that budget through?

General Manager Customer and Corporate Support, Dan Hogan, responded:

No.

Questions from Zoe:

1. *Can Councillors have an influence on the future integrity of local government elections by making representations to the MAV, and other peak local government bodies, by putting forward a motion for the voting system to change at local government level to be first past the post, and remove preferential voting at this level?*
2. *Isn't it the case that Councillors and Council can put forward such a motion to the MAV before midnight on 24th August 2026, if our Council agrees to this, and votes for this tonight (see Item 11.2 in the Agenda tonight 24th Aug 2026, page 265)?*

General Manager Customer and Corporate Support, Dan Hogan, responded:

The simple theoretical answer is yes to both questions, the more nuanced answer is that suggestions for electoral reform has not previously been raised at a Council or sector level, the thinking and gathering for support of a change of this magnitude has not taken place and would therefore significantly undermine any chance of success of winning the support necessary to pass such an initiative at the next MAV State Council.

Question from Drew:

Are the Municipal Monitors really really really really really really really gone?

General Manager Customer and Corporate Support, Dan Hogan, responded:

That is our current understanding.

Questions from Tasos:

1. *Can the council please explain how important is the "Kiss and Go " zone near schools how much is it considered by the council?*
2. *When is the council finally stop turning a blind eye to this very important issues?*

General Manager Planning and Place, Jonathan Guttmann, responded:

The Council actively monitors parking arrangements around schools to maintain the safety of students, parents and teachers attending schools.

The Council will contact Tasos to discuss any specific matters he wishes to raise in relation to any specific schools.

Question from Rosemary West:

Will Council hold off on replacing the tress removed by SRLP in the hope that the new Premier's review leads to the cancellation of the SRL?

General Manager Planning and Place, Jonathan Guttmann, responded:

The Council has raised the concerns raised regarding tree removal directly with the SRL. Once trees are however removed Council will be seeking to ensure replacement planting occurs.

7. Items for Tabling under the *Local Government Act 2020*

7.1 Arbiter's Determination in the Matter of Councillor Hadi Saab and Councillor Jane Agirtan - IAP 2026-9

In accordance with section 147(4) of the *Local Government Act 2020*, a copy of the Arbiter's determination and statement of reasons in the matter of Cr Hadi Saab and Cr Jane Agirtan was tabled for recording in the Minutes of this meeting.
Cr Agirtan spoke to point 36 of the Arbiter's Determination IAP 2026-9.

ARBITRATION PURSUANT TO DIVISION 5 OF PART 6 OF THE *LOCAL GOVERNMENT ACT 2020*

Internal Arbitration Process – Kingston City Council (IAP 2026-9)

Applicant: Councillor Hadi Saab

Respondent: Councillor Jane Agirtan

Date of Hearing: 6 July 2026

Arbiter: Louise Hill

DECISION AND STATEMENT OF REASONS

Application

1. Cr Hadi Saab made an application for an internal arbitration process to make a finding of misconduct against Cr Jane Agirtan on 19 March 2026 in relation to social media story on her Facebook and Instagram and on a South East Community Forum (Facebook) posted by Cr Agirtan on 10 January 2026. The stories were entitled *Let's talk about men who creep* which Cr Saab claims referred to him and members of his family as stalkers, creeps or lurkers and used such terms such as 'habibtis'. The application states that Cr Agirtan then made follow up comments on others' comments implying that Cr Saab was following her, calling him a 'little worm' and a 'chamber lurker', and that her comments encouraged others to make further comments and that she suggested starting a trend of 'post your creeps'.

2. As part of Kingston City Council's internal process, mediation was arranged in February 2026 between Cr Saab and Cr Agirtan without a mutually agreed outcome being achieved.

3. Cr Saab alleges that Cr Agirtan's actions have breached four clauses of Model Councillor Code of Conduct set out in Schedule 1 of the Local Government (Governance and Integrity) Regulations 2020): clause 2(1)(a), clause 2(1)(b), clause 4(1)(a) and clause 4(1)(b) and that these breaches constitute misconduct under the *Local Government Act 2020:*

Directions Hearing

4. A Directions Hearing was held on 24 May 2026 via Microsoft Teams. In attendance were Cr Saab, Cr Agirtan and the Council's Acting Councillor Conduct Officer, Freya Carlson.

5. At the Directions Hearing, Cr Agirtan stated that she had made the posts as claimed in the application but that some of the allegations made in the application were inaccurate, requiring the matter to be heard. I outlined the process for arbitration to both parties and set the timelines for Cr Saab to provide any further evidence regarding his application and for Cr Agirtan to provide a response. A list of witnesses was also requested for each of the parties, together with a short summary of what evidence the witnesses would provide.

Materials for Cr Saab

6. Cr Saab sent additional material to the Acting Councillor Conduct Officer (CCO) on Sunday 5 July 2026, which was less than 24 hours before the scheduled hearing on 6 July 2026. I instructed the Acting CCO to advise Cr Saab that we would discuss this at the start of the hearing as the deadline for his materials of 8 June 2026 was long past. The materials were not provided to the respondent, nor were they reviewed by me.

Response to the Application from Cr Agirtan

7. Cr Agirtan provided a response to the application, witness statements from three Councillors and additional materials of social media screenshots, definitions of terms and copies of emails sent by the respondent:

    - 13 September 2025 to the CEO Kingston City Council about safety
    - 15 February 2026 response to the CCO email of 12 February 2026 about conciliation process with Cr Saab
    - 18 March 2026 thread to the mediator regarding mediation with Cr Saab
    - 8 April 2026 to PCCR claiming 'vexatious' arbitration application by Cr Saab

8. Cr Agirtan responded that she has been subjected to prolonged harassment stalking and threats, resides at a suppressed residential address and has had several Personal Safety Intervention Orders, all of which have resulted in a heightened sensitivity to unwanted contact. She claims to have a neurodivergent style and uses humour, satire and blunt language. She has blocked Cr Saab and his family from her social media accounts and claims she has been subjected to monitoring of her social media activity.

9. Cr Agirtan accepts that she made social posts and comments on 10 January 2026. She states that while she was able to retract her post from her own Facebook and Instagram accounts she cannot retract the comments on the South East Community Forum page, as she is not the owner of this forum. She agrees that she posted the names of the Saab family who were observing her post and comments.

10. Cr Agirtan participated in mediation and while she issued a retraction, she did not apologise or acknowledge harm. Her response claims that Cr Saab has failed to produce evidence of harm, humiliation, distress or reputational damage. She asserts that as she removed the post, voluntarily issued a public clarification and retraction, there should be no finding of misconduct.

Witness Statements from Cr O'Donnell, Cr Oxley and Cr White

11. Witness statements were included in Cr Agirtan's response to the application. These statements outline the relationship and interactions between Cr Saab and female councillors including Cr Agirtan. They do not refer to the social media posts of Cr Agirtan or provide evidence directly relevant to the application.

Mediation

12. Conciliation process was commenced in February 2026, as per the Council's Internal Resolution Procedure. An external mediator Mr Tony Raunic, Hunt and Hunt Lawyers was appointed. Mr Raunic conducted the mediation process and sought to achieve resolution with a retraction of the post. He provided suggested wording for an explanation of the retraction, an apology and an acknowledgement of the hurt.

13. Cr Agirtan states that as part of mediation, she removed the 10 January posts on 17 March which she states eliminated any possibility of misunderstanding. The retraction stated:

> *"I acknowledge that a social media story published on my Facebook and Instagram accounts on 10 January 2026 contained inaccuracies. I unreservedly retract that post. I also acknowledge that a related post in a local community Facebook group published on the same date has been removed. Subsequent third-party commentary generated concern amongst some community members. This was unintended and the post has been deleted to prevent further comment or misunderstanding."*

14. This retraction does not include the suggested wording of the mediator which included an apology and did not acknowledge any hurt or harm.

Arbitration Hearing

15. The arbitration hearing was held 6 July 2026, in the Councillor Room of the Kingston City Council and attended by Cr Saab (applicant) and Cr Agirtan (respondent) and Ms Freya Carlson Acting CCO. The arbitration hearing was recorded online.

16. Cr Saab requested that a fellow Kingston City councillor attend the hearing as his support person. I declined this request as the councillor would have knowledge of the interactions between the applicant and respondent and would then be party to confidential content arising in the hearing.

17. I also advised Cr Saab that he could table any of the materials he sought to supply on 5 July, as long a they were relevant and provided evidence to his application.

18. Cr Agirtan agreed that she had made social media stories and comments and had stopped short of issuing an apology for the inaccuracies or harm the matters created for Cr Saab and his family. Cr Saab said he had not directed family members to search Cr Agirtan's social media. He stated that his mother and father saw one story each and his brother had seen two, based on Cr Agirtan's screenshots of their views. He said that his family was unaware of Cr Agirtan's criticism of their viewing of her posts

19. In these posts, Cr Agirtan has made comments about a 'chamber lurker' and someone following her in a car. She confirmed in the hearing that these comments were not about Cr Saab, even though he thought she was labelling him. He also perceived that a critical 'scorecard' she made on social media which contained a long list of derogatory comments and included labelling as the 'Deranged and Obsessed Department' did not refer to Cr Saab either.

Did Cr Agirtan contravene the Model Councillor Code of Conduct?

20. The applicant, Cr Saab, has requested a finding of misconduct for breaches of the following clauses of the Model Councillor Code of Conduct.

> 2(1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by
> (a) not engaging in demeaning abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature
> (b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping prejudice or aggression against a person or class of persons
>
> 4(1) A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by
> (a) ensuring that their behaviour does not bring discredit upon the Council.
> (b).not deliberately misleading the Council or the public about any matter related to the performance of their public duties.

21. The application alleges that Cr Agirtan posted social media stories and comments on her own Facebook and Instagram accounts and a South East Community Forum on Facebook on 10 January 2026 which identified her as Independent for Chicquita Ward, City of Kingston. The posts carried the title *"Let's talk about men who creep" and* included screenshots of Saab family members. *"Your entire bloodline camped out in my digital business – daily. Is it obsession? Addiction?" ... "I mean, I'm flattered, but why be so sneaky-creepy?" .... But don't worry, habibtis, comrades! I'm screen recording, I'm time-stamping. I'm filing every receipt."*

22. The post then received a several comments:

- one which labelled the Saab family as *"fixated and obsessed"*,
- another which stated *"This behaviour against this woman Councillor is called STALKING"* and
- another *"....this little worm"...*

23. Cr Agirtan made follow up comments, referring to *"....the beat-up P-plated shitbox that was following me home has stopped. Amazing what a few photos of the driver, the plates and a request for the CEO to pull the CCTV does for curing creepy behaviour. And then there's the chamber lurker – the one who sits there staring and licking his lips like a dehydrated lizard."* Finally commenting *"we should start a trend of "post your creeps" in the interests of full transparency."*

24. Cr Agirtan has accepted that she made the social media stories and comments. She has issued retractions and accepts that they were inaccurate and that concerns were created by third party commentary. She stated in the hearing that she was not referring to Cr Saab or his family as stalking her in a car or being the 'chamber lurker'.

25. The Model Councillor Code of Conduct establishes a minimum standard for how councillors behave towards people. The purpose or intention of Clause 2(1) is to require councillors to act with dignity, fairness, objectivity, courtesy and respect, avoiding humiliating, belittling behaviour or using their public position to shame others.

26. Clause 2(1)(a) prevents specific conduct which, amongst other things, insults, name calls, or threatens someone. Clause 2(1)(b) prohibits deliberate behaviour contributing broader social harm because the person belongs or is perceived to belong to a particular group. It prevents councillors from degrading stereotyping, encouraging hostility towards a group, or stigmatising a group as inferior, dangerous, unwelcome or dishonest.

27. I consider that the initial posts have breached clause 2(1) as calling people who view online social media content as 'creeps' is belittling and humiliating, failing to act with courtesy and respect. Posting screenshots of three members of the Saab family who visited the Facebook forum and Cr Agirtan's page were deliberate actions to identify them. Use of the term 'creeps' further breaches clause 2(1)(a) as name-calling. The term 'habibti' is an Arabic word used across Arabic speaking cultures between family and friends. Cr Agirtan claims she used it is as a harmless term of endearment. Using 'habibtis' in the context of this post I find is deliberately derogatory, particularly used by a non-Arabic speaker. Furthermore Cr Agirtan's post and comments encouraged hostility from others which were also labelling and belittling. I consider the use of these terms to be breach of clause 2(1)(b).

28. Cr Agirtan states that she is neuro-divergent and does not communicate in a conventional neurotypical manner. Whilst I accept her self-assessment of her communication style, I do not consider that this excuses or exempts her from the behaviour standards for councillors established under the Model Councillor Code of Conduct. I also note that she has a personal history of unwanted harassment, threats and stalking which has heightened her vigilance. I do not accept that she has established grounds for claiming that Cr Saab or his family has been engaged in observing, following or stalking her by viewing her social media stories which in any way justifies her outburst on online.

29. Clause 4(1) of the Model Councillor Code of Conduct requires an overarching obligation to act with integrity, exercise reasonable care and avoid conduct which may diminish public trust and confidence in the integrity of local government. Clause 4(1)(a) prohibits conduct which brings discredit upon the Council. Clause 4(1)(b) prohibits conduct which deliberately misleads the Council or the public.

30. Whilst Cr Agirtan's social media story and comments attracted negative comments from others, this does not indicate lowering the confidence in the integrity of local government, discrediting or harming the institutional reputation of the Council nor does it constitute deliberately misleading the Council or the public. The matters were not concerned with Council business or operations, even though the social media content was authored by Cr Agirtan. I therefore consider that there has been no demonstrated breach of Clauses 4(1)(a) or 4(1)(b).

31. In the hearing, both Cr Agirtan and Cr Saab committed to developing a strong, constructive and respectful working relationship for the betterment of the Council and the community they serve. In doing so, they will seek to model positive and collaborative conduct for their fellow Councillors.

32. I accept that Cr Agirtan has retracted her posts following the mediation in March 2026. However, she refused to issue an explanation, acknowledgement or an apology. If she had done so at the time, this matter would not have proceeded to arbitration. It is strongly suggested that Cr Agirtan moderate her extreme and intemperate language on social media.

Arbitration Decision

33. In relation to Cr Agirtan's obligations to comply with the standards of conduct under the Model Councillor Code of Conduct, I find that Cr Agirtan has engaged in misconduct by failing to comply with the standards of conduct specified in clauses 2(1)(a) 2(1)(b), based on the reasoning provided in paragraphs 27 and 28.

34. Based on the reasoning in paragraphs 29 and 30 above, I find that Cr Agirtan has not failed to comply with clauses 4(1)(a) and 4(1)(b) of the Model Councillor Code of Conduct.

Sanction

35. Submissions from Cr Saab and Cr Agirtan were received for consideration, in the event that a finding of misconduct was made. Both suggested that a penalty of directing Cr Agirtan to make a public apology in both the Council Chamber and on social media to be appropriate.

36. I direct that Cr Agirtan make verbal and written apologies to Cr Saab at the next Kingston City Council meeting at which this decision is tabled. The apology shall contain a clear acknowledgement of the conduct and its impact, acceptance of responsibility and a commitment to not repeat this inappropriate conduct either in person or online.

37. I further direct that Cr Agirtan make the following statements on her Facebook and Instagram accounts and on the South East Community Forum Facebook page.

    I acknowledge that a social media story published on my Facebook and Instagram accounts on 10 January 2026 contained inaccuracies and I retracted and removed those posts. I apologise to the Saab family and I acknowledge that the posts and the third party comments have created concern and hurt for Cr Saab and his family. I commit to taking steps to ensure that future posts, my comments and third party comments that I endorse or permit to remain on social media accounts that I administer, do not humiliate or shame others or encourage hostility or adverse interactions towards them.

38. I direct that Cr Agirtan complete social media training within three months delivered by a suitably qualified provider and specifically relevant to the role and responsibilities of a councillor under the Model Councillor Code of Conduct. The training must address respectful online communication, the creation, commenting, liking and sharing of content; the moderation of third party comments on accounts administered by the Cr Agirtan, the distinction between personal and official social media use and the avoidance of conduct that humiliates shames, threatens, creates stigma or encourages hostility towards others.

39. Cr Agirtan must provide written evidence of completion to the Councillor Conduct Officer within seven days of completing the training.



Louise Hill
Arbiter
13 August 2026

7.2 Arbiter's Determination in the Matter of Councillor Hadi Saab and Councillor Caroline White - IAP 2026-10

In accordance with section 147(4) of the Local Government Act 2020, a copy of the Arbiter's determination and statement of reasons in the matter of Cr Hadi Saab and Cr Caroline White was tabled for recording in the Minutes of this meeting.

8. Planning and Place Reports

8.1 Town Planning Application Decisions - July 2026

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Athanasopoulos**

That Council note the report of Town Planning Application Decisions for the month of July 2026.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

INTERNAL ARBITRATION PURSUANT TO THE

LOCAL GOVERNMENT ACT (2020) ('the Act')

Internal Arbitration Process – Kingston City Council, IAP 2026-10

Applicant: Councillor Hadi Saab

Respondent: Councillor Caroline White

Councillor Conduct Officer: Ms Freya Carlson

Hearing date: 2 July 2026

Place of hearing: City of Kingston, 1230 Nepean Highway, Cheltenham

Internal Arbiter: Dr Lily O'Neill

DECISION

I have determined that Cr White breached the relevant standards when she implied that Cr Saab improperly received a financial benefit from a grant to the Druze Community Charity of Victoria. I find that Cr White made this allegation without evidence and that in doing so she breached clause 2(1) of the Model Councillor Code of Conduct ('Code of Conduct').

Cr White is suspended from the office of Councillor for a period of two calendar months in relation to this breach. This suspension is to commence the day after the next Council meeting following this decision.

I also find that Cr White breached the relevant standards when she endorsed a Facebook comment that implied, without evidence, that Cr Saab was worthy of suspicion from Kingston City Council monitors.

I find that in doing so, Cr White breached clause 2(1) of the Code of Conduct. In relation to this breach, I order that Cr White undertake training on the appropriate use of social media.

In relation to the other allegations contained in the Application, I have found that no other breaches of the relevant standards have been made out, and therefore no other findings of misconduct are made out.

Dr Lily O'Neill

Arbiter

19 August 2026

STATEMENT OF REASONS

The Application

1. The Application dated 19 March 2026 by the Applicant, Councillor Hadi Saab, alleges that the Respondent, Councillor Caroline White, breached several of the standards of conduct of the Model Councillor Code of Conduct as contained in Schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020* ('Code of Conduct'). The Application seeks findings of misconduct to be made against Cr White.

2. The allegations contained in the Application relate to conduct, particularly in emails, social media and online videos, by Cr White on 15 January 2026, 18 January 2026, 21 January 2026, 22 January 2026, 27 January 2026, 1 February 2026, 23 February 2026, 28 February 2026, 1 March 2026, 4 March 2026 and 5 March 2026.

3. The Application and accompanying material from the Applicant allege that Cr White breached multiple standards of conduct (appended to this Decision) including relating to:

   Standard 1 – Performing the role of a Councillor
   Standard 2 – Behaviours
   Standard 3 – Good governance
   Standard 4 – Integrity

4. I first heard from the parties at an online Directions Hearing on 13 May 2026. At that Directions Hearing, I set the matter down for a hearing on 2 July 2026. Both before the online Directions Hearing, and between the Directions Hearing and the Hearing, I received several queries from the parties, via the Councillor Conduct Officer, in relation to provision of their materials and related matters.

5. The hearing took place in the City of Kingston Town Hall. Present during the hearing were Ms Carlson, Cr Saab and Cr White. The hearing was transcribed. Neither party was legally represented.

6. The amount of material submitted by both parties was voluminous. I read and considered all this material both prior to the hearing, and for the writing of this Decision. In parts of this Decision I have referred to certain pages of this material.

7. At the heart of the allegations contained in the Application is a 2024 grant made by Kingston City Council (KCC) to the Druze Community Charity of Victoria ('the Druze grant'). This $75,000 grant ($25,000 per year for three years) was made by KCC in June 2024.

8. At the time of the grant, Cr Saab was an officeholder of this organisation. When the grant was being considered by councillors, he declared a conflict of interest and excluded himself from decision-making process in relation to this matter.

9. Cr White's concerns with the grant include that the headquarters of the Druze Community Charity of Victoria are located in neighbouring City of Greater Dandenong; the claim that half their members reside in KCC was "unverified"; that the grant had not been recommended by council staff; and that the grant did not meet the KCC grant criteria (Respondent's Annexures p. 26-30).

10. Amongst other allegations, Cr Saab alleges that the manner in which Cr White has campaigned against the Druze grant has breached the Code of Conduct, including by implying that he improperly benefitted from the grant.

11. Cr White's other concerns mentioned in the hearing are noted here for completeness. They include but are not limited to:

    - the development of Kingswood Golf Course and a related missed appeal date to VCAT (described as an accident by KCC);
    - issues with the State Labor government;
    - the appointment of monitors to KCC; and
    - $15,000 of political donations that Cr Saab received, 'including a donation from the Druze Religious Organisation President', although I note that the Respondent's Annexures put the amount of these political donations at $10,500.

Arbiter's jurisdiction

12. I was appointed to hear this matter pursuant to the Act. It provides that an arbiter may hear an application that alleges 'misconduct' by a Councillor (s 143); requires that the Application be examined by the Principal Councillor Conduct Registrar (the Registrar) who, if satisfied that the outlined conditions are met (s 144) appoints an arbiter to hear the matter (s 149). 'Misconduct' is defined as a breach by a councillor of the Model Councillor Code of Conduct (s 3).

13. I am satisfied that the Registrar has fulfilled his obligations under section 144 of the Act. In making this finding, I note the concern by Cr White that the Registrar should not have referred the matter to me given she believed that Council had not taken sufficient or appropriate steps to resolve the matter.

14. It was clear to me from both the Application and the hearing that given the animosity between the two parties, this matter could not be resolved by the Council itself (see s 144(1)(c)(i) and (ii)).

The hearing

15. The hearing was categorised by high levels of animosity between Crs Saab and White. Cr White took multiple spontaneous breaks throughout the hearing, including several threats to walk out on the proceedings. Cr White also made clear to me that she would appeal my eventual decision should she deem it necessary, and that she believed that the hearing represented an 'abuse of process'.

16. Cr White, through her material and oral evidence, also made repeated references to many Council and State issues, including the Druze grant, as well as references to complaints she has allegedly made to the Independent Broad-based Anti-corruption Commission (IBAC) and the Fair Work Commission. I have read all the material provided by both parties but have given weight to issues raised only where they are relevant to the allegations contained in the Application.

17. I was clear in the Directions Hearing that witnesses should only be called if they could add evidence relevant to the matters contained in the Application. Both the Applicant and Respondent called several witnesses, who, despite my warning, did not provide any material that could assist the process.

18. I do not criticise the witnesses in this regard but simply observe that in calling them, both the Applicant and Respondent prolonged the hearing unnecessarily, and wasted witnesses' time.

19. Similarly, much of the very large amount of material I was provided with by both the Applicant and Respondent was not relevant to the Application and therefore unnecessarily added to the cost of this proceeding.

20. Despite this acrimony, the proceeding was finalised on the hearing date, with both parties agreeing that there was nothing further they wanted to add.

21. I will go through each allegation in turn, in the order they are raised in the Application.

Alleged Misconduct

Druze grant Notice of Motion

22. Prior to the February Council meeting Cr White drafted five separate Notices of Motion (NOMs). One of these February Notices of Motion (hereinafter 'Druze February NOM'), circulated to all councillors, the monitors and the KCC staff, in draft form from 18 January 2026 stated:

    'That Council:

    1. *Resolve to stop any further grants funding to the Druze Organisation in the Dandenong Council LGA.*
    2. *Resolve to seek a refund of $25,000 grant funding paid to the Druze Organisation in the Dandenong Council LGA.*
    3. *Resolves to provide Councillors with details and copies of any documentation of engagement with Labor State Government Ministers and their advisors regarding the Druze Grant payments and related payments made to Cr Saab.'*

23. In response to this draft Druze February NOM, Cr White received a 22 January 2026 email from a council officer stating, in part, that the Druze February NOM was 'defamatory and objectionable in nature and language in references to "payments made to Cr Saab".'

24. Cr White's consistent response to this advice was that council officer advice is not legal advice.

25. This motion, particularly the section stating 'and related payments made to Cr Saab', is alleged by Cr Saab to breach multiple provisions of the Code of Conduct.

26. Cr White then read out the Druze February NOM word for word, as well as four other NOMs she proposed for the forthcoming Council meeting, on a reel on her Instagram page titled 'carolinewhiterealindependent'. I have viewed this video. She also posted this reel to other social media fora, and repeated different forms of these words in emails dated 22 January 2026.

27. The Code of Conduct has been put in place to provide minimum standards of behaviour for local councillors. My job as the arbiter in this matter is to enforce the Code of Conduct.

28. The Code of Conduct stipulates numerous standards of behaviour for councillors, including that they treat other councillors (and others) with 'dignity, fairness, objectivity, courtesy and respect' (clause 2(1)). It further provides that 'nothing in the Model Councillor Code of Conduct is intended to limit, restrict or detract from robust public debate of issues in a democracy' (clause 5).

29. The Code of Conduct clearly envisages that 'robust public debate' should be conducted in a manner that also upholds 'dignity, fairness, objectivity, courtesy and respect', among other standards.

30. The ability to conduct 'robust public debate' entitles Cr White to, among other things, probe, where the evidence justifies it, grants made by Council.

31. Likewise, 'robust public debate' entitles Cr White to query the probity of any councillor if there is evidence to support such a query. She must do this in a manner that is consistent with 'dignity, fairness, objectivity, courtesy and respect' and the other standards contained in the Code of Conduct.

32. I find that the words 'and related payments made to Cr Saab' clearly imply that Cr Saab improperly received a financial benefit from the Druze grant. I have not seen any evidence that justifies the making of such an assertion. Cr Saab's involvement in the organisation is not evidence of wrongdoing.

33. I find that Cr White made this allegation without evidence. I am satisfied that these comments were therefore a deeply unfair slur and thus breached clause 2(1) of the Code of Conduct which prescribes that councillors should treat others with dignity, fairness, objectivity, courtesy and respect.

Further allegations

34. Cr Saab also alleged that a 27 January 2026 email from Cr White to a council officer (cc all Councillors) which stated:

    Notice of Motion – Druze Grant
    In terms of the original first point, being there were issues with the acquittal process and potential conflict of interest with Cr Saab completing the paperwork, I'll need further information regarding how this could look moving forward …

35. Cr Saab alleges that this email continued 'the same insinuation of impropriety'. I find that it is not clear what Cr White was intending to say in relation to the Druze grant in this email. I therefore find no breach of the Code of Conduct.

36. Cr Saab further alleges (Items 4 and 5, Application) that in drafting a NOM in relation to a potential conflict of interest held by a staff member, and then broadcasting this NOM via her Instagram reel, Cr White breach confidentiality.

37. I note that Cr Saab has provided me with a partial, undated, email from an unknown council officer that states this NOM should be heard confidentially given it deals with a member of staff. I find that there is insufficient detail in the Application or the hearing for these allegations to be properly made out.

38. Accordingly, I find no breach of the Code of Conduct in relation to these allegations.

23 February 2026 story/post

39. Cr Saab alleges that a social media story from Cr White that linked to a Herald Sun article titled 'Move to gag controversial debates at City of Kingston council slammed as 'censorship'' breached the Code of Conduct, particularly clauses 1(e)(ii), 4(1)(a) and (b).

40. The post contained the hashtag #governmeharderdaddy, a satirical meme that takes issue with people who call for greater political freedoms but also want crackdowns on political matters they don't agree with. I find that this post falls squarely into 'robust public debate' and does not breach any other aspect of the Code of Conduct.

28 February 2026 – Facebook post "Labor's liar of the week'

41. Cr Saab alleges that a 28 February 2026 post by Cr White that 'awarded' Sonya Kilkenny MP the 'Labor liar of the week award' and linked to an Australian Financial Review (AFR) article titled 'Kilkenny faces referral to parliamentary privileges committee' breached clauses 2(1)(a), 4(1)(a) and 4(1)(b). Cr White's comments on the page included calling Sonya Kilkenny a "suburb destroyer" and that "she's covering up corruption for the CFMEU crime syndicate".

42. I find that Cr White's comments on the AFR article are 'robust public debate' about political issues that Cr White advocates for, particularly given they are made with reference to evidence that could be seen as supportive contained in the AFR article.

43. I find that this post can be characterised as 'robust public debate' and does not breach any aspect of the Code of Conduct.

1 March 2026 – social media post depicting Sonya Kilkenny with fire on her legs

44. Cr Saab alleges that a 1 March 2026 social media image re-posted by Cr White showing Sonya Kilkenny MP with AI-created burning trousers breached clauses 2(1)(a) and (b) and 4(1)(a). Cr Saab alleges that the post 'normalises violent imagery' and depicts Ms Kilkenny as a witch.

45. I disagree with Cr Saab's view on this image. I think it is a visual image of a political position that Cr White has advocated for continually – the picture is alleging that Ms Kilkenny is a 'liar liar, pants on fire'.

46. Cr White has continually argued that Ms Kilkenny MP was not honest in her dealings as planning Minister in relation to the Kingston Golf Course, and this image is consistent with those arguments. I do not comment on the substance of Cr White's political position, merely that it is one she advocates for, and that, as the provided newspaper article attests, there is some evidence for.

47. I find that this post falls squarely into 'robust public debate' and does not breach any other aspect of the Code of Conduct.

4 March 2026 – social media story titled 'No rest for the wicked' sharing an article from The Australian newspaper

48. Cr Saab alleges that a 4 March 2026 social media image titled 'No rest for the wicked' and linking to an article in The Australian newspaper breached clauses 2(1)(a), 4(1)(a) and 4(1)(b) of the Code of Conduct. It is unclear from the Application which article from The Australian this allegation refers to.

49. In the hearing, Cr Saab alleged that Cr White was the source for this story, and that therefore she breached council confidentiality. Cr White denied being the source for this story. In the absence of evidence to the contrary, I give Cr White the benefit of the doubt.

50. I find no breach of the Code of Conduct in relation to this allegation.

4 March 2026 – social media story titled 'They lie!' sharing an article from The Australian newspaper

51. Cr Saab alleges that a 4 March 2026 social media image titled 'They lie!' and linking to an article in The Australian newspaper (titled 'New information challenges minister's denial he threatened council over 'witch hunt') breached clauses 4(1)(a) and 4(1)(b) of the Code of Conduct.

52. Again, I find that the 'they lie!' comment is made in relation to an article that contains some evidence that could support that view.

53. I find that this post falls squarely into 'robust public debate' and does not breach any other aspect of the Code of Conduct.

5 March 2026 post on the South East Community Forum

54. Cr Saab alleges that a 5 March South East community forum post commenting on an article in The Australian (titled 'New information challenges minister's denial he threatened council over 'witch hunt') on Minister Nick Staikos' decision to appoint monitors to KCC breached clauses 2(1)(a), 4(1)(a) and 4(1)(b) of the Code of Conduct.

55. In particular, Cr Saab takes issue with Cr White's comments 'Minister Staikos misused his power to threaten and intimidate young women in local government, and that Victoria is a "special type of corrupt".'

56. Again, I am satisfied that these comments find some substantiation in The Australian article, and that therefore this post falls squarely into 'robust public debate' and does not breach any other aspect of the Code of Conduct. Again, to clarify, I do not comment on the accuracy of this characterisation, merely that Cr White had sufficient material to justify making it.

15 January 2026 comment "dodgy grants for religious groups in Dandenong"

57. Cr Saab alleges that a comment by Cr White on Council Watch Victoria Inc's Facebook page that talked of, among many other complaints on KCC spending, 'dodgy grants for religious groups in Dandenong' breached clause 2(1)(a), (b), (c), and 4(1)(a) and (b).

58. I note that in this full post, Cr White says:

    Kingston just loves spending ratepayers money – full stop. whether its labor budget blowout pool, or $359K worth of stickers sorry artwork for it. Awards for mates. Dodgy grants for religious groups in Dandenong. Ah rainbow ticks, what else? $300K+ on some social media marketing pages that get absolutely no traction ……. But will they spend it on defending our livability form their labor mates who are thrashing this state??? I highly doubt it. [sic]

59. As I said earlier, Cr White is entitled to raise concerns with the probity of Council spending. I find that this post falls squarely into 'robust public debate' and does not breach any other aspect of the Code of Conduct.

5 March 2026 – South East Community Forum post about KCC monitors

60. Cr Saab alleges that a 15 January 2026 Facebook comment by Cr White on monitors appointed to KCC breached clauses 2(1)(a), 4(1)(a) and 4(1)(b) of the Code of Conduct.

61. Cr White posted a 100% emoji to the comment:

They purported to claim to the community to oppose the development, but dropped the ball when building a case, as the Councillors were Labor party hacks looking to climb the ladder they're not going to upset the Labor machine.

62. Cr White then posted:

    Chuck in a couple state government operatives sorry monitors to threaten the independent councillors with suspension or administration & bam DA's golf course scam is alive & kicking in Kingston

63. As per paragraph 56 above, there is some substantiation for the claim that the appointment of monitors was politically motivated. I therefore find Cr White did not breach the Code of Conduct in relation to this comment.

64. However I note that had Cr White provided the names of the monitors appointed to KCC (rather than referring to them in general terms) I would have found differently on this point.

65. Similarly, Cr White can point to some evidence – particularly the missed VCAT appeal – that there were probity issues around the development of the Kingston golf course. Again, I do not comment on the merit of these arguments, merely that they can be made.

15 January 2026 social media comment "early stage communism"

66. Cr Saab alleges that a 15 January 2026 Facebook comment by Cr White on a Council Watch Victoria's page breached clauses 4(1)(a) and 4(1)(b) of the Code of Conduct. The comment responded to another's comment, saying:

    Early stage communism? 😂 *I'd say we're well and truly there*

67. Cr Saab alleges that this infers that this comment portrays 'Council as authoritarian, unaccountable and illegitimate'.

68. I disagree with Cr Saab's characterisation of this comment. I see this comment as stating a disagreement in political ideology.

69. I do not find any breach of the Code of Conduct in relation to this comment.

Undated laughing emoji to Facebook comment that "the monitors should concentrate on monitoring Hadi Saab"

70. Cr Saab alleges that an [undated in the version given to me] laughing emoji posted by Cr White's official Facebook page to a comment on Council Watch Victoria Inc Facebook page breached clauses 2(1)(a), 4(1)(a) and 4(1)(b) of the Code of Conduct. The comment by a third party said:

The monitors should concentrate on monitoring Hadi Saab

71. In her Respondent Submissions, Cr White states that she has the following disclaimer on her social media which states "I do not speak on behalf of Kingston City Council, but in my capacity as an individual". She further gave a range of different reasons as to why social media interactions, including liking or the laugh emoji, were not an 'endorsement' of the views in that post.

72. Rather, she claimed they were a "thank you … for offering personal and political solidarity in the face of intense professional hostility" or "empathising with a community member's anger", among other reasons.

73. There have been several other arbiter decisions in this jurisdiction on the meaning of social media reactions, particularly 'likes'. In *Iwasaki v Yildiz, Internal Arbitration Process – Merri-bek City Council (IAP 2025-3)* it was found that:

    'it is generally accepted that when a user "likes" a post on Facebook, it serves as an expression of acknowledgment and agreement with the content of that post.'

74. In *Oxley v Saab Internal Arbitration Process – Kingston City Council (IAP 2025-5)* the arbiter found that *Iwasaki v Yildiz* decision did not apply for reasons that were highly context specific.

75. A laughing emoji is a less clear endorsement of a post than a 'like'. Whether or not it is an endorsement is highly context specific.

76. I find that in light of the animosity Cr White clearly feels for Cr Saab and communicates regularly via social media, her laughing emoji signalled endorsement of the post on the Council Watch Victoria Inc Facebook page.

77. I also find that the Council Watch Victoria Inc post implies, without evidence, that Cr Saab is worthy of suspicion from KCC monitors.

78. I find that Cr White endorsed this view without evidence and that in doing so she breached clause 2(1) of the Code of Conduct because agreeing with a comment that Cr Saab is worthy of suspicion from monitors, without evidence, is clearly antithetical to showing him 'dignity, fairness, objectivity, courtesy or respect.'

Sanction

79. Cr White is suspended from the office of Councillor for a period of two calendar months in relation to the Druze February NOM breaches.

80. This suspension is to commence the day after the next Council meeting following this decision. I am imposing a significant penalty for several reasons, being:
    - Cr White continued to use of phrase 'and related payments to Cr Saab' in the Druze February NOM even after being explicitly told by a council officer that it was 'objectionable'.
    - Cr White has maintained, including in the hearing, that she had done nothing wrong in implying, without evidence, that Cr Saab had improperly received a financial

benefit from the Druze grant. I note that she has not apologised to Cr Saab nor made any attempt to remedy this implication.

81. In relation to the endorsement of the post on the Council Watch Victoria Inc Facebook page, I direct that Cr White undertake training on the appropriate use of social media.

Dr Lily O'Neill
Arbiter
19 August 2026

Model Councillor Code of Conduct

Schedule 1 of the Local Government (Governance and Integrity) Amendment Regulations 2024

Definitions

In this Schedule—

> ***discrimination*** means unfair or unfavourable treatment of a person on the grounds of an attribute specified in section 6 of the **Equal Opportunity Act 2010**.

Standards of Conduct

1. Performing the role of a Councillor

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by—

(a) representing the interests of the municipal community by considering and being responsive to the diversity of interests and needs of the municipal community; and

(b) being fit to perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and

(c) diligently using Council processes to become informed about matters which are subject to Council decisions; and

(d) not performing or purporting to perform any responsibilities or functions of the Chief Executive Officer; and

(e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by—

(i) respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules); and

(ii) refraining from making public comment, including to the media, that could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the Mayor to make such a comment.

2. Behaviours

(1) A Councillor must treat others, including other Councillors, members of Council staff and members of the public, with dignity, fairness, objectivity, courtesy and respect, including by—

(a) not engaging in demeaning, abusive, obscene or threatening behaviour, including where the behaviour is of a sexual nature; and

(b) not engaging in behaviour that intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons; and

(c) not engaging in discrimination or vilification; and

(d) supporting the Council, when applying the Council's community engagement policy, to develop respectful relationships and partnerships with Traditional Owners, Aboriginal community controlled organisations and the Aboriginal community; and

(e) supporting the Council in fulfilling its obligation under the Act or any other Act (including the **Gender Equality Act 2020**) to achieve and promote gender equality; and

(f) ensuring their behaviours and interactions with children are in line with the Council's policies and procedures as a child safe organisation and obligations under the **Child Wellbeing and Safety Act 2005** to the extent that they apply to Councillors.

(2) A Councillor, as an individual at the workplace, must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons by—

(a) adhering to applicable systems and policies put in place by the Chief Executive Officer to manage risks to health and safety in the workplace; and

(b) complying, so far as the Councillor is reasonably able, with any reasonable instruction that is given by the Chief Executive Officer to manage risks to health and safety.

(3) A Councillor must act in accordance with any policies, practices and protocols developed and implemented under section 46 of the Act that support arrangements for interactions between members of Council staff and Councillors.

3. Good governance

A Councillor must comply with the following Council policies and procedures required for delivering good governance for the benefit and wellbeing of the municipal community—

(a) the Council's expenses policy adopted and maintained under section 41 of the Act;

(b) the Council's Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act, including in relation to—

(i) conduct in Council meetings or meetings of delegated committees; and

(ii) requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication; and

(iii) the Council's election period policy included in the Council's Governance Rules under section 69 of the Act, including in ensuring that Council resources are not used in a way that is intended to influence, or is likely to influence, voting at a general election or by-election;

(c) the Council's Councillor gift policy adopted under section 138 of the Act;

(d) any direction of the Minister given under section 175 of the Act.

4. Integrity

(1) A Councillor must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by—

(a) ensuring that their behaviour does not bring discredit upon the Council; and

(b) not deliberately misleading the Council or the public about any matter related to the performance of their public duties; and

(c) not making Council information publicly available where public availability of the information would be contrary to the public interest.

Note

See the public transparency principles set out in section 58 of the Act.

(2) A Councillor must not, in their personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), expressly or impliedly request preferential treatment for themselves or a related person or entity.

5. The Model Councillor Code of Conduct does not limit robust public debate

Nothing in the Model Councillor Code of Conduct is intended to limit, restrict or detract from robust public debate of issues in a democracy.

Ross Newton spoke on behalf of the objectors regarding Item 8.2

Vilim Kinkela and Dev Raj spoke on behalf of the applicant for Item 8.2

8.2 KP-2024/294 - 6-8 Pine Street, Cheltenham

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr O'Donnell**

That Council determine to support the proposal and issue a notice of decision to grant a planning permit for The construction of fifteen (15) dwellings, fourteen (14) triple storey and one (1) double storey, and removal of canopy trees at 6-8 Pine Street, Cheltenham, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be substantially in accordance with the amended plans prepared by Premier Projects, drawing No. PS6-10/2024, sheets 1 to 21 inclusive, revision 4, dated 22 July 2026, but modified to show:

    a. Full internal elevation plans of each building.

    b. The elevation plans to be consistent with the floor plans and vice versa.

    c. The 1.7 metre obscured glass screen to the northern balustrades of Dwellings 3-7 of Buildings 1 and 2 and Dwellings 1-7 of Building 3 reduced in height to allow for an outlook for residents of the respective Dwellings.

    d. The kitchen windows for Dwellings 1-4 for Building 1 obscured glazing or other similar treatment to ensure no internal overlooking from the opposite terraces of Building 3.

    e. The south facing kitchen windows of Dwelling 7 in Buildings 2 and 3 designed with obscured glazing.

    f. The south facing bedroom windows of Building 1 and 3 provided with unobstructed and clear full height glazing to provide an outlook for residents.

    g. Full dimensions (height, width and depth) of the externally accessible storage sheds, demonstrating a minimum 6m^3 of storage volume.

    h. Rooftop solar energy generation area depicted on plans in accordance with Standard B5-3 of Clause 55.05-3 of the Kingston Planning Scheme.

    i. Each dwelling to include an internal waste and recycling storage space of at least 0.07m^3 with a minimum depth of 250mm.

    j. Fixed or operable external shading devices depicted to all north facing habitable room windows. The location, size and type of device must be clearly illustrated on floor plans and elevations.

    k. At least 2.1 metre headroom clearance within and above car parking structures.

    l. Swept path diagrams demonstrating that a B85 vehicle can access and exit

the property within a three-point turn, exiting in forward facing direction (with the exception of the double storey dwelling).

m. The existing vehicle crossing reconstructed to align with the proposed driveway for Building 4 with the 500 mm landscape offset from the south boundary maintained.

n. An amended landscape plan in accordance with the submitted landscape plan prepared by DB Horticulture, dated 3 March 2025, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the responsible authority and incorporating the following changes:

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

ii. A survey including botanical names of all existing trees on neighbouring properties where the tree protection zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.

iii. Installation of permeable ground surfaces to the sideways and service areas of each dwelling.

iv. Garden beds and vegetation to be provided between the rear fence, along all property boundaries, and at the base of all north, east and west facing walls of each dwelling, where appropriate.

v. Garden beds containing fastigiate trees, hedging plants, understorey vegetation and climbing plant species should be provided along the southern boundary or northern facade of townhouses, where appropriate.

vi. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart), with the species chosen to comprise of a minimum 50% native species by plant type and total quantities.

vii. Canopy coverage provision of at least 20% of the site area.

viii. Substitute the three (3) *Malus tschonoskii* (Upright Crabapple), two (2) *Pyrus nivalis* (Snow Pear) and one (1) *Acer buergerianum* (Trident Maple) located in the front setback with six (6) canopy trees capable of reaching the minimum mature dimensions of 12 metres in height and 6 metres in width at maturity.

ix. Proposed trees are to be located appropriately in consideration of the neighbouring the *Eucalyptus leucoxylon* (Yellow Gum).

x. Amend the mature sizes of *Corymbia citriodora* (Lemon Scented Gum) and *Eucalyptus leucoxylon 'Euky Dwarf'* (Euky Dwarf) in plant schedule.

xi. Large canopy trees to be planted in each garden bed located along the northern boundary.

xii. Substitute the *Awabuki Sweet Viburnum* (Viburnum odoratissimum 'Awabuki) along the edge of the communal pathway with trees reaching a minimum 6 metres in height.

xiii. Substitute the *Angophora hispida* (Dwarf Apple) located in the communal outdoor entertainment area with a native tree capable of reaching the minimum mature dimensions of 12 metres in heights and 8

metres in width.

xiv. One (1) canopy tree capable of reaching the minimum mature dimensions of 10 metres in heights and 5 metres in width planted at the southern end of the visitor car space.

xv. Small canopy trees capable of growing to the minimum mature heights of 5 metres and understorey vegetation to be provided in suitably sized planters on all first floor terraces.

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

xvii. Sectional details of terrace planters illustrated to scale and notated including materials, growing media, drainage, and dimensions.

xviii. Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed tree management plan.

xix. Remove the inclusion of irrigation systems, to support claiming BESS Credit 'Water 3.1 Water Efficient Landscaping. Further, include a note on the development plans stating that water efficient landscaping including no irrigation system will be installed. Alternatively, remove this credit from the BESS assessment.

o. The location of tree protection measures illustrated to scale and labelled on the ground floor plan as per the endorsed tree management plan required under condition 4 of this planning permit.

p. Any changes as required by the tree management plan under condition 4 of this planning permit.

q. All relevant commitments identified within the amended sustainable management plan required under condition 11 of this planning permit.

r. A notes section summarising all environmentally sustainable design objectives from the sustainable management plan that are not otherwise shown and detailed on the plans.

s. A note that dwellings will achieve a minimum 7-star NatHERS rating.

t. The location of indoor and outdoor reverse cycle heating and cooling units.

u. Uniformity with the commitments and any changes identified within the waste management plan required under condition 9 of this planning permit.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

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.

Tree Management and Protection Plan

4. Concurrent with the endorsement of plans required under condition 1 of this planning permit, 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:

i) Tree protection measures that will be utilized to ensure all trees to be retained remain viable post-construction.

ii) Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

b) A tree protection plan (scale drawing) must provide details of:

i) The tree protection zone and structural root zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the tree protection zone falls within the subject site.

ii) The location of tree protection measures to be utilised.

iii) A notation to refer to the tree management plan.

5. 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.

6. 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.

Drainage and Water Sensitive Urban Design

7. Unless with prior written consent of the responsible authority, before the development commences the following integrated stormwater management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the responsible authority:

a) Prior to submitting detailed engineering plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".

b) The stormwater management (drainage) strategy must include a report with MUSIC modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. 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.

c) The water sensitive urban design treatments as per conditions 7(a) and 7(b) above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the responsible authority.

d) Detailed stormwater management (drainage) plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge in line with approved stormwater management (drainage) strategy report. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.

8. Stormwater (drainage) works must be implemented in accordance with the approved

stormwater management (drainage) plan and to the satisfaction of the responsible authority including the following:

a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.

b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate of 19.6 L/s.

c) All stormwater (drainage) works must be maintained to the satisfaction of the responsible authority.

Waste Management Plan

9. Concurrent with the endorsement of plans required under condition 1 of this planning permit, 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 waste management plan will be endorsed and will then form part of the permit. The waste management plan must include, but is not limited to, the following:

   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.

10. The waste management plan must be implemented to the satisfaction of the responsible authority. The waste management plan must not be modified unless with the prior written consent of the responsible authority.

Sustainable Management Plan

11. Prior to the endorsement of plans required by condition 1 of this planning permit, an amended sustainable management plan (SMP) that outlines proposed sustainable design initiatives must be submitted to and approved by the responsible authority. The amended sustainable management plan must incorporate consideration of the following sustainable design criteria:

    a) The NCC 2022 requires a minimum 7-star NatHERS rating, and the sustainable management plan has committed to provide 7 Stars across the development. The preliminary ratings should be updated to reflect this and BESS also updated accordingly. Include a note on plans that dwellings will achieve a minimum 7-star NatHERS rating.

    b) A 5 Star system will not be achievable in the larger areas of each dwelling, so committing to install a system within 1 Star of the best available system on the market is required. To reflect this, the system efficiency as detailed in the BESS report must be lowered to 3 Stars or less.

    c) Provide a plan which shows the full site with all catchment areas and treatment measures annotated as per that in the STORM report. Clearly distinguish permeable from impermeable paving and highlight locations of all treatment

measures. Indicate the area for each and name in a method that is the same as that in modelling reports (e.g. 'Paving A' = 60m^2, Roof B = 38m^2, etc.). Catchment areas need to be clearly linked to related treatment method nominated in the STORM assessment.

d) It is unclear how the rainwater tanks located under the driveway will be accessible to future occupants for maintenance and repair. Provide further details and sections that show how the rainwater tanks will be accessible for maintenance, leak detection and repair.

e) Update the material specification to state that double glazing will be provided to all habitable rooms.

f) Bathrooms and ensuites to have an openable window, operable skylight or exhaust fans with humidity sensors to prevent condensation and future mould issues.

g) Electric vehicle ready infrastructure notation to be updated to specify provision of a minimum 32A dedicated circuit from the switchboard to each garage.

h) Bicycle parking spaces must be provided in a secure, accessible, weather protected location, not mounted above car bonnets, and not blocking bin access. If bike rack/hooks are provided in the garage, they must allow for clear access paths and minimum car parking space requirements.

12. All works must be undertaken in accordance with the endorsed sustainable design assessment to the satisfaction of the responsible authority. No alterations to the sustainable design assessment may occur without the written consent of the responsible authority.

13. Prior to the occupation of any building approved under this planning permit, written confirmation from the author of the endorsed sustainable management plan is to be submitted to and approved by the responsible authority detailing that all of the required measures specified in the sustainable management plan have been implemented, to the satisfaction of the responsible authority.

Construction Management

14. Prior to the commencement of any buildings and works on the land a construction management plan (CMP), to the satisfaction of the responsible authority, must be submitted to and approved by the responsible authority. The construction management plan must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The construction management plan 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.

Infrastructure and Road Works

15. The replacement of all footpaths, including offsets, must be constructed the satisfaction of the responsible authority.
16. All reinstatements and vehicle crossovers must be constructed to the satisfaction of the responsible authority.
17. All redundant vehicle crossovers must be removed (including redundant portions of vehicle crossovers) to the satisfaction of the responsible authority.
18. Any relocation of pits or 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.

Residential Reticulated Gas Service Connection

19. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

General Amenity

20. 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.
21. 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 not be located where they will be highly visible from any public area to the satisfaction of the responsible authority.
22. All piping, 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.

Completion of Works

23. Prior to the occupation of the dwellings 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.
24. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the responsible authority. Thereafter, the landscaping shall be maintained (except where that landscaping is on public land) to the satisfaction of the responsible authority.

Permit Expiry

25. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

    a) The development is not started within three (3) years of the issue date of this permit.

b) The development is not completed within five (5) years of the issue date of this permit.

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

FOR: Crs Ashworth-Collett, Erevnidis, Hill, Howe, O'Donnell, Oxley and Saab (7)

AGAINST: Cr White (1)

ABSTAINED: Crs Agirtan, Athanasopoulos and Kaur (3)

CARRIED

8.3 Response to Resolution - Climate & Ecological Emergency Response Plan (CEERP) - Alternative Climate Mitigating Measures within the City of Kingston

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr Howe**

That Council:

1. Note the October 2025 Council resolution that required officers to consider ways in which the budget previously allocated to carbon offsets could be used to fund 'climate mitigating measures within Kingston'.
2. Note the creation of the internal Energy Management Group in October 2025 and its focus on identifying cost savings and emission reduction opportunities through energy efficiency upgrades and optimisation initiatives for Council owned plant, equipment and property assets (energy management).
3. Allocate $300,000 across 2 years commencing mid-way through 2026/27 and concluding mid-way through 2028/29 as an alternative to the purchase of carbon offsets to:
   a) Undertake an audit of Council's existing buildings, plant and equipment with a focus on further optimising the functionality, energy efficiency and emissions profile of existing assets;
   b) Develop a targeted 5-year capital work and investment program for energy efficiency upgrades and optimisation initiatives for Council owned plant, equipment and property assets; and
   c) Develop an implementation plan with recommendations as to how the energy management needs of Council can best be operationalised in the long term.
4. Note the quote obtained from a suitably qualified electrical engineering services and consulting firm.

FOR: Crs Ashworth-Collett, Athanasopoulos, Hill and Saab (4)

AGAINST: Crs Agirtan, Erevnidis, Howe, O'Donnell and White (5)

ABSTAINED: Crs Kaur and Oxley (2)

LOST

8.4 Response to Resolution - Notice of Motion 15/2026 - Climate Resilience

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr O'Donnell**

That Council:

1. Note the extensive community consultation undertaken in 2021 to inform the development of the adopted Climate and Ecological Emergency Response Plan.
2. Change the name of the Climate and Ecological Emergency Response Plan to 'Climate Resilience Plan'.
3. Note the work required to replace the term 'climate emergency' where it appears in the body of existing Council strategies, policies and plans, and that any such amendments be progressively undertaken and reported back to Council within six months of the adoption of this resolution, rather than only when documents are due for scheduled review or renewal.

The Chair foreshadowed that part 3 of the motion would be put to the vote separately.

Parts 1 and 2 were put to the vote:

1. Note the extensive community consultation undertaken in 2021 to inform the development of the adopted Climate and Ecological Emergency Response Plan.
2. Change the name of the Climate and Ecological Emergency Response Plan to 'Climate Resilience Plan'.

FOR: Crs Agirtan, Erevnidis, Howe, O'Donnell, Oxley and White (6)

AGAINST: Cr Ashworth-Collett (1)

ABSTAINED: Crs Athanasopoulos, Hill, Kaur and Saab (4)

CARRIED

Part 3 was put to the vote:

3. Note the work required to replace the term 'climate emergency' where it appears in the body of existing Council strategies, policies and plans, and that any such amendments be progressively undertaken and reported back to Council within six months of the adoption of this resolution, rather than only when documents are due for scheduled review or renewal.

FOR: Crs Agirtan, Erevnidis, O'Donnell and White (4)

AGAINST: Crs Ashworth-Collett, Athanasopoulos, Hill, Howe, Kaur and Oxley (6)

ABSTAINED: Cr Saab (1)

LOST

8.5 Suburban Rail Loop - Precinct Planning Outcomes

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr Saab**

That Council:

1. Note the outcomes of the Suburban Rail Loop East Precincts Standing Advisory Committee (SAC) as detailed in this report.
2. Work closely with Suburban Rail Loop Authority to plan for and secure new open spaces within the Cheltenham / Highett and Clayton Precincts, noting the extent to which the SAC report identified the importance of quickly resolving this issue.
3. Seek an understanding from Scentre Group and SRLA of the terms and conditions for the delivery of the Community Hub within Southland, noting the concerns raised by the SAC in relation to this outcome.
4. Request demographic data necessary to inform community infrastructure planning for both precincts reflective of the recommendations of the SAC.
5. Meet with SRLA and Integrated Water Management Forum to ensure goals around Integrated Water Management remain a priority and are planned and implemented effectively.

Cr Athanasopoulos left the meeting at 8:32pm
Cr Athanasopoulos returned to the meeting at 8:38pm
Cr White left the meeting at 8:45pm

FOR: Crs Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley and Saab (9)

AGAINST: Nil (0)

ABSTAINED: Cr Agirtan (1)

CARRIED

9. Community Strengthening Reports

9.1 All Abilities Action Plan 2024-2028 - Year 2 Achievements Report

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Athanasopoulos**

That Council note the achievements of the All Abilities Action Plan, from the period of July 2025 to June 2026.

Cr White returned to the meeting at 8:48pm
Cr Agirtan left the meeting at 8:48pm
Cr Agirtan returned to the meeting at 8:50pm

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

Cr Kirralee Ashworth-Colett declared a general conflict of interest in item 9.2 due to a close personal relationship with a nominee and left the meeting at 8.51pm prior any discussion on the matter.

9.2 Kingston Youth Awards 2026 - Nominations and Selection of Winners

COUNCIL RESOLUTION

Moved: Cr Hill **Seconded: Cr O'Donnell**

That Council:

1. Confirm the 2026 Young Citizen of the Year and Young Community Group of the Year winners, as presented in Confidential Appendix 2.
2. Determine, pursuant to Section 125 of the Local Government Act 2020, that the identities of all award recipients be made publicly available on Tuesday 8 September 2026, except for the notification of the award winners by the Mayor prior to 8 September 2026.

Cr White left the meeting at 8:51pm

FOR: Crs Agirtan, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley and Saab (9)

AGAINST: Nil (0)

CARRIED

10. Infrastructure and Open Space Reports

10.1 Response to Resolution - Notice of Motion 11/2024 - Standardisation of Footpath Renewals Across Kingston's Local Shopping Precincts

COUNCIL RESOLUTION

Moved: Cr Agirtan **Seconded: Cr Hill**

That Council note the Activity Centres Streetscape Suite will be updated through internal and external consultation.

Cr Ashworth-Collett returned to the meeting at 8:52pm

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley and Saab (10)

AGAINST: Nil (0)

CARRIED

10.2 Response to Resolution - Opportunities for Open Space South of Mordialloc Creek

COUNCIL RESOLUTION

Moved: Cr Howe **Seconded: Cr O'Donnell**

That Council:

1. Note the opportunities to accelerate tree planting across suburbs south of Mordialloc Creek, subject to consideration of the additional financial resources required;
2. Consider the options to increase the public open space provision within the southern section of Edithvale, including the potential future use of the Northcliffe Lodge site which connects to the Play Your Way strategy;
3. Consider the options to strengthen public open space access, connectivity and amenity within Patterson Lakes, including a Learmonth Reserve implementation pathway; and
4. Support the future use of indigenous seed harvested from the Groves Reserve precinct; and
5. Receive a report on these items by April 2027.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley and Saab (10)

AGAINST: Nil (0)

CARRIED

10.3 Waste Strategy Adoption

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Saab**

That Council:

1. Note the results of the public consultation on the draft Waste Strategy and the minor changes made to the Waste Strategy as a result of the community consultation; and
2. Adopt the Waste Strategy.

Cr White returned to the meeting at 8:57pm

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

11. Customer and Corporate Support Reports

11.1 Comensura Contract - Provision of Recruitment Neutral Vendor Managed Services

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Agirtan**

That Council approves the extension of the existing Comensura contract through the Municipal Association of Victoria (MAV) under the provision of the Recruitment Neutral Vendor Managed Service (RS8017-2023) until 30 September 2028.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley and Saab (10)

AGAINST: Nil (0)

ABSTAINED: Cr White (1)

CARRIED

11.2 MAV October State Council - 23 October 2026 - Proposed Motions

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Saab**

That Council approve submission of draft motions to the MAV State Council on the following topics:

1. SES funding
2. Waste-to-energy
3. Use of school facilities
4. Data centres in green wedge areas
5. Homelessness outreach funding
6. Changing Places bathrooms funding
7. Better bus services
8. Guaranteed gas supply for specialist businesses.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

11.3 Draft Councillor Stand Down Procedure

COUNCIL RESOLUTION

Moved: Cr Hill **Seconded: Cr Ashworth-Collett**

That Council adopt the Councillor Stand Down Procedure and notes that administrative changes will be made before publication.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

11.4 Governance and Compliance Report

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Howe**

That Council receive and note Informal Meetings of Councillors records.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

12. Chief Finance Office Reports

Nil.

13. Notices of Motion

13.1 Notice of Motion No. 16/2026 - Cr Howe - Patterson Lakes Planning Scheme DD02 Compliance

COUNCIL RESOLUTION

Moved: Cr Howe **Seconded: Cr Hill**

1. Note the objectives of Schedule 2 to Clause 43.02 Design and Development Overlay DD02 Patterson Lakes Residential Waterways Area, including the protection of the amenity, character and appeal of the waterway environment, compatibility of development with the waterway environment, and the open appearance of the three metre waterfront boundary easement for right of carriageway, visual amenity and maintenance purposes;
2. Acknowledge there may be instances of non-compliance with DD02 and / or encroachments into or near the three metre waterfront boundary easement, including structures, decks, steps, retaining walls, raised paving, fences, pool fences, garden beds, landscaping rocks, boats, equipment or other obstructions that may affect visual amenity, maintenance access or the objectives of DD02;
3. Receive a report on the condition, accessibility and DD02 compliance of the three metre waterfront boundary easement within the Patterson Lakes Residential Waterways Area, focused on locations where easement access is critical for maintenance purposes;
4. Request that the report include how the following can be further examined:
    a) Identification of locations where encroachments may be affecting current or anticipated maintenance access in consultation with Melbourne Water and other relevant authorities, right of carriageway, waterway infrastructure, visual amenity or the objectives of DD02;
    b) Assessment of whether the easement remains accessible for Council, contractors, machinery and relevant authorities to maintain beaches, spoon drains, culverts, jetties, seawalls and other waterway infrastructure;
    c) Summary of previous inspections, compliance action, notices, correspondence or enforcement steps taken by Council;
    d) Recommendations to ensure the three-metre waterfront boundary easement remains open, unobstructed and usable for right of carriageway, visual amenity and maintenance purposes; and
5. Request that this report be presented to Council before the Patterson Lakes DD02 planning scheme consultation report returns to Council, so that any findings about compliance, enforcement, easement access and maintenance can inform Council's consideration of the future DD02 controls.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

13.2 Notice of Motion No. 17/2026 - Cr Oxley - 79 Balcombe Road, Mentone

Moved: Cr Oxley **Seconded: Cr Hill**

That Council:

1. Make an in-principle offer to the State Government to either purchase the subject land (subject to valuation and other such due diligence) or work with the State Government to obtain a long-term lease (minimum 25 years) over the land to provide for an appropriate community use(s) that incorporate public open space;
2. Write to the Member for Sandringham, Mr Brad Rowswell, and the Member for Southern Metropolitan, Mr Ryan Batchelor to:
    a) Ensure that the State Government do not sell the land included in Schedule 6 to the Special Use Zone through Planning Scheme Amendment GC264, also known as part of 79 Balcombe Road, Mentone;
    b) Advise of this resolution; and request a further meeting;
3. Instruct the Chief Executive Officer or delegate (on the basis the land has not been sold by the State Government) to obtain valuations of the subject land based on:
        a) Previous Transport Zone;
        b) Schedule 6 to the Special Use Zone;
4. Receive a report (on the basis the land has not been sold by the State Government) that outlines:
    a) The status of the subject land following the discussions with the Members of Parliament and the State Department of Transport and Planning, or relevant Government Departments / Agencies.
    b) The valuations advice obtained.
    c) The funds currently available and projected in relevant Council Reserves to determine how these funds could be utilised to provide for the purchase or long-term lease (minimum 25 years) of the subject land.
    d) Any other matters deemed relevant relating to the subject land, relevant to its potential future use.
    e) The process Council would resolve to follow to either purchase or pursue a long-term lease over the subject land.
    f) Any community groups that may be interested in activating the land and that nature of that activation. E.g. Community garden etc.
    g) That this advice be provided to the first available Council Meeting where appropriate, noting that time is of the essence.

AMENDMENT

Moved: Cr Oxley

That Council:

1. Make an in-principle/conditional offer to the State Government to either purchase the subject land (subject to valuation and other such due diligence) or work with the State Government to obtain a long-term lease (minimum 25 years) over the land to provide for an appropriate community use(s) that incorporate public open space

(noting the final point of this motion);

2. Write to the Member for Sandringham, Mr Brad Rowswell, and the Member for Southern Metropolitan, Mr Ryan Batchelor to:
   a) Ensure that the State Government do not sell the land included in Schedule 6 to the Special Use Zone through Planning Scheme Amendment GC264, also known as part of 79 Balcombe Road, Mentone;
   b) Advise of this resolution; and request a further meeting;
3. Instruct the Chief Executive Officer or delegate (on the basis the land has not been sold by the State Government) to obtain valuations of the subject land based on:
   a) Previous Transport Zone;
   b) Schedule 6 to the Special Use Zone;
4. Receive a report (on the basis the land has not been sold by the State Government) that outlines:
   a) The status of the subject land following the discussions with the Members of Parliament and the State Department of Transport and Planning, or relevant Government Departments / Agencies.
   b) The valuations advice obtained.
   c) The funds currently available and projected in relevant Council Reserves to determine how these funds could be utilised to provide for the purchase or long-term lease (minimum 25 years) of the subject land.
   d) Any other matters deemed relevant relating to the subject land, relevant to its potential future use.
   e) The process Council would resolve to follow to either purchase or pursue a long-term lease over the subject land.
   f) Any community groups that may be interested in activating the land and that nature of that activation. E.g. Community garden etc.
   g) That this advice be provided to the first available Council Meeting where appropriate, noting that time is of the essence.
5. Confirms that any future formal unconditional offer, or monetary offer or agreement will be subject to Council consideration of an officer report.

The amendment was accepted by the Seconder to become part of the substantive motion.

COUNCIL RESOLUTION

Moved: Cr Oxley **Seconded: Cr Hill**

That Council:

1. Make an in-principle/conditional offer to the State Government to either purchase the subject land (subject to valuation and other such due diligence) or work with the State Government to obtain a long-term lease (minimum 25 years) over the land to provide for an appropriate community use(s) that incorporate public open space (noting the final point of this motion);
2. Write to the Member for Sandringham, Mr Brad Rowswell, and the Member for Southern Metropolitan, Mr Ryan Batchelor to:
   a) Ensure that the State Government do not sell the land included in Schedule 6 to

the Special Use Zone through Planning Scheme Amendment GC264, also known as part of 79 Balcombe Road, Mentone;

b) Advise of this resolution; and request a further meeting;

3. Instruct the Chief Executive Officer or delegate (on the basis the land has not been sold by the State Government) to obtain valuations of the subject land based on:

    a) Previous Transport Zone;

    b) Schedule 6 to the Special Use Zone;

4. Receive a report (on the basis the land has not been sold by the State Government) that outlines:

    a) The status of the subject land following the discussions with the Members of Parliament and the State Department of Transport and Planning, or relevant Government Departments / Agencies.

    b) The valuations advice obtained.

    c) The funds currently available and projected in relevant Council Reserves to determine how these funds could be utilised to provide for the purchase or long-term lease (minimum 25 years) of the subject land.

    d) Any other matters deemed relevant relating to the subject land, relevant to its potential future use.

    e) The process Council would resolve to follow to either purchase or pursue a long-term lease over the subject land.

    f) Any community groups that may be interested in activating the land and that nature of that activation. E.g. Community garden etc.

    g) That this advice be provided to the first available Council Meeting where appropriate, noting that time is of the essence.

5. Confirms that any future formal unconditional offer, or monetary offer or agreement will be subject to Council consideration of an officer report.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

13.3 Notice of Motion No. 18/2026 - Cr O'Donnell - Aspendale Gardens Tree Screening

COUNCIL RESOLUTION

Moved: Cr O'Donnell **Seconded: Cr Howe**

That Council write to Melbourne Water by September 2026 and request more tree planting of established native trees suitable for the location along the entire Mordialloc Creek Trail Aspendale Gardens to provide screening for residents from Braeside Industrial Park.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, Howe, Kaur, O'Donnell, Oxley, Saab and White (11)

AGAINST: Nil (0)

CARRIED

14. Urgent Business

There were no items of urgent business.

15. Confidential Items

Nil.

The meeting closed at 9.25pm.

Minutes

Special Council Meeting

Wednesday, 26th August 2026

kingston.vic.gov.au

Peter Bean
Chief Executive Officer
Kingston City Council

City of KINGSTON

Table of Contents

1. Apologies 3
2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest 3
3. Confidential Items.....4

The meeting commenced at 7:00 PM online.

Present: Cr Georgina Oxley (Mayor)
Cr Sarah O'Donnell (Deputy Mayor)
Cr Jane Agirtan
Cr Kirralee Ashworth-Collett
Cr Tony Athanasopoulos
Cr Georgia Erevnidis
Cr Chris Hill
Cr Hadi Saab

In Attendance: Peter Bean, Chief Executive Officer
Samantha Krull, General Manager Infrastructure and Open Space
Jonathan Guttmann, General Manager Planning and Place
Kelly Shacklock, Manager Governance, Risk and Integrity
Ellie Lockard, Council Governance Officer

1. Apologies

Apologies from Cr Kaur and Cr Howe were submitted to the meeting.

Moved: Cr Athanasopoulos **Seconded: Cr Kaur**

That Council receive the apologies from Cr Howe and Cr Kaur.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, O'Donnell, Oxley and Saab (8)

AGAINST: Nil (0)

CARRIED

2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

There were no Conflicts of Interest submitted to the meeting.

3. Confidential Items

Moved: Cr O'Donnell **Seconded: Cr Hill**

That in accordance with section 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items: Contractual Matter.

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, O'Donnell, Oxley and Saab (8)

AGAINST: Nil (0)

CARRIED

The meeting was closed to members of the public at 7.15pm.

Moved: Cr Saab **Seconded: Cr O'Donnell**

That the meeting be opened to members of the public

FOR: Crs Agirtan, Ashworth-Collett, Athanasopoulos, Erevnidis, Hill, O'Donnell, Oxley and Saab (8)

AGAINST: Nil (0)

CARRIED

The meeting opened to members of the public at 7.21pm

The meeting closed at 7.21pm.

4. Petitions

Ordinary Council Meeting

28 September 2026

Agenda Item No: 4.1

PETITION - SAVE GREENLINK SANDBELT INDIGENOUS PLANT NURSERY

RECOMMENDATION

That Council:

1. Receive the petition containing 979 signatures and refer it to the CEO for consideration; and
2. Notify the head petitioner of the outcome following consideration of the petition.

7. Planning and Place Reports

Ordinary Council Meeting

28 September 2026

Agenda Item No: 7.1

TOWN PLANNING APPLICATION DECISIONS - AUGUST 2026

Contact Officer: **Naomi Crowe, Acting Planning and Place Business Systems Officer**

Attached for information is the report of Town Planning Decisions for the month of August, 2026.

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	61	70%
Notice of Decision	7	8%
Refusal to Grant a Permit	3	3%
Other - Withdrawn (8) - Prohibited (0) - Permit not required (5) - Lapsed (3) - Failure to Determine (0)	16	18%
Total	**87**	**100**

(NB: Percentage figures have been rounded)

RECOMMENDATION

That Council note the report of Town Planning Application Decisions for the month of August, 2026.

Appendices

Appendix 1 - Town Planning Application Decisions August 2026 (Ref 26/253216)

Author/s: Naomi Crowe, Acting Planning and Place Business Systems Officer

Reviewed and Approved By: Heidi Heath, Team Leader Planning and Place Administration

7.1

TOWN PLANNING APPLICATION DECISIONS - AUGUST 2026

1 Town Planning Application Decisions August 2026 13

Planning Decisions August, 2026

APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2026/374	96 Lower Dandenong Road	PARKDALE	1/06/2026	3/08/2026	Construction of one (1) dwelling to the rear of the existing dwelling and to subdivide the land into two (2) lots	Withdrawn	No
KP-2026/339	2 Lincoln Parade	ASPENDALE	14/05/2026	3/08/2026	The construction of two (2) double storey dwellings	Permit	No
KP-2026/502	2 Ashbourne Place	DINGLEY VILLAGE	29/07/2026	3/08/2026	The removal of two (2) canopy trees	Permit Not Required	No
KP-2019/651/B	84A Governor Road	MORDIALLOC	15/04/2026	3/08/2026	Use the land for an indoor recreation facility	Lapsed	No
KP-2025/451	58 Carroll Road	OAKLEIGH SOUTH	18/10/2025	4/08/2026	To use the site as indoor recreation facility - play centre	Lapsed	No
KP-2024/678	505 Warrigal Road	MOORABBIN	19/12/2024	4/08/2026	Demolition of an existing building, use of the land for a restaurant, to construct a building and carry out works for a warehouse and restaurant, the removal of an easement, the display of internally illuminated signs and a reduction/ waiving of the bicycle parking requirements.	Permit	No
KP-2024/451/A	292-306 Lower Dandenong Road	MORDIALLOC	10/06/2026	4/08/2026	Develop the land for the purpose of a self-storage facility, a reduction in the number of car parking spaces required and display of business identification signage	Permit	No
KP-2021/833/A	53-77 Balcombe Road	MENTONE	8/07/2026	4/08/2026	To construct or put up for display business identification signage	Permit	No
KP-2024/675/A	63 Fraser Avenue	EDITHVALE	6/05/2026	4/08/2026	The construction of three (3) double storey dwellings	Permit	No

KP-2026/501	Unit 44 387-421 Spring Road	DINGLEY VILLAGE	28/07/2026	4/08/2026	The construction of a verandah	Permit	No
KP-2026/101	9 Karen Street	HIGHETT	20/02/2026	5/08/2026	The removal of a canopy tree	Permit Not Required	No
KP-2026/479	1 4 Wren Road	MOORABBIN	20/07/2026	5/08/2026	The construction of buildings and works (rectification works) to the existing building	Permit Not Required	No
KP-2026/115	524-528 Main Street	MORDIALLOC	25/02/2026	5/08/2026	To construct or carry out works (Installation of solar panels and inverter) in a Heritage Overlay (HO)	Permit Not Required	No
KP-2025/308	254-256 Nepean Highway	EDITHVALE	22/07/2025	5/08/2026	Construct buildings and works for alterations and demolition (in part) to an existing building including the internal rearrangement of the building for three (3) dwellings	Permit	No
KP-2025/83	19 Elman Road	CHELTENHAM	5/03/2025	6/08/2026	The construction of seven (7) triple storey dwellings	Notice of Decision	No
KP-2026/504	24 McMillan Street	CLAYTON SOUTH	29/07/2026	6/08/2026	To subdivide the land into two (2) lots	Permit	No
KP-2025/305	5 Jennifer Avenue	PARKDALE	22/07/2025	6/08/2026	To construct two (2) dwellings, to carry out buildings and works in the Special Building Overlay and the removal of a canopy tree	Notice of Decision	No
KP-2026/427	3 Steele Court	MENTONE	29/06/2026	7/08/2026	The construction of an internal mezzanine level	Permit	No
KP-2026/333	8 Horscroft Place	MOORABBIN	11/05/2026	7/08/2026	The removal of an easement	Permit	No
KP-2026/440	7 Fourth Avenue	CHELSEA HEIGHTS	2/07/2026	7/08/2026	The removal of a canopy tree	Refused	No
KP-2014/851/A	2 3 Nepean Highway	MENTONE	17/06/2025	7/08/2026	Develop and use the site for the purpose of a restricted recreation facility (gymnasium) and to display business identification signs and an internally illuminated panel sign	Permit	No

KP-2026/71	25 Cannes Avenue	BONBEACH	10/02/2026	7/08/2026	The construction of three (3) double storey dwellings	Permit	No
KP-2017/357/C	Warehouse 1 49 Grange Road	CHELTENHAM	1/07/2026	7/08/2026	The construction of thirteen (13) single storey warehouses and a reduction of the car parking requirement	Permit	No
KP-2026/16	602 Lower Dandenong Road	BRAESIDE	16/01/2026	7/08/2026	To construct a building or construct or carry out works (New machinery storage shed)	Permit	No
KP-2026/435	4 Millicent Avenue	CARRUM	1/07/2026	10/08/2026	The removal of four (4) canopy trees	Withdrawn	No
KP-2026/183	2 6 Riviera Street	MENTONE	23/03/2026	10/08/2026	To extend one (1) dwelling on a lot less than 300 square metres (to construct a Bungalow)	Permit	No
KP-2050/2	1230 Nepean Highway	CHELTENHAM	26/03/2018	11/08/2026	Test Only - Please Ignore	Lapsed	No
KP-2026/263	1 14 Melrose Street	MORDIALLOC	21/04/2026	11/08/2026	To construct two (2) or more dwellings (2 dwellings), and to construct a dwelling on common property.	Permit	No
KP-2024/586	240 Boundary Road	BRAESIDE	1/11/2024	11/08/2026	The use of land for trade supplies, buildings and works and the display of business identification signage	Permit	No
KP-2026/500	207 Lower Dandenong Road	MENTONE	31/03/2026	11/08/2026	To create or alter access to road in a Transport Zone 2	Permit	No
KP-2026/524	Warehouse 6 49 Grange Road	CHELTENHAM	10/08/2026	11/08/2026	Reduction of car parking requirements	Withdrawn	No
KP-2025/560	235 Westall Road	CLAYTON SOUTH	15/12/2025	11/08/2026	Construction of three (3) dwellings to the rear of the existing dwelling	Notice of Decision	No
KP-2026/268	13 Camdale Street	CLARINDA	21/04/2026	12/08/2026	The construction of a dependant person's unit to the rear of an existing dwelling	Permit	No
KP-2026/428	9 Albenca Street	MENTONE	25/06/2026	12/08/2026	Subdivide the land into two (2) lots	Permit	No

KP-2025/319	48 Matthieson Street	HIGHETT	29/07/2025	12/08/2026	Construction of five (5) three storey dwellings on a lot including a fence and provision of more than the maximum carparking requirement.	Permit	No
KP-2026/354	212 Beach Road	MORDIALLOC	21/05/2026	12/08/2026	The construction of a fence	Permit	No
KP-2026/518	48 Crawford Road	CLARINDA	7/08/2026	13/08/2026	To subdivide the land into two (2) lots	Permit	No
KP-2025/597	68 Davey Street	PARKDALE	29/12/2025	13/08/2026	The construction of a double storey dwelling and the removal of an Acer negundo (Boxelder Maple) canopy tree	Permit	No
KP-2026/325	5 David Street	MORDIALLOC	7/05/2026	13/08/2026	The removal of Tree 1, the Lagunaria patersonia (Norfolk Island Hibiscus) canopy tree	Permit	No
KP-2026/512	114 Lower Dandenong Road	PARKDALE	3/08/2026	13/08/2026	To subdivide the land into two (2) lots	Permit	No
KP-2026/160	2 92 Albert Street	MORDIALLOC	13/03/2026	13/08/2026	Construct alterations & additions to existing dwelling	Permit	No
KP-2026/368	6 Tarella Road	CHELSEA	27/05/2026	13/08/2026	Construction of two (2) dwellings.	Notice of Decision	No
KP-2026/487	Unit 2 11 Fraser Avenue	EDITHVALE	23/07/2026	14/08/2026	The construction of a verandah associated with the existing dwelling	Withdrawn	No
KP-2023/299/A	102-104 White Street	MORDIALLOC	8/04/2026	14/08/2026	Construction of thirteen (13) three storey dwellings, alteration of access to a road in a Transport Zone 2	Permit	No
KP-2025/240	10 Crowfoot Court	CLARINDA	11/06/2025	14/08/2026	To construct two (2) or more dwellings (2 dwellings) on a lot	Permit	No
KP-2026/79	24-30 Fonceca Street	MORDIALLOC	13/02/2026	17/08/2026	To construct or carry out works (new building over existing waste storage machine)	Permit	No
KP-2026/282	28 Luntar Road	OAKLEIGH SOUTH	28/04/2026	17/08/2026	The construction of two (2) double storey dwellings	Permit	No
KP-2026/534	10 Kingston Street	MORDIALLOC	17/08/2026	17/08/2026	DUPLICATE LODGEMENT - KP-2026/533 - The subject site is	Withdrawn	No

					located within the Neighbourhood Residential Zone Schedule 7 (NRZ7) and is affected by no overlays. The proposed development triggers the need for a planning permit to construct two or more dwellings on the lot within the zone.		
KP-2026/413	340 Como Parade West	PARKDALE	19/06/2026	17/08/2026	Construction of one (1) double storey dwelling	Withdrawn	No
KP-2025/474	74 Venice Street	MENTONE	30/10/2025	18/08/2026	The demolition of buildings (manse and associated garage)	Refused	No
KP-2000/1039/A	11 Fraser Avenue	EDITHVALE	14/08/2026	18/08/2026	To develop this site for two (2) dwellings, in accordance with plans to be submitted pursuant to Condition 1 hereof.	Withdrawn	No
KP-2023/654/A	6 Coleman Lane	ASPENDALE	4/02/2026	18/08/2026	The development of one (1) dwelling on a lot less than 300m2	Permit	Yes
KP-2026/449	37 Levanswell Road	MOORABBIN	7/07/2026	19/08/2026	Subdivide the land into nine (9) lots	Permit	No
KP-2026/406	33-35 Brownfield Street	MORDIALLOC	12/06/2026	19/08/2026	To subdivide Lot 6 and Common Property to create a new lot (Lot 6A)	Permit	No
KP-2026/508	88 Mills Road	BRAESIDE	3/08/2026	19/08/2026	The construction of a mezzanine level and a reduction in the car parking requirement	Withdrawn	No
KP-2026/493	80 Keith Street	PARKDALE	26/07/2026	20/08/2026	The construction of a shed	Permit	No
KP-2026/523	61 Lochiel Avenue	EDITHVALE	10/08/2026	20/08/2026	The construction of a swimming pool and associated safety barrier fence	Permit	No
KP-2026/521	41-45 Mills Road	BRAESIDE	10/08/2026	20/08/2026	To construct a building or construct or carry out works (additional hardstand and car parking area)	Permit	No
KP-2026/381	7 202-204 Governor Road	BRAESIDE	4/06/2026	20/08/2026	To use the land for a restricted recreation facility (gym)	Notice of Decision	No

KP-2026/54	23 Judd Parade	CHELTENHAM	3/02/2026	20/08/2026	Construction of one (1) new dwelling to the rear of the existing dwelling	Permit	No
KP-2025/545	210 Beach Road	MORDIALLOC	5/12/2025	20/08/2026	To construct two (2) or more dwellings (2 dwellings) on a lot in a Special Building Overlay, to create access to a road in a Transport Zone 2 and to remove three (3) boundary canopy trees.	Refused	No
KP-2026/356	266 Warrigal Road	CHELTENHAM	22/05/2026	24/08/2026	Develop the site for two (2) community care accommodation(s)	Permit	No
KP-1998/240/B	2 Bapaume Avenue	EDITHVALE	24/02/2026	24/08/2026	The development and use of this site for three (3) multi-dwellings	Notice of Decision	No
KP-2026/499	12 Walsh Avenue	MOORABBIN	27/07/2026	24/08/2026	The construction of two (2) double storey dwellings	Permit	No
KP-2017/357/D	Warehouse 1 49 Grange Road	CHELTENHAM	11/08/2026	24/08/2026	The construction of twelve (12) single storey warehouses and one (1) industrial unit and the reduction of the car parking requirement, in a Special Building Overlay	Permit	No
KP-2026/280	3 Alward Avenue	CLAYTON SOUTH	23/04/2026	25/08/2026	Subdivide the land into eleven (11) lots	Permit	No
KP-2026/536	7 Rodney Street	MOORABBIN	18/08/2026	25/08/2026	To subdivide the land into two (2) lots	Permit	No
KP-2026/216	35 Swanpool Avenue	CHELSEA	1/04/2026	25/08/2026	Subdivide the land into two (2) lots	Permit	No
KP-2026/510	22 Mussert Avenue	DINGLEY VILLAGE	4/08/2026	25/08/2026	The removal of a canopy tree	Permit	No
KP-2026/421	1 10 Wilson Street	CHELTENHAM	25/06/2026	26/08/2026	Construction of a 1.6m front/side boundary fence.	Permit Not Required	No
KP-2026/539	21 Lochiel Avenue	EDITHVALE	19/08/2026	26/08/2026	The construction of a double storey dwelling	Permit	No
KP-2026/466	24 Eulinga Road	CLARINDA	15/07/2026	27/08/2026	Subdivide the land into three (3) lots	Permit	No
KP-2026/555	44 Matilda Road	MOORABBIN	21/08/2026	27/08/2026	Subdivide the land into two (2) lots	Permit	No

KP-2026/546	95 Chapel Road	MOORABBIN	20/08/2026	27/08/2026	The construction of buildings and works to enclose the patio structure	Permit	No
KP-2026/411	4 Chifley Court	DINGLEY VILLAGE	19/06/2026	27/08/2026	The removal of a Eucalyptus cladocalyx (Sugar gum) canopy tree	Permit	No
KP-2026/460	81 Thames Promenade	CHELSEA	17/07/2026	27/08/2026	Subdivide the land into three (3) lots	Permit	No
KP-2026/494	73 Lochiel Avenue	EDITHVALE	27/07/2026	27/08/2026	Subdivide the land into two (2) lots	Permit	No
KP-2026/473	25 Melaleuca Drive	CLARINDA	17/07/2026	27/08/2026	The removal of a canopy tree	Permit	No
KP-2026/530	1 3 Janice Avenue	CHELTENHAM	14/08/2026	27/08/2026	The removal of two canopy (2) trees	Permit	No
KP-2026/514	23 Mernda Avenue	BONBEACH	5/08/2026	27/08/2026	Subdivide the land into two (2) lots	Permit	No
KP-2026/481	35 Mascot Avenue	BONBEACH	21/07/2026	27/08/2026	The construction of a single storey dwelling	Permit	No
KP-2025/554	40 Bulli Street	MOORABBIN	9/12/2025	28/08/2026	To construct two (2) or more dwellings (2 dwellings) on a lot	Permit	No
KP-2026/513	2 51 Warren Road	PARKDALE	5/08/2026	28/08/2026	The removal of two (2) canopy trees	Permit	No
KP-2024/453/B	88 Mills Road	BRAESIDE	19/08/2026	31/08/2026	The construction of buildings and works, the display of internally illuminated and business identification signage and a reduction in the car parking requirement associated with a warehouse	Permit	No
KP-2024/294	8 Pine Street	CHELTENHAM	17/06/2024	31/08/2026	The construction of fifteen (15) dwellings, fourteen (14) triple storey and one (1) double storey and removal of canopy trees	Notice of Decision	No
KP-2026/397	16 Nelson Street	MOORABBIN	12/06/2026	31/08/2026	The use of the land for materials recycling (motor vehicle dismantling) and a reduction in the car parking requirement	Permit	No

KP-2025/421	103-105 Keys Road	MOORABBIN	23/09/2025	31/08/2026	Use of land for five (5) restricted recreation facilities, associated building and works comprising alterations and additions to the existing building, display of business identification signage and a reduction of the carparking requirements.	Permit	No

Ordinary Council Meeting

28 September 2026

Agenda Item No: 7.2

KP-2025/438 - 13-19 HEALEY STREET, MOORABBIN

Contact Officer: Kirsty Slater, Principal Statutory Planner

Purpose of Report

This report is for the Council to consider Planning Permit Application No. KP-2025/438 - 13-19 Healey Street, Moorabbin.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

RECOMMENDATION

That Council determine to support the proposal and issue a Planning Permit to develop the land for Construction of a six (6) storey building containing sixty-nine (69) dwellings at 13-19 Healey Street, Moorabbin, subject to the conditions contained within this report.

This application requires a decision by Council as it is a significant development and does not benefit from the exemption where the application satisfies all "deemed to comply" standards under Clause 43.06 – Built Form Overlay – Schedule 1 (BFO).

EXECUTIVE SUMMARY			
Address	13-19 Healey St Moorabbin VIC 3189 (Lots 8, 9, 10 & 11 on LP069473)		
Legal Description	(Lots 8, 9, 10 & 11 on LP069473)		
Applicant	Pitard 20 Pty Ltd		
Planning Officer	Kirsty Slater		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 37.08 – Activity Centre Zone – Schedule 3		
Overlays	Clause 43.06 – Built Form Overlay (Schedule 1)		
Particular Provisions	Clause 52.06 – Car Parking Clause 52.34 – Bicycle Facilities Clause 53.03 – Residential Reticulated Gas Service Connection Clause 58 – Apartment Developments		
Permit Trigger/s	Clause 37.08-5 – To construct a building or construct or carry out works. Clause 43.06-6 – To construct a building or construct or carry out works.		
APPLICATION / PROCESS			
Proposal	Construction of a six (6) storey apartment building, containing sixty-nine (69) dwellings		
Reference No.	KP-2025/438	**RFI Received**	12 February 2026
App. Received	10 October 2025	**App. Amended**	S50 – 22 May 26

Site inspection	Yes		
S.52 Advertising	N/A. See report below.	**Advertising Completed**	N/A. See report below.
S.55 Referrals	None.		
Internal referrals	Yes, Development Engineer, Traffic Engineer, Waste Management Officer, Roads and Drains, Sustainable Design Officer, Vegetation Management Officer and Urban Design.		
Objection(s)	Twenty-seven (27) (TRIM checked on 3 September 2026)		
ESD Summary	The proposal achieves a BESS score of 50% which is considered "best practice". The proposal includes the following commitments: • Bess average of 7.4 stars NatHERS Energy Rating result. • The non-residential areas aim to reduce heating and cooling energy consumption below the reference case (BCA Section J 2019). • Lighting power density 10% less than NCC Part J6 for both Class 2 and Class 6 components. • Each dwelling will have retail metering and common areas will be separately metered. • External lighting controlled by motion sensor and time switch. • The development is to utilise a centralised electric heat pump hot water system. • Individual cold water and electricity meters will be provided to the commercial tenancies, apartments, and communal areas. • Carpark ventilation controlled by CO monitors. • A 33kW Solar PV system is to be located on the roof of the proposed development for common area use. • Water efficient fittings and fixtures are applied throughout. • Fire test water collected via tank and reused. • Purchase of off-sets for stormwater management equivalent to 100% Blue Factor score. • In total 32 bicycle spaces are to be provided for residents.		
Lot Size	2,139m^2	**Mandatory Building Height requirement**	N/A
Mandatory Garden area requirement	N/A		
Vegetation	**Trees > 8m** 2	**No. of Trees to be removed (circumference 110cm)**	4

LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
Aboriginal Cultural Sensitivity Area	Yes	**CHMP**	CHMP approved by the Bunurong Land Council on 9 July 2026. Copy received by Council on 20 July 2026.
Considered plans/ documents	• Development plans, drawing no's TP01, TP02, TP02B to TP02E, TP03, TP03A, TP04 to TP21 inclusive, TP25, TP25B, TP26C, TP26, TP26B, TP27 to TP39 inclusive, all Rev 4, dated May 2026, prepared by Pitard Group. • Landscape plans, drawing nos. L-TP01, L-TP02 and L-TP03, all Rev A, dated 9 February 2026. • Arboricultural Impact Assessment Report, Version 1, dated 25 June 2025, prepared by Glenn Water Arboriculture		

- Arboricultural Assessment & Report, Non-destructive Root Investigation, Version 1, dated 26 November 2025, prepared by Glenn Waters Arboriculture.
- Sustainable Management Plan V3, dated 20 January 2026, prepared by Energy Water Environment.
- Stormwater Management Plan, dated 9 January 2026, prepared by Edge Consulting Engineers.
- Environmental Wind Assessment, Report 25088A-DE-EWA00, Issued 25 August 2025, prepared by MEL Consultants.
- Waste Management Plan, dated 16 September 2025, prepared by Quantum Traffic.

1.0 RELEVANT LAND HISTORY

1.1 Planning permit application KP-2015/577 was lodged on 12 August 2015 to develop 13 Healey Street, Moorabbin with 6 townhouses over a common basement.

1.2 Council proceeded to issue a notice of decision to refuse to grant a permit on 10 March 2016 on the following grounds:

1. *The proposal is contrary to the objectives of Clause 11.01 and Clause 16.01 of the Kingston Planning Scheme.*
2. *The proposal is inconsistent with the Moorabbin Structure Plan and Clause 37.08 of the Kingston Planning Scheme.*
3. *The proposal does not satisfy the residential planning objectives contained within Clause 21.05, Clause 22.11 and Clause 55.02-2 of the Kingston Planning Scheme.*
4. *The proposal is fundamentally inconsistent with the preferred intensity, scale and character of the Moorabbin Major Activity Centre and fails to comply with Clause 55.02-1 of the Kingston Planning Scheme.*
5. *The development would have a poor sense of address and fails to meet the relevant objectives of Clause 55.05-2 and Schedule 3 to the Activity Centre Zone of the Kingston Planning Scheme.*
6. *The development fails to maximise opportunities for landscaping and the relevant objective within Schedule 3 to the Activity Centre Zone of the Kingston Planning Scheme.*
7. *The design fails to provide an innovative or high architectural standard and fails to consider its visual impact on the surrounding environment, inconsistent with the objectives of Clause 55.04-1, Clause 55.06 and the Schedule 3 to the Activity Centre Zone of the Kingston Planning Scheme.*
8. *The application fails to demonstrate sound Environmental Sustainable Design, and does not satisfy the objectives of Clause 55.03-5 and Schedule 3 to the Activity Centre Zone of the Kingston Planning Scheme.*

1.3 Following a review of Council's decision, the position of Council was affirmed by the Victorian Civil and Administrative Tribunal and direction given that no permit is granted, on 27 October 2016.

1.4 It is noted that the development considered by Council and latterly the VCAT, related to 13 Healey Street only and assessment was made relative to planning controls contained in the Kingston Planning Scheme at that time. Further, the form of development i.e. 6 townhouses on one lot is quite distinct from the development that is the subject of this current application, that seeks land consolidation and dwellings in a multi-level apartment format.

1.5 Since the decision on KP-2015/577, the built form controls within this part of the Moorabbin Activity Centre have evolved (as discussed in the proceeding assessment) and it is those controls that are relevant to the assessment of this current application.

1.6 Given the material change in circumstance in design approach, lot consolidation and applicable planning controls, little to no weight can be given to the decision made on KP-2015/577. The application therefore stands to be considered on its merits or otherwise.

2.0 SUBJECT LAND

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



Image 1: Photomontage 13 & 15 Healey Street from a streetscape perspective, Dec 2025.





Images 2 & 3: 17 & 19 Healey Street from a streetscape, Dec 2025.

Built form	13 & 15 Healey Street are each developed by a single storey brick dwelling with traditional hipped tiled roofs and associated outbuildings. 17 Healey Street is occupied by a two storey painted brick dwelling with gabled and pitched roof and an associated outbuilding. 19 Healey Street is removed of all built form.		
Lot Size (m^2)	2,139m^2	**Dimensions**	Width: max. 33.02 metres Length: 64.92 metres
Topography	The land has a fall of approximately 1.89 metres from west to east.		
Fencing	A mix of brick, stone and rendered brick and picket fencing enclose the roadside boundaries of 13 to 17 Healey Street. The roadside boundaries of 19 Healey Street are unenclosed. Otherwise, the boundaries of the mutual boundaries of the site are enclosed by paling fencing.		
Vegetation	A number of trees occupy the site, 4 of which trigger a Community Local Law Permit i.e. those with a circumference at base, measuring 110 cm or more.		

Easement(s)	A 2.44 metre wide sewerage and drainage easement runs parallel with the rear boundary of the site, across of lots.
Footpath assets / access	Three (3) existing vehicular access exist in the southeast and one in the northeast, roadside frontages to Healey Street. No power poles are located along the frontage. The adjacent road reserve is however populated by ten (1) street trees.

3.0 SURROUNDING LAND

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



Image 4: Aerial image of site & surrounds, source: Nearmap, July 2026

North	Multiple lots comprising the properties of 18, 18A, 18B, Units 1 to 4, 20 Redholme Street, Units 1 to 4, 12 Central Avenue, Units 1 and 2, 14 Central Avenue, 16 Central Avenue and 19A Healey Street. With the exception of 18 Redholme Street and Unit 1, 20 Redholme Street that are both 2 storey dwellings, all dwellings are single storey with traditional pitched roofs.
East	Beyond Healey Street to the east, are the single storey dwellings of 22, 24 and 26 Healey Street, all of a brick finish with traditional pitched roofs.
Southeast	To the southeast is a pocket park, off Horscroft Lane.
South	To the south are the residential properties of 10, 12, 14, 16 and 18 Healey Street. 10 Healey Street is developed by a single storey brick dwelling with flat roof. 12 Healey Street is a two storey brick dwelling with a traditional pitched roof. 14 Healey Street developed by a one and half storey dwelling with a deep pitched, tiled and gabled roof with dormers inset. 16 Healey Street is developed by a single storey brick dwelling with a traditional pitched tiled roof.

	18 Healey Street is developed by a two storey pitched and tile roofed dwelling.
West	To the west is the single storey brick and flat roofed dwelling of 11 Healey Street and its associated curtilage.
Neighbourhood Character	Located within the residential precinct of the Moorabbin Activity Centre, the surrounding area encompasses a mix of dwelling types but largely of a brick finish with traditional or flat roof form The majority are single storey however, two storey dwellings pepper these. The site is within close proximity to Moorabbin railway station and bus interchange and is serviced well by social and physical infrastructure.

4.0 PROPOSAL

4.1 A summary of the proposal is provided in the table below.

Description	Construction of a six (6) storey apartment building, containing sixty-nine (69) dwellings over a basement.		
Storeys	Six (6) storeys over two levels of basement car parking.		
Maximum building height	20.183 metres		
Bedrooms (including study)	A mix of apartment types are proposed, consisting of: • 29 x 1 bedroom dwellings. • 33 x 2 bedrooms dwellings. 7 x 3 bedroom dwellings.		
Car parking	Seventy-seven (77) car parking spaces.		
Bicycle parking	A total of thirty-two (32) bicycle parking spaces.		
Street setback	4 metres		
Private/ Common Open Space	1-bedroom apartments provided with ground floor courtyards at 36/37m^2 or balconies at upper levels ranging from 9.5m^2 to 15.5m^2 in area. 2-bedroom apartments provided with 116m^2 or 141m^2 courtyards at ground floor or balconies at upper levels ranging from 10.2m^2 to 26.5m^2 in area. 3-bedroom apartments provided with 100m^2 or 173m^2 courtyards at ground floor or balconies at Level 5 ranging from 100m^2 to 125m^2. Communal open space of 235m^2 is provided in total comprising 75m^2 of outdoor space and 160m^2 internal to the building, both at ground floor.		
Site Coverage	60.86%	**Permeability**	18.60%

Access	The existing vehicular accesses in the south roadside boundary to Healey Street are to be removed and the associated crossovers reinstated. The existing access in the east roadside boundary to Healey Street is to be widened to accommodate two-way movements to the basement.
Vegetation removal/retention	No significant vegetation is located on the subject site or on neighbouring properties within close proximity to common boundaries. However, of the twenty-four (24) trees to be removed from the site, four (4) trees are subject to Community Local Law.
Building materials	A contemporary building form is proposed that includes rustic red face-brick, vertically ribbed cladding in a mix of natural tones.

4.2 An analysis of each level of the development is provided in the table below:

Basement 2 TP-03 Rev 4	▪ Forty (40) carparking spaces. ▪ Twelve (12) bicycle parking spaces (6 in vertical rails & 6 in horizontal rails). ▪ Storage cages allocated to apartments. ▪ Lift core and stair well to the upper levels.
Basement 1 TP-03a Rev 4	▪ Thirty-seven (37) carparking spaces. ▪ Sixteen (16) bicycle parking spaces, all in vertical wall mounted rails. ▪ Storage cages allocated to apartment. ▪ Waste storage for each waste stream. ▪ Services. ▪ Lift core and stair well to the upper levels.
Ground Level TP-04 Rev 4	▪ Nine (9) apartments comprising: o 5 x 1 bedroom + study o 2 x 2 bedroom + study o 2 x 3 bedroom + study ▪ Courtyards to each apartment, access from living areas. ▪ A central common corridor with lift and stair access to upper and lower levels. ▪ Waste chute to basement waste storage room. ▪ A light-court to upper levels. ▪ Mailbox facilities at the building entry and general services. ▪ A common internal space including an office, multi-purpose room, kitchen and toilet facilities. ▪ Common outdoor space measuring 75sqm in area. ▪ Ramp access down to basement.
First Floor Level to Fourth Floor Level TP-05 to TP-08 Rev 4	▪ Thirteen (13) apartments comprising: o 7 x 1 bedroom o 6 x 2 bedroom (2 with study) ▪ All dwellings are provided with a private balcony area accessed directly from their living area. ▪ A central common corridor with lift and stair access and a light court to upper and lower levels. ▪ Waste chute to basement waste storage room.
Fifth Floor Level TP-09 Rev 4	▪ Eight (8) apartments comprising: o 3 x 2 bedroom + study o 5 x 3 bedroom + study

	▪ All dwellings are provided with a private balcony area accessed directly from their living area. ▪ A central common corridor with lift and stair access and a light court to upper and lower levels. Waste chute to basement waste storage room.
Roof Plan TP-10 Rev 4	Skylights to light-court. Plant platform and lift over-run. Solar panel array with 33KW capacity.

5.0 AMENDMENTS UNDER SECTION 50 / 50a / 57a OF THE ACT

5.1 The applicant submitted the amended plans on 22 May 2026 pursuant to Section 50 of the Act to adjust building setbacks from north and west boundaries to comply with the setback requirements prescribed in the Built Form Overlay.

5.2 The Section 50 amended plans are the decision plans, which form part of the Council's consideration in this assessment.

6.0 PLANNING CONTROLS

Zone / Overlay / Particular Provisions	Rationale
Clause 37.08 – Activity Centre Zone (Schedule 3)	The proposal accords with the purpose of the Zone by providing a multi-level residential development on a consolidated site, at a density that is complementary to the role and scale of the Moorabbin Activity Centre. Further discussion is provided under Section 12 of this report.
Clause 43.06 – Built Form Overlay (Schedule 1)	The site is the subject of Bult Form Overlay – Schedule 1 (BFO1), which seeks to deliver built form outcomes in Moorabbin Activity Centre commensurate with its role and function. It is considered the development appropriately responds to the outcomes and standards of this control, with further discussion provided at Section 12 of this report.
Clause 52.06 – Car Parking	The subject land is identified within Category 2 of the Car Parking Requirement Maps (DTP, 2025). Table 1 at Clause 52.06-5 requires one (1) car parking space per dwelling and therefore a requirement to provide sixty-nine (69) carparking spaces. The development does however provide a total of 77 carparking spaces comprising one (1) carparking space to thirty-two (32) of the thirty-three (33) 1 bedroom dwellings, 2 spaces to one of the 1 bedroom dwellings (apt. 209) one (1) carparking space to each of the 2 bedroom dwellings and two (2) spaces to each 3 bedroom dwellings, exceeding car parking requirements. Clause 52.06-9 design standards including swept paths, splays, car parking and access dimensions, headroom and ramp grades, are considered compliant.
Clause 52.34 – Bicycle Facilities	The Permit Applicant has submitted a traffic impact assessment report, prepared by Quantum Traffic. Bicycle parking is required to be prvided at a rate of 14 spaces for residents and seven (7) spaces for visitors, totalling 21 spaces overall.

	The development includes 32 bicycle spaces within basement, including 28 vertical spaces and six (6) horizontal spaces. The horizontal spaces equate to 20% of the statutory provision as opposed to the proposed provision on site. Based on the above, Council officers agree with the assessment that the provision of bicycle parking in this development exceeds the requirements of Clause 52.34. Further, that the dimensions of the car spaces accord with the requirements of the Bicycle Parking Victoria Handbook and A52890.3−2015, including requirement to provide a minimum of 20% of spaces as horizontal spaces as per A52890.3−2015.
Clause 53.03 – Residential Reticulated Gas Service Connection	This clause applies to an application for a planning permit under any provision of this scheme that is for or includes the construction of a new dwelling (other than a caretaker's house) or a new apartment development. Pursuant to **Clause 53.03-2**, a condition will be included on any planning permit issued relating to the prohibition of residential reticulated gas connections.
Clause 58 – Apartment Developments	A detailed assessment against the relevant provisions of Clause 58 is provided at Section 12 of this report.

7.0 POLICY CONSIDERATIONS

Municipal Planning Strategy

7.1 The strategic vision for the city at **Clause 02.02** is for a diverse, dynamic community where we all share a sustainable safe, attractive environment and a thriving economy. Land use principles specific to the Kingston Vision and of relevance include the following:

- *An urban settlement pattern that accommodates sustainable growth commensurate with constraints of established areas.*
- *Providing a settlement pattern that positively influences health and wellbeing.*
- *The network of activity centres reinforced to provide for a diverse range of retail/ commercial experiences and access to services and facilities is optimised through integrated and land use planning.*
- *Identified risks, including climate change impacts are effectively managed.*
- *High standards of urban design to enhance community safety, create vibrant places and preserve character areas.*
- *Environmentally sustainable development principles are embraced in new development.*
- *Greater housing diversity is provided, including the provision of a variety of apartment sizes within developments that cater for different sized households.*
- *Access to affordable housing is facilitated.*
- *A balanced transport network is established to provide for a range of options to meet transport and freight needs for Kingston's residents, businesses and through traffic.*
- *Activity centres are a focus of integration of public transport, pedestrian and cycle systems with community and social infrastructure.*

7.2 **Clause 02.03** (Strategic Directions) includes strategic directions for (as relevant to the application) urban areas, activity centres, built environment, housing, economic development, transport and infrastructure within Kingston.

7.3 The relevant strategic directions for **urban areas** are to:

- *Accommodate increased urban growth in established areas across the municipality according to environmental constraints and access to services.*

- *Diversify uses in Kingston's activity centres to respond to the impacts of structural change in the retail industry.*
- *Facilitate ongoing renewal across Kingston's activity centres and within SRL East Structure Plan Areas to integrate transport and land use and promoting health and welling through sustainable communities.*

7.4 The strategic directions for **activity centres** are to:

- *Diversify the role and function of existing activity centres through a broader range of complementary non-retail uses to enhance economic vitality.*
- *Incorporate residential/ mixed use activity into centres and create niche markets strengths for each centre.*
- *Promote development and expansion of retail and related facilities appropriate to the role and position of centres within the overall hierarchy as identified in Kingston's activity centre hierarchy.*

7.5 The Kingston activity centre hierarchy at **Table 1 of Clause 02.03** advises the primary role of Moorabbin Activity Centre is to provide community retail supported by significant commercial floor space. Strategic Directions to assist the delivery of this are to consolidate food related retailing around the existing supermarket and encourage residential development within the centre.

7.6 The relevant strategic directions for **built environment and heritage** as set out at Clause 02.03-5 are to:

- *Ensure a high standard of design forms the cornerstone of future development.*
- *Site and design new residential development to take account of interfaces with sensitive and strategic* land uses.

7.7 Strategic directions for **housing,** as relevant, are to:

- *Respond to demand for new, diverse and affordable housing to meet needs of Kingston's growing and ageing population.*
- *Encourage high levels of amenity in new residential development.*
- *Support residential change consistent with the preferred housing outcomes identified in Table 1.*
- *Facilitate access to housing for low-income households.*

7.8 **Preferred residential development outcomes within Activity Centres,** including and not limited to Moorabbin, cited at **Table 1 of Clause 02.03**-6 - Housing, are to provide for housing intensification.

7.9 Strategic directions for **transport planning at Clause 02.03-8**, as relevant, are to:

- *Integrate land use and transport planning to create a more sustainable community.*
- *Support increased transport choices available to Kingston's residents and to ensure accessibility to services and open space areas.*
- *Promote the development of bicycle and pedestrian linkages between residential, commercial, industrial and open space areas.*

Planning Policy Framework

7.10 The Planning Policy Framework sets out the relevant state-wide policies for mixed-use development at **Clause 11** (Settlement), **Clause 15** (Built Environment and Heritage), **Clause 16** (Housing) and **Clause 17** (Economic Development), **Clause 18** (Transport) and **Clause 19** (Infrastructure). Essentially, the provisions within these **clauses** seek to achieve the

fundamental objectives and policy outcomes sought by strategic plans to guide growth across the state.

7.11 Local planning policy is nested within the PPF and builds on the overarching state policy objectives and the strategic directions of the Municipal Planning Statement and applies these at the local level.

7.12 **Clause 11** seeks to ensure planning anticipates and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

7.13 Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

7.14 Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

7.15 Clause **11.03-1S** (Activity Centres), seeks to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community. **Clause 11.03-1L** (Activity Centres-Kingston), contains strategies to consolidate new retail land use within the boundaries of existing activity centres and creating a broader range of cultural, social, commercial and higher density housing opportunities around the core of major activity centres. Furthermore, it supports development that reinforces the character and function of activity centres consistent with their position in the activity centre hierarchy for activity centres contained with the Kingston municipality.

7.16 **Clause 15** (Built Environment and Heritage) aims to ensure the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Furthermore, it aims that all new land use and development appropriately responds to its landscape and character, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.

7.17 Clause **15.01-1S** (Urban Design) aims to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

7.18 Clause **15.01-2S** (Building Design) provides design guidance on how building design and siting outcomes should achieve architectural and urban design outcomes that positively respond to local context, enhance the public realm and support environmentally sustainable 4development. Strategies include:

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
    - Passive design responses that minimise the need for heating, cooling and lighting.
    - On-site renewable energy generation and storage technology.
    - Use of low embodied energy materials.

- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Encourage use of recycle and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.

7.19 **Clause 15.01-5S** (Neighbourhood Character) sets out the State direction to recognise, support and protect neighbourhood character, cultural identity, and a sense of place. The strategies provided seek to ensure that development respects the existing neighbourhood character or contributes to a preferred neighbourhood character. It seeks to ensure that the preferred neighbourhood character is consistent with medium and high-density housing outcomes in areas identified for increased housing.

7.20 While the subject site falls outside of the areas designated as increased housing diversity, incremental housing change, minimal housing change, or residential renewal, the design criteria contained within the strategies and policy guidelines of **Clause 15.01-5L** (Neighbourhood Character – Kingston) is applicable to this proposal as it relates to the provision of multi-dwellings in Kingston that are assessable under Clause 58 of the KPS.

7.21 These reinforce the Planning Policy Framework relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases. This includes a strategy to support increased housing diversity areas within convenient walking distance of public transport.

7.22 **Clause 15.01-2L** (Environmentally Sustainable Development) applies to the consideration of residential development of three or more dwellings. As required, the application for a planning permit was accompanied by a sustainability management plan and green travel plan (BESS/Green Star/MUSIC/Blue Factor). This Sustainable Management Plan (SMP), prepared by Energy Water Environment, dated 20th January 2026 provides assessment of the development relative to policy and assessment under BESS. It confirms an overall BESS score of 50%.

7.23 The SMP was referred to Council's Sustainable Design Advisor who has recommended notational updates to plans to reflect all the commitments in the SMP. They did however raise concern in relation to daylight performance to living areas, with this falling short of meeting "deemed to satisfy" criteria in BESS. Further discussion and response to this matter is provided in the Clause 58 assessment at Section 12 below.

7.24 On balance and subject to the recommended updates to plans, the commitments expressed in the SMP, coupled with the proposed development plans and dwelling layouts, it is considered that the proposal achieves an appropriate best practice environmentally sustainable design standard, meeting the objectives of this policy.

7.25 **Clause 15.03-2S** (Aboriginal Cultural Heritage) seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

7.26 The subject land is identified in an area of Aboriginal cultural heritage sensitivity.

7.27 In this instance, as the proposed activity is not exempt under the Aboriginal Heritage Regulations 2018 or the Aboriginal Heritage Regulations 2018, the permit applicant is required to prepare and submit a cultural heritage management plan (CHMP) to Council. Accordingly, a cultural heritage management plan has been prepared by a qualified cultural heritage

advisor and submitted to Council. Importantly, the cultural heritage management plan has been approved by the Aboriginal Heritage Council.

7.28 Housing objectives are further advanced at **Clause 16** (Housing) which seek to encourage housing diversity, ensuring the long-term sustainability of new housing, including access to services, walkability to activity centres public transport, schools and open space and including the provision of land for affordable housing.

7.29 **Clause 16.01-1S** (Housing Supply) seeks to facilitates a well located, integrated and diverse housing that meets community needs. Higher density housing development is encouraged on sites that are well located in relation to jobs, services and transport. The consideration of ensuring that an appropriate quantity, quality and type of housing is provided to support everyone in the community. Housing should offer diverse choices to meet changing household needs by widening housing diversity though a mix of housing types while encouraging that development is well designed to provide a high level of internal and external amenity.

7.30 **Clause 16.01-2R** (Housing Supply- Metropolitan Melbourne) specifically seeks the creation of development opportunities to meet housing targets, population growth and create a sustainable city by developing housing and mixed-use development opportunities in locations that are, amongst others, Activity Centres – Housing Choice and Stations, areas near existing and proposed railway stations that can support transit-orientated development.

7.31 **Clause 16.01-2S** (Housing affordability) seeks to deliver affordable housing in areas with good access to opportunities and services. Strategies to improve housing affordability are amongst others, to ensure housing supply continues to be sufficient to meet demand, that there is an increase in housing choice to support changes in needs of households through changing lifecycles and facilitate a mix of private, affordable and social housing in suburbs, growth areas and activity centres and urban renewal precincts.

7.32 **Clause 14.02-2S** (Water Quality) seeks to protect water quality. **Clause 19** (Infrastructure) seeks to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach. Strategies to achieve this at **Clause 19.03-3L-01** promote the use of water sensitive urban design including stormwater re-sue and identifies measures to maximise on-site filtration and the management and design of drainage systems to control, divert and minimise the transportation of silt and debris.

7.33 **Clause 19.03-3L-02** is applicable to the consideration of **stormwater management** for medium and large-scale developments. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of water sensitive urban design principles in development and to ensure that developments are designed to meet best practice performance objectives.

7.34 Conditions on any planning permit that may issue have been recommended by Council's Drainage Engineer to meet the specified requirements.

7.35 **Clause 19.02-6L-02 (Public Open Space Contributions)** forms the prevailing policy that guides Council to apply a land or cash public open space contribution, which is applicable to all subdivision applications. This policy identifies the important role that contributions play in funding new open space areas and facilitating capital improvements to existing public open space to meet the needs of the future population growth in Kingston.

7.36 Whilst the application at hand does not propose to subdivide the land, it is imperative to identify at this stage of the process whether a public open space contribution requirement is likely to be applied should the site be subdivided at a later date and, if so, whether the land

is located in a 'cash' or 'land' preferred area. If in a land preferred area, the proposed design and layout must be considered as it will ultimately shape the subdivision configuration and whether any land is set aside for public open space purposes.

7.37 The subject site is located in area 1 (Moorabbin & Highett), which is a Cash Contribution Preferred Area on the Public Open Space Sub-Precincts Plan of this clause.

7.38 As the site is located in a 'cash' preferred area, the public open space contribution requirements will be considered and advanced at the subdivision stage of the process. As such, there is no need to consider this matter any further at this point in time.

7.39 In summary, the proposal responds suitably to policy relating to strategic directions of the Kingston Planning Scheme including land use compatibility, specific objectives relating to the development of consolidated sites, which seek to encourage well-designed medium density housing in appropriate locations, as well as providing diversity in housing choice to assist in meeting the anticipated future population forecasts.

General Provisions

7.40 **Clause 65.01** of the Kingston Planning Scheme is relevant to this application and requires 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.

8.0 INTERNAL REFERRALS

8.1 The application was referred to the following Council departments for comment:

Department / Area	Comments / Rationale / Recommended Conditions
Urban Design	Is content that the amended plans satisfactorily respond to initial concerns raised with respect to modulation of the facades to Healey Street, materiality, site services finishes and landscape response. Recommends the flush fitting of services doors i.e. fire booster and substation, so that they integrate with the exterior wall finish. Further that clear glazing be included at the building entry to allow visibility of the street. These matters are controlled by conditions of permit.
Vegetation Management Officer	No objection raised, subject to conditions included on any permit issued relating to provision of an improved landscape plan and protection of the street trees.
Development Engineer	No objection raised, subject to conditions included on any permit issued relating to stormwater management and water sensitive urban design.
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to the crossover/footpath design and the council road network.
Traffic Engineer	No objection raised, subject to conditions included on any permit issued relating to the layout of the carpark and line marking.
Sustainable Design Officer	Raises concerns in relation to daylight access to living areas of southeast facing living areas, advising they do not meet "deemed to Satisfy" methods in BESS. There is no obligation for the applicant to use this method of assessment to contribute towards their overall IEQ contribution. They have instead relied upon a built-in calculation tool to assess the performance of living areas, resulting in an auto-pass for daylight. However, a score for daylight to living areas has not yielded points for accrual to the overall IEQ credits. IEQ is however shown to have met best practice, owing to other contributories in this category such as daylight access to all bedrooms and natural ventilation to apartments.

	BESS allows for this level of discretion to be exercised in calculating IEQ credits. As is confirmed in the proceeding Clause 58 assessment, the room depth standard is met for all apartments with an open plan configuration. There is an inability therefore to consider the corresponding decision guidelines. With that being the case, there is no mechanism for the Delegate to require compliance with deemed to satisfy requirements in BESS or otherwise. Otherwise, recommends conditions to ensure all commitments in the SMP are reflected on the plans.
Waste Management Officer	No objection, being satisfied with arrangements for private waste collection on site in accordance with the submitted Waste Management Plan.

9.0 ADVERTISING

9.1 Pursuant to Clause 7.0 in Schedule 3 of the Activity Centre Zone, an application for a building or works within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 37.08-8.

9.2 Notwithstanding the notice requirements at Clause 7.0 in Schedule 3 to the ACZ, Clause 43.06-10 (Built Form Overlay) exempts an application under any provision under the Kingston Planning Scheme to construct a building or to construct or carry out works, or to subdivide land, from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless a schedule to the overlay specifies otherwise.

9.3 Schedule 1 to the BFO does not seek to remove this exemption. Accordingly, public notice of the application was not required and should not have occurred.

9.4 Notwithstanding, a total of 27 objections were received to the application. The grounds of objection raised are summarised as follows:

- Neighbourhood character,
- Bulk and scale,
- Equitable development,
- Implied precedent in previous historic planning decisions,
- Loss of privacy,
- Overshadowing,
- Overlooking,
- Traffic congestion and car parking concerns.
- Drainage,
- Loss of views.
- Devaluation of property.

9.5 Whilst the objections raised are not a material consideration in the assessment of the application, many of the grounds raised are matters assessed in response to the purpose and decision guidelines in the zone, built form controls in the overlay and particular provisions at Clause 58.

10.0 PLANNING CONSULTATION MEETING

10.1 As notice and review rights are exempt pursuant to the Built Form Overlay and the objections received to the application are not material in the consideration of the application, there is no requirements to conduct a planning consultation meeting.

10.2 The circumstance of the exemptions for notice and review requirements enacted by the BFO has been communicated to the objectors to the application including all parties who erroneously received notice. A further communication will be sent to inform them of any decision made on the application including the basis of that decision.

11.0 FURTHER CONSIDERATIONS/ ANALYSIS

Activity Centre Zone

Clause 37.08 – Activity Centre Zone (Schedule 3)

The purpose of the Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage a mixture of uses and the intensive development of the activity centre:*
  - *As a focus for business, shopping, working, housing, leisure, transport and community facilities.*
  - *To support sustainable urban outcomes that maximise the use of infrastructure and public transport.*
- *To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.*
- *To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.*
- *To facilitate use and development of land in accordance with the Development Framework for the activity centre.*

Pursuant to Schedule 3 of the Activity Centre Zone, Precinct 3 applies to the site. The site is identified as being within an Increased Residential Area on the MAC Framework Plan as shown in the plan below and outlined in red.



Source: Clause 37.08 - KPS

	Precinct objectives are: ▪ *To encourage new, contemporary residential building form within quality landscaped settings that responds to the residential focus of the precinct.* ▪ *To provide opportunities for a mix of dwelling types in the precinct.* ▪ *To encourage an enhanced pedestrian environment within the precinct.* The proposal accords with the purpose of the Zone by providing a multi-level residential development in a form and density, complementary to the role and scale of the Moorabbin Activity Centre. It is a contemporary building, finished in high quality materials that by its form and articulated facades will make a positive contribution the future character of the area. It will be supported by a considered landscape response that is appropriate for its setting and enhance the pedestrian environment and this part of the precinct.

Built Form Overlay

Clause 43.06 – Built Form Overlay (Schedule 1)	The site is the subject of Bult Form Overlay – Schedule 1 (BFO1), which seeks to deliver built form outcomes in Moorabbin Activity Centre commensurate with its role and function. Development objectives are: ▪ *To facilitate a revitalised and cohesive centre supported by access to key active and public transport connections with a pedestrian-friendly environment featuring tree-lined streets and pocket parks.* ▪ *To facilitate development of high-quality architecture with height ranges of 21 metres to 40 metres (6 to 12 storeys) and transition the scale of development to the activity centre catchment.* ▪ *To facilitate high-rise development (8 to 12 storeys) on lots greater than 5,000 square metres where off site amenity impacts can be minimised.* ▪ *To enable development that enhances the public realm through high quality design and appropriately responds to built heritage and environmental constraints.* ▪ *To minimise underdevelopment.* To achieve the development objectives for the MAC, the BFO has a number of development outcomes and standards to be met. The corresponding schedule to the overlay also sets out outcomes to be achieved in a development and standards to be met to deliver this. The schedule advises whether an outcome or standard does not apply, specify additional standards to meet an outcome, vary, replace or make mandatory any standard in the overlay and specify decision guidelines for any outcome. The construction of a building and the construction and carrying out of works: ▪ *must meet the outcomes specified in the this overlay or a schedule to the overlay.*

- *must meet mandatory standards specified in the overlay or schedule and should meet discretionary standards in the overlay and schedule.*
- *Should meet any discretionary standard specified in this overlay or a schedule to this overlay.*
- *Can meet a deemed to comply standard and if it does, it is deemed to meet the corresponding outcome for that standard.*

The following is therefore an assessment of the relevant outcomes and standards in the overlay and schedule.

Clause 43.06-7.1: Building typology and future character

Outcome
Development that:
- *Responds to the planned urban structure, building typologies and future character for the land in the development framework.*
- *Responds appropriately to any heritage places and transition areas identified in the development framework.*
- *Delivers walkable neighbourhoods with a high-quality, permeable pedestrian network through the creation of new streets, lanes, arcades or connections through buildings.*
- *Protects views to significant landmarks or features identified in the development framework.*
- *Encourages land consolidation to facilitate the preferred scale of development.*

Standard BF01
Development must be consistent with the urban structure, building typologies and future character for the land in the development framework.

Delegate response:
Map 1 to Schedule 1 to Clause 43.06: Development Framework includes the site within the residential area.



Table 1 to Schedule 1 identifies building typology and future character for the MAC.

Table 1: Building typology future character statements

Building typology as shown on Map 1	Future character
Residential	Medium-rise development (up to 21m/six storeys) with upper-level setbacks. Development will respond to interfaces with existing lower scale residential development. Front setbacks will provide landscaping opportunities and larger side and rear setbacks should be provided.

The site is therefore to accommodate a residential building typology with development of a medium-rise form (up to 21 metres/ six storeys) with upper-level setbacks, that responds to interfaces with existing lower scale residential development and has front setbacks that should provide landscaping opportunities and larger side and rear setbacks.

The proposed development is of a six (6) storey form with a maximum height of 20.183 metres, realised across a consolidation of 4 lots. It has setbacks above the front wall and from side and rear boundaries that respond to built form outcomes in the BFO.

The development therefore satisfies the standard and meets the corresponding development outcomes. It appropriately responds to the future character of the area.

Clause 43.06-7.2: Building heights
Outcome
Building heights that:

- *Maintain an inviting and comfortable environment within the public realm in terms of its sense of sunlight, daylight and wind conditions.*
- *Provide a transition in scale to adjacent areas with less intensive built form expectations.*
- *Protect views to significant landmarks or features identified in the development framework.*

Standard BF02
Building heights:

- *Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.*
- *Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.*

Maximum building heights specified in a standard do not apply to:

- *Non habitable architectural features.*
- *Service equipment and structures including plant rooms, lift overruns, structures associated with green roof areas, including access stairs and lifts, unenclosed pergolas for communal areas, shading devices, and other such equipment.*

Table 2 at clause 6.2-1 of the schedule – Standard BF02:

Table 2: Building heights

Building heights area as shown on Map 3	Minimum building height	Maximum building height	Mandatory or discretionary	Deemed to comply
Area 1	9.6m	21m	Discretionary	Yes, if within the minimum and maximum building height range specified
Area 2	13m	27m	Discretionary	Yes, if within the minimum and maximum building height range specified
Area 3	None specified	27m	Discretionary	No
Area 4	None specified	34m	Discretionary	No
Area 5	None specified	40m	Discretionary	No

Delegate response:
The development has a maximum building height of 20.183 metres and therefore sits below the preferred maximum. It meets the standard and is **deemed to comply** with the outcome.

Clause 43.06-7.3 – Floor area ratios

This outcome and standard are not relevant to the subject site.

Clause 43.06-7.4 – Overshadowing of open space or public realm

Outcome
Development that:
- Maintains solar access to key pedestrian streets and existing and proposed public open spaces identified in the schedule to this overlay.
- Achieve a balance between supporting growth and delivering high levels of amenity I the context of the outcomes that apply to the land.

Standard BF04
Buildings should not cast any additional shadow beyond that cast by the applicable preferred or maximum street wall or front wall height specified in the schedule to this overlay for standard BF05 and existing buildings over:

- The existing or proposed public open spaces identified in a schedule to this overlay for the hours specified in that schedule.
- The existing or proposed key pedestrian streets identified in a schedule to this overlay for the hours specified in that schedule.

This does not apply to shadow cast by:
- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

The standard at **Clause 6.2-2 Overshadowing of open space or public realm** requires existing and proposed public open space and existing and proposed key pedestrian streets are identified at **Map 4** and at **Table 3** of the schedule.

Map 4 to Schedule 1 to Clause 43.06: Overshadowing of open space or public realm:



Extract of Table 3 Clause 6.2-2 – Overshadowing of open space or public realm:

Table 3: Overshadowing of open space or public realm

Overshadowing areas as shown on Map 4	Sun access	Mandatory or discretionary	Deemed to comply
Boulevards	Maintain sun access to the central median between 10am and 2pm on 22 September	Discretionary	Yes
Key pedestrian streets	Maintain sun access to the opposite footpath measured at least 5 m from the property boundary between 10am and 2pm on 22 September	Discretionary	Yes
All other streets	Buildings should minimise additional overshadowing of opposite footpaths between 10am and 2pm on 22 September. This sun access standard does not apply to buildings that meet the relevant discretionary standards in the following tables: ▪ Table 2 – Building heights ▪ Table 5 –Street wall height ▪ Table 6 – Setback above the street wall ▪ Table 7 – Landscape setbacks ▪ Table 13 – Front wall heights ▪ Table 14 – Setbacks above front wall	Discretionary	No
Existing and proposed public open space			
Moderate protection	No additional overshadowing beyond the theoretical shadow cast by the maximum street wall or front wall height specified in this Schedule between 10am and 3pm on 21 June	Mandatory at Moorabbin Reserve Discretionary at Healey Street Reserve	Yes

Delegate response:

The site interfaces with a key pedestrian street to the northeast and is located northwest of Horscroft Reserve.

With respect to the impact to key pedestrian streets, the standard requires sun access to be maintained to the opposite side footpath, measured at least 5 metres from the property boundary between 10am and 2pm on 22 September. This is discretionary but nevertheless, if it is met, the development is deemed to comply with the standard.

The shadow analysis submitted in support of the application, demonstrates that owing to the orientation of the lot and otherwise by the height of the building, shadow would be cast to the southeast footpath of Healey Street, which falls into the 'all other streets' category in Table 3. The shadow does not extend to the section of Healey Street considered a 'key pedestrian' street, northeast of the site or to Horscroft Reserve. Accordingly, the standard is met, and the development is **deemed to comply** with the outcome.



Extract of Shadow diagram: 2:00pm Sept 22nd – TP-20 Rev 4

The impact to the south side of Healey Street is as a result of the overall height of the building, it is not resultant of the proposed front wall height. Nevertheless, the shadow that is cast is at 2pm only. Otherwise, in meeting the building height standard, landscape setbacks (subject to condition) and setbacks above the front wall, the development satisfies the outcome by maintaining sun access to a key pedestrian street, does not impact public open space (Horscroft Reserve) and delivers housing growth without comprising amenity.

Clause 43.06-7.5 – Front setbacks, street wall and front wall heights, setbacks above the street wall and landscape setbacks

Front setbacks, street wall and front wall heights, and setbacks above the street wall and front wall that:

- *Provide strong spatial definition to the public realm while maintaining good daylight access to open spaces, streets and lower levels of buildings and clear views to the sky, where possible.*
- *Avoid visually overwhelming the public realm.*
- *Are sympathetic to:*
    - *Any heritage place identified in the development framework.*
    - *The future character specified in the development framework.*
- *Contribute to the privacy of any ground floor dwellings.*
- *Distinguish upper levels from the street wall or front wall.*

Landscaped setbacks, including setbacks that can accommodate deep soil planting and canopy trees, that enhance the amenity of the public realm in locations identified in a schedule to this overlay.

Standard BF05
Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall and landscaped setbacks:

- *Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.*
- *Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.*

Any maximum street wall or front wall height specified in a schedule to this overlay does not apply to non-habitable architectural features that exceed the specified maximum height by not more than 3 metres.

If a new building is on a corner with two different maximum street wall or front wall heights specified in a schedule to this overlay, the taller maximum street wall or front wall height applies to the frontage with the lower maximum street wall or front wall height for a distance of 20 metres along the street frontage

Clause 6.2-3: Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks specifies in **Table 4** (inset below) of the schedule that the front setback shown on **Map 5** is a “deemed to comply” standard if the minimum setback or more is achieved and that this is discretionary**.**

Map 5 to Schedule 1 to Clause 43.06: Front setbacks:



Delegate response:
Table 4 specifies a requirement to meet a 4 metre front setback to each Healey Street interface. This setback is for the most part, observed along the frontage, with the exception of apartments G06 and G07, which display a marginal variation to this setback i.e. 3.987 metres as opposed to 4 metres from the front boundary. See extract of ground floor plan TP-04 Rev 4 below:



This matter can be resolved through the imposition of a condition of permit.

A setback of 4 metres is met or exceeded at the upper levels.
Subject to the aforementioned control, the standard is met and the development is **deemed to comply** with the outcome.

Table 7 in Schedule 1 specifies a minimum setback for landscaping, with this being consistent with the front setback in Table 4.

Table 7: Landscaped setbacks

Minimum setback as shown on Map 5	Mandatory or discretionary	Deemed to comply
4m	Discretionary	No
5m	Discretionary	No

Subject to the condition to address compliance with Standard BF05, as described above, the landscaped setback requirement is met, as is the outcome.

Clause 43.06-7.6 – Side and rear setbacks and building separation within a site

Outcomes
Side and rear setbacks that:
- *Respond to sensitive interfaces.*
- *Provide for landscaping.*
- *Maintain access to daylight and sunlight in streets, laneways and pedestrian connections.*
- *Deliver high levels of amenity within buildings having regard to outlook, daylight and overlooking.*
- *Achieve privacy through setbacks rather than screening.*

Separation between buildings within the same site that:

- *Delivers high levels of amenity within buildings having regard to outlook, daylight and overlooking.*
- *Offsets direct views between buildings.*
- *Achieves privacy by building separation rather than screening.*

Standard BF06

Side and rear setbacks and building separation within a site:

- *Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.*
- *Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.*

Any maximum length for a new wall or carport constructed on a side or rear boundary of a lot specified in a standard for these outcomes does not apply where the slope, retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

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 side and rear setbacks.

Landings with an area of not more than 2 square metres and a height of less than 1 metre, stairways, ramps, pergolas, shade sails and carports may encroach into side and rear setbacks provided they do not overshadow neighbouring open space.

Clause 6.2-4 Side and rear setbacks and building separation within a site in Schedule 1 states side and rear setbacks for Residential typology areas and Sensitive Interfaces are shown in Table 9.

In this case, Table 9 specifies that if the minimum side and rear setbacks to residential typology areas and sensitive interfaces are met, as shown on **Map 8**, they are deemed to comply standards and that this is a discretionary standard.

Table 9: Side and rear setbacks to residential typology areas and sensitive interfaces as shown on Map 8

Any part of the building	Minimum side and rear setback from habitable room/balcony (with outlook) to boundary line	Minimum side and rear setback from non-habitable room (with outlook) to boundary line	Mandatory or discretionary	Deemed to comply
Up to and including 10m	6m	4.5m	Discretionary	Yes, if setback is the minimum or more
Above 10m	6m	6m	Discretionary	Yes, if the setback is the minimum or more

Delegate response:

For the purpose of considering the side and rear setbacks, the side setback is to be taken from the northwest boundary and the rear setback from the southwest boundary. Nevertheless, as the building includes habitable room windows and balconies that have outlook to the northwest and southwest respectively, a 6 metre setback is required from these interfaces. It should be noted that the

standard is quite specific in referring to the setback being taken from the habitable room window/ balcony, not the building line, to the boundary.

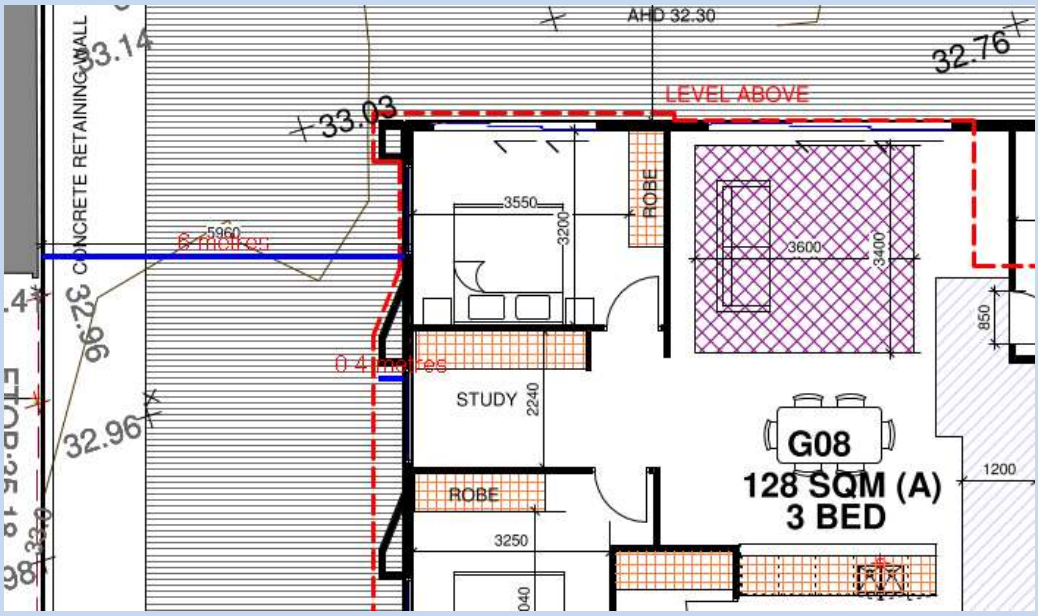
The setbacks of the habitable windows/ balconies in the northwest and southwest parts of the building are, for the most part, shown to be 6 metres or more from the respective boundaries. See extracts from first floor plan below which demonstrate minimum setbacks from the side and rear boundaries. (This is a consistent minimum setback at upper levels):





There is however a dimension shown on the ground floor plan indicating a setback of 5.96 metres from a habitable room window in apartment G07 to the rear boundary. However, the delegate has calibrated measurements on plan and confirms the setback at this point is in fact 6 metres, consistent with the upper levels. See extract of ground floor plan TP-04 Rev 4, below. Nevertheless, the

mutual boundary fencing is of a sufficient height to limit any overlooking at from the habitable room window associated with apartment G08.



Whilst the setback from outlook is met, there are encroachments within this setback of architectural features of the building that frame the podium of the building, emboldened in back in the above image and as highlighted in the render image below.



They framing elements/ architectural features, do not protrude more than 500mm into the setback and otherwise the encroachment does not materially impact neighbouring, sensitive interfaces southwest of the site. This is evidenced by the submitted shadow analysis.

The shadow analysis demonstrates that between the hours of 9am and 3pm, the rear private open space associated with the dwelling at 11 Healey Street is unencumbered by shadow cast by the development. The shadow cast, does however fall on the dwelling itself, outbuildings and northeast verandah/ patio and driveway between 9am and 11am. This is however to a diminishing extent and from 12 noon, the shadow is cast to the driveway of the property and has retreated southeast, from 1pm until 3pm.

On these considerations the outcome has been appropriately met.

Clause 43.06-7.7 – Building layout and adaptability

Outcomes
Buildings that:
- *Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building.*
- *Maximise passive surveillance and interaction with the public realm.*
- *Provide an appropriate interface with the public realm.*

Floor to floor heights that:
- *Allow retail and commercial uses that support a high level of amenity and adaptation over time.*
- *Have ground floor heights that allow both retail and commercial uses.*

Standard BF07
Buildings should:
- *Include upper level balconies and windows with a direct visual connection to the public realm.*
- *Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.*
- *Sleeve large floorplate tenancies, car parking or service areas where they interface with the public realm.*
- *Avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.*
- *Avoid entrapment areas and areas with limited passive surveillance.*

Floor to floor heights:
- *Should be consistent with any applicable discretionary standard specified for this outcome in the schedule to this overlay.*
- *Must be consistent with any mandatory standard specified for this outcome in a schedule to this overlay.*

Clause 6.2-5 – Building layout and adaptability in Schedule 1 sets floor to floor heights in Table 11.

Table 11: Floor to floor heights

Floor type	Minimum floor to floor height (metres)	Mandatory or discretionary	Deemed to comply
Commercial ground level	4.5m	Discretionary	Yes, if floor to floor height is the minimum or more.
Commercial upper level	4m	Discretionary	Yes, if floor to floor height is the minimum or more.
Residential (all)	3.2m	Discretionary	Yes, if floor to floor height is the minimum or more.

In residential areas, floor to floor heights should be a minimum of 3.2 metres and if they are, are deemed to comply with the outcomes.

Development plans demonstrate floor to floor heights of 3.18 metres and therefore a technical non-compliance. It will therefore be a condition of permit that the floor to floor heights satisfy the standard. Subject to this, the development is **deemed to comply** with the outcome.

Clause 43.06-7.8 – Wind effects on the public realm

Outcome
Development that minimises wind impacts to create and maintain a safe and pleasant environment in the public realm for pedestrians to walk, sit or stand.

Standard BF08
Developments of five or more storeys, excluding a basement:

- *must not cause new or exacerbate existing unsafe wind conditions specified in Table 1 in public land, publicly accessible areas on private land, private open space and communal open space; and*

- *should achieve comfortable wind conditions specified in Table 1 in public land and publicly accessible areas on private land, within the assessment distance shown in Diagram 1.*

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens, should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 1: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

Delegate response:
An Environmental Wind Assessment (EWA) has been submitted in support of the application which assesses the development relative to Standard D17 of

Clause 58. It is however noted that the assessment criteria are the same, but notwithstanding this, Standard BF08 prevails over the relevant provision in Clause 58.

The EWA considered existing buildings and those under construction to determine wind flow in the surrounds and assessment of the development in satisfying recommended wind comfort criteria and impact on adjacent land.

The conclusions of the EWA are that the comfort criteria are satisfied as follows:

- a minimum of walking comfort criterion along Healey Street (east and south of the development).
- standing comfort criterion in the private open spaces in neighbouring properties.
- standing comfort criterion outside lobby entrance.
- private terraces satisfy the walking comfort criterion, with most of the terraces assessed as satisfying the sitting/standing comfort criteria.

All areas around the development would satisfy the safety criteria.

Given it is not confirmed that all terraces satisfy the sitting/ standing comfort criteria, it is prudent to require further assessment i.e. a wind tunnel assessment to ensure implementation of any recommended measures to mitigate wind effects.

Clause 43.06-7.9 – Active frontages
This outcome and standard BF09 are not relevant to the subject site.

Clause 43.06-7.10 – Pedestrian connections
This outcome and standard BF10 is not relevant to the subject site.

Clause 43.06-7.11 – Weather protection
This outcome and standard BF11 are not relevant to the subject site.

Clause 43.06-7.12 – Landscaping and fencing

Outcome
Landscaping and fencing that:

- *Delivers a safe and attractive public and private realm.*
- *Balances occupant privacy with activation and surveillance of the public realm.*
- *Reinforces underlying natural landscape character including biodiversity values.*
- *Provides shade in summer, including from canopy trees.*
- *Does not create long expanses of blank wall facing the public realm.*
- *Provides appropriate delineation between the public and private realm.*

This outcome only applies to a fence if a permit is required to construct a fence under this overlay and a schedule to this overlay specifies a standard for fencing.

Standard BF12
Landscaping should:

- *Provide shade to outdoor areas exposed to summer sun by canopy trees or shade structures.*
- *Provide space for sufficient soil depth to support the proposed vegetation, including canopy trees.*
- *Use paving and surface materials that lower surface temperatures and reduce heat absorption.*
- *Include climbing plants or smaller plants in planters and outdoor areas, including communal outdoor open space.*
- *Respond to the soil type and drainage patterns of the site.*
- *Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.*

Delegate response:
No planning permit is required pursuant to the BFO for fencing, therefore consideration of this is omitted in assessing performance against the outcomes.

The applicant is supported by a landscape strategy, that for the most part, seeks to address landscaping standards in Clause 58. The landscaping outcomes can be met subject to conditions to address canopy cover and other planting requirements, and these are informed by Vegetation Management Officer comments.

Clause 43.06-7.13 – Car parking design

Outcome
Car parking that:

- *Minimises the impact of car parking on the public realm.*
- *Minimises adverse impact on pedestrian and movement networks.*
- *Use land efficiently.*
- *May be adapted for alternative uses in the future.*

Standard BF13
Vehicle access to car parks should not be located on roads identified in a schedule to this overlay as roads where vehicle access to car parks is discouraged.

Gates or doors to car parks should be fitted close to the building alignment to avoid the creation of unsafe entrapment space and designed as integrated elements of the building facade.

The location and width of car park entries should:
- *Minimise impacts on the pedestrian network.*
- *Avoid entries on sites where they impact on the activation and safety of the public realm.*

Car parks should be designed to enable future adaptation without the need for demolition or significant rebuilding. This may include minimising load bearing walls and ramped areas.

Above ground level car parking should:
- *Be sleeved to streets and open spaces with active frontages.*
- *Have a floor to floor height of at least:*
  - *4 metres for the ground floor.*
  - *3.5 metres for other floors.*

Delegate response:
Vehicular access to the site is to be rationalised in the removal of a double width and single crossover from the southeast roadside boundary of the site. The existing access and crossover in the northeast roadside boundary are to be widened to allow two-way movement at the basement entry. This localises traffic movements to one location thereby minimising impacts to pedestrian network.

Being contained within basement, there is limited visual impact on the public realm, with this being confined to the basement entry ramp and its presentation to Healey Street. A basement solution to carparking is favoured as it allows efficient use and development of the site.

In all, the standard is met, as is the outcome.

Clause 43.06-7.14 – Building services

Outcome
Building services that:
- *Are integrated in the building design and minimise impacts on the public realm.*
- *Maximise the quality and activation of the public realm.*
- *Do not dominate the pedestrian experience and are designed as an integrated design element.*

Standard BF14
The location and width of loading bays should minimise impacts on the pedestrian network.

Ground floor building services, including waste, parking and loading access, should be minimised and located away from streets and public spaces, or within basements or upper levels.

Waste and loading access should not be located on the roads identified in a schedule to this overlay as roads where waste and loading access is discouraged.

Spaces for waste or loading should not adversely impact safety and continuity of the public realm.

Access doors to any waste, parking or loading area should:
- *Be positioned no more than 500 millimetres from the street edge.*
- *Be designed as an integrated element of the building.*

Service cabinets should:
- *Be located internally with waste, parking or loading areas where possible.*
- *Not visually dominate street frontages.*
- *Use high-quality materials.*

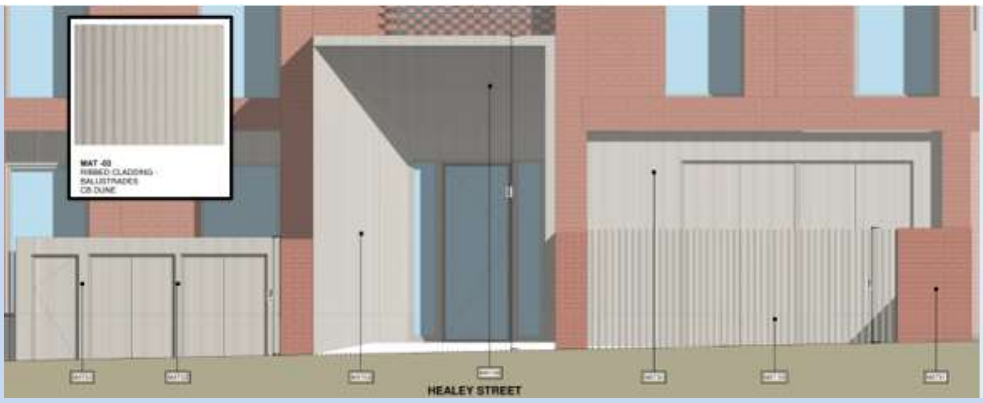
Rooftop plant, services and antennae should be integrated into the overall building form.

Delegate response:
Facilities for waste collection, loading and unloading are accommodated within basement. Roof top services are screened and well setback from the roof edge so as to minimise their visual impact.

Building services are largely contained at basement or within the ground floor entry, with the exception of the substation and hydrant booster, that form part of the front (northeast) elevation to Healey Street/ front setback respectively.

Their appearance and impact within the streetscape are assisted by the finishes, being reflective of the materiality adopted for niches and other recessed components of the building. See extract of east elevation and the entry elevation detail below:





In the round, the service treatments are acceptable and satisfy the outcome and standard.

Clause 43.06-7.15 – Exterior design

Outcome
Exterior design that:
- *Responds to the preferred built form character of its context.*
- *Is visually interesting when viewed up close and from a distance.*
- *Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.*
- *Delivers high-quality design on all visible sides of a building and on rooftops visible from the public realm.*
- *Provides visual connection between the public realm and interior spaces at the ground level interface.*
- *Provides adequate clearance heights that do not obstruct the service functions of a street or laneway.*

Standard BF15
Facades should:
- *Provide for depth and a balance of light and shadow on the street wall or front wall and upper levels through the use of balconies, integrated shading, rebates or expression of structural elements.*
- *Avoid finishes with a perpendicular reflectivity of more than 15 per cent, measured at 90 degrees to the facade surface or as specified in a schedule to this overlay.*

Blank walls that are visible from the public realm should be articulated by textured materials, patterning or artwork.

Facade projections and balconies should:
- *Be at least 5 metres above any public space measured from ground level.*

- *Allow for growth of existing and planned street trees in upper level projections and canopies.*

- *Limit upper level projections, such as adjustable screens or windows, cornices or other architectural features, into streets or laneways up to 300 millimetres.*

- *Not include enclosed balconies or habitable floor space projecting over the public realm.*

Materials should be:

- *Natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.*

- *Durable, robust and low maintenance in the higher parts of a building.*

Materials and finishes, such as painted concrete or ventilation louvres, should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.

Delegate response:
The podium and upper levels are highly articulated by defined architectural features that frame windows and balconies alike. Along with the exterior finishes which include brick and vertical cladding, they provide variation and texture to each elevation.

The exterior finishes are contemporary and complimentary to those found in the surrounds.

The design response delivers a form of development that aligns with the future character of the MAC and in a manner that is respective of the existing context.

The standard is considered to be met, as are the outcomes.

Clause 6.3 Other outcomes and standards in Schedule 1 includes an additional built form control to those cited in the header clause. Specifically, **Clause 6.3-1 – Front wall height and front upper level setback for buildings with a front setback.**

Outcome
Buildings contribute positively to the streetscape, maintain a human scale and do not overwhelm the public realm

Standard BF16
Development should provide front wall heights and upper level building setbacks above the front wall height as set out in **Map 10** and **Tables 13 and 14**.

Setbacks above the front wall should incorporate a maximum of two setbacks to avoid an overly tiered built form.

Table 13 specifies whether the maximum front wall height as shown on **Map 10** is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 10 to Schedule 1 to Clause 43.06: Front wall height and front upper level setback for buildings with a front setback:



Table 13: Front wall heights

Maximum front wall height as shown on Map 10	Mandatory or discretionary	Deemed to comply
10m	Discretionary	Yes, if front wall height is the maximum or lower
1:1 ratio of road width to front wall height or 21m whichever is lesser	Discretionary	No

Table 14: Setbacks above the front wall

Setbacks above front wall area as shown on Map 1	Minimum setback to front boundary	Mandatory or discretionary	Deemed to comply
Residential typology areas	5m	Discretionary	Yes, if setback is the minimum or more
Limited Sensitivities typology areas	1m setback for every additional 1m of building height above the maximum front wall height	Discretionary	Yes, if setback is the minimum or more
Large Opportunity Sites typology areas	1m setback for every additional 1m of building height above the maximum front wall height	Discretionary	No

Delegate response:
Map 10 identifies the site as one where a 10 metre high front wall is preferred. **Table 13** confirms this as a discretionary height, that if met, is deemed to comply with the outcome.

The front wall exceeds 10 metres along its length, with this ranging from 10.49 metres to 11.35 metres. This is considered an appropriate response to the site's typography, whilst observing all other deemed to comply standards such as building height, front setback and side and rear setbacks. Otherwise, as a means of providing enclosure and planter box opportunities at the podium for apartments at that level.

	The shadow analysis has already demonstrated that the height of the front wall does not materially impact a key pedestrian street, satisfying Standard BF04. The development is considered to appropriately satisfy the outcome. **Table 14** confirms a setback above the front wall of 5 metres, measured from the front boundary, that is discretionary and deemed to comply with the outcome. The development consistently achieves this setback, above the front wall, from the front boundary. The setback is met and **deemed to comply** with the outcome.

11.1 When considering applications with this set of planning controls and overlays, the discretion available to a decision maker is designed to be limited to the areas of 'non-compliance'.

12.0 CLAUSE 58 (RESCODE ASSESSMENT)

12.1 The table below outlines an assessment against Clause 58 (Apartment Developments) in the Activity Centre Zone.

12.2 Clause 6.0 in Schedule 1 to the Built Form Overlay sates that the outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any standard set out in clauses 54 to 58, unless an application has been made under either clause 53.22 or clause 53.23, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

12.3 Where clause 58 standards are superseded by those in the BFO1, they are noted as not applicable.

*****MUST meet the objective, SHOULD meet the standard*****

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
Clause 58 – URBAN CONTEXT		
Clause 58.02-1 – Urban Context ▪ To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. ▪ To ensure that development responds to the features of the site and the surrounding area.	**Standard D1** ▪ The design response must be appropriate to the urban context and the site. ▪ The proposed design must respect the existing or preferred urban context and respond to the features of the site.	N/A
Assessment: N/A. The outcomes and standard at clause 43.06-7.1 – Building typology and future character and correspondingly, Schedule 1, prevail over clause 58.02-1. Refer to section 6 of this report.		
Clause 58.02-2 – Residential Policy	**Standard D2** ▪ An application must be accompanied by a written statement to the satisfaction of the RA that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.	Complies with the standard and meets the objective.

▪ To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. ▪ To support higher density residential development where development can take advantage of public and community infrastructure and services.		
Assessment: The development satisfies the objectives of the activity centre policy, see earlier discussion within this report.		
Clause 58.02-3 – Dwelling Diversity ▪ To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	**Standard D3** ▪ Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.	Complies with the standard and meets the objective.
Assessment: The proposal and respective floor plans accommodate a mixed apartment typology including 1, 2 and 3 bedroom dwellings with some inclusive of study's.		
Clause 58.02-4 – Infrastructure ▪ To ensure development is provided with appropriate utility services and infrastructure. ▪ To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	**Standard D4** ▪ Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. ▪ Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. ▪ In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	Complies with the standard and meets the objective, subject to conditions.
Assessment: The site is in an established area that is well serviced by existing infrastructure. Additionally, it is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations.		
Clause 58.02-5 – Integration with the Street ▪ To integrate the layout of development with the street. ▪ To support development that activates street frontage.	**Standard D5** ▪ Development should be oriented to front existing and proposed streets. ▪ Along street frontage, development should: o Incorporate pedestrian entries, windows, balconies or other active spaces. o Limit blank walls. o Limit high front fencing, unless consistent with the existing urban context. o Provide low and visually permeable front fences, where proposed. o Conceal car parking and internal waste collection areas from the street. ▪ Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.	Complies with the standard and meets the objective, subject to a condition.
Assessment: The proposal presents an open and welcoming entry to Healey Street, with the development making provision for safe and functional connectivity. Owing to the typography of the land, ground level courtyards within the front setback overlook the street. Upper levels have been designed with balconies		

presenting to the street, providing excellent passive surveillance opportunities to the public realm. The communal entry is open and inviting, again demonstrating an engaging frontage that positively contributes to the street integration. A condition will however be included to ensure glazing included at the building entry is clear to allow intervisibility with the street.		
Clause 58.03 – SITE LAYOUT		
Clause 58.03-1 – Energy Efficiency ▪ To achieve and protect energy efficient dwellings and buildings. ▪ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. ▪ To ensure dwellings achieve adequate thermal efficiency.	**Standard D6** 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 POS 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 in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.	Variation required to the standard but meets the objective.
Assessment: The proposal is generally energy efficient with dwellings oriented north where practicable. Access to daylight in accordance with deemed to satisfy criteria in BESS, is achieved for all bedrooms. It is limited to living areas and so they do not contribute towards the overall IEQ score in BESS. Each apartment is however modelled to have a cooling load below the maximum for climate zone 62 – Moorabbin in Table D1. The apartments are also indicated to achieve a 7.6 stars (7.4 weighted score in BESS) energy rating. All dwellings achieve 6 stars and above (subject to building fabric assumptions made in the ratings).		
Clause 58.03-2 – Communal Open Space ▪ To provide communal open space that meets the recreation and amenity needs of residents. ▪ To ensure that communal open space is accessible, practical, attractive, easily maintained. ▪ To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.	**Standard D7** Developments with 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres. If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space. ▪ Communal open space should: ▪ Accessible to all residents. ▪ A useable size, shape and dimension. ▪ Capable of efficient management. ▪ Be located to: - Provide passive surveillance opportunities. - Provide outlook for as many dwellings as practicable. - Avoid overlooking into habitable rooms and POS of new dwellings. - Minimise noise impacts to new & existing dwellings. Any area of communal open space should be landscaped and include canopy cover trees.	Complies with the standard and meets the objective.

Assessment: The development includes both indoor and outdoor communal space at ground floor, 75m^2 and 160m^2 respectively, equating to of 235m^2 in total, which exceeds the standard. The communal space is designed and located so that it provides acceptable passive surveillance opportunities, outlooks, minimised overlooking potential into nearby HRWs or POS areas of new dwellings. This space also provides reasonable opportunities for landscaping that is accessible and allows for efficient management and care abilities.		
Clause 58.03-3 – Solar Access to Communal Outdoor Open Space ▪ To allow solar access into communal outdoor open space.	**Standard D8** The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50% or 125m^2, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of 2 hrs of sunlight between 9am-3pm on 21 June.	Complies with the standard and meets the objective.
Assessment: The communal open space area is located northwest of the proposed building. Further, the relevant shadow diagrams submitted demonstrate that this area received the adequate/recommended levels of sunlight between the relevant times of day.		
Clause 58.03-4 – Safety ▪ To ensure the layout of development provides for the safety and security of residents and property.	**Standard D9** Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.	Complies with the standard and meets the objective.
Assessment: The residential lobby to Healey Street is clearly visible from the public domain and presents as a wide lobby with no concerning features that could compromise the safety and security of residents and property. Other safety elements in the way of lighting, visibility and surveillance etc. have all been satisfactorily considered in the design layout of the development.		
Clause 58.03-5 – Landscaping	**Standard D10** The landscape layout and design should: ▪ Be responsive to the site context. ▪ Protect any predominant landscape features of the area. ▪ Take into account the soil type and drainage patterns of the site and integrate planting and water management. ▪ 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. ▪ Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens & improve on-site stormwater infiltration. ▪ Maximise deep soil areas for planting of canopy trees.	Complies with the standard and meets the objective, subject to conditions.

▪ To encourage development that respects the landscape character of the area. ▪ To encourage development that maintains and enhances habitat for plants & animals in locations of habitat importance. ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. ▪ To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.	Development should provide for the retention or planting of trees, where these are part of the urban context. 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. Development should provide the deep soil areas and canopy trees specified in Table D2. If the development cannot provide the deep soil areas and canopy trees specified in Table D2, 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.	

Assessment:
The application has been referred to Council's Vegetation Management Officer who has advised the following:

In order to achieve compliance with the standard, the landscape plan should incorporate the following:

- Type A trees should have, amongst other things, a deep soil area with a minimum plan width of 2.5m.
- The current plans show decking intruding into these zones in the SPOS of G02-G06.
- The deep soil areas should also meet the minimum surface area requirements outlined in Table D3.
- The decking area in these zones should be reduced to allow at least for the minimum 2.5m setbacks of deep soil and equivalent deep soil surface area for each canopy tree or group of canopy trees.
- Please refer to Diagram 2 and notes below for guidance.

1.
In addition to the above recommendations, the following design elements should be implemented to adequately satisfy the objectives of Clause 58.03-5, that soften the build form, enhance cooling within the development given its orientation, mitigate urban heat island effect within the surrounding neighbourhood, especially in the warmer months, and enhance human health, wellbeing and amenity.

- Canopy trees should be provided along the north-eastern setback/street frontage.
- Climbers should also be planted at the base of north, east and west facing walls.
- Balcony planters should be included on all balconies where appropriate.
- Small canopy trees planted in suitably sized planters should be provided on Level 3 balconies of apartments 301, 307, 308 & 313 (Please refer to Diagram 3 below).



Diagram 1: Magenta areas above highlight the proposed available deep soil areas which are non-compliant with standard D10 in the current proposal.
Diagram 2: Deep soil areas required for proposed canopy tree planting as per standard D10

- Type A canopy trees: Orange areas comply with minimum soil plan dimension of 2.5m and minimum deep soil area of 12m^2.



- Type B canopy trees - Cyan areas - these areas do not comply with the minimum deep soil area of 49m^2 of deep soil, however, it is considered that a satisfactory outcome can be achieved provided the following conditions are met:
    - Retain additional proposed canopy trees and vegetation located outside the deep soil areas;



Diagram 3: Provide small canopy trees in suitably sized planters in locations highlighted above in Green, to Level 3 apartments 301, 307, 308 & 313.
Subject to conditions controlling the above, planting strategy, the development will comply with the standard and objective.

Clause 58.03-6 – Access ▪ To ensure the number and design of vehicle crossovers respects the urban context.	**Standard D11** The width of accessways or car spaces should not exceed: ▪ 33 per cent of the street frontage, or ▪ If the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.	Complies with the standard and meets the objective.

Assessment:
Access and associated crossovers to the site will be rationalised, with one existing access (northeast roadside boundary) being modified to service the development. Redundant access in the southeast roadside boundary, will be reinstated to the satisfaction of the responsible authority. The standard is comfortably met as is the objective.

Otherwise, Council's Infrastructure Team have no objection to the access point to Healey Street, subject to the imposition of standard conditions controlling, construction methodology and impact to Council assets. These are included in the delegate recommendation.

Clause 58.03-7 – Parking Location ▪ To provide convenient parking for resident and visitor vehicles. ▪ To protect residents from vehicular noise within developments.	**Standard D12** Car parking facilities should: ▪ Be reasonably close and convenient to dwellings. ▪ Be secure. ▪ Be well ventilated if enclosed. Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the	Complies with the standard and meets the objective.

	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.	

Assessment:
Car parking for each dwelling is located in the basement which also provides convenient access to each dwelling. The car parking area is secured and provides for ventilation.

Dwellings are sufficiently setback or positioned from the shared access driveway to limit vehicular noise.

Clause 58.03-8 – Integrated Water and Stormwater Management ▪ To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. ▪ To facilitate stormwater collection, utilisation and infiltration within the development. ▪ 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.	**Standard D13** Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. 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). Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.	Complies with the standard and meets the objective, subject to conditions.

Assessment:
To meet the above Standard, the proposal would require greater WSUD considerations (i.e. in lieu contributions for stormwater management/ site management plan) to ensure sufficient stormwater treatment measures are provided. These matters are controlled by recommended conditions of permit. Further, the application was referred to Council's Development Approvals Engineer – as detailed earlier in this report.

Clause 58.04 – AMENITY IMPACTS		
Clause 58.04-1 – Building Setback ▪ To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. ▪ To allow adequate daylight into new dwellings. ▪ To limit views into habitable room windows and private open space of new and existing dwellings. ▪ To provide a reasonable outlook from new dwellings. ▪ To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.	**Standard D14** The built form of the development must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to: ▪ Ensure adequate daylight into new habitable room windows. ▪ Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. ▪ Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. ▪ Ensure the dwellings are designed to meet the objectives of Clause 58.	N/A
Assessment: N/A Outcomes and standards at Clause 43.06-7.5 – Front wall setbacks, street wall and front wall heights, setbacks above the street wall and front wall and landscaped setbacks, Clause 43.06-7.6 and correspondingly in Schedule 1 to the BFO at clauses 6.2-3, 6.2-4 and in addition, clause 6.3-1 (front wall height and front upper level setbacks for buildings with a front setback, prevail over objectives and standards at Clause 58.04-1. Refer to section 6 of this report.		
Clause 58.04-2 – Internal Views ▪ To limit views into the private open space and habitable room windows of dwellings within a development.	**Standard D15** ▪ Windows and balconies should be designed to prevent overlooking of more than 50% of the POS of a lower-level dwelling directly below & within the same development.	Complies with the standard and meets the objective.
Assessment: No unreasonable internal overlooking will occur as a result of the proposed development.		
Clause 58.04-3 – Noise Impacts ▪ To contain noise sources in developments that may affect existing dwellings. ▪ To protect residents from external and internal noise sources.	**Standard D16** Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. The layout of new dwellings and buildings should minimise noise transmission within 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.	Complies with the standard and meets the objective.

	New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels: ▪ Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. ▪ Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. 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. Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.	

Assessment:
It is considered that the proposal has given adequate consideration to contain noise sources in the development as well as design measures to protect future residents from external and internal noise sources.

Clause 58.04-4– Wind impacts • To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.	**Standard D17** Development of five or more storeys, excluding a basement should: • not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and • achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements. Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.	N/A

Assessment: N/A
The outcomes and standard at Clause 43.06-7.8 – Wind effects on the public realm prevail over the objective and standard at Clause 58.04-4. Refer to section 6 of this report.

Clause 58.05 – ON-SITE AMENITY AND FACILITIES		
Clause 58.05 On-site Amenity and Facilities ▪ To ensure the design of dwellings meets the needs of people with limited mobility.	**Standard D18** 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 & 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 Design A or Design B specified in Table D7.	Complies with the standard and meets the objective.

Assessment:
Dwellings G01, G02, G03, G04, G05, G06, G07, G08, G09, 101, 102, 105, 107, 108, 109, 112, 201, 202, 205, 206, 207, 208, 209, 212, 308, 307, 309, 312, 313, 407, 408, 409, 412, 413 and 508 fully comply with the standard. This totals 35 dwellings and therefore 50% of the total dwellings.

Whilst the standard is met, variations are noted to the following dwellings:

Dwellings 103, 104, 203 and 204 each have a clear path that overlaps areas nominated as living areas, however, give access to main bedroom and accessible bathroom. This variation is supported as there is considered sufficient space within each dwelling to achieve a clear path as necessary through furniture placement. It is not considered necessary to condition a path clear of all obstruction.

Dwellings 303, 304, 403, 404 each have a clear path that would overlap living areas and opening width less than 800mm. But they all have accessible bathrooms. It is not necessary to condition full compliance, when the standard is met with 50% of all dwellings meeting the standard.

A technical variation is sought to dwelling 507 as there is no connection to a main bedroom. Instead, there is a clear path and access to bathroom and secondary bedroom instead. This is considered an acceptable outcome.

Noted non-compliances with the standard are dwellings 110, 111, 210, 211, 301, 302, 305, 306, 310, 401, 402, 404, 405, 406, 410, 411, 501, 502, 503, 504, 505 and 506.

Clause 58.05-2 – Building Entry and Circulation ▪ To provide each dwelling and building with its own sense of identity. ▪ To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. ▪ To ensure internal communal areas provide adequate access to daylight and natural ventilation.	**Standard D19** Entries to dwellings and buildings should: ▪ Be visible and easily identifiable. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. The layout and design of buildings should: ▪ Clearly distinguish entrances to residential and non-residential areas. Provide windows to building entrances and lift areas. ▪ Provide visible, safe and attractive stairs from the entry level to encourage use by residents. ▪ Provide common areas and corridors that: • Include at least one source of natural light and natural ventilation. • Avoid obstruction from building services. • Maintain clear sight lines.	Variation required to the standard but meets the objective.

Assessment:
The building entry is considered to be well defined and allows view lines to internal circulation spaces in approach from the street.

Common indoor space is well lit and has direct daylight and ventilation access.

A light court is provided internal to the building providing an additional light source to circulation areas.

Circulation spaces will be mechanically ventilated, and so a variation is sought to the standard. On balance, the layout is an acceptable outcome, that is well-lit and legible in functionality for residents.

Clause 58.05-3 – Private Open Space ▪ To provide adequate private open space for the reasonable recreation and service needs of residents.	**Standard D20** A dwelling should have private open space consisting of: ▪ An area of 25m^2, with a minimum dimension of 3m at natural ground floor level & convenient access from a living room, or ▪ An area of 15m^2, with a minimum dimension of 3m at a podium or other similar base & convenient access from a living room, or ▪ A balcony with an area and dimensions specified in Table D8 & convenient access from a living room, or ▪ A roof-top area of 10m^2 with a minimum dimension of 2m 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 1.5m^2.	Complies with the standard and meets the objective.

Assessment:
Each dwelling has been provided with adequate POS that meets the area and exceed dimension requirements specified above and will service the social, recreational and passive needs of future residents.

Clause 58.05-4 – Storage ▪ To provide adequate storage facilities for each dwelling.	**Standard D21** 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 D10.	Complies with the standard and meets the objective, subject to a condition.

Dwelling type	*Total minimum storage volume*	*Minimum storage volume within the dwelling*
Studio	*8 cubic metres*	*5 cubic metres*
1 bedroom dwelling	*10 cubic metres*	*6 cubic metres*
2 bedroom dwelling	*14 cubic metres*	*9 cubic metres*
3 or more bedroom dwelling	*18 cubic metres*	*12 cubic metres*

Assessment:
Dwellings, 110, 111, 410 and 411, being 1 bedroom apartments are required to have a total storage volume of 10 cubic metres. Whilst the internal storage volume exceeds the minimum, at 7.5m^3 the dwellings, only have 2.3m^3 of external storage is 2.3m^3. It will therefore be a condition of permit that the total storage for these dwellings, meet the standard.

All other dwellings comfortably satisfy the storage requirements of the standard.

58.06 DETAILED DESIGN		
Clause 58.06-1 – Common Property ▪ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▪ To avoid future management difficulties in areas of common ownership.	**Standard D22** Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be: ▪ Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development.	Complies with the standard and meets the objective.
Assessment: Common property is functional, well-designed and capable of efficient management through an owner's corporation arrangement.		
Clause 58.06-2 – Site Services ▪ To ensure that site services are accessible and can be installed and maintained. ▪ To ensure that site services and facilities are visually integrated into the building design or landscape.	**Standard D23** The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Mailboxes should be provided and located for convenient access as required by Australia Post.	Complies with the standard and meets the objective.
Assessment: Mailboxes are provided at the building entry. With respect to site services, the outcome and standard at Clause 43.06-7.14 prevails over considerations in Clause 58.06-2. Refer to section 6 of this report.		
Clause 58.06-3 – Waste and Recycling ▪ 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.	**Standard D24** 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.	Complies with the standard and meets the objective.

	▪ 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. ▪ Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. ▪ Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. ▪ Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: ▪ Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. ▪ Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.	
Assessment: Council's Waste Management Officer is satisfied with the Waste Management Plan provided and private collection proposed.		
Clause 58.06-4 – External walls and materials • To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. • To ensure external walls endure and retain their attractiveness.	**Standard D25** External walls should be finished with materials that: • Do not easily deteriorate or stain. • Weather well over time. • Are resilient to the wear and tear from their intended use. External wall design should facilitate safe and convenient access for maintenance.	N/A
Assessment: N/A The outcome and standard at Clause 43.06-7.15 – Exterior design prevail over Clause 58.06-4.		

Clause 58.07 – INTERNAL AMENITY

Clause 58.07-01 – Functional Layout

- To ensure dwellings provide functional areas that meet the needs of residents.

Standard D26

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D11 Bedroom dimensions

Bedroom type	*Minimum width*	*Minimum depth*
Main bedroom	*3 metres*	*3.4 metres*
All other bedrooms	*3 metres*	*3 metres*

- Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

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*

Complies with the standard and meets the objective, subject to conditions.

Assessment:

Living areas:

The living area of apartment 504 is fully compliant with this standard.

Living rooms associated with 1 bedroom apartments G02, G03, G04, G05, G06, 102,103,104,105,106, 202, 203, 204, 205, 206, 210, 302, 303, 304, 305, 306, 402, 403, 404, 405 and 406 do not meet the minimum width of 3.3 metres in both directions.

Living rooms associated with apartments 107, 108, 109, 112, 207,208, 209, 212, 301, 307, 308, 309, 312, 313, 401, 407, 408, 409, 412, 413, 501, 504, 505, 506, 507, 508 each having 2 or more bedrooms do not meet the minimum width of 3.6m in both directions.

However, they all comfortably have living areas that meet or exceed minimum area requirements and display a functional layout to meet the reasonable internal amenity needs of residents. The variation is supported.

Bedrooms:

Bedrooms associated with apartments 302, 305, 306, 402, 405 and 406 comply with the standard however, their dimensions need to be shown on the floor plans. This is a condition of permit.

The secondary bedroom of apartments 307 and 407 are shown to be less than 3 metres and not meet the standard. A condition of permit is that they be made to comply with the standard.

Apartment 507 complies with the standard however the bedroom nominated as “accessible” is dimensioned to include the depth of it wardrobe in the overall width dimension. This will be corrected by a condition of permit.

Similarly, the secondary bedroom of apartment 508 complies with the standard however is also dimensioned to include the depth of it's wardrobe in the overall width dimension. This will also be corrected by a condition of permit.		
Clause 58.07-2 – Room Depth ▪ To allow adequate daylight into single aspect habitable rooms.	**Standard D27** Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: ▪ The room combines the living area, dining area and kitchen. ▪ The kitchen is located furthest from the window. ▪ 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. The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.	Complies with the standard and meets the objective.
Assessment: Living room depths to single aspect dwellings are less than the maximum 9m with a generous floor to ceiling height of 2.7m, thus will have adequate daylight access.		
Clause 58.07-3 – Windows ▪ To allow adequate daylight into new habitable room windows.	**Standard D28** HRW should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be: ▪ A minimum width of 1.2 metres. ▪ A maximum depth of 1.5 times the width, measured from the external surface of the window.	Complies with the standard and meets the objective.
Assessment: All habitable rooms have a window in an external wall of the building. All bedrooms have adequate access to daylight, exceeding the minimum standards for light penetration into habitable areas. This is demonstrated in the daylight assessment included in the accompanying SMP.		
Clause 58.07-4 Natural Ventilation ▪ To encourage natural ventilation of dwellings. ▪ To allow occupants to effectively manage natural ventilation of dwellings.	**Standard D29** 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% 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.	Variation required to the standard but meets the objective.

	The breeze path is measured between the ventilation openings on different orientations of the dwelling.	

Assessment:
Only 23 of the 69 apartments achieve effective natural ventilation in accordance with the standard. This is only 33% in total and 7% short of the standard requirements.

This outcome is largely a product of the internal floor plan with only apartments that are at the corners of the building being able to achieve cross ventilation from opposing orientations of the building.

The apartments that do not meet the standard, will still achieve a level of ventilation however any breeze, will not fully disperse through the dwelling. There will be a degree of reliance in mechanical systems to air and cool dwellings. This is not considered fatal to the overall proposal. As described in the SMP all apartments will have mechanically assisted natural ventilation which provides an energy efficient method of ventilating apartments. Given this method is acceptable outcome regarding the BESS assessment, it is considered the objective is satisfied in this case.

This is said, considering the overall positive performance of the development relative to all other clause 58 standards and otherwise built form controls in the BFO. Further, the outcome to be met in satisfying the strategic objectives and outcomes for the MAC in delivering a form and scale of development that delivers an intensification of housing as envisaged within this precinct. Weighing all of these factors, the variation is considered appropriate.

13.0 CONCLUSION

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

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

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

- Its response to the purpose of the Activity Zone in delivering a density of development that facilitates increased housing, choice of typology and proximate to services and key infrastructure.
- The built form response and its satisfaction of deemed to comply standards and outcomes of the Built Form Overlay.
- Its response to limiting impacts to sensitive interfaces and the public realm.
- A suitable level of compliance with particular provisions at **Clause 58** of the Kingston Planning Scheme.
- Its overall response to the strategic directions and policy in the MPS and PPF of the Kingston Planning Scheme.

14.0 RECOMMENDATION

14.1 That Council determine support the proposal and issue a **Planning Permit** for the construction of a six (6) storey building containing sixty-nine (69) dwellings at 13-19 Healey Street, Moorabbin, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be substantially in accordance with the amended plans prepared by Pitard Group comprising drawing no's. TP01, TP02, TP02B to TP02E, TP03, TP03A, TP04

to TP21 inclusive, TP25, TP25B, TP26C, TP26, TP26B, TP27 to TP39 inclusive, all Rev 4, dated May 2026, submitted to Council on 22 May 2026, but modified to show:

a. the front (southeast) setback of apartments G06 and G07 compliant with Standard BFO5 and the corresponding standard specified in Schedule 1 of the BFO of the KPS.

b. the rear (southwest) setback of apartment G08 compliant with Standard BFO6 and the corresponding standard specified in Schedule 1 of the BFO of the KPS.

c. compliance with the floor to floor heights of Standard BFO7 as specified in Schedule 1 of the BFO of the KPS.

d. compliance with the front wall height of Standard BFO16 as specified in Schedule 1 of the BFO of the KPS.

e. apartments 110, 111, 410 and 411 provided secure storage to meet the minimum total storage volume of Standard D21 at Clause 58.05-4.

f. the dimensions of bedrooms to apartments 302, 305, 306, 402, 405 and 406 in compliance with Standard D26 at Clause 58.07-1.

g. the bedrooms of apartments 307 and 407 compliant with Standard D26 at Clause 58.05-4.

h. the wardrobes in the accessible bedroom to apartment 507 and the secondary bedroom to apartment 508, removed from the width dimensions to comply with Standard D26 at Clause 58.05-4.

i. the doors to hydrant booster and substation installed as flush as possible with the walls of the cabinet, exterior wall of the building, as applicable.

j. the building entry door and side lights, clear glazed and the materials and finishes schedule updated to include this.

k. clear line marking and appropriate signage for all allocated car parking spaces on-site, including directional line marking within the basement car park, in accordance with Design Standard 6 of Clause 52.06 of the KPS.

l. basement ramp gradients and transition levels designed and constructed in accordance with AS2890.1: Off-Street Car Parking.

m. the provision of a longitudinal section of the basement ramp showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004 and the flood proof apex.

n. the provision of the required flood proof apex of minimum 150mm above the existing kerb and channel invert level along the entire street frontage of the subject site.

o. all levels on plan must be shown in Australian Height Datum (AHD).

p. vehicle crossings must be constructed at a 90 degree alignment with the kerb on Healey Street and all internal driveways must align with the existing / proposed vehicle crossing.

q. the internal driveway must be at least 500mm from the side boundary at the front boundary.

r. an ESD notes section summarising all ESD objectives that are not otherwise shown and detailed on the plans, as committed to within the BESS report and SMP. This includes, but is not limited to:

    i) WELS ratings for water fixtures and fittings.

    ii) Water efficient landscaping requirements.

    iii) Fire sprinkler water use reduction measures.

iv) 7.5 Star average NatHERS rating commitment.

v) Improved glazing specification - Minimum U-value of 4.35 and SHGC of 0.5.

s. a note stating that water efficient landscaping including no irrigation system will be installed.

t. removal of specification for irrigation system from the landscaping plan or alternatively remove this credit from the BESS assessment.

u. the approach to collecting and re-using fire test water as per BESS credit 'Water 4.1 Building Systems Water Use Reduction.'

v. location of indoor reverse cycle heating and cooling units in each apartment noted.

w. an amended landscape plan in accordance with the submitted Landscape Plan prepared by John Patrick Landscape Architecture Pty Ltd, Revision A, dated 09/02/2026, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the responsible authority and incorporating:

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

ii) A survey, including, botanical names of all existing trees to be removed on the site.

iii) Deep soil areas for canopy trees to be unencumbered by decking, paved surfaces or structures.

iv) Canopy trees to meet the minimum deep soil requirements set out in Table D3 in the SPOS of G02-G06.

v) Climbing plant species to be planted at the base of north, east and west facing walls and in balcony planters.

vi) Balcony planters included on further apartment balconies where appropriate.

vii) Small canopy trees to be planted in suitably sized planters on Level 3 balconies of apartments 301, 307, 308 & 313.

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

ix) Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Protection Specifications.

x. the location of tree protection measures illustrated to scale and labeled on the Ground Floor Plan as per the endorsed Tree Protection Specifications.

y. any changes as required by Condition 4.

z. uniformity with the commitments and any changes identified within the waste management plan, required under Condition 15 of this planning permit, shown on the plans.

aa. all relevant commitments identified within the sustainable management plan, required under Condition 17 of this planning permit, shown on plans.

bb. all relevant commitments identified within the green travel plan, required under Condition 19 of this planning permit, shown on plans

cc. uniformity with the commitments and any changes identified within the wind effects statement, required under condition 21 of this planning permit, shown on the plans.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

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.

Tree Protection Specifications

4. Concurrent with the endorsement of plans, Tree Protection Specifications prepared by a suitably qualified arborist in accordance with AS4970-2025, must be submitted to and be endorsed by the responsible authority and incorporating:

    a) Tree Protection Specifications (written report) must provide details of:
        i) Tree protection measures that will be utilized to ensure all street trees to be retained remain viable post-construction.
        ii) Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
    b) A Tree Protection Plan (scale drawing) must provide details of:
        i) The Notional Root Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the Notional Root Zone falls within the subject site.
        ii) The location of tree protection measures to be utilized.
        iii) A notation to refer to the Tree Protection Specifications.

5. All protection measures identified in the Tree Protection Specifications must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Protection Specifications, to the satisfaction of the responsible authority.

Street Trees

6. Council's Senior arborist must be present during the excavation of the new crossover and the City of Kingston's Vegetation Department must be contacted a minimum of 1 week prior to the excavation of the crossover for the development, notifying the Senior Arborist of the excavation date and time.

7. If the construction of the new crossover is results in the necessary removal of the T1 *Callistemon viminalis* (Weeping Bottlebrush) (Asset ID. TR521129) Street Tree, the nominated removal and replacement fee must be paid by the owner/developer prior to the tree removal.

8. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.

    (a) The fencing is to be a minimum 1.8 metre high, mesh panel temporary fence on concrete bases or similar,
    (b) The fencing is to encompass the entire nature strip with each end located outside the NRZ of each street tree.
    (c) The fenced Tree Protection Zone is only to be accessed for maintenance purposes.
    (d) The fencing is to encompass the entire nature strip with the north-east end 6.5 metres from the base of the T1 Callistemon viminalis (Weeping Bottlebrush) (Asset ID. TR521129) street tree on Healey Street and to the edge of the existing crossover at the northern end and can only be adjusted to allow for the excavation of the new crossover;
    (e) The following notation must be included on the Landscape Plan and Ground Floor Plan:
        "Notification of Council Arborist required:

A Senior Council Arborist must be present to supervise the excavation for the crossover and root pruning of the T1 *Callistemon viminalis* (Weeping Bottlebrush) (Asset ID. TR521129) street tree on Healey Street. The Vegetation Department must be contacted on 9581 4712 or 9581 4992, a minimum of 1 week prior to excavation to notify the arborist of the date and time for commencement of excavation works."

Drainage and Water Sensitive Urban Design

9. Unless with prior written consent of the responsible authority, before the development commences the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the responsible authority:

   (a) Prior to submitting detailed engineering plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".

   (b) The stormwater management (drainage) strategy must include a report with MUSIC modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. 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.

   (c) The water sensitive urban design treatments as per conditions 9(a) & 9(b) above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the responsible authority.

   (d) Detailed Stormwater Management (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge in line with approved Stormwater Management (drainage) Strategy Report. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.

10. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the responsible authority including the following:

   (a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.

   (b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate of 19.7L/sec.

   (c) All stormwater (drainage) works must be maintained to the satisfaction of the responsible authority.

11. A flood proof apex (ridge level) protecting the property from any overland flows must be provided in accordance with Kingston City Council's 'Basement Policy Guidelines'. This apex is to be minimum 150mm above the existing kerb and channel invert level along the entire road 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.

12. 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.

13. The basement structure must be designed to respond to the findings of the GAR and GMP required under condition 12 and constructed to the satisfaction of the responsible authority in accordance with the following:

    (a) the basement must be a fully-tanked dry basement with no ground water including agricultural (AG) drain collection or disposal into stormwater system and with an allowance made for any hydrostatic pressures in accordance with Council's "Basements and Deep Building Construction Policy 2014" and "Basements and Deep Building Construction Guidelines 2014", or

    (b) in the event it is demonstrated that a fully tanked dry basement cannot be achieved or if a wet basement system is proposed, no groundwater including AG drain from the site shall be discharged into the stormwater system. Council does not accept any groundwater (including AG drain) into the stormwater system. Sub-surface water (groundwater) is the responsibility of the property owner to dispose of on site or reach an agreement with the local sewer authority.

14. In any case where the basement design and construction, as required by Conditions 12 & 13 above of this permit, does not accord with the plan(s) approved under this permit, the endorsed plan(s) must be amended to the satisfaction and with the written consent of the responsible authority.

Waste Management Plan

15. Concurrent with the endorsement of plans, an updated Waste Management Plan (WMP) generally in accordance with the WMP prepared by Quantum Traffic, dated 16 September 2025, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority and thereafter endorsed to form part of the permit.

16. The waste management plan must be implemented to the satisfaction of the responsible authority. The waste management plan must not be modified unless with the prior written consent of the responsible authority.

Sustainable Management Plan and Green Travel Plan

17. Concurrent with the endorsement of plans required by condition 1 of this permit, Sustainable Management Plan (SMP) generally in accordance with the SMP prepared by Energy Water Environment, dated 20 January 2026, must be submitted to the satisfaction of the responsible authority and approved by the responsible authority. The SMP must be consistent with the plans endorsed under Condition 1.

18. All works must be undertaken in accordance with the endorsed sustainable management plan to the satisfaction of the responsible authority. No alterations to the sustainable management plan may occur without the written consent of the responsible authority.

19. Prior to the endorsement of plans required under Condition 1 of this permit, a Green Travel Plan, generally in accordance with the GTP prepared by Energy Water and Environment Consulting dated 2 October 2025, must be submitted to the satisfaction of the responsible authority and approved by the responsible authority.

20. Prior to the occupation of any building approved under this permit, written confirmation from the author of the endorsed sustainable management plan and green travel plan or similarly

qualified person is to be submitted to and approved by the responsible authority detailing that all of the required measures specified in the sustainable management plan and green travel plan have been implemented, to the satisfaction of the responsible authority.

Wind Effects Statement

21. Prior to the commencement of the development, a wind effects statement including wind tunnel testing, as appropriate, must be submitted to and be to the satisfaction of the responsible authority. Any recommendations made in the wind impact assessment must be implemented to reduce any adverse wind conditions in areas publicly accessible on private land, private open space and communal open space, to the satisfaction of the responsible authority. The recommendations of the statement must be implemented at no cost to the responsible authority and must not include reliance on street trees.
22. The wind effects statement must be implemented to the satisfaction of the responsible authority. The wind effects statement must not be modified unless without the written consent of the responsible authority.

Construction Management Plan

23. Prior to the commencement of any buildings and works on the land, a construction management plan (CMP), to the satisfaction of the responsible authority, must be submitted to and approved by the responsible authority. The construction management plan must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The construction management plan 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 construction management plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

Infrastructure and Road Works

24. 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.
25. Property boundary and footpath levels must not be altered without the prior written consent form the responsible authority.
26. All reinstatements and vehicle crossovers must be constructed to the satisfaction of the responsible authority.
27. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the responsible authority.
28. Any redundant vehicle crossovers must be removed (including redundant portions of vehicle crossovers) to the satisfaction of the responsible authority.

29. All front and side fences must be contained wholly within the title property boundaries of the subject land.

Residential Reticulated Gas Service Connection

30. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

General Amenity

31. 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.
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 not be located where they will be highly visible from any public area to the satisfaction of the responsible authority.
33. All piping, 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.

Completion of Works

34. Prior to the occupation of the development 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.
35. Prior to the occupation of the development 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.

Permit Expiry

36. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

    (a) The development is not started within three (3) years of the issue date of this permit.

    (b) The development is not completed within five (5) years of the issue date of this permit.

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

The following notes to this permit are for information only:

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

Note: Any buildings and works (including eaves) to be located within an easement requires separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of a building permit.

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

Note: The applicant/owner must provide a copy of this planning permit to any appointed building surveyor. It is the responsibility of the applicant/owner and building surveyor to ensure that

all building development works approved by any building permit is consistent with the planning permit.

Note: The fee for removal of the street tree(s) from the nature strip is ($14,082.20 including GST), payable to Council's customer service department, refer to attached invoice. Council's customer service department will confirm payment to Council's parks department. The removal of the tree requires a minimum of two (2) weeks' notice from the developer/owner.

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

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

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

Note: The development includes fences to be built over the easement. Separate consent from Council and the relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a Building Permit.

Note: Please note for information on how City of Kingston approaches the construction of building and other structures with below ground elements for the benefit of the whole community please refer to City of Kingston 'Basement and Underground Structures Policy'.

Note: Please note that during basement construction Council does not permit the discharge of surface water or ground water into the Council drainage system unless a Temporary Discharge Permit (TDP) has been obtained. Application form and other construction related permits can be obtained from Council Website.

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 in writing to property@kingston.vic.gov.au.

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).

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

Note: All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan as required by the Aboriginal Heritage Act 2006. A copy of the approved CHMP must be held on site during the construction activity.

Note: As part of Kingston's Social and Affordable Housing Strategy July 2020 Council encourages a permit holder and/or owner to voluntarily commit to the Homes for Homes Limited program (ACN 143 151 544, ABN 26 143 151 544).

Note: Separate approval (vehicle crossing permit) is required from Council's infrastructure department (roads and drains) for all new, repairs or changes to existing vehicle crossovers. This permit does not guarantee the suitability of the location or number of any vehicle crossovers. It is strongly advised that you ensure all new, repaired or altered vehicle crossovers are designed in accordance with Kingston City Council's Vehicle Crossing Policy, noting that only one (1) vehicle crossover is permitted per property post development.

Appendices

Appendix 1 - Considered Development Plans (Ref 26/235397)
Appendix 2 - Considered Landscape Plans (Ref 26/244378)

Author/s:	Kirsty Slater, Principal Statutory Planner
Reviewed and Approved By:	Craig Tate, Team Leader Statutory Planning
	Jaclyn Murdoch, Manager City Development

7.2

KP-2025/438 - 13-19 HEALEY STREET, MOORABBIN

1 Considered Development Plans..... 87
2 Considered Landscape Plans..... 133



13-19 HEALEY STREET MOORABBIN

RFI TOWNPLANNING SUBMISSION MAY 2026

DRAWING SCHEDULE

TP01	URBAN CONTEXT
TP02	DESIGN RESPONSE
TP02B	DESIGN RESPONSE PERSPECTIVE
TP02C	DESIGN RESPONSE PERSPECTIVE
TP02D	DESIGN RESPONSE PERSPECTIVE
TP02E	STREET SCAPE ELEVATIONS
TP03	BASEMENT PLAN
TP03A	BASEMENT PLAN
TP04	GROUND FLOOR PLAN
TP05	1ST FLOOR PLAN
TP06	2ND FLOOR PLAN
TP07	3RD FLOOR PLAN
TP08	4TH FLOOR PLAN
TP09	5TH FLOOR PLAN
TP10	ROOF PLAN
TP11	ELEVATIONS MATERIAL SCHEDULE
TP12	ELEVATIONS
TP13	ELEVATIONS
TP14	ELEVATIONS
TP15	SHADOW STUDY 9AM
TP16	SHADOW STUDY 10AM
TP17	SHADOW STUDY 11AM
TP18	SHADOW STUDY 12PM
TP19	SHADOW STUDY 1PM
TP20	SHADOW STUDY 2PM
TP21	SHADOW STUDY 3PM
TP25	SECTIONS
TP25B	SECTIONS
TP25C	SECTIONS
TP26	FENCE ELEVATIONS
TP26B	BUILDING ENTRY ELEVATION
TP27	COMMUNAL SHADOW STUDY
TP28	COMMUNAL SHADOW STUDY
TP29	SHADOW STUDY 9AM - JUNE
TP30	SHADOW STUDY 10AM - JUNE
TP31	SHADOW STUDY 11AM - JUNE
TP32	SHADOW STUDY 12PM - JUNE
TP33	SHADOW STUDY 1PM - JUNE
TP34	SHADOW STUDY 2PM - JUNE
TP35	SHADOW STUDY 3PM - JUNE
TP36	INDIVIDUAL FLOOR PLANS
TP37	INDIVIDUAL FLOOR PLANS
TP38	INDIVIDUAL FLOOR PLANS
TP39	TREE REMOVAL PLAN

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1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR26	RFI SUBMISSION
4	MAY26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin

ADDRESS: 13-19 Healey St Moorabbin

DRAWING: Urban Context

JOB NO: 2206

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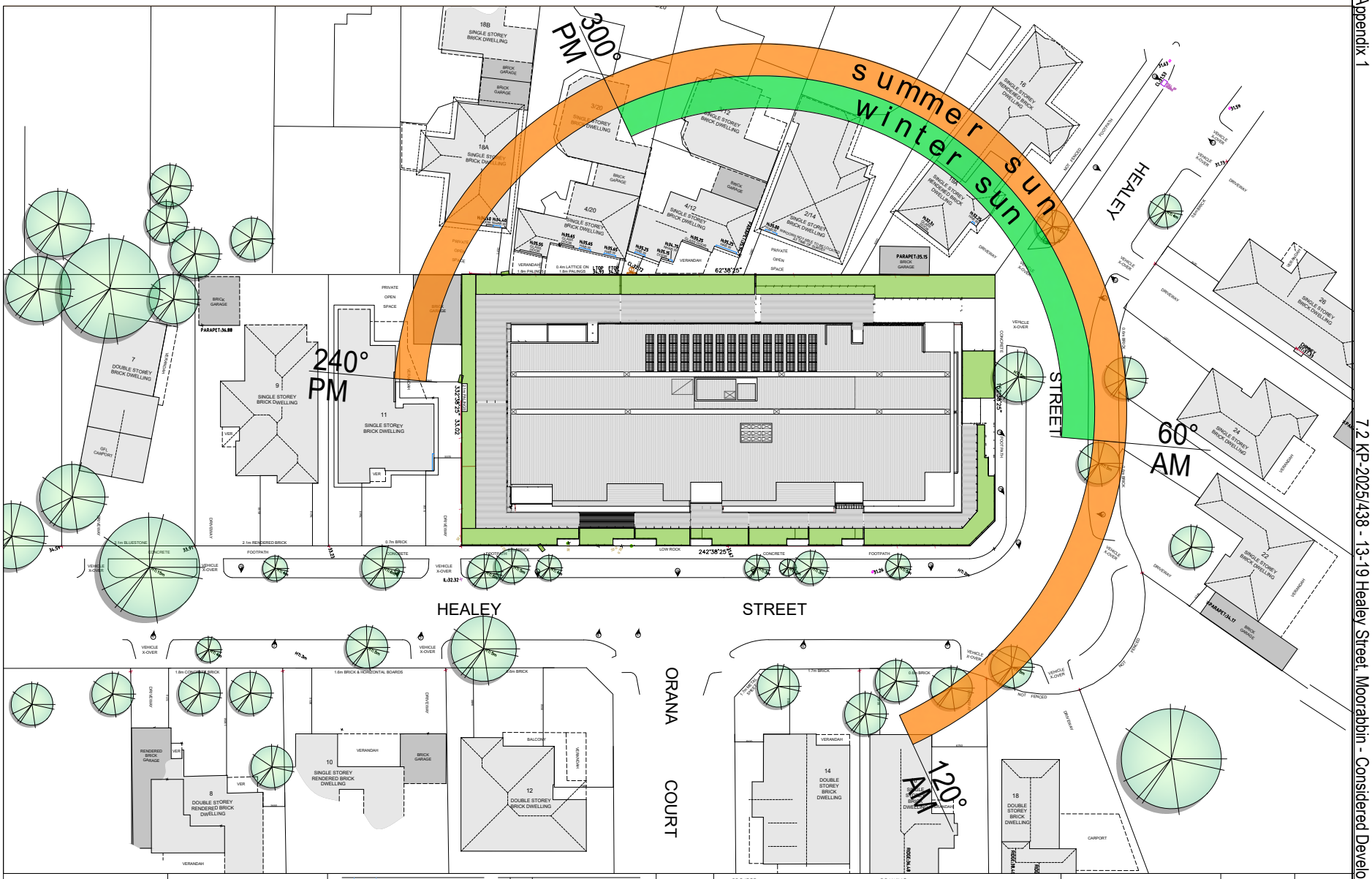
AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-01a

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Design Response

JOB NO:
2504

SCALES:

AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-02

A1 size sheet:

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4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Design Response Perspective

JOB NO:
2504

SCALES:

AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-02b

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REV:
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3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Design Response Perspective

JOB NO:
2504

SCALES:

AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-02c

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PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Design Response Perspective

JOB NO:
2504

SCALES:

AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-02d

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2 Street Scape Elevation -South
1 : 150



1 Street Scape Elevation - East
1 : 150

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4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Streetscape Elevations - Design response

JOB NO: 2504

SCALES: 1 : 150

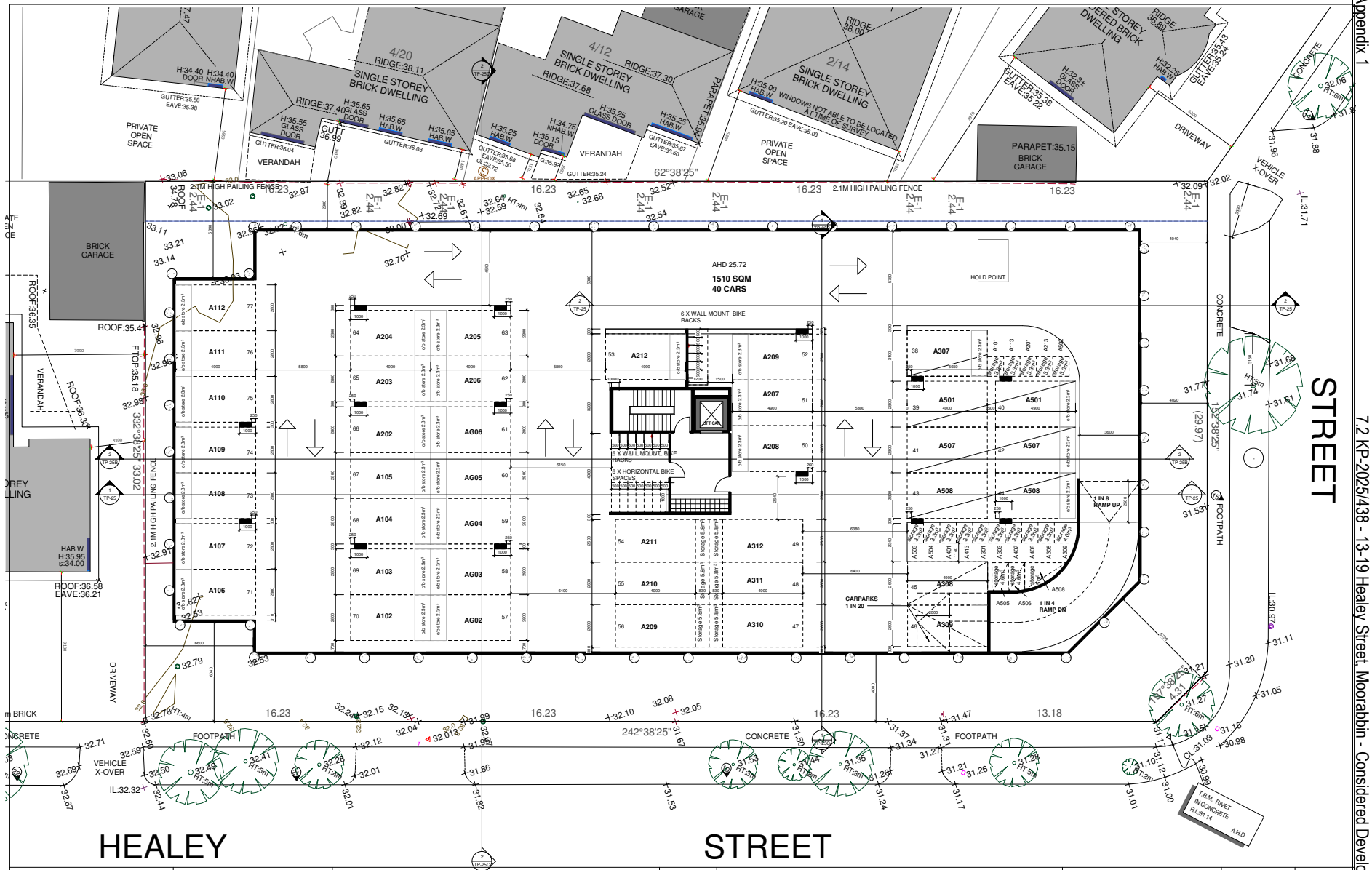
AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-02e

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4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Basement 2 Plan

JOB NO:
2504

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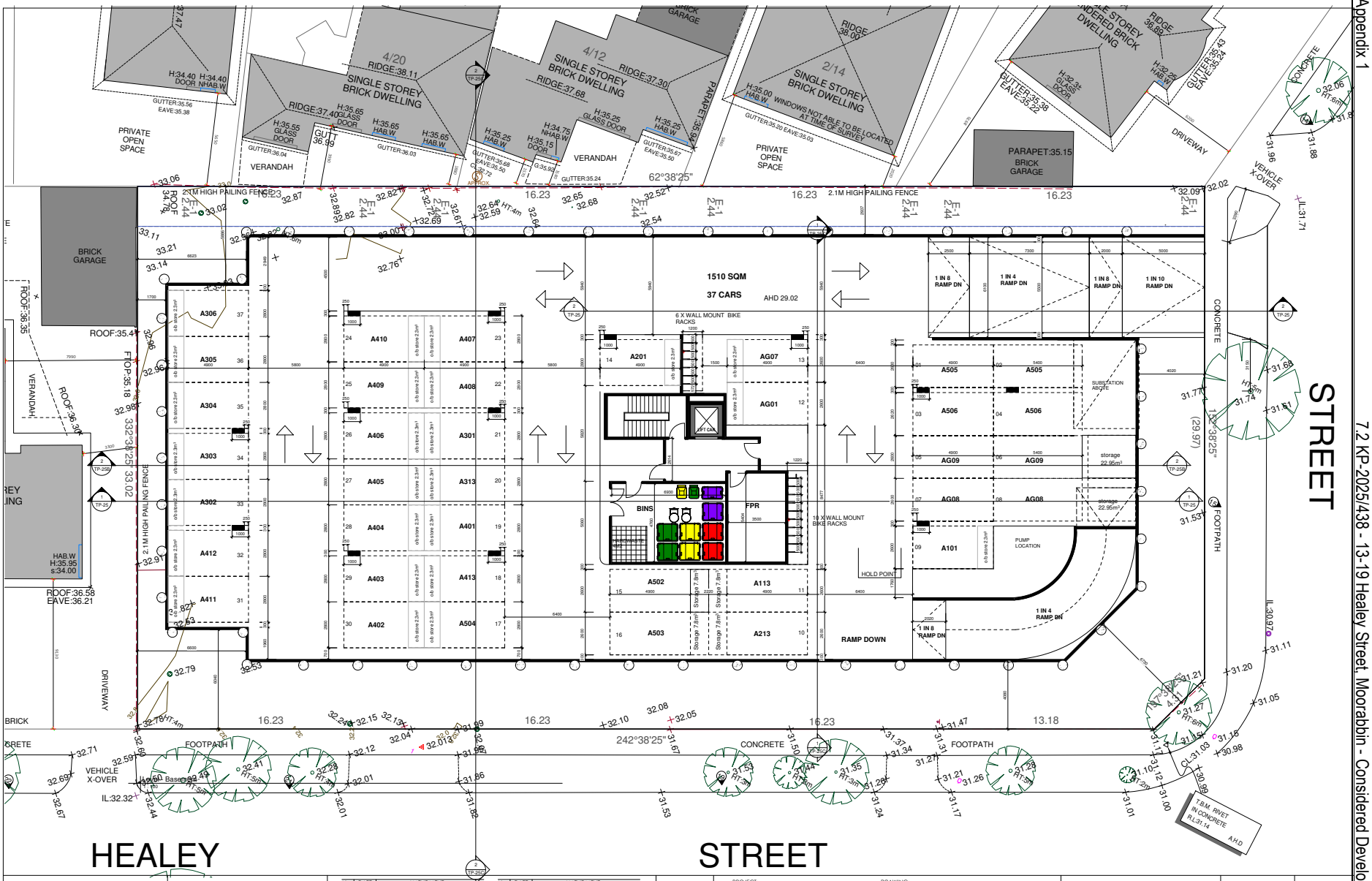
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06-05-26

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TP-03

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4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin

ADDRESS: 13-19 Healey St Moorabbin

DRAWING: Basement Plan

JOB NO: 2504

SCALES: 1 : 100

AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-03a

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No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin
ADDRESS: 13-19 Healey St Moorabbin
DRAWING: Ground Floor Plan
JOB NO: 2504
SCALES: As indicated
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-04
A1 size sheet:
REV: 4



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No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin
ADDRESS: 13-19 Healey St Moorabbin
DRAWING: First Floor Plan
JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-05
A1 size sheet:
REV: 4



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3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin

ADDRESS: 13-19 Healey St Moorabbin

DRAWING: Second Floor Plan

JOB NO: 2504

SCALES: 1 : 100

AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-06

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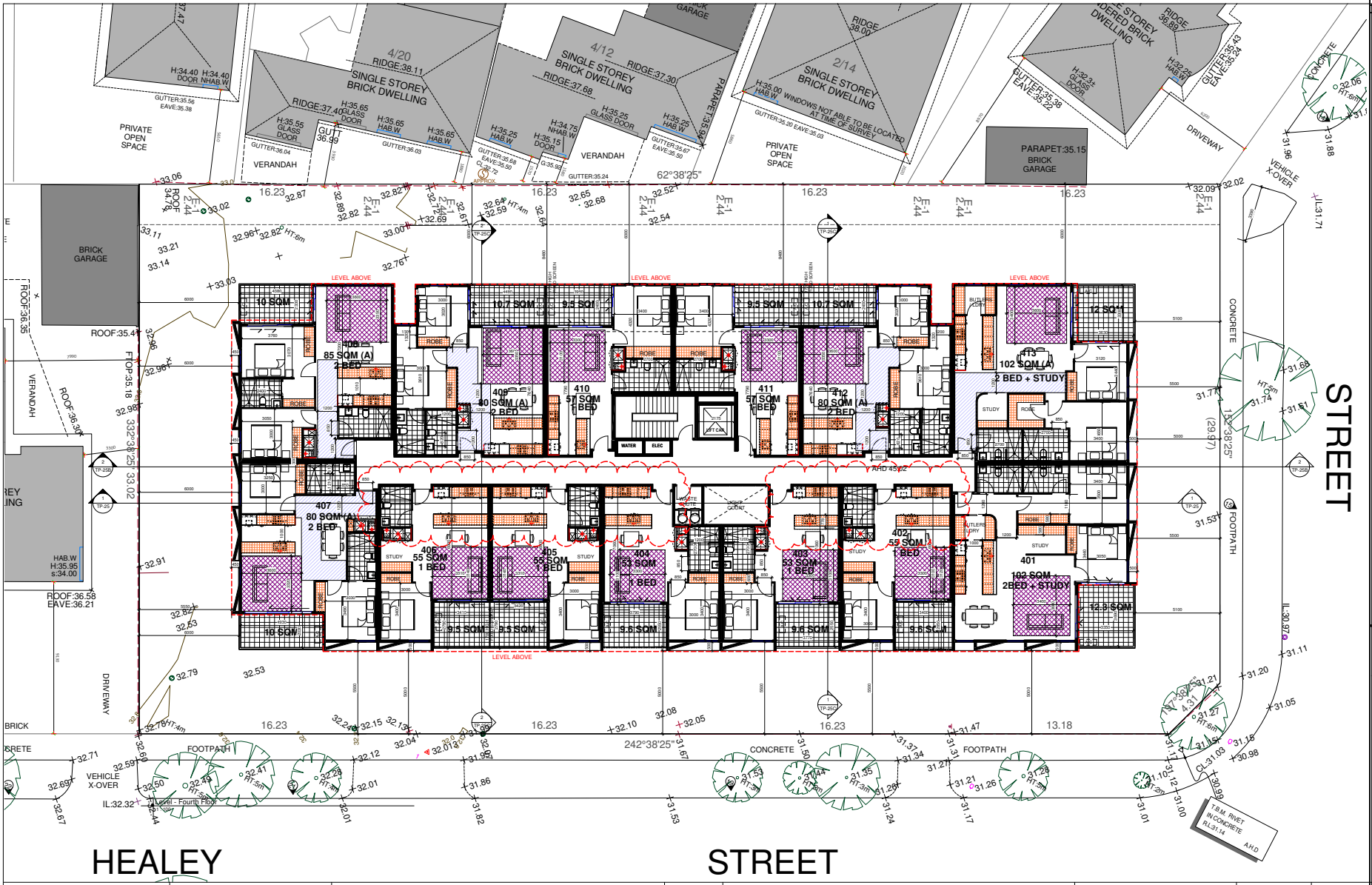
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PROJECT: 13-19 Healey St Moorabbin
ADDRESS: 13-19 Healey St Moorabbin
DRAWING: Third Floor Plan
JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-07
A1 size sheet:
REV: 4



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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin

ADDRESS: 13-19 Healey St Moorabbin

DRAWING: Fourth Floor Plan

JOB NO: 2504

SCALES: 1 : 100

AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-08

A1 size sheet:

REV: 4



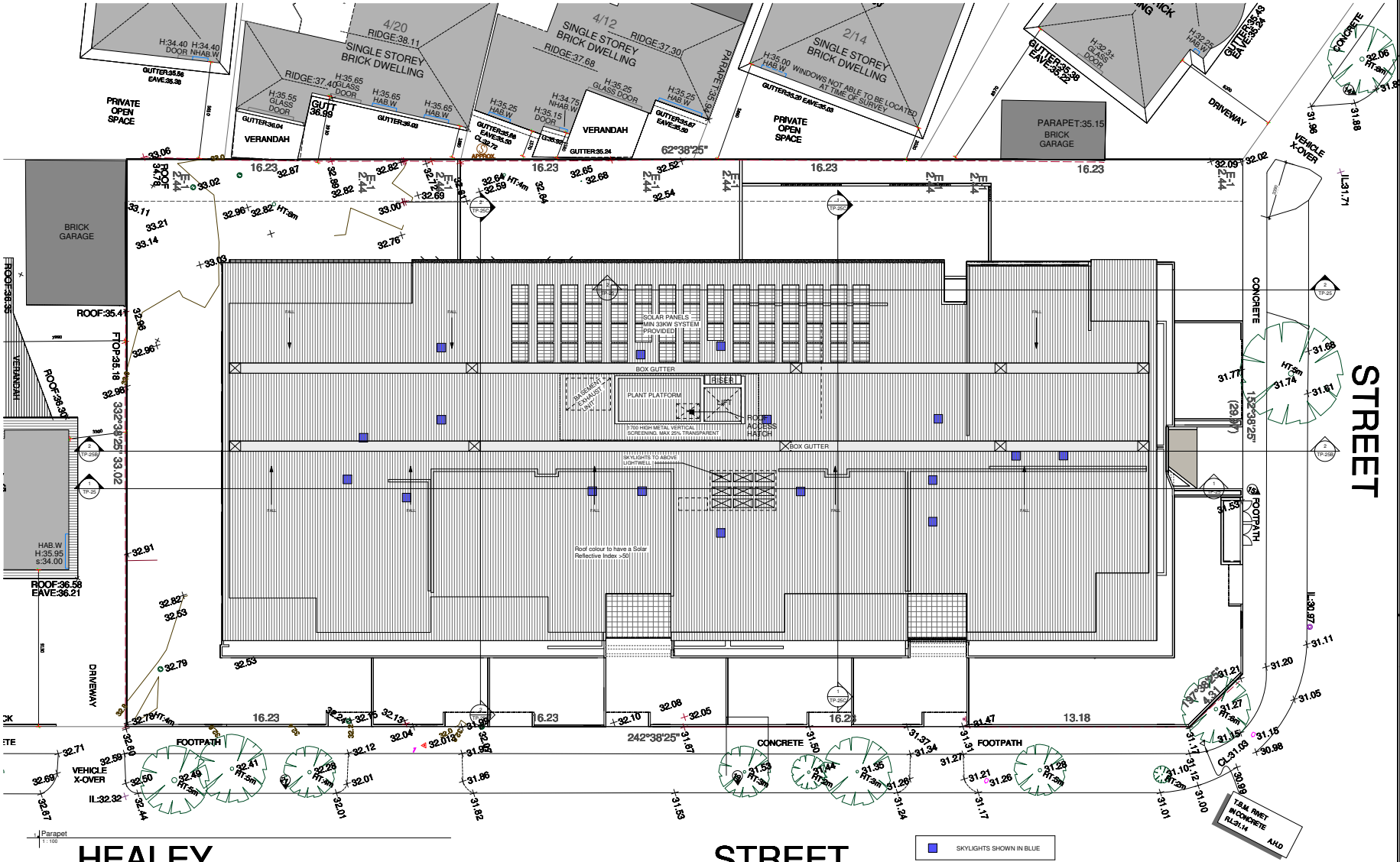
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1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin
ADDRESS: 13-19 Healey St Moorabbin
DRAWING: Fifth Floor Plan
JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-09
A1 size sheet:
REV: 4



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No.	DATE	AMENDMENT
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2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT: 13-19 Healey St Moorabbin

ADDRESS: 13-19 Healey St Moorabbin

DRAWING: Roof Plan

JOB NO: 2504

SCALES: 1 : 100

AUTHOR: PP

DATE: 06-05-26

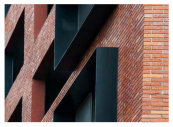
DRAWING NO: TP-10

A1 size sheet:

REV: 4



East Elevation
1 : 100



MAT -01
ROBERTSONS RUSTIC
RED - FACE BRICK



MAT -02
VERTICAL COLOURBOND
CLADDING - CB DUNE



MAT -03
RIBBED CLADDING -
BALUSTRADES
CB DUNE

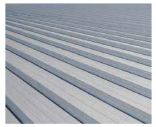
MAT -04
RIBBED CLADDING -
BALUSTRADES
C/B SURFMIST



MAT -05
VERTICAL METAL SLAT
C/B DUNE



WINDOW + DOOR FRAMES
CLADDING - CB DUNE



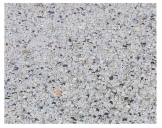
ZINCALUME SHEETING TO ALL
ROOFING - SRI OF 57



RETAINING WALLS
NATURAL CONCRETE FINISH



PAINTED PAILING FENCE TO ALL
INTERNAL FENCING - MONUMENT



INTERNAL PAVING - LIGHT CONCRETE
PAVER

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3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
ELEVATIONS
MATERIAL SCHEDULE

JOB NO: 2504

SCALES: 1 : 100

AUTHOR: PP

DATE: 06-05-26

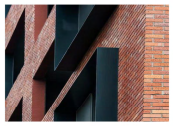
DRAWING NO: TP-11

A1 size sheet:

REV: 4



3 South Elevation
1 : 100



MAT -01
ROBERTSONS RUSTIC
RED - FACE BRICK



MAT -02
VERTICAL COLOURBOND
CLADDING - CB DUNE



MAT -03
RIBBED CLADDING -
BALUSTRADES
CB DUNE

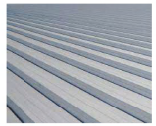
MAT -04
RIBBED CLADDING -
BALUSTRADES
C/B SURFMIST



MAT -05
VERTICAL METAL SLAT
C/B DUNE



WINDOW + DOOR FRAMES
CLADDING - CB DUNE



ZINCALUME SHEETING TO ALL
ROOFING - SRI OF 57



RETAINING WALLS
NATURAL CONCRETE FINISH



PAINTED PAILING FENCE TO ALL
INTERNAL FENCING - MONUMENT



INTERNAL PAVING - LIGHT CONCRETE
PAVER

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4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

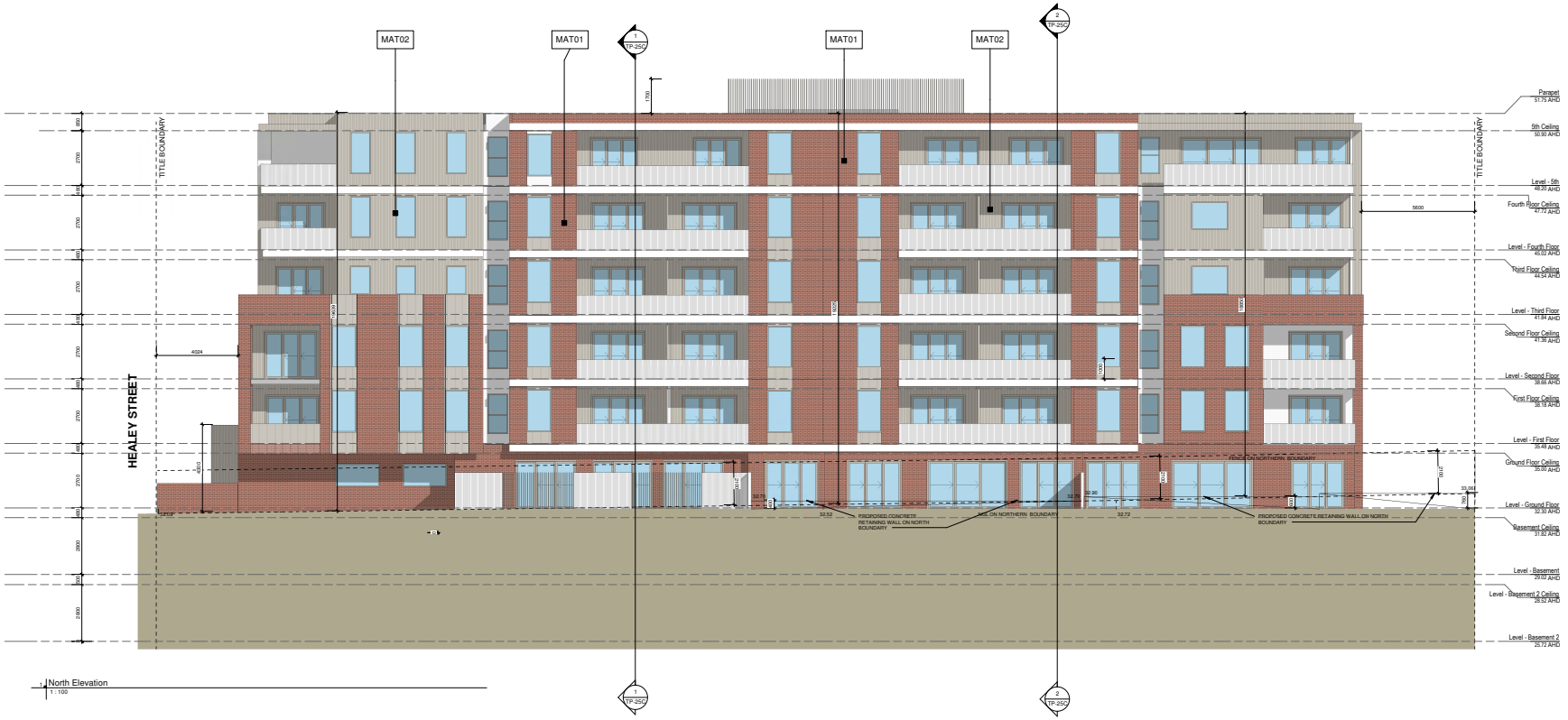
ADDRESS:
13-19 Healey St Moorabbin

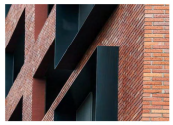
DRAWING:
ELEVATIONS
MATERIAL SCHEDULE

JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26

DRAWING NO: TP-12
A1 size sheet:

REV: 4





MAT -01
ROBERTSONS RUSTIC
RED - FACE BRICK



MAT -02
VERTICAL COLOURBOND
CLADDING - CB DUNE



MAT -03
RIBBED CLADDING -
BALLUSTRADES
CB DUNE

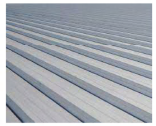
MAT -04
RIBBED CLADDING -
BALLUSTRADES
C/B SURFMIST



MAT -05
VERTICAL METAL SLAT
C/B DUNE



WINDOW + DOOR FRAMES
CLADDING - CB DUNE



ZINCALUME SHEETING TO ALL
ROOFING - SRI OF 57



RETAINING WALLS
NATURAL CONCRETE FINISH



PAINTED PAILING FENCE TO ALL
INTERNAL FENCING - MONUMENT



INTERNAL PAVING - LIGHT CONCRETE
PAVER

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2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
ELEVATIONS

JOB NO:
2504

SCALES:
1 : 100

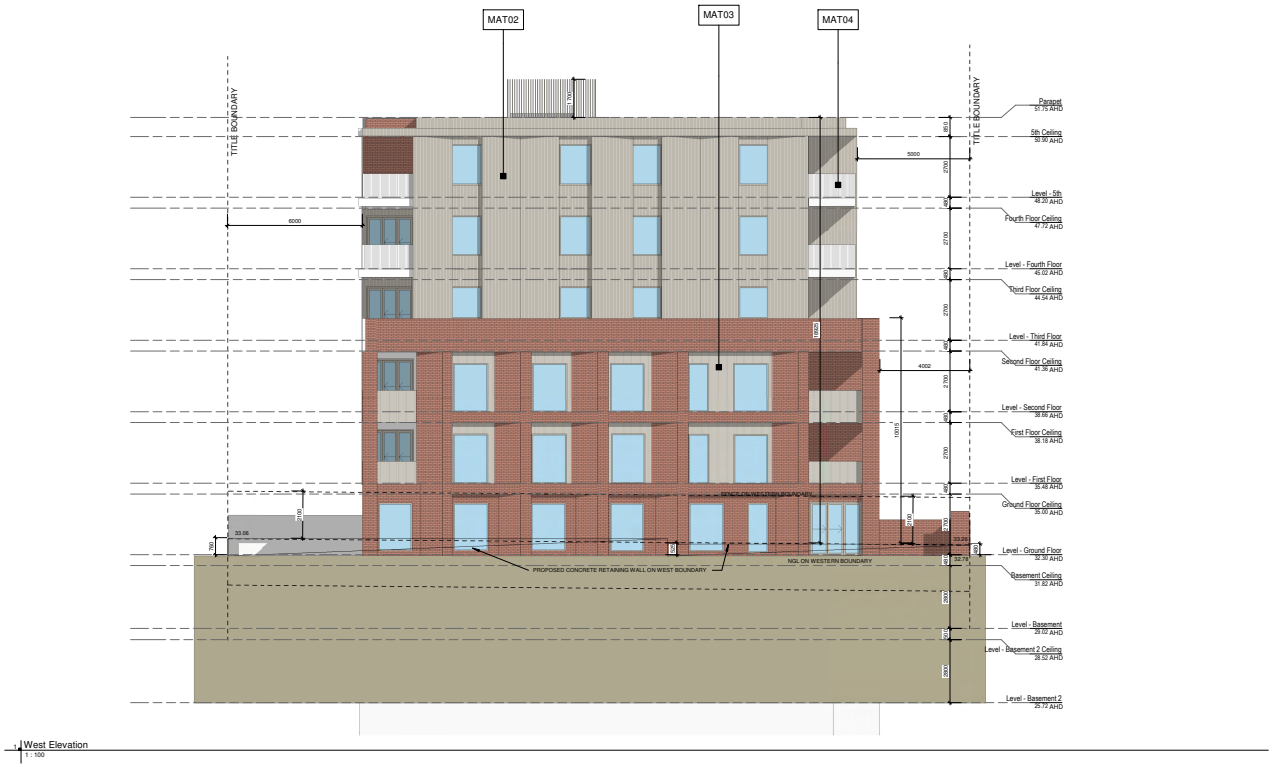
AUTHOR:
PP

DATE:
06-05-26

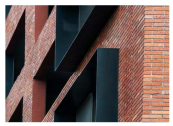
DRAWING NO:
TP-13

A1 size sheet:

REV:
4



1 West Elevation
1 : 100



MAT -01
ROBERTSONS RUSTIC
RED - FACE BRICK



MAT -02
VERTICAL COLOURBOND
CLADDING - CB DUNE



MAT -03
RIBBED CLADDING -
BALUSTRADES
CB DUNE

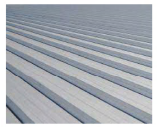
MAT -04
RIBBED CLADDING -
BALUSTRADES
C/B SURFMIST



MAT -05
VERTICAL METAL SLAT
C/B DUNE



WINDOW + DOOR FRAMES
CLADDING - CB DUNE



ZINCALUME SHEETING TO ALL
ROOFING - SRI OF 57



RETAINING WALLS
NATURAL CONCRETE FINISH



PAINTED PAILING FENCE TO ALL
INTERNAL FENCING - MONUMENT



INTERNAL PAVING - LIGHT CONCRETE
PAVER

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1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
ELEVATIONS

JOB NO:
2504

SCALES:
1 : 100

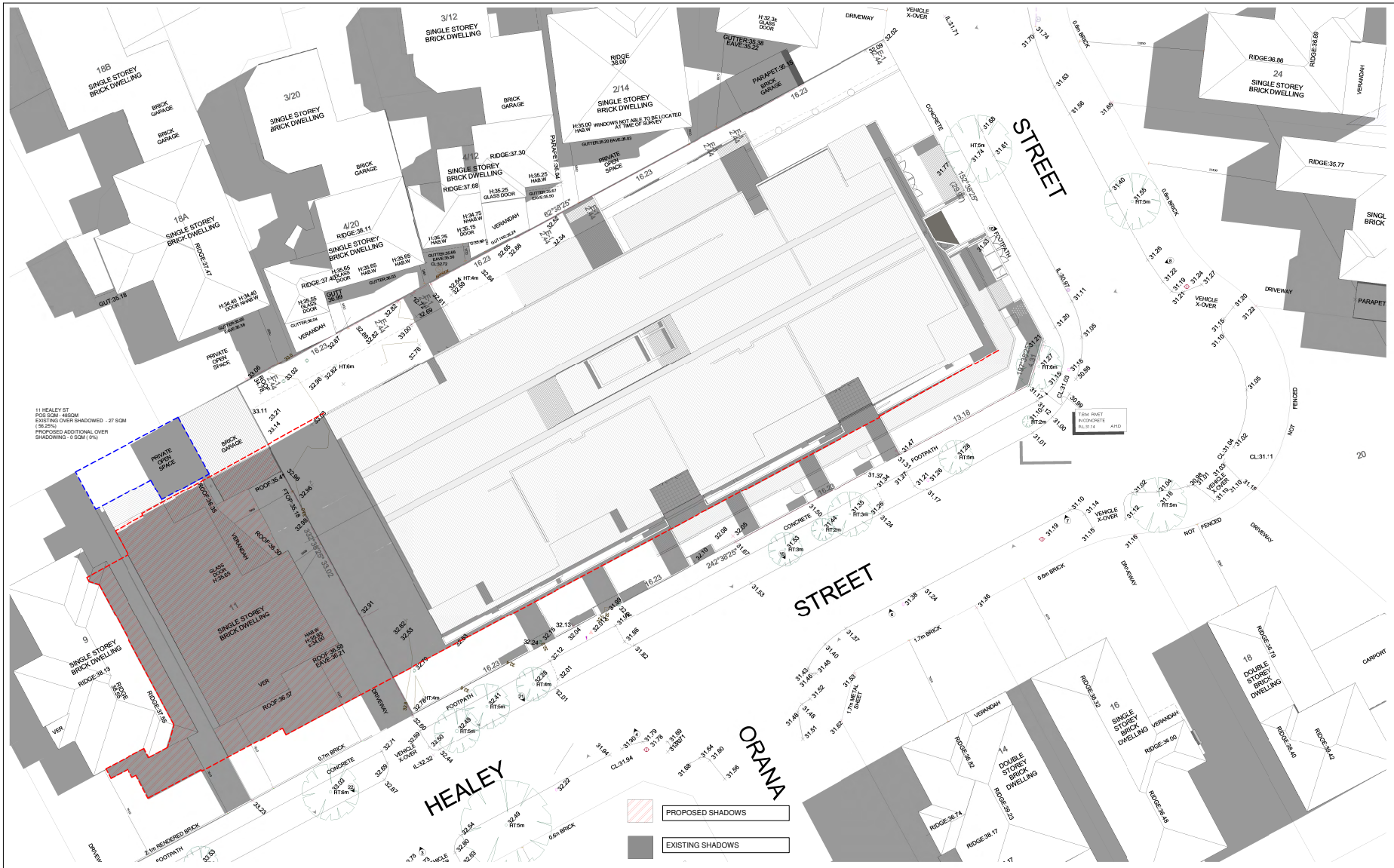
AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-14

A1 size sheet:

REV:
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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 9.00am Sep 22nd

JOB NO: 2504

SCALES: 1 : 150

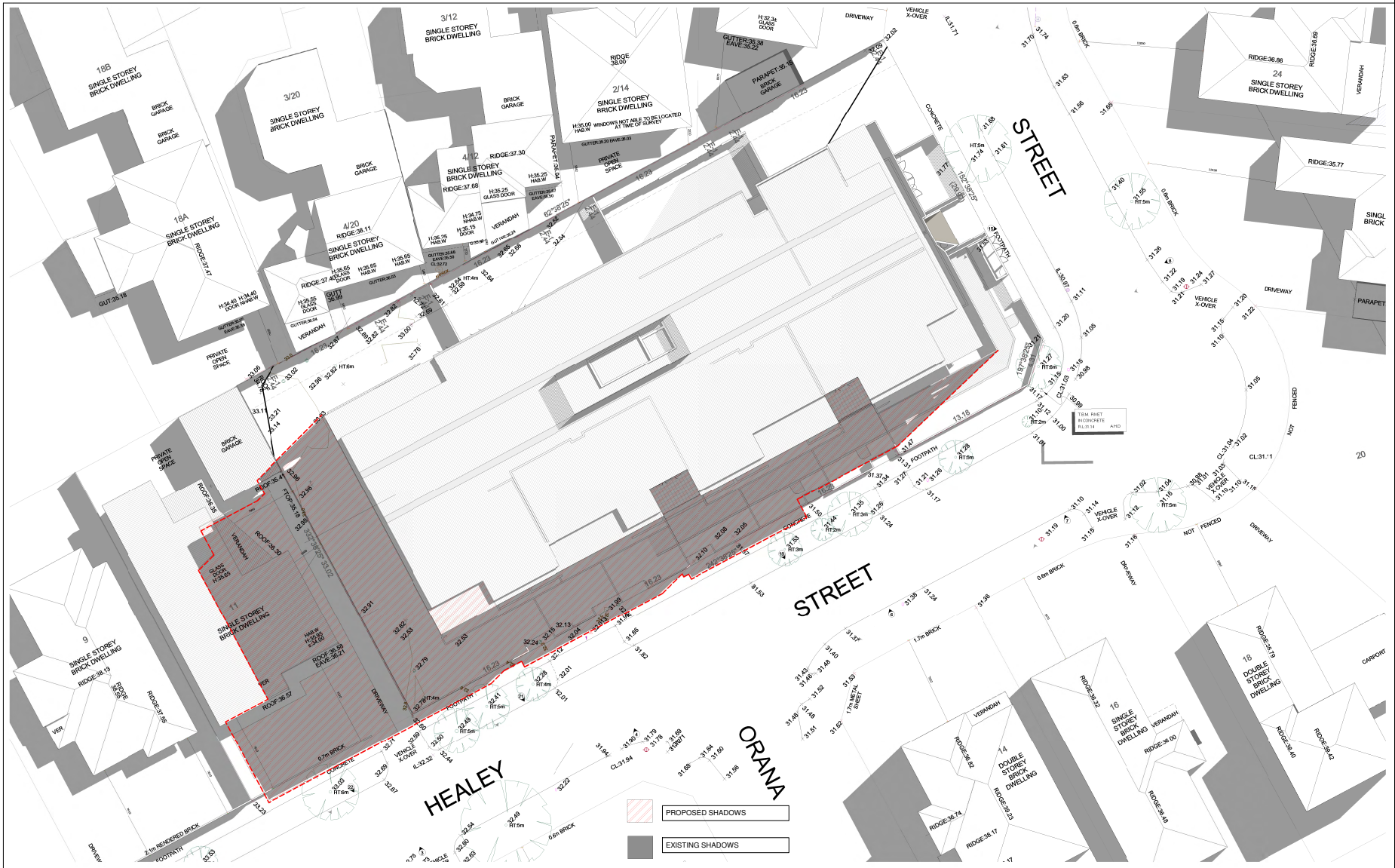
AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-15

A1 size sheet:

REV: 4



2. Shadow Diagram - 10.00am Sep 22nd
1 : 150

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PITARD GROUP

No.	DATE	AMENDMENT
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2	JAN 26	RFI SUBMISSION

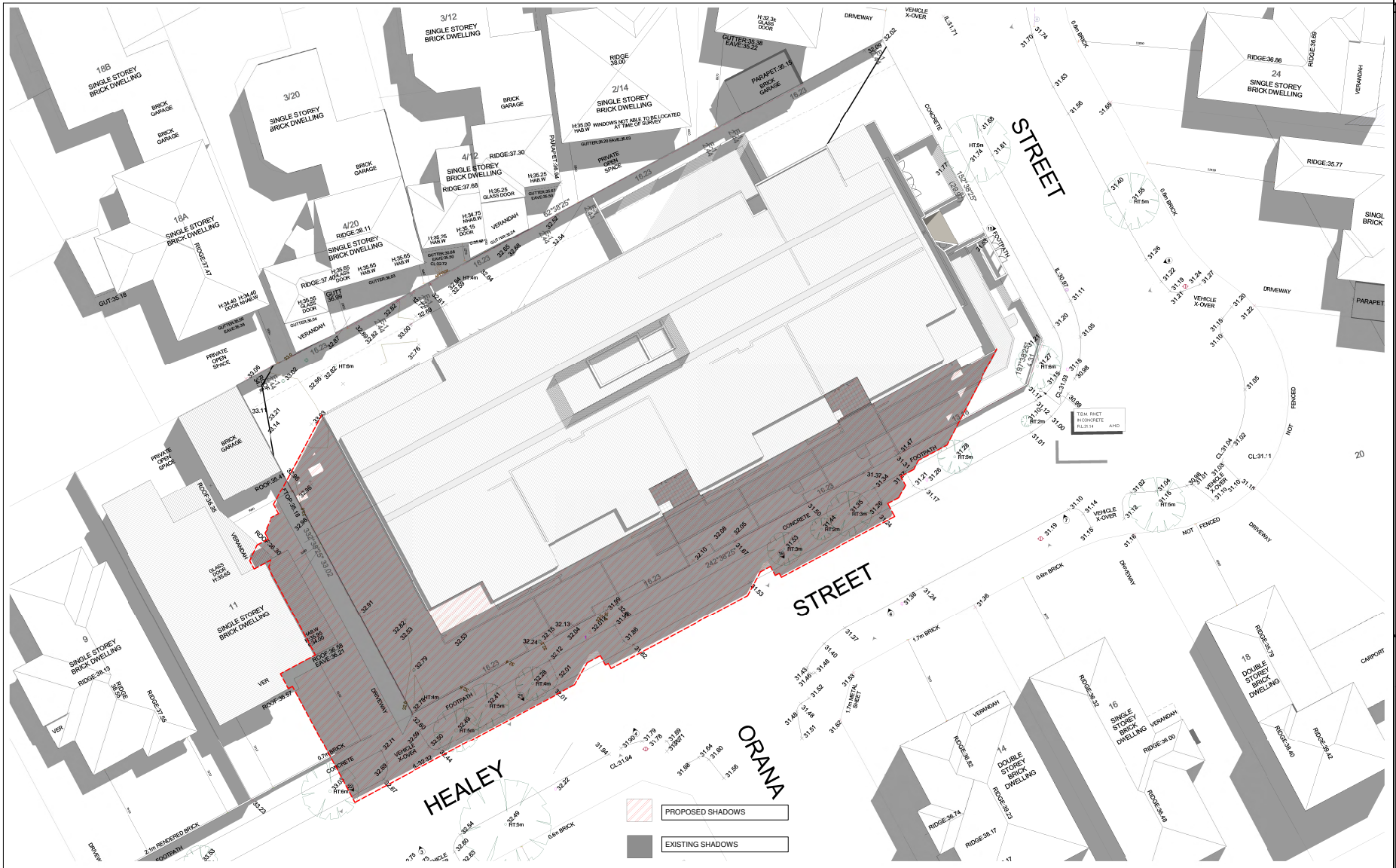
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 10.00am Sep 22nd

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-16
A1 size sheet:
REV: 4



13. Shadow Diagram - 11.00am Sep 22nd
1 : 150

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No.	DATE	AMENDMENT
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2	JAN 26	RFI SUBMISSION

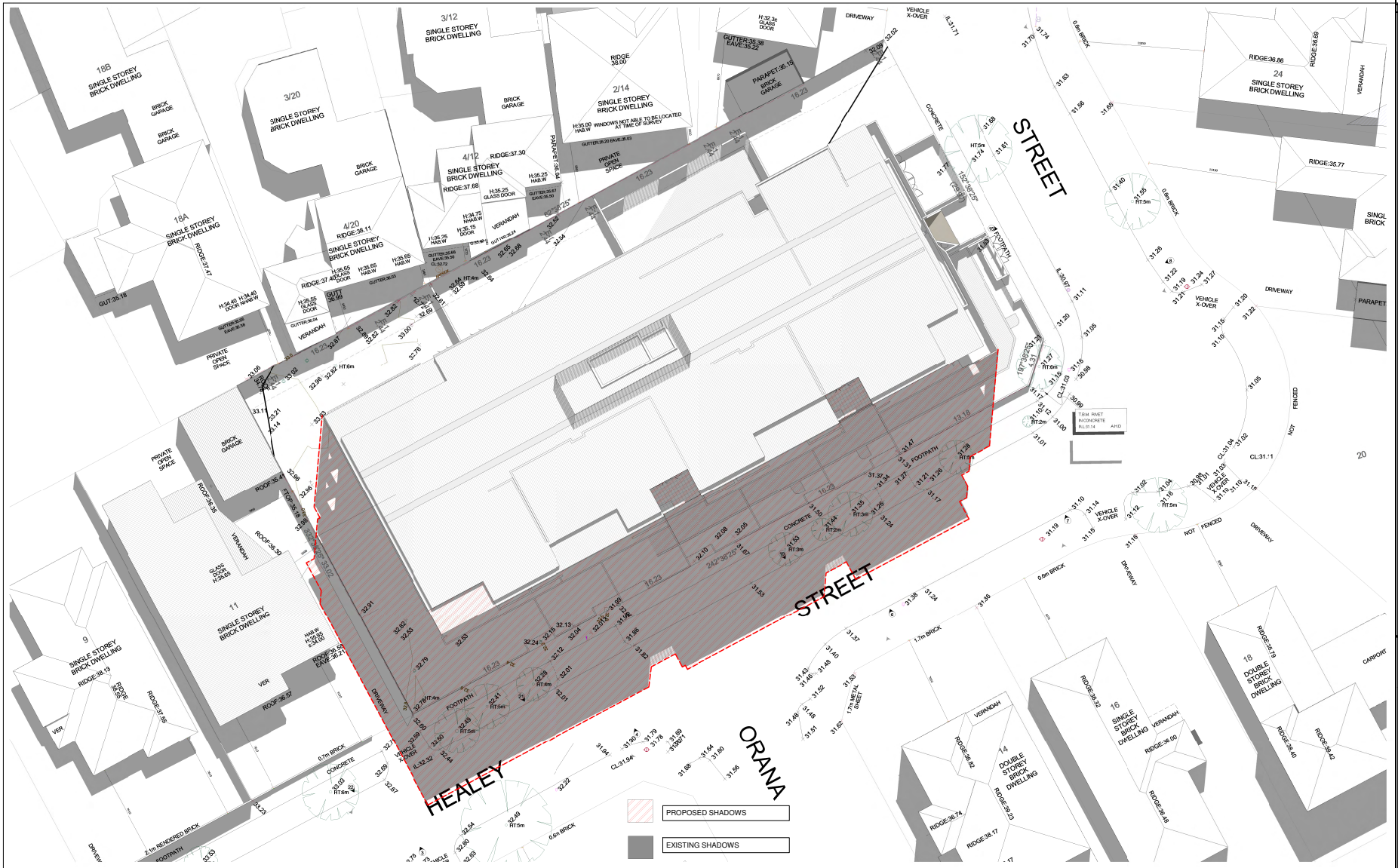
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 9.00am Sep 22nd

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-17
A1 size sheet:
REV: 4



14. Shadow Diagram - 12.00pm Sep 22nd
1 : 150

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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 12.00am Sep 22nd

JOB NO: 2504

SCALES: 1 : 150

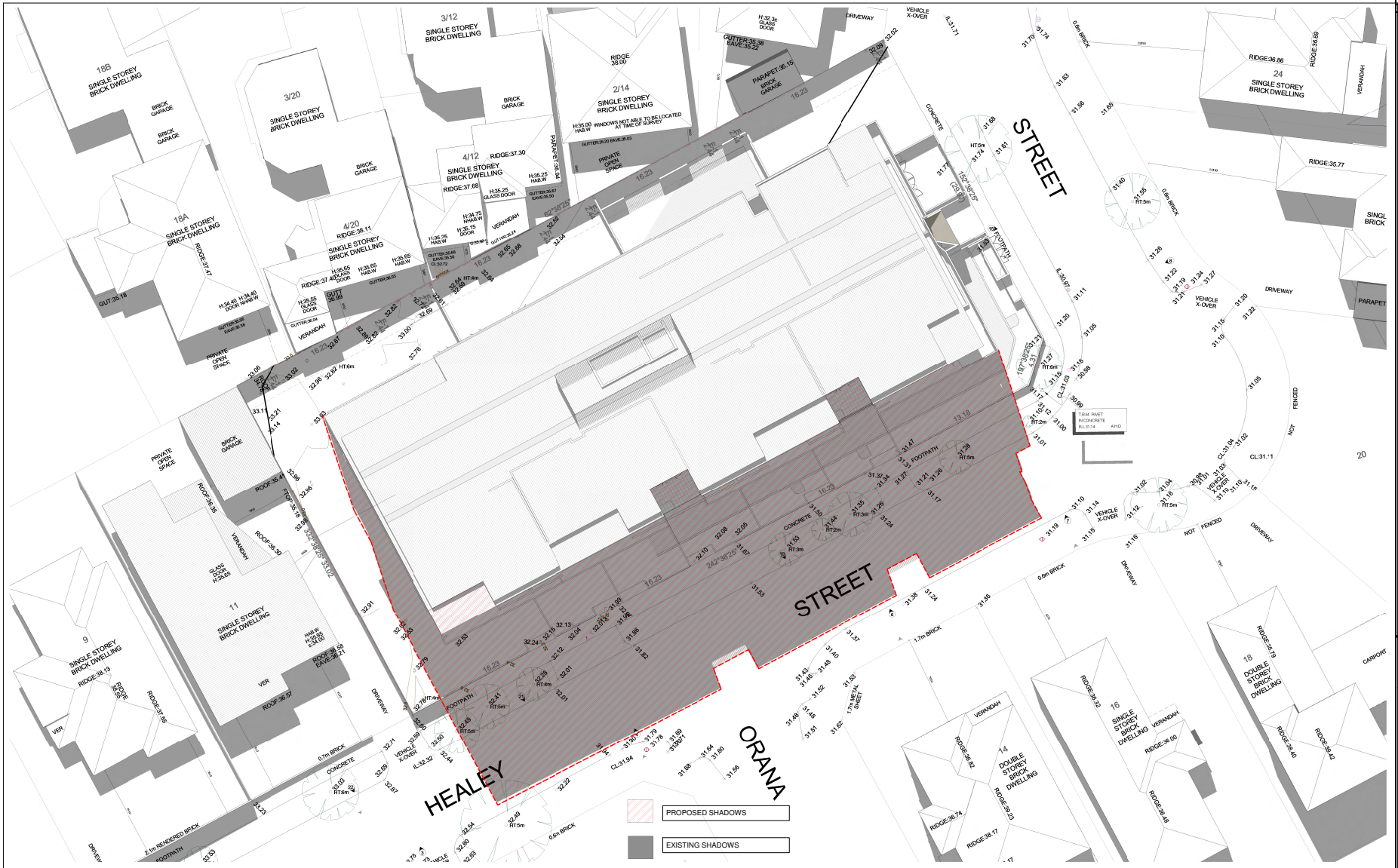
AUTHOR: PP

DATE: 06-05-26

DRAWING NO: TP-18

A1 size sheet:

REV: 4



15. Shadow Diagram - 1.00pm Sep 22nd
1 : 150

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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 1.00pm Sep 22nd

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-19
A1 size sheet:
REV: 4



16. Shadow Diagram - 2.00pm Sep 22nd
1 : 150

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No.	DATE	AMENDMENT
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2	JAN 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 2.00pm Sep 22nd

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-20
A1 size sheet:
REV: 4



17. Shadow Diagram - 3.00pm Sep 22nd
1 : 150

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2	JAN 26	RFI SUBMISSION

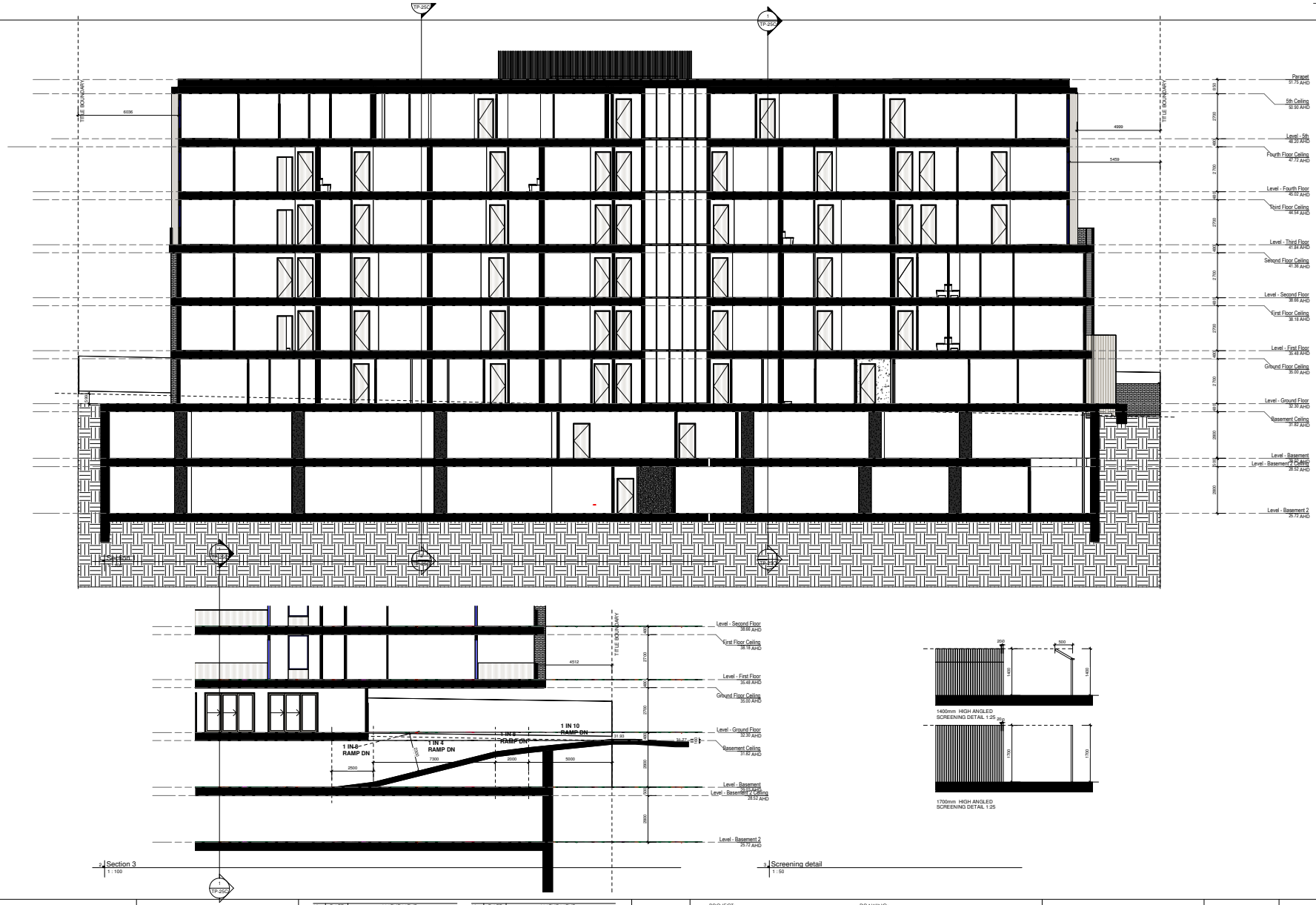
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 3.00pm Sep 22nd

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-21
A1 size sheet:
REV: 4



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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
SIGHTLINE DIAGRAMS

JOB NO:
2504

SCALES:
As indicated

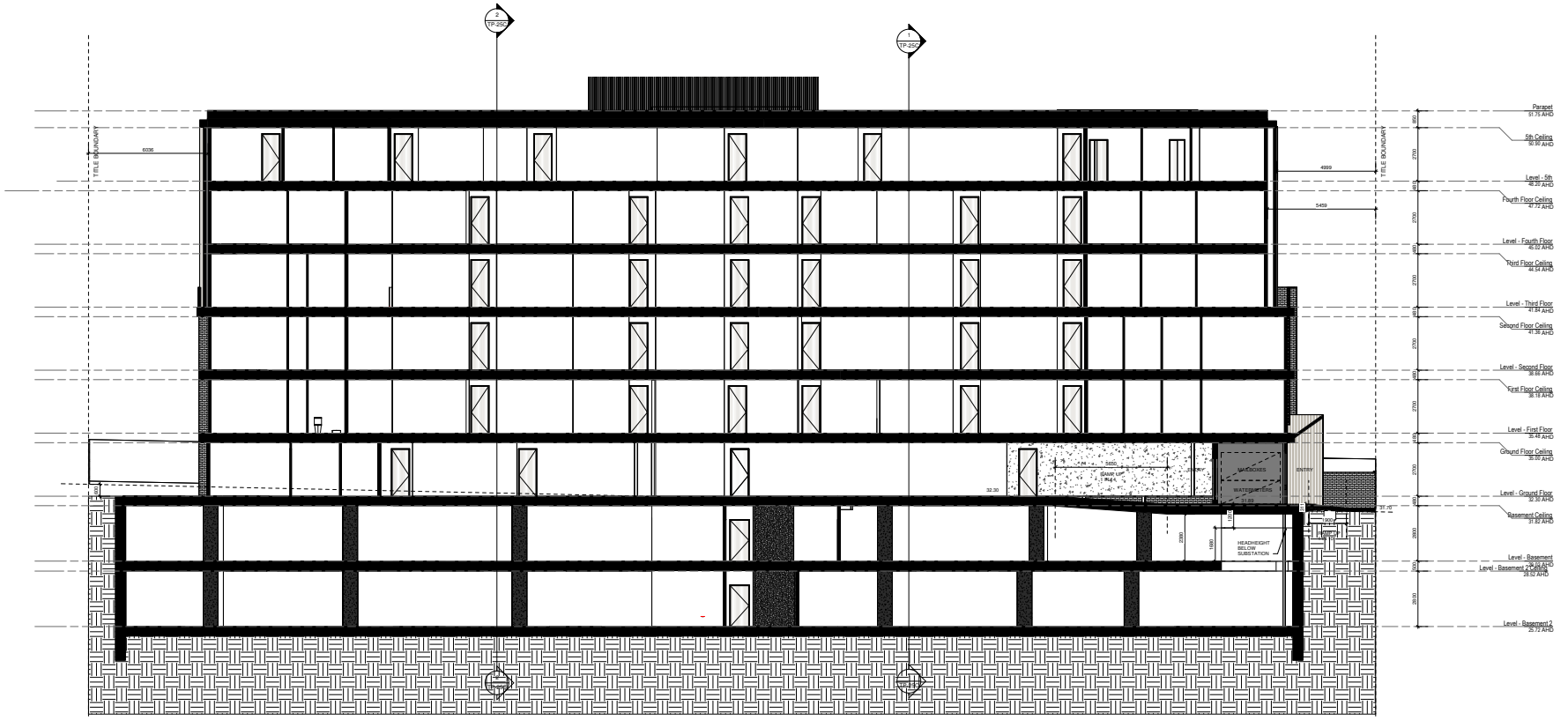
AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-25

A1 size sheet:

REV:
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2 Section 2
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PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
SIGHTLINE DIAGRAMS

JOB NO:
2504

SCALES:
1 : 100

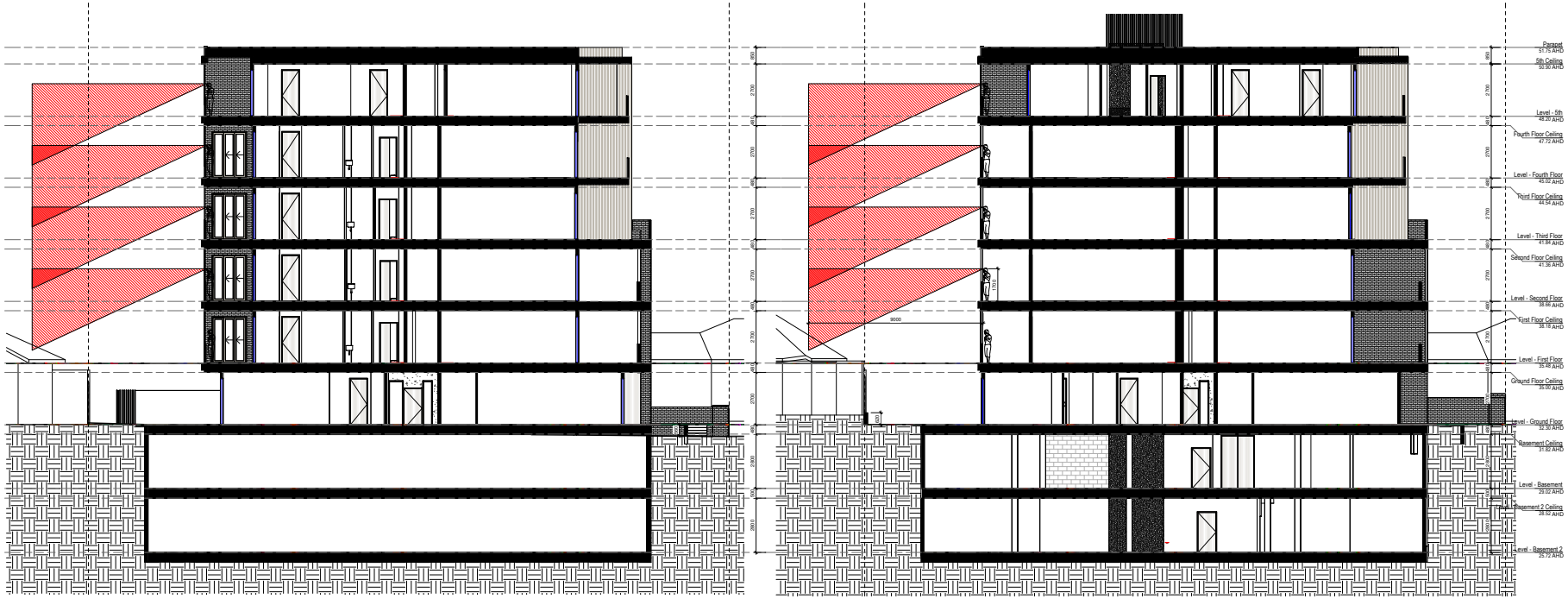
AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-25B

A1 size sheet:

REV:
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1 Section 4
1 : 100

2 Section 5
1 : 100

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13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
SIGHTLINE DIAGRAMS

JOB NO:
2504

SCALES:
1 : 100

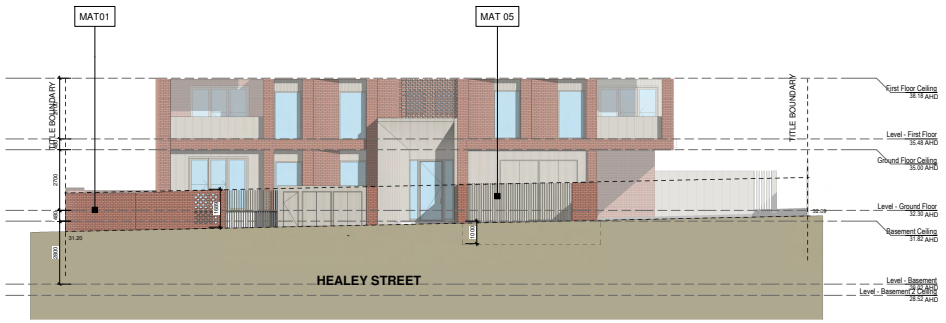
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PP

DATE:
06-05-26

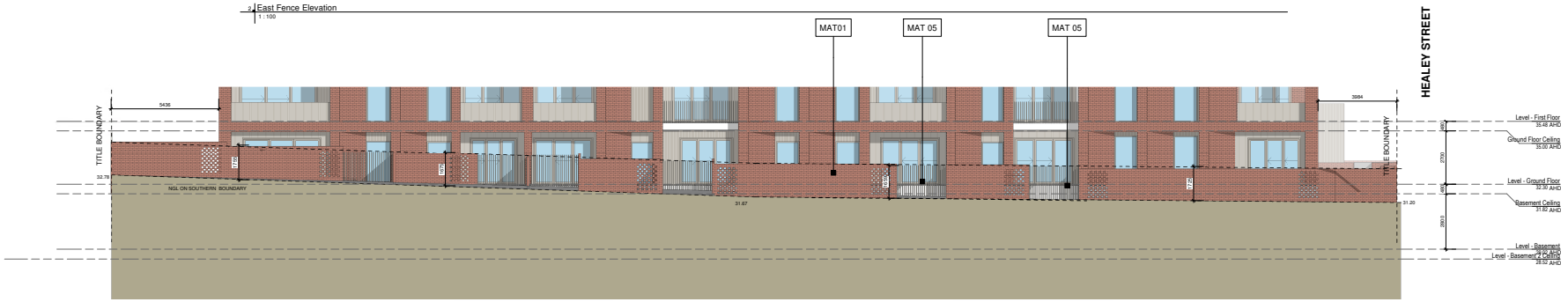
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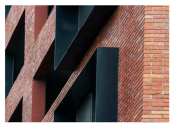
REV:
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2 East Fence Elevation
1 : 100



1 South Fence Elevation
1 : 100



MAT -01
ROBERTSONS RUSTIC
RED - FACE BRICK



MAT -02
VERTICAL COLOURBOND
CLADDING - CB DUNE



MAT -03
RIBBED CLADDING -
BALUSTRADES
CB DUNE

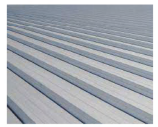
MAT -04
RIBBED CLADDING -
BALUSTRADES
C/B SURFMIST



MAT -05
VERTICAL METAL SLAT
C/B DUNE



WINDOW + DOOR FRAMES
CLADDING - CB DUNE



ZINCALUME SHEETING TO ALL
ROOFING - SRI OF 57



RETAINING WALLS
NATURAL CONCRETE FINISH



PAINTED PAILING FENCE TO ALL
INTERNAL FENCING - MONUMENT



INTERNAL PAVING - LIGHT CONCRETE
PAVER

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
ELEVATIONS

JOB NO:
2504

SCALES:
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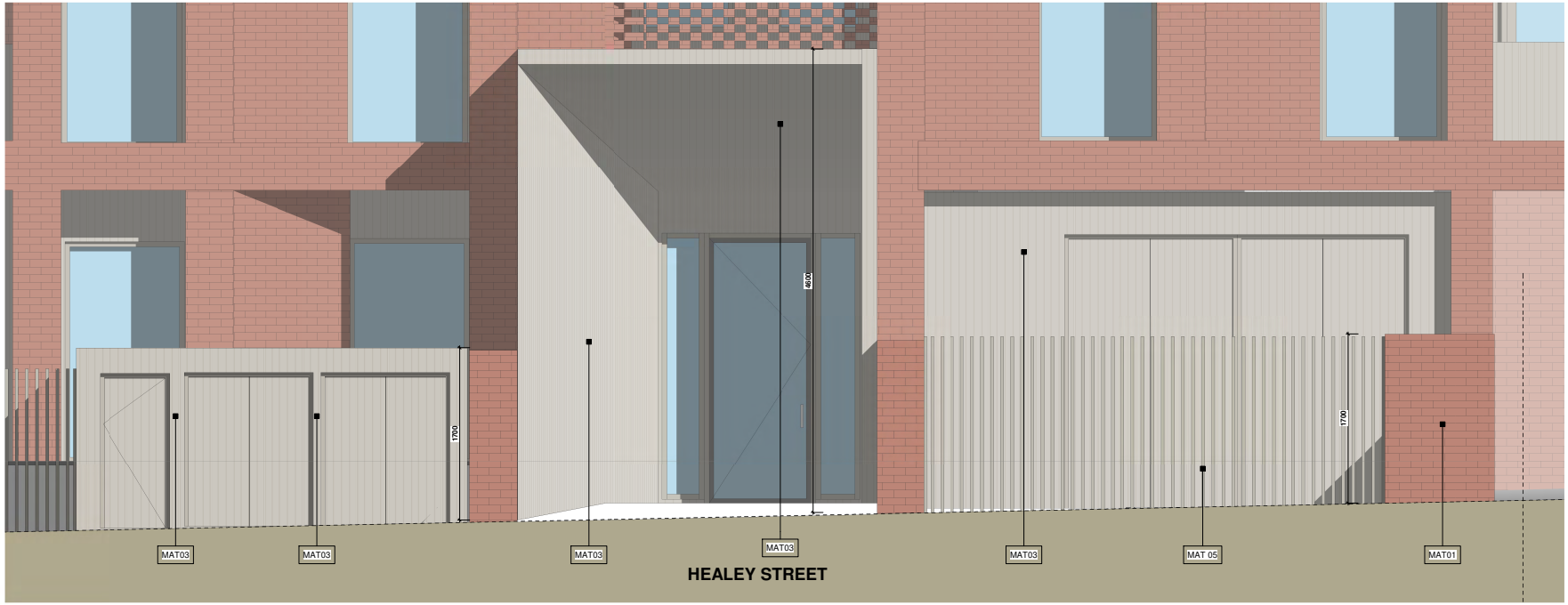
AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-26

A1 size sheet:

REV:
4



1 Entry - Services Elevation
1 : 20



MAT -01
ROBERTSONS RUSTIC
RED - FACE BRICK



MAT -02
VERTICAL COLOURBOND
CLADDING - CB DUNE



MAT -03
RIBBED CLADDING -
BALUSTRADES
CB DUNE

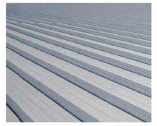
MAT -04
RIBBED CLADDING -
BALUSTRADES
C/B SURFMIST



MAT -05
VERTICAL METAL SLAT
C/B DUNE



WINDOW + DOOR FRAMES
CLADDING - CB DUNE



ZINCALUME SHEETING TO ALL
ROOFING - SRI OF 57



RETAINING WALLS
NATURAL CONCRETE FINISH



PAINTED PAILING FENCE TO ALL
INTERNAL FENCING - MONUMENT



INTERNAL PAVING - LIGHT CONCRETE
PAVER

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Entry Elevation

JOB NO:
2504

SCALES:
1 : 20

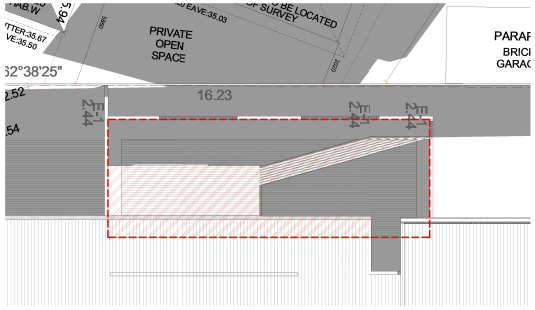
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DATE:
06-05-26

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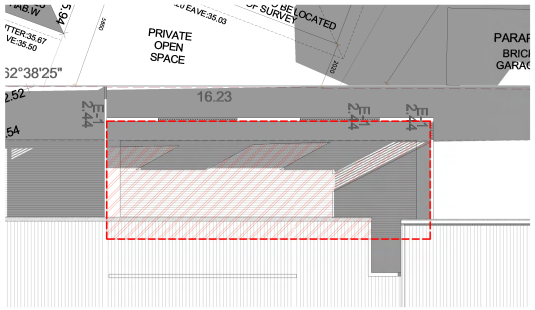
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REV:
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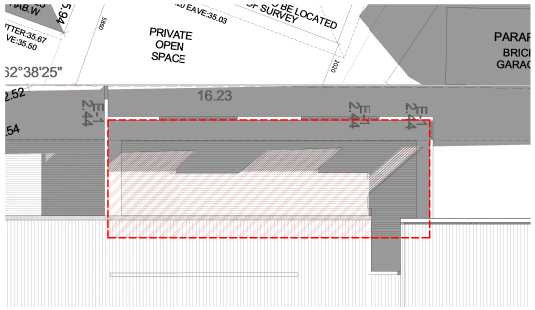
COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
9AM SHADOWED AREA - 38 SQM
9AM UNSHADOWED AREA - 37 SQM

1 Shadow Diagram - 9.00am June 21st
1 : 100



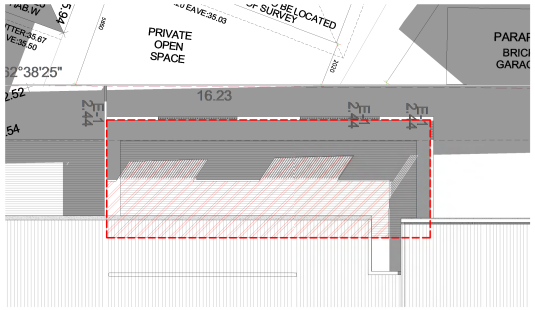
COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
10AM SHADOWED AREA - 34 SQM
10AM UNSHADOWED AREA - 41 SQM

2 Shadow Diagram - 10.00am June 21st
1 : 100



COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
11AM SHADOWED AREA - 34 SQM
11AM UNSHADOWED AREA - 41 SQM

3 Shadow Diagram - 11.00am June 21st
1 : 100



COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
12PM SHADOWED AREA - 37 SQM
12PM UNSHADOWED AREA - 38 SQM

4 Shadow Diagram - 12.00pm June 21st
1 : 100

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4	MAY 26	RFI SUBMISSION

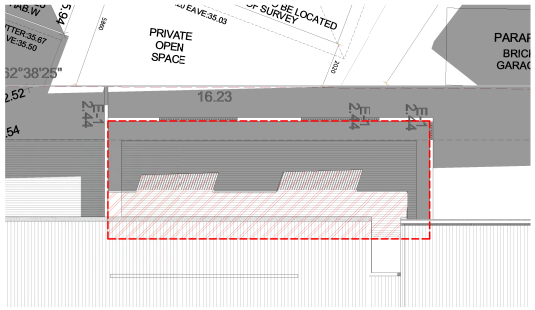
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

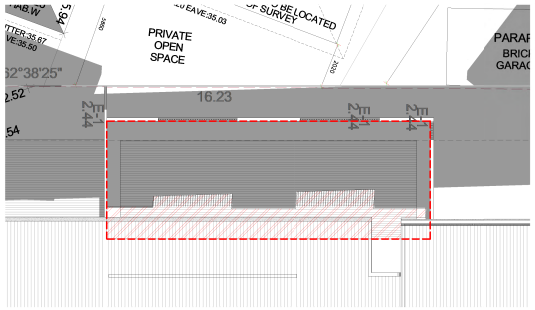
DRAWING:
Shadow Diagram - 9.00am June 21st

JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-27
A1 size sheet:
REV: 4



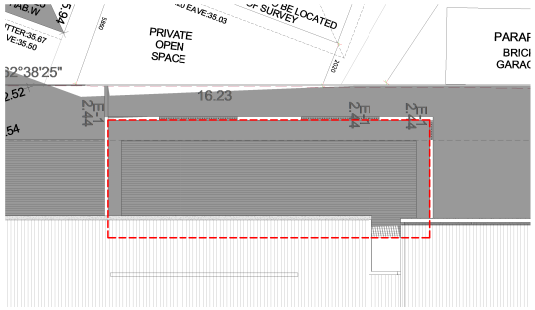
COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
1PM SHADOWED AREA - 42 SQM
1PM UNSHADOWED AREA - 33 SQM

1 Shadow Diagram - 1.00pm June 21st
1 : 100



COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
2PM SHADOWED AREA - 52 SQM
2PM UNSHADOWED AREA - 23 SQM

2 Shadow Diagram - 2.00pm June 21st
1 : 100



COMMUNAL OUTDOOR SPACE
TOTAL SQM - 75 SQM
3PM SHADOWED AREA - 70 SQM
3PM UNSHADOWED AREA - 5 SQM

3 Shadow Diagram - 3.00pm June 21st
1 : 100

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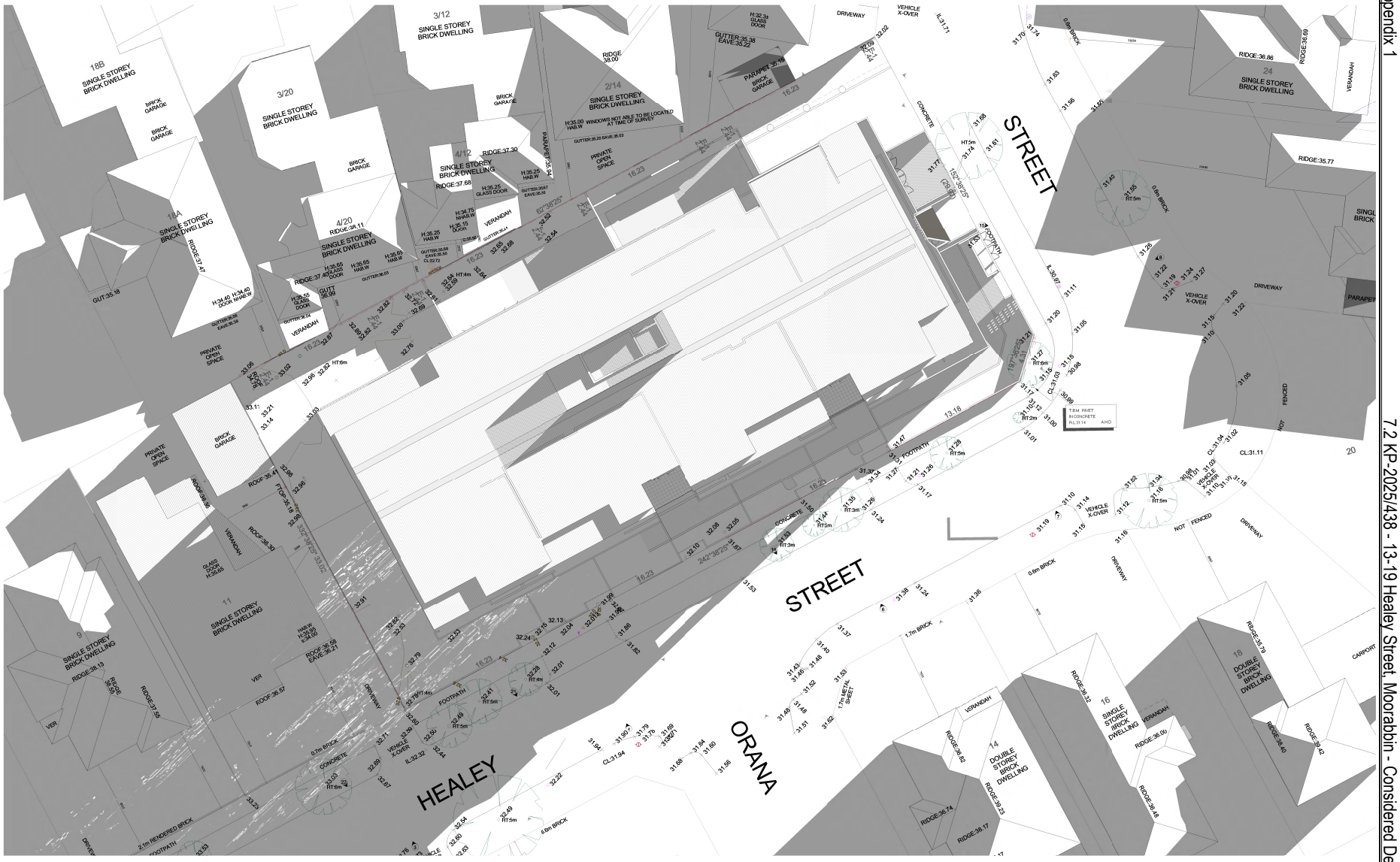
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 9.00am June 21st

JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-28
A1 size sheet:
REV: 4



1. Shadow Diagram - 9.00am June 21st
1 : 150

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 9.00am June 21st

JOB NO:
2504

SCALES:
1 : 150

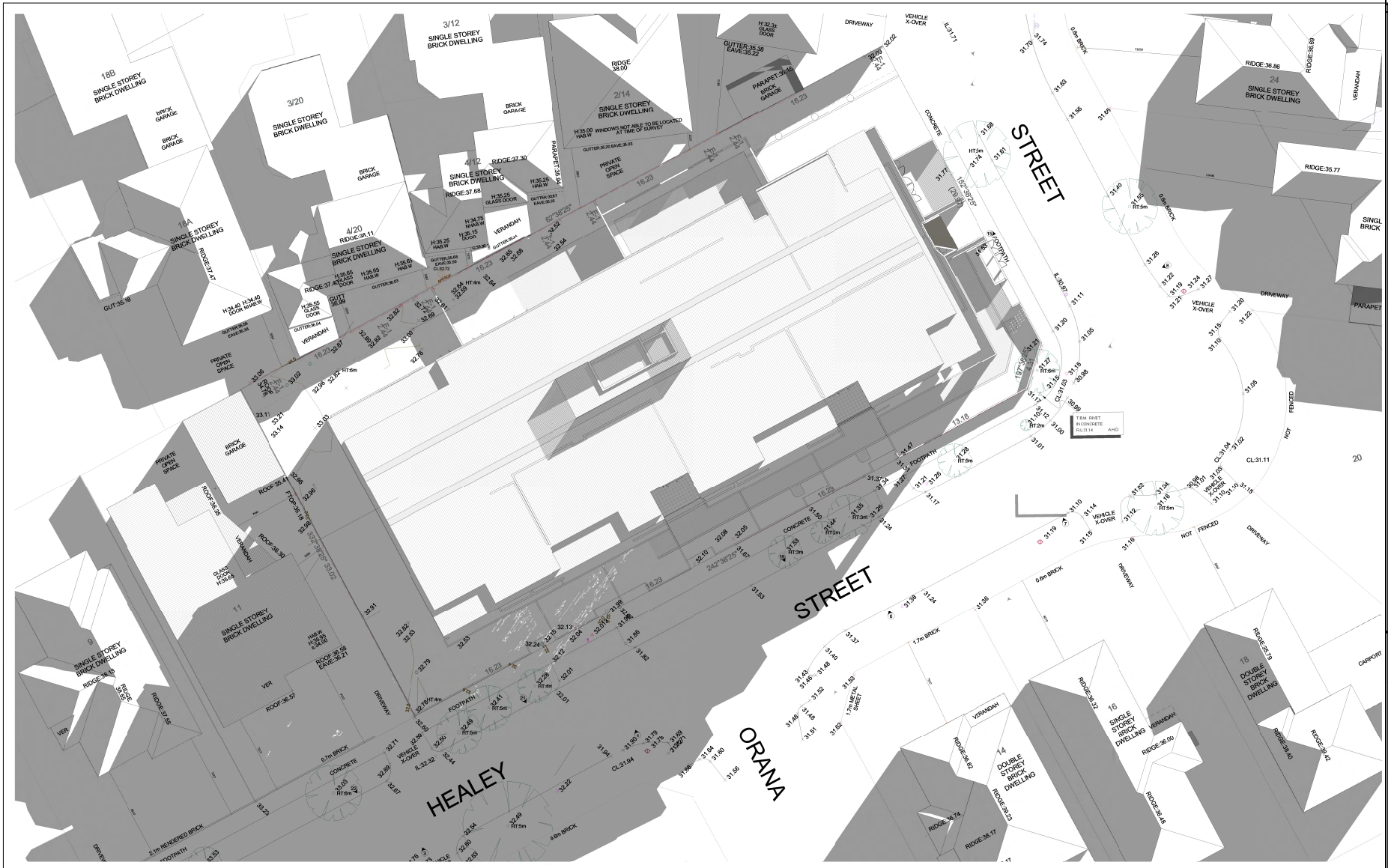
AUTHOR:
PP

DATE:
06-05-26

DRAWING NO:
TP-29

A1 size sheet:

REV:
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1. Shadow Diagram - 10.00am June 21st
1 : 150

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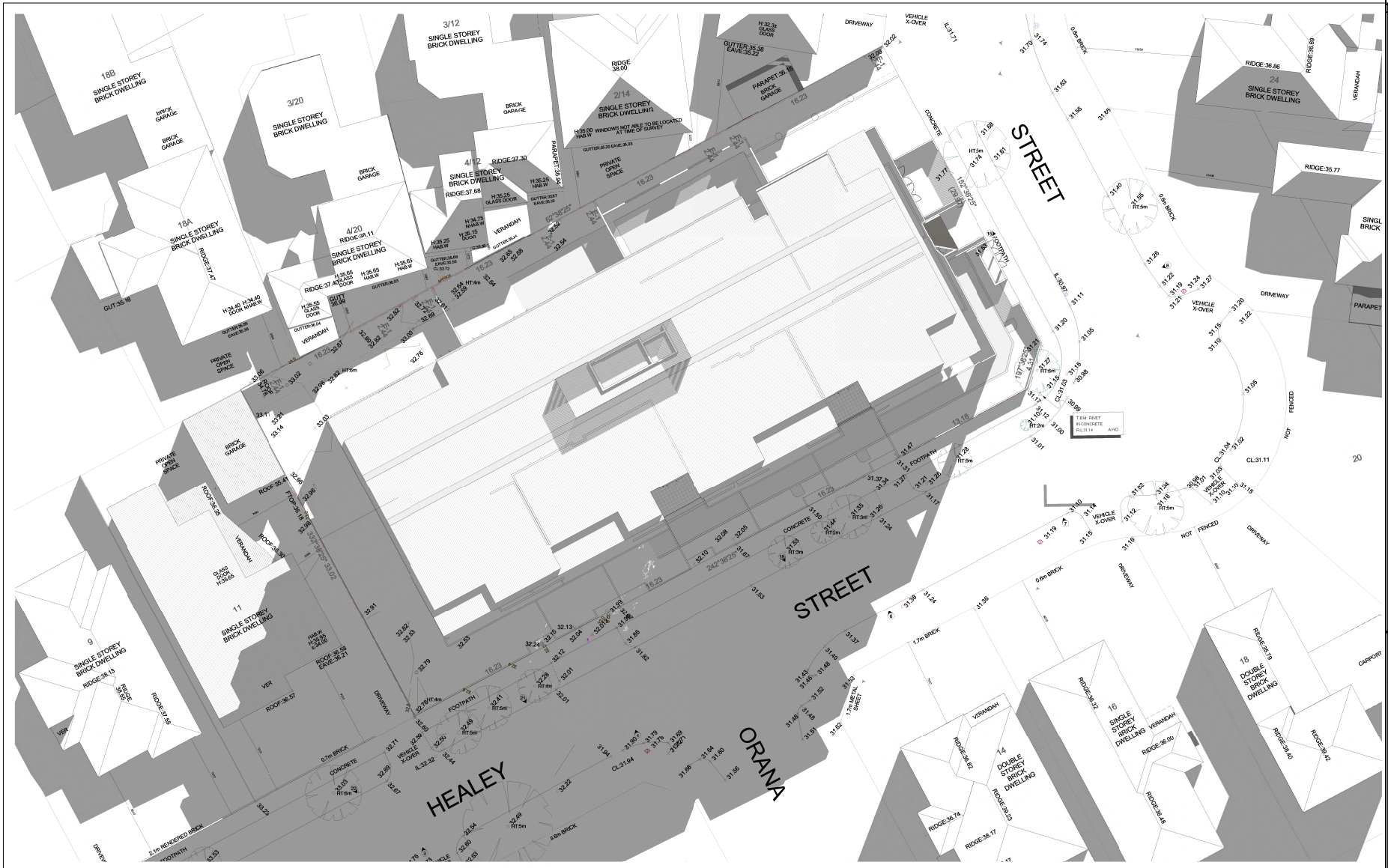
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 10.00am June 21st

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-30
A1 size sheet:
REV: 4



1. Shadow Diagram - 11.00am June 21st
1 : 150

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 11.00am June 21st

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-31
A1 size sheet:
REV: 4



1. Shadow Diagram - 12.00pm June 21st
1 : 150

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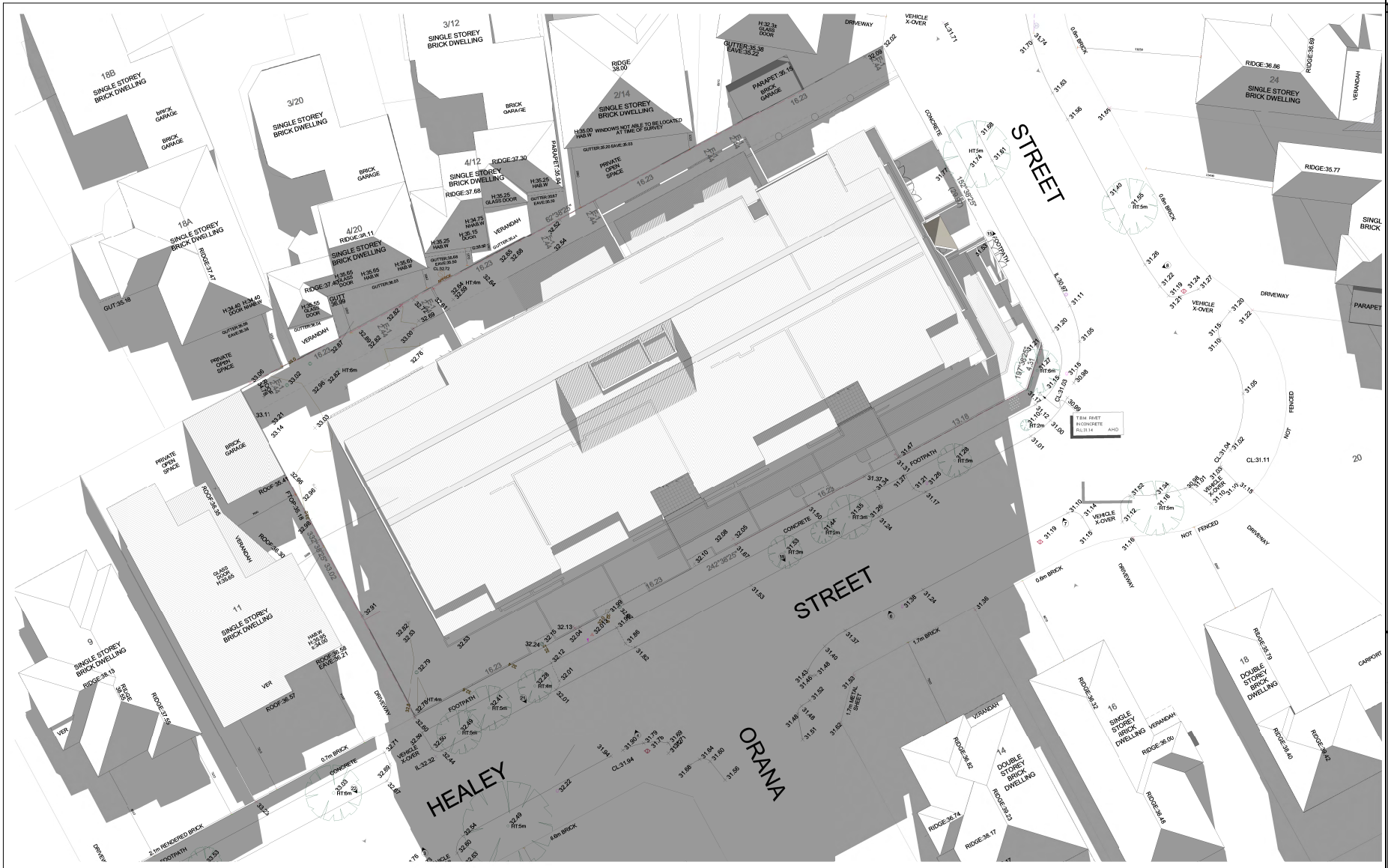
No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 12.00pm June 21st

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-32
A1 size sheet:
REV: 4



1. Shadow Diagram - 1.00pm June 21st
1 : 150

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

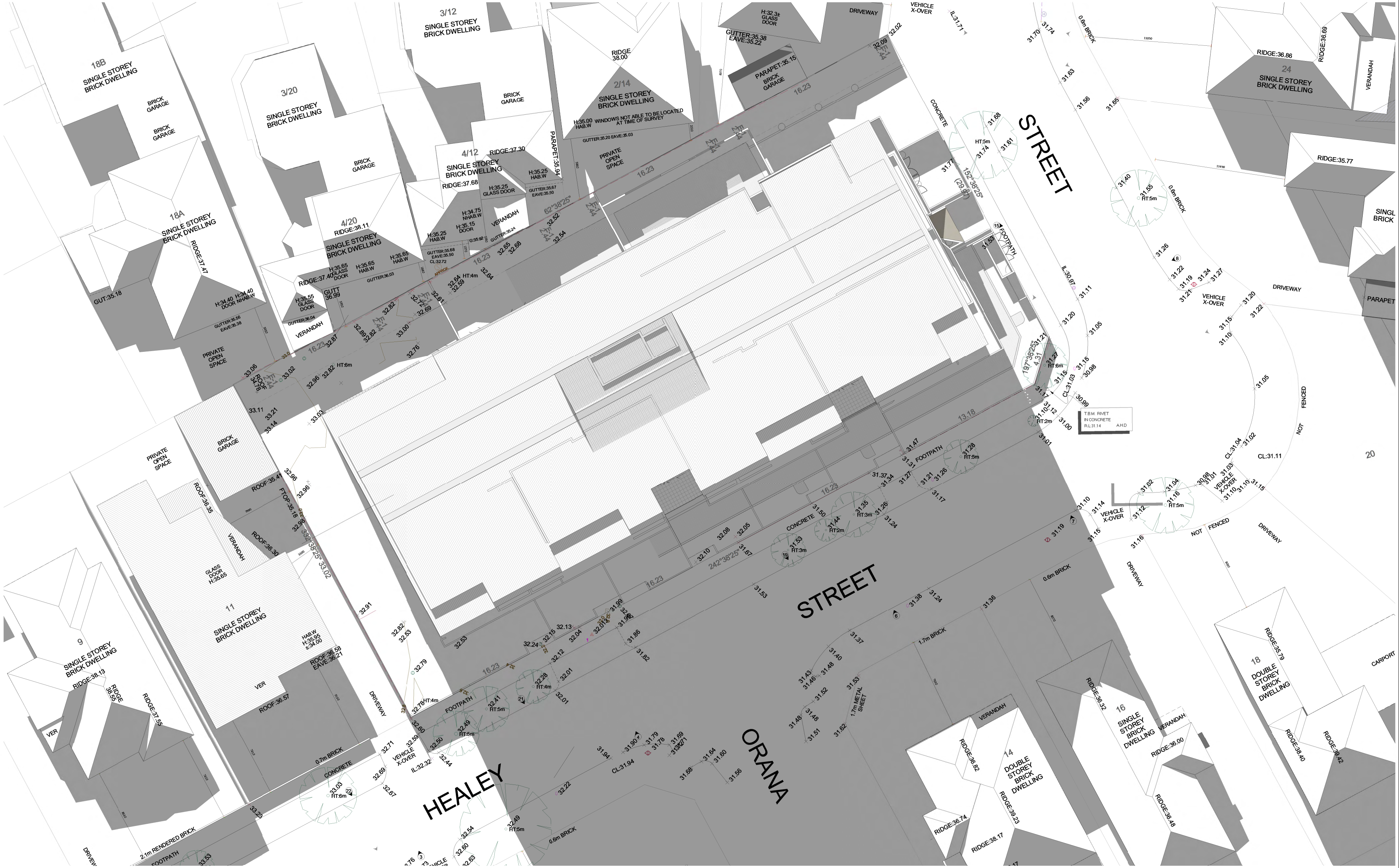
ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 1.00pm June 21st

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26

DRAWING NO: TP-33
A1 size sheet:

REV: 4



1. Shadow Diagram - 2.00pm June 21st
1 : 150

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No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 2.00pm June 21st

JOB NO: 2504
SCALES: 1 : 150
AUTHOR: PP
DATE: 06-05-26
DRAWING NO: TP-34
A1 size sheet:
REV: 4



1 1. Shadow Diagram - 3.00pm June 21st
1 : 150

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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Shadow Diagram - 3.00pm June 21st

JOB NO: 2504

SCALES: 1 : 150

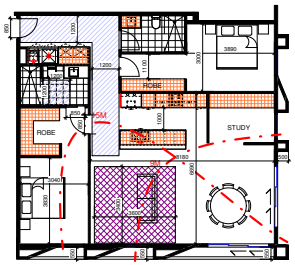
AUTHOR: PP

DATE: 06-05-26

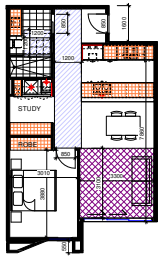
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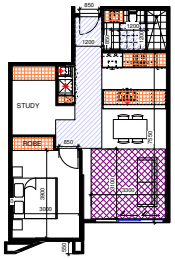
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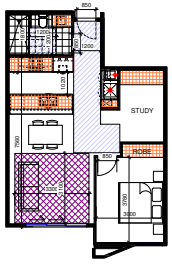
APARTMENT TYPE 01 APARTMENT NUMBERS - G01 APARMENT SIZE - 116 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 21M²	
EXTERNAL STORAGE SQM - 2.3M³	



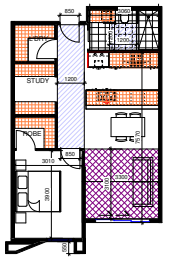
APARTMENT TYPE 02 APARTMENT NUMBERS - G02 APARMENT SIZE - 64 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 8.5M²	
EXTERNAL STORAGE SQM - 2.3M³	



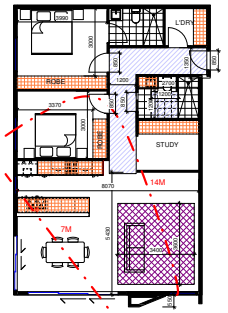
APARTMENT TYPE 03 APARTMENT NUMBERS - G03 -G04 APARMENT SIZE - 64 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 8.5M²	
EXTERNAL STORAGE SQM - 2.3M³	



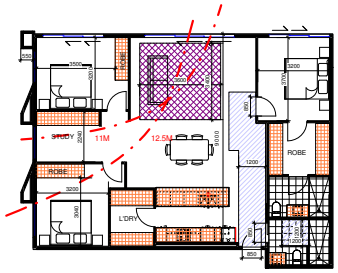
APARTMENT TYPE 04 APARTMENT NUMBERS - G05 APARMENT SIZE - 64 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 8.5M²	
EXTERNAL STORAGE SQM - 2.3M³	



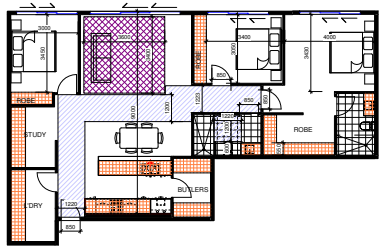
APARTMENT TYPE 05 APARTMENT NUMBERS - G06 APARMENT SIZE - 64 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 11M²	
EXTERNAL STORAGE SQM - 2.3M³	



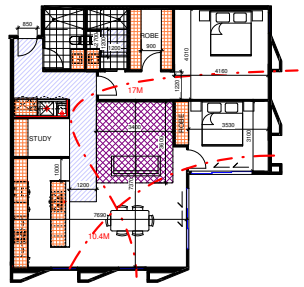
APARTMENT TYPE 06 APARTMENT NUMBERS - G07 APARMENT SIZE - 109 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 17M²	
EXTERNAL STORAGE SQM - 2.3M³	



APARTMENT TYPE 07 APARTMENT NUMBERS - G08 APARMENT SIZE - 128 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 22M²	
EXTERNAL STORAGE SQM - 22.95M³	



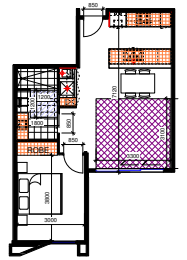
APARTMENT TYPE 08 APARTMENT NUMBERS - G09 APARMENT SIZE - 135 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 24M²	
EXTERNAL STORAGE SQM - 22.95M³	



APARTMENT TYPE 09 APARTMENT NUMBERS - 101,201 APARMENT SIZE - 118 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 16M²	
EXTERNAL STORAGE SQM - 5.6M²	



APARTMENT TYPE 10 APARTMENT NUMBERS - 102,105,106,202,205,206 APARMENT SIZE - 57 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 8M²	
EXTERNAL STORAGE SQM - 2.3M³	



APARTMENT TYPE 11 APARTMENT NUMBERS - 103,104,203,204 APARMENT SIZE - 55 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 8M²	
EXTERNAL STORAGE SQM - 2.3M³	

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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Individual Floor Plans

JOB NO:
2504

SCALES:
1 : 100

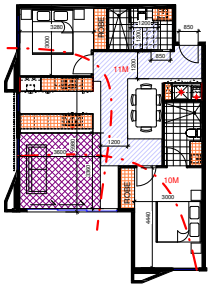
AUTHOR:
PP

DATE:
06-05-26

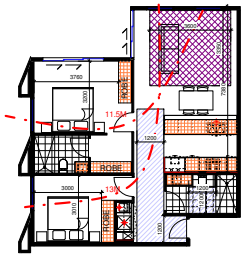
DRAWING NO:
TP-36

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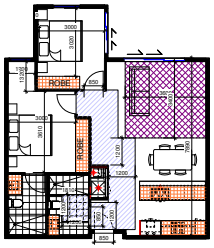
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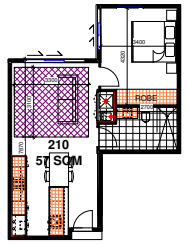
APARTMENT TYPE 12 APARTMENT NUMBERS - 107,207 APARMENT SIZE - 80 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 12.5M²	
EXTERNAL STORAGE SQM - 2.3M²	



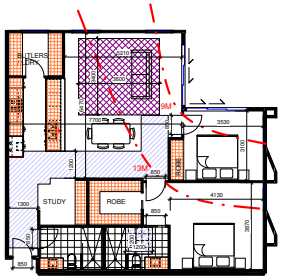
APARTMENT TYPE 13 APARTMENT NUMBERS - 108,208,308,408 APARMENT SIZE - 85 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 13.5M²	
EXTERNAL STORAGE SQM - APT 108 - 2.3M² APT 208 - 2.3M² APT 308 - 3.3M² APT 408 - 5.6M²	



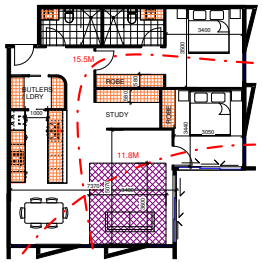
APARTMENT TYPE 14 APARTMENTNUMBERS -109,112,209,212,309,312,409,412 APARMENT SIZE - 80 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 12M²	
EXTERNAL STORAGE SQM - APT 109 - 2.3M² APT 112 - 2.3M² APT 209 - 2.3M² APT 212 - 2.3M² APT 309 - 4.0M² APT 312 - 5.8M² APT 409 - 2.3M² APT 412 - 2.3M²	



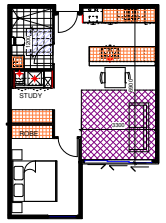
APARTMENT TYPE 15 APARTMENTNUMBERS -110,111,210,211,310,311,410,411 APARMENT SIZE - 57 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	NO
• LIVING ROOMS	NO
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	NO
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 7.5M²	
EXTERNAL STORAGE SQM - APT 110 - 2.3M² APT 111 - 2.3M² APT 210 - 5.8M² APT 211 - 5.8M² APT 310 - 5.8M² APT 311 - 5.8M² APT 410 - 2.3M² APT 411 - 2.3M²	



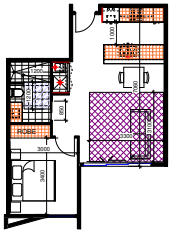
APARTMENT TYPE 16 APARTMENTNUMBERS -113,213 APARMENT SIZE - 111 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 20M²	
EXTERNAL STORAGE SQM - 11.1M²	



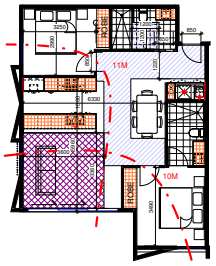
APARTMENT TYPE 17 APARTMENTNUMBERS -301,401 APARMENT SIZE - 102 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 18M²	
EXTERNAL STORAGE SQM - 5.6M²	



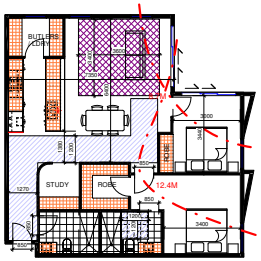
APARTMENT TYPE 18 APARTMENTNUMBERS -302,305,306,402,405,406 APARMENT SIZE - 55 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 8.5M²	
EXTERNAL STORAGE SQM - 2.3M²	



APARTMENT TYPE 19 APARTMENTNUMBERS -303,304,403,404 APARMENT SIZE - 53 SQM BEDROOMS - 1	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 8M²	
EXTERNAL STORAGE SQM - 2.3M²	



APARTMENT TYPE 20 APARTMENTNUMBERS -307,407 APARMENT SIZE - 80 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 12.5M²	
EXTERNAL STORAGE SQM - 2.3M²	



APARTMENT TYPE 21 APARTMENTNUMBERS -313,413 APARMENT SIZE - 102 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 15M²	
EXTERNAL STORAGE SQM - 2.3M²-5.6M²	

NUMBER OF APARTMENTS - 69

- **Standard D18 (accessibility) compliant: 39 (56%)**
- **Standard D29 (natural ventilation) compliant: 23 (33%)**

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3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Individual Floor Plans

JOB NO:
2504

SCALES:
1 : 100

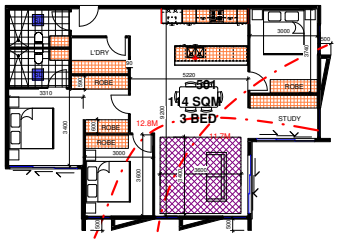
AUTHOR:
PP

DATE:
06-05-26

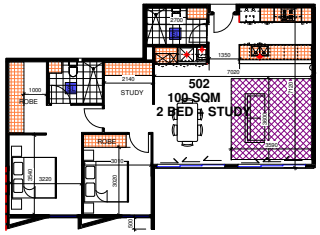
DRAWING NO:
TP-37

A1 size sheet:

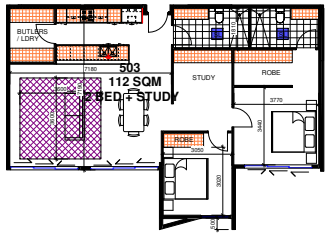
REV:
4



APARTMENT TYPE 22 APARTMENTNUMBERS -501 APARMENT SIZE - 114 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 22M²	
EXTERNAL STORAGE SQM - 2.3M³	



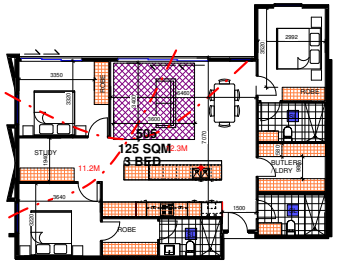
APARTMENT TYPE 23 APARTMENTNUMBERS -502 APARMENT SIZE - 100 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 17M²	
EXTERNAL STORAGE SQM - 11.1M³	



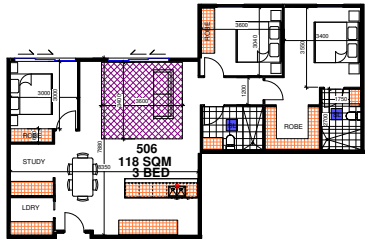
APARTMENT TYPE 24 APARTMENTNUMBERS -503 APARMENT SIZE - 112 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 18M²	
EXTERNAL STORAGE SQM - 11.1M³	



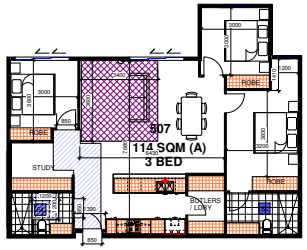
APARTMENT TYPE 25 APARTMENTNUMBERS -504 APARMENT SIZE - 105 SQM BEDROOMS - 2	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 22.5M²	
EXTERNAL STORAGE SQM - 5.6M³	



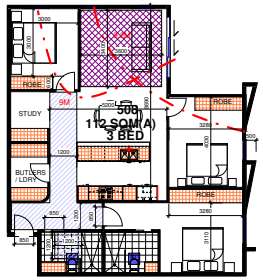
APARTMENT TYPE 26 APARTMENTNUMBERS -505 APARMENT SIZE - 125 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 25M³	
EXTERNAL STORAGE SQM - 4.6M²	



APARTMENT TYPE 27 APARTMENTNUMBERS -506 APARMENT SIZE - 118 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	NO
• BATHROOM	NO
STORAGE	YES
INTERNAL STORAGE SQM - 23M³	
EXTERNAL STORAGE SQM - 4.6M²	



APARTMENT TYPE 28 APARTMENTNUMBERS -507 APARMENT SIZE - 114 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	NO
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 21M²	
EXTERNAL STORAGE SQM - 2.3M³	



APARTMENT TYPE 29 APARTMENTNUMBERS -508 APARMENT SIZE - 112 SQM BEDROOMS - 3	
INTERNAL AMENITY ASSESSMENT	
FUNCTIONAL LAYOUT	
• MAIN BEDROOM	YES
• OTHER BEDROOMS	YES
• LIVING ROOMS	YES
ROOM DEPTH	YES
WINDOWS	YES
NATURAL VENTILATION	YES
ACCESSIBILITY	
• CIRCULATION FROM ENTRY TO LIVING	YES
• BEDROOM	YES
• BATHROOM	TYPE A
STORAGE	YES
INTERNAL STORAGE SQM - 23M³	
EXTERNAL STORAGE SQM - 7.3M²	

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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR 26	RFI SUBMISSION
4	MAY 26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

DRAWING:
Individual Floor Plans

JOB NO: 2504
SCALES: 1 : 100
AUTHOR: PP
DATE: 06-05-26

DRAWING NO: TP-38
A1 size sheet:

REV: 4



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No.	DATE	AMENDMENT
1	OCT 25	APPLICATION SUBMISSION
2	JAN 26	RFI SUBMISSION
3	MAR26	RFI SUBMISSION
4	MAY26	RFI SUBMISSION

No.	DATE	AMENDMENT

PROJECT:
13-19 Healey St Moorabbin

ADDRESS:
13-19 Healey St Moorabbin

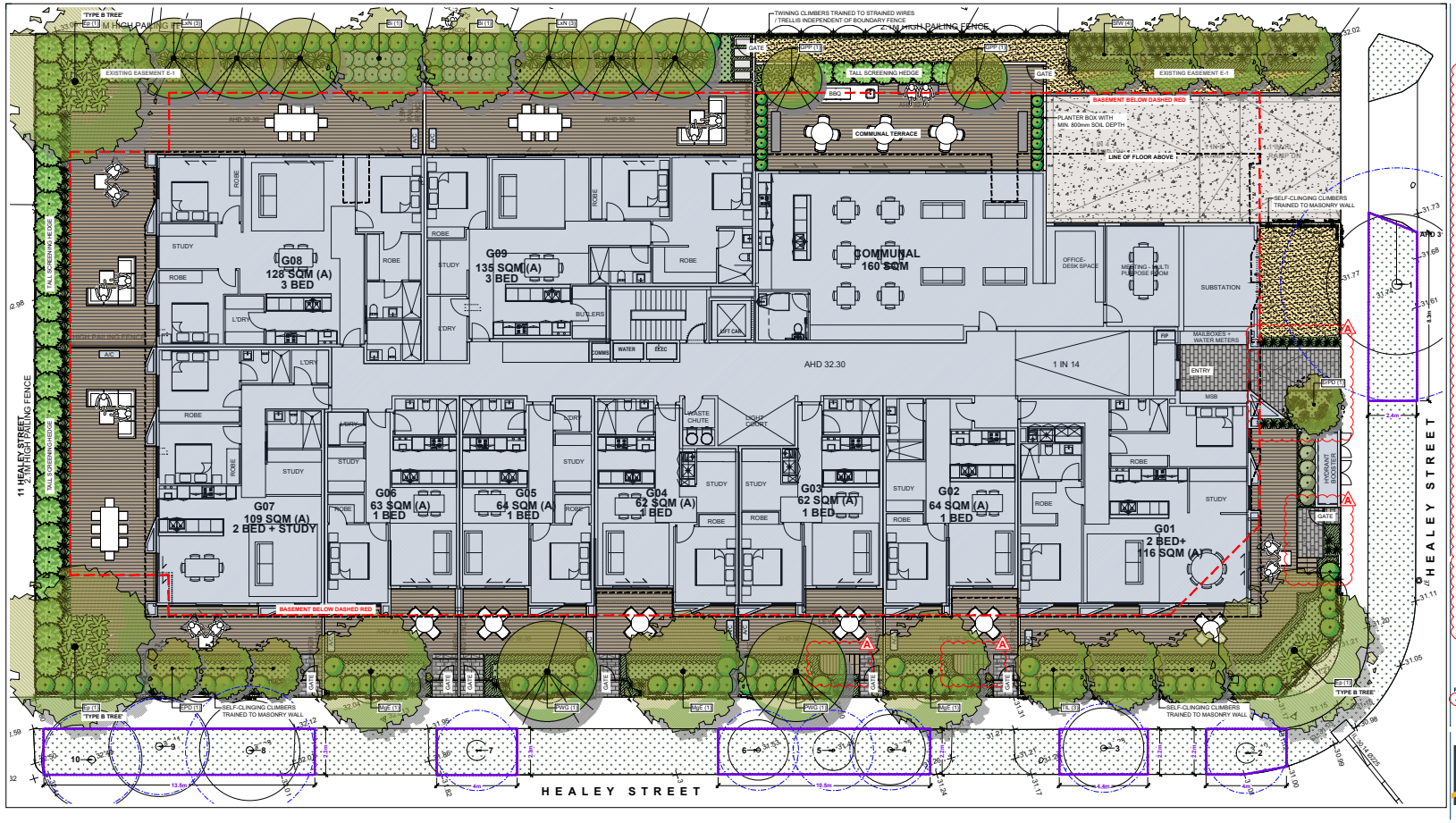
DRAWING:
Tree Removal Plan

JOB NO: 2504
SCALES:
AUTHOR: PP
DATE: 06-05-26

DRAWING NO: TP-39
A1 size sheet:

REV: 4

ADVERTISED PLANS
Documentation May
Be Subject to Copyrig



LEGEND

- Existing Tree to be Retained
  Tree Protection Zone (TPZ) Dashed Blue
  Refer to Arboricultural Impact Assessment by Glenn Waters Arboriculture (June 2025)
- Tree Protection Fencing
  Refer to Tree Protection Notes
- Proposed New Evergreen Trees
  Refer to Plant Schedule
- Proposed New Deciduous Trees
  Refer to Plant Schedule
- Proposed New Shrubs
  Refer to Plant Schedule
- Proposed New Groundcovers & Grasses
  Refer to Plant Schedule
- Proposed New Climbers
  Refer to Plant Schedule
- Proposed New Gravel Surface
  Refer to Specification (TP03)
- Proposed New Paving
  Steppers in Groundcover
  To Later Detail
- Proposed New Timber Decking
  To Architect's Detail
- Proposed New Feature Paving
  To Later Detail
- Proposed New Concrete Driveway
  To Later Detail
- Proposed New Prefabricated Planter Box
  Refer to Specification (TP03)
- Proposed New Built-in Bench Seat
  To Later Detail
- Reinstated/Repaired Nature strip
  Refer to Specification (TP03)

PLANT SCHEDULE - GROUND FLOOR

SYM	BOTANICAL NAME	COMMON NAME	D/E N/E*	HEIGHT X WIDTH AT MATURITY	MIN SUPPLY SIZE	QTY
TREES						
Bi	*Banksia integrifolia*	Coast Banksia	E/N	10 x 5m	50cm/2.0mH	2
EPD	*Elaeocarpus reticulatus* 'Prima Donna'	Prima Donna Blueberry Ash	E/N	7 x 3m	30cm/1.5mH	4
Ep	*Eucalyptus pauciflora* - 'Type B Tree'	Snow Gum	E/N	15 x 8m	50cm/2.0mH	3
GPP	*Ginkgo biloba* 'Piedmont Pillar'	Piedmont Pillar Maidenhair Tree	D/Ex	8 x 3m	50cm/2.0mH	2
LxN	*Lagerstroemia indica* x *L. fauriei* 'Natchez'	Natchez Crape Myrtle	D/Ex	8 x 4m	50cm/2.0mH	6
MgE	*Magnolia grandiflora* 'Exmouth'	Exmouth Bull Bay Magnolia	E/Ex	10 x 6m	50cm/2.0mH	3
PWG	*Pyrus calleryana* 'Winter Glow'	Winter Glow Callery Pear	D/Ex	10 x 5m	50cm/2.0mH	2
SFW	*Syzygium floribundum* 'Whisper'	Whisper Weeping Lilly-pilly	E/N	8 x 4m	30cm/1.5mH	4
TiL	*Tristaniopsis laurina* 'Luscious'	Luscious Water Gum	E/N	8 x 4m	50cm/2.0mH	3
					TOTAL	29
SHRUBS						
AcL	*Acacia cognata* 'Limelight'	Limelight Dw arf River Wattle	E/N	0.8 x 0.8m	200mm pot	
Ca	*Correa alba*	White Correa	E/N	1.5 x 1m (Clipped)	200mm pot	
SSN	*Syzygium australe* 'Straight & Narrow'	Straight & Narrow Lilly-pilly	E/N	6 x 1.5m	200mm pot	
LRM	*Laurus nobilis* 'Revour Master'	Revour Master Bay Laurel	E/Ex	1.8 x 0.5m	200mm pot	
SeS	*Syzygium australe* 'Select Form'	Select Lilly-pilly	E/N	3 x 1m (Clipped)	200mm pot	
Mp	*Murraya paniculata*	Orange Jessamine	E/Ex	2 x 1m (Clipped)	200mm pot	
					TOTAL	

TO LATER DETAIL

*D/E = Deciduous/Evergreen N/Ex = Native/Exotic

SYM	BOTANICAL NAME	COMMON NAME	D/E N/E*	HEIGHT X WIDTH AT MATURITY	MIN SUPPLY SIZE	QTY
GROUNDCOVERS & GRASSES						
AMB	*Arthropodium cirratum* 'Matapouri Bay'	Renga Lily	E/Ex	0.6 x 0.6m	140mm pot	
Dr	*Dichondra repens*	Kidney Plant	E/N	0.1 x 1m	140mm pot	
Dro	*Dietes robinsoniana*	Lord How e Island Iris	E/N	1.5 x 1m	200mm pot	
LEG	*Liriope gigantea* 'Evergreen Giant'	Evergreen Giant Lily-turf	E/Ex	0.6 x 0.6m	140mm pot	
LiT	*Lomandra longifolia* 'Tanika'	Tanika Mat-rush	E/N	0.6 x 0.6m	140mm pot	
MpY	*Myoporum parvifolium* 'Y areena'	Creeping Boobialla 'Y areena	E/N	0.1 x 1m	140mm pot	
Dl	*Dianella tasmanica*	Tasmen Flax Lily	E/N	0.8 x 0.8m	140mm pot	
HvM	*Hardenbergia violacea* 'Meema'	Meema Purple Coral Pea	E/N	0.4 x 1m	140mm pot	
PE	*Poa labillardieri* 'Eskdale'	Eskdale Tussock Grass	E/N	0.6 x 0.5m	140mm pot	
SMC	*Scaevola* 'Mauve Clusters'	Mauve Clusters Fan Flow er	E/N	0.3 x 0.6m	140mm pot	
Vh	*Viola hederacea*	Native Violet	E/N	0.15 x Spreading	140mm pot	
TFM	*Trachelospermum asiaticum* 'Flat Mat'	Flat Mat Yellow Star Jasmine	E/Ex	0.4 x 3m	140mm pot	
					TOTAL	
CLIMBERS						
Fp	*Ficus pumila*	Climbing Fig	E/Ex	Self-clinging Climber	140mm pot	
Pq	*Parthenocissus quinquefolia*	Virginia Creeper	D/Ex	Self-clinging Climber	140mm pot	
Tj	*Trachelospermum jasminoides*	Star Jasmine	E/Ex	Tw ining Climber	140mm pot	
					TOTAL	

TO LATER DETAIL

*D/E = Deciduous/Evergreen N/Ex = Native/Exotic

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Do not scale off drawings

NOT FOR CONSTRUCTION

TREE PROTECTION DURING DEVELOPMENT

The following are guidelines that must be implemented to minimise the impact of the proposed construction works on the retained trees.

- The Tree Protection Zone (TPZ) is fenced and clearly marked at all times. This fence should deter the placement of building materials, entry of heavy equipment and vehicles and also the entry of workers and/or the public into the TPZ. Australian Standard AS 4687 - 2007 Temporary fencing and hoardings, specifies appropriate fencing requirements. Existing perimeter fencing can be incorporated into the protective fencing. Shade cloth should be attached to reduce the movement of dust and other particulates into the TPZ. Signs identifying the TPZ are to be placed on the fencing.
- If the area within the TPZ is to be accessed during the construction phase then the area will need ground protection. Measures may include a permeable membrane, such as a geotextile, to cover the TPZ area beneath a 100 mm layer of crushed rock below rumble boards.
- Contractors and site workers should receive written and verbal instruction as to the importance of tree protection and preservation within the site. Successful tree preservation occurs when there is a commitment from all relevant parties involved in designing, constructing and managing a development project.
- The Project Arborist is on-site to supervise excavation works around the existing trees where the TPZ will be encroached.
- There is no immediate requirement for mulching within the TPZ. There is benefit to maintaining existing site conditions within the TPZ and is more analogous to proposed completion conditions. Monitoring of the trees in-line with prevailing weather conditions will indicate if mulching will be required. The same approach is to used in providing supplemental irrigation.
- No persons, vehicles or machinery to enter the TPZ without the consent of the consulting arborist or site manager.
- Any underground service installations within the allocated TPZ should be bored and utility authorities should common trench where possible.
- No fuel, oil dumps or chemicals shall be allowed in or stored on the TPZ and the servicing and refuelling of equipment and vehicles should be carried out away from the root zones. No storage of material, equipment or temporary building should take place over the root zone of the tree. Nothing whatsoever should be attached to the tree including temporary services wires, nails, screws or any other fixing device.
- Any pruning that is required must be carried out by trained and competent arborist who has a thorough knowledge of tree physiology and pruning methods and carry out pruning to the Australian Standard - AS 4373 - 2007 Pruning of Amenity Trees.
- All excavation within the Tree Protection Zone must be carried out by hand digging or with the use of 'NDD-Excavation' techniques and only when supervised by the Project Arborist. Where the Project Arborist identifies roots to be pruned within the TPZ, they should be pruned with a final cut to undamaged wood. Pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. It is not acceptable for roots within the TPZ to be 'pruned' with machinery such as backhoes or excavators.

REVISION	DESCRIPTION	DATE	BY
A	To Council Request	08.02.2026	MGR

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Richmond, VIC 3121
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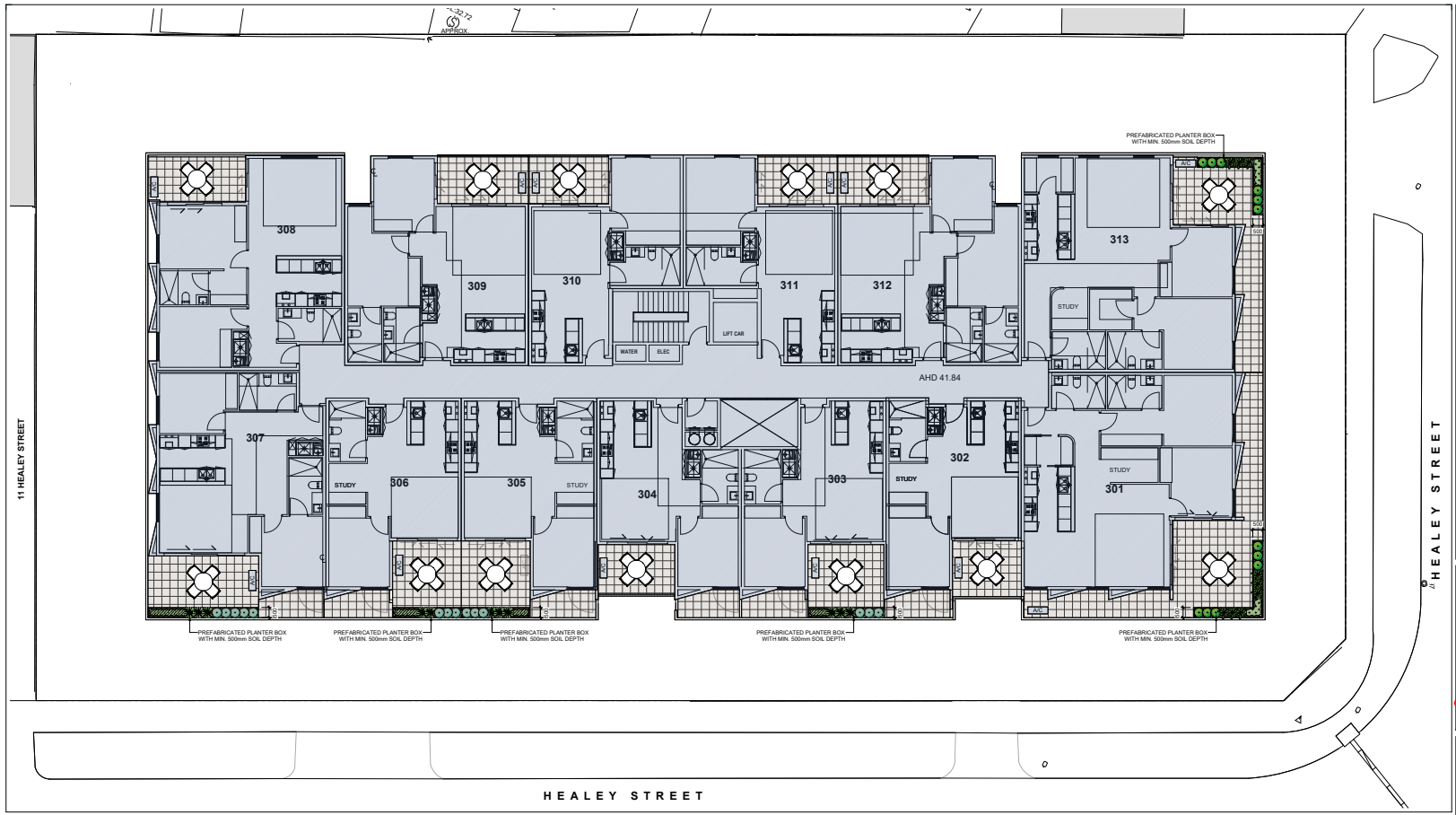
PROJECT
Proposed Development

13-19 Healey Street, Moorabbin

DRAWING
- Ground Floor -
Landscape Plan for Town Planning

SCALE	1:100 @ A1
DATE	SEPTEMBER 2025
DRAWN	MGR
CHECKED	KD
JOB NO	25-348
DWG NO	L-TP01
CAD FILE	25-348 L-TP Rev A.dwg

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Be Subject to Copyright



LEGEND

Proposed New Shrubs
Refer to Plant Schedule

Proposed New Paving
To Latter Detail

Proposed New Prefabricated Planter Box
Refer to Specification (TP03)

Proposed New Groundcovers & Grasses
Refer to Plant Schedule

PLANT SCHEDULE - THIRD FLOOR

SYM	BOTANICAL NAME	COMMON NAME	D/E N/Ex*	HEIGHT X WIDTH AT MATURITY	MIN SUPPLY SIZE	QTY
GROUNDCOVERS & GRASSES						
LiFS	*Leptospermum lewigatum 'Fore Shore'*	Fore Shore Tea -tree	E/N	0.5 x 0.5m	200mm pot	
WAB	*Westringia 'Aussie Box'*	Native Box	E/N	0.5 x 0.5m	200mm pot	
					TOTAL	
SHRUBS						
Os	*Convolvulus sabatius*	Moroccan Bellflow er	E/Ex	0.3 x Trailing	140mm pot	
LS	*Lomandra fluviatilis 'Shara'*	Shara Mat-rush	E/N	0.4 x 0.5m	140mm pot	
MpY	*Myoporum parvifolium 'Yareena'*	Creeping Boobialla Yareena	E/N	0.1 x Trailing	140mm pot	
RoP	*Roamarinus officinalis 'Prostratus'*	Prostrate Rosemary	E/Ex	0.5 x Trailing	140mm pot	
					TOTAL	

TO LATER DETAIL

*D/E = Deciduous/Evergreen N/Ex = Native/Exotic

NOT FOR CONSTRUCTION

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REVISION		DATE	BY
A	To Council Request	06.02.2026	MGR

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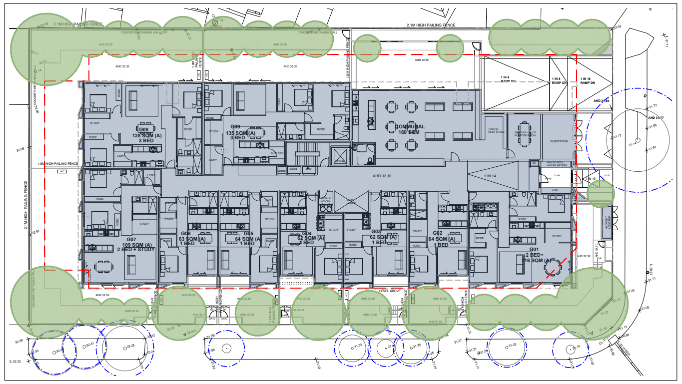
PROJECT
Proposed Development

13-19 Healey Street, Moorabbin

DRAWING
- Third Floor -
Landscape Plan for Town Planning

SCALE	1:100 @ A1
DATE	SEPTEMBER 2025
DRAWN	MGR
CHECKED	KD
JOB NO	25-348
DWG NO	L-TP02
CAD FILE	25-348 L-TP Rev A.dwg

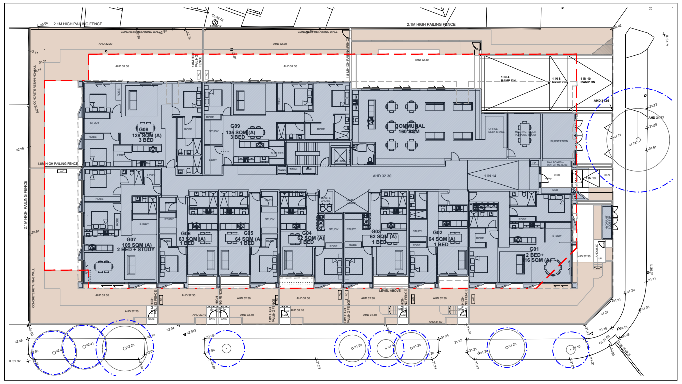
CANOPY COVER (Scale 1:250 @ A1)



LEGEND

Canopy Cover = 500m²
Min. 278m² required (as per Clause 58.03-5)

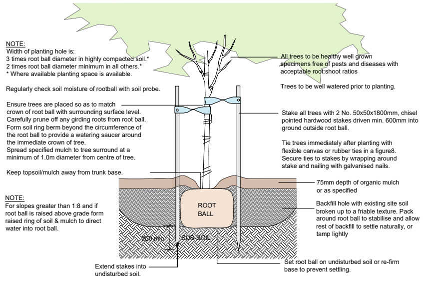
DEEP SOIL (Scale 1:250 @ A1)



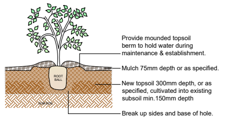
LEGEND

Deep Soil = 508m²
Min. 214m² required (as per Clause 58.03-5)

TYPICAL DETAILS



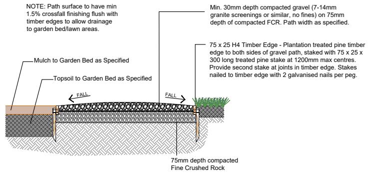
D1 TYPICAL TREE PLANTING DETAIL
Scale N.T.S.



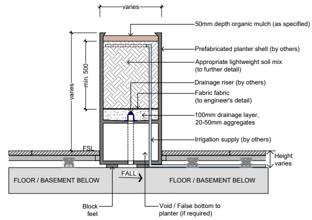
NOTE:
1. Dig hole twice as deep as root ball and allow at least 200mm around sides for backfilling with topsoil.
2. Apply fertiliser in base of hole, cover with topsoil (type & rate as per spec.). Avoid root contact.
3. Place plant in centre of hole, backfill with specified topsoil, firming progressively.
4. Water well into saucer around crown of plant.
5. Stake larger shrubs where necessary using 50x50x1200mm hardwood stakes.

D2 TYPICAL SHRUB PLANTING DETAIL
Scale N.T.S.

NOTE: Path surface to have min 1.5% crossfall finishing flush with timber edges to allow drainage to garden bed/lawn areas.



D3 TYPICAL GRAVEL PATH & TIMBER EDGING DETAIL
Scale 1:20



D4 TYPICAL PREFABRICATED PLANTER BOX DETAIL - WITH VOID
Scale 1:20

SPECIFICATION NOTES

Soil Preparation
Crushed rock, concrete spillage and any other material restrictive to plant growth (e.g. large rocks) shall be removed from the site of any planting beds and semi-advanced trees. All trees to be removed shall be stump ground and all rubbish/vegetative spoil is to be removed from site. Existing top soil in planting areas is to be preserved so that it does not receive additional compaction from site machinery and so that no rubble or building supplies are stored in these areas.

No imported top soil is to be used within the root zones of trees to be protected. Any preparation of existing soil for planting within these areas is to be done by hand only. Holes (e.g. as the result of plant removal) and uneven soil levels may be patched using topsoil as specified below.

Any imported topsoil is to be free of weeds, rubble and other materials damaging to plant growth and is to be of a medium texture (sandy loam) with a pH of 6.0-7.0. Top soil is to be laid over a prepared sub-base which has had any materials damaging to plant growth (e.g. rubble and large rocks) removed, spread to the appropriate depth and cultivated into the existing site soil to a minimum depth of 150mm.

Imported top soil is to be lightly and uniformly compacted in 150mm layers to a minimum depth of 100mm on lawn areas and 300mm on excavated planting beds.

Weed Removal
All weeds shall be thoroughly removed. All vegetative material, including roots and rhizomes of non-woody perennials and woody suckering weeds, is to be removed or appropriately controlled using chemical means. The stumps of non-suckering woody perennials are to be stump ground. All vegetative material shall be appropriately disposed of off site in a manner which will not allow their re-establishment elsewhere. Any chemical controls are to be used in accordance with manufacturer's instructions and standard occupational health and safety procedures.

Care must be taken to ensure that all trees to be retained are not damaged during weed removal. This also implies that any herbicides used are suitable for use around the vegetation to be retained.

Planting
Planting shall be carried out using accepted horticultural practices with all plants conforming to the species, size and quantities indicated on the Landscape Plan and Plant Schedule. Plants shall be thoroughly soaked through immersion in water prior to planting and if the planting soil is very dry then the planting hole is also to be filled with water and allowed to drain completely.

All plants shall be appropriately hardened off in the nursery. Use plants with the following characteristics: Large healthy root systems with no evidence of root curl or pot bound restriction or damage, vigorous, well established, free from disease and pests and of good form, consistent with the species or variety.

Planting holes for shrubs and groundcovers are to be of minimum size 75mm larger than the planting pot in all directions. Semi-advanced tree planting holes are to be the same depth as the rootball and 2-3 times its diameter, with the top of the rootball being at grade. A 75mm high berm is to be constructed at edge of root-ball to hold water. All plants are to be thoroughly watered after planting and slow release fertiliser added at the quantities specified by the manufacturer.

Mulch
Mulch is to be supplied to all garden beds and is to be an organic type laid to a minimum depth of 75mm, consisting of fine dark coloured chipped or shredded pine bark or hardwood with not more than 5% fines content by volume (preferably zero fines). The average size of the woodchip must be approximately 10mm x 20mm x 5mm and the maximum length is not to exceed 30mm. Mulch shall be free of damaging matter such as soil, weeds and sticks and is to be stockpiled and thoroughly weathered prior to delivery. Mulch is to be kept back 100mm from the stems of all plants to prevent collar rot.

Aggregate Gravel Surface
Aggregate gravel is to be installed where shown comprising of a 30mm layer of gravel (7-14mm granite screenings or similar, no fines) over a base course of 75mm deep gently compacted Fine Crushed Rock. The subgrade is to be appropriately compacted.

Timber Edges
Provide 75 x 25mm treated pine edges to all borders between gravel mulch paths and garden beds using 75x25x300mm long treated pine stakes at 1200mm maximum centres. An additional stake is to be provided at joins in the plinth.

Irrigation
An approved drip irrigation system is to be supplied to all planter boxes & garden beds. It is the responsibility of the contractor to ensure that all irrigation meets manufacturers specifications. The system is to be connected to mains supply and include a rain-shut off device. All dripline is to be buried with approx. 50mm of topsoil cover and shall be anchored at regular intervals to ensure the tubing cannot be dislodged.

Raised Planter Boxes
Raised planter construction is to include, but not necessarily be limited to, the supply and installation of agricultural drains, drainage cells at base, filter fabric, planting medium, mulch and irrigation. Planter boxes must be effectively tanked and lined with coreflute to prevent leaking.

Drainage cells are to be provided at the base of the planter and are to be covered with a layer of filter fabric. A drainage outlet is to be installed in the base of the planter with the floor of the planter sloped towards it. Provide a root anchor if trees are to be planted in a windy location.

Supply and spread evenly a special planter mix. (to be advised) Compact evenly in 100mm layers. Avoid differential subsidence and excess compaction and produce a finished surface that is graded evenly and ready for planting. Allow for 50mm layer of specified mulch to top of beds and a finished level 25-50mm below the planter rim. Drip irrigation as specified is to be installed beneath the mulch layer.

Repair/Restoration of damaged Nature-strips
Nature strips are to be restored to current grades with any depressions filled with topsoil to specifications above and lightly compacted in 150mm layers. Areas are then to be re-seeded using an appropriate and matching turf type and the area fenced off to allow the re-establishment of lawn. Re-seeded areas are to be well irrigated and the area supplied with a slow release fertiliser at the quantities recommended by the manufacturer.

Any areas of lawn which have failed to germinate (achieve an evenly green 95% covering of a consistent height) are to be re-seeded within one month of original sowing date.

Plant Establishment Period
There shall be a 13 weeks Plant Establishment Period following the approval of Practical Completion by the responsible authority. During this period the landscape contractor shall make good all defects in his/her scope of works. Maintenance and Establishment means the care and maintenance of the contract area by accepted horticultural practices, as well as rectifying any defects that become apparent in the work under normal use. This shall include, but shall not be limited to watering, fertilising, weeding, pruning, pest and disease control, cultivation, re-staking and replacement of any plants that fail with plants of the same species and size.

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Do not scale off drawings

NOT FOR CONSTRUCTION

TREE PROTECTION DURING DEVELOPMENT

The following are guidelines that must be implemented to minimise the impact of the proposed construction works on the retained trees.

- The Tree Protection Zone (TPZ) is fenced and clearly marked at all times. This fence should deter the placement of building materials, entry of heavy equipment and vehicles and also the entry of workers and/or the public into the TPZ. Australian Standard AS 4687 - 2007 Temporary fencing and hoardings, specifies appropriate fencing requirements. Existing perimeter fencing can be incorporated into the protective fencing. Shade cloth should be attached to reduce the movement of dust and other particulates into the TPZ. Signs identifying the TPZ are to be placed on the fencing.
- If the area within the TPZ is to be accessed during the construction phase then the area will need ground protection. Measures may include a permeable membrane, such as a geotextile, to cover the TPZ area beneath a 100 mm layer of crushed rock below rumble boards.
- Contractors and site workers should receive written and verbal instruction as to the importance of tree protection and preservation within the site. Successful tree preservation occurs when there is a commitment from all relevant parties involved in designing, constructing and managing a development project.
- The Project Arborist is on-site to supervise excavation works around the existing trees where the TPZ will be encroached.
- There is no immediate requirement for mulching within the TPZ. There is benefit to maintaining existing site conditions within the TPZ and is more analogous to proposed completion conditions. Monitoring of the trees in-line with prevailing weather conditions will indicate if mulching will be required. The same approach is to used in providing supplemental irrigation.
- No persons, vehicles or machinery to enter the TPZ without the consent of the consulting arborist or site manager.
- Any underground service installations within the allocated TPZ should be bored and utility authorities should common trench where possible.
- No fuel, oil dumps or chemicals shall be allowed in or stored on the TPZ and the servicing and refuelling of equipment and vehicles should be carried out away from the root zones. No storage of material, equipment or temporary building should take place over the root zone of the tree. Nothing whatsoever should be attached to the tree including temporary services wires, nails, screws or any other fixing device.
- Any pruning that is required must be carried out by trained and competent arborist who has a thorough knowledge of tree physiology and pruning methods and carry out pruning to the Australian Standard - AS 4373 - 2007 Pruning of Amenity Trees.
- All excavation within the Tree Protection Zone must be carried out by hand digging or with the use of 'NDD-Excavation' techniques and only when supervised by the Project Arborist. Where the Project Arborist identifies roots to be pruned within the TPZ, they should be pruned with a final cut to undamaged wood. Pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. It is not acceptable for roots within the TPZ to be 'pruned' with machinery such as backhoes or excavators.

REVISION		DATE	BY
A	To Council Request	09.02.2026	MGR

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CLIENT
Pitard 20 Pty Ltd

PROJECT
Proposed Development

13-19 Healey Street, Moorabbin

DRAWING
Typical Details & Specification Notes for Town Planning

SCALE	AS SHOWN @ A1
DATE	SEPTEMBER 2025
DRAWN	MGR
CHECKED	KD
JOB NO	25-348
DWG NO	L-TP03
CAD FILE	25-348 L-TP Rev A.dwg

Ordinary Council Meeting

28 September 2026

Agenda Item No: 7.3

KP-2025/534 - 27 & 29-33 RYANS ROAD, CLAYTON SOUTH

Contact Officer: Matthew Yeung, Statutory Planner

Purpose of Report

This report is for the Council to consider Planning Permit Application No. KP-2025/534 – 27 & 29-33 Ryans Road CLAYTON SOUTH.

Disclosure of Officer / Contractor Direct or Indirect Interest

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

RECOMMENDATION

That Council determine to support the proposal and issue a Planning Permit to develop the land to construct a building (warehouse) in a Public Acquisition Overlay at 27 & 29-33 Ryans Road CLAYTON SOUTH, subject to the conditions contained within this report.

EXECUTIVE SUMMARY			
Address	27 & 29-33 Ryans Road CLAYTON SOUTH VIC 3169		
Legal Description	Lot 1, Lot 2, Lot 3, Reserve No.1 on PS904625		
Applicant	TT Aust Holding Pty Ltd		
Planning Officer	Matthew Yeung		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 33.01 – Industrial 1 Zone		
Overlays	Clause 45.01 – Public Acquisition Overlay (Schedule 2)		
Particular Provisions	Clause 52.06 – Car Parking		
Permit Trigger/s	Clause 33.01-4 - To construct a building or construct or carry out works. Clause 45.01-1- To construct a building or construct or carry out works.		
APPLICATION / PROCESS			
Proposal	To construct a building and carry out works (warehouse, workshop/office building, shed) in a Public Acquisition Overlay		
Reference No.	KP-2025/534	**RFI Received**	10/02/2026
App. Received	28/11/2025	**App. Amended**	NA
Site Inspection	Yes		
S.52 Advertising	N/A	**Advertising Completed**	N/A
S.55 Referrals	DECCA		
Internal Referrals	Yes (VEG, ESD & TRAFFIC)		
Objection(s)	N/A		

ESD Summary	The proposal achieves a BESS score of 50% (Required Score 50+). The proposal also incorporates: • Energy efficient lighting • All electric development • 20,000L tank for workshop/office • Materials selections to be in accordance with ESD principles			
Vegetation	**Trees > 8m**	Yes	**No. of Trees to be Removed (110cm circumference)**	15
LEGISLATIVE				
Covenant/Other Restriction	No		Complies: NA	
Aboriginal Cultural Sensitivity Area	Yes			
CHMP	Exempt			
Considered Plans	Prepared by Evadys; TP01 Rev 1 06/11/2025, TP02 Rev 4 06/02/2026, TP03 Rev 3 20/01/2026, TP04 Rev 3 20/01/2026, TP05 Rev 2 06/11/2025, TP06 06/02/2026 & TP07 Rev 1 06/11/2025			

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.

1. KEY ISSUES / HISTORY OF SUBJECT SITE

The main issues arising from this proposal relate to:

- Car parking and traffic considerations.
- Design and built form.
- Vegetation and landscaping considerations.

Council's Planning Compliance Department has previously investigated the subject land under compliance matter PC-2025/19 in relation to various uses and works occurring on the site. In February 2025, Council issued an Official Warning Notice regarding the apparent use of the land as a transfer station/materials recycling facility without the necessary planning approval and requested that the use cease.

Subsequent investigations and site inspections identified a range of activities occurring across the land, including the storage of trucks, skip bins, scaffolding, shipping containers, vehicles and heavy machinery. Council also observed the importation and crushing of concrete and the placement of fill within the north-eastern portion of the site to create a hardstand area. Council considered that some of these activities may require separate planning approval.

Council undertook inspections of the site in August and September 2025, including a joint inspection with the Environment Protection Authority Victoria (EPA). Following these investigations, the landowner was encouraged to engage a planning consultant to review the activities and works occurring on the land and determine the relevant planning approval requirements.

Ratio Consultants were subsequently engaged by the landowner and confirmed that a planning permit application was being prepared in relation to the existing structure and further works on the site. Planning Permit Application KP-2025/534 was subsequently lodged with Council on 28 November 2025.

2. SITE AND SURROUNDS

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



Image 1: Streetview of Subject site from Ryans Road.

Allotment Placement and Size	The subject site is located on the north side of Ryans Road. The planning unit involves three (3) lots and one (1) reserve lot.  Image 2: Snippet of Plan of Subdivision PS904625T
Size (m^2)	44515.34m^2
Built Form	The site is currently used without permission for storage of various materials and shipping containers. The site features a maintenance storage shed structure within the centre of the site. The Clayton Power Station is located within the southeast corner of the site.
Vegetation	The subject site is generally devoid of significant vegetation. However, a number of planted trees are dispersed throughout Lot 3 of the planning unit. Based on

	advice from Council's Vegetation Officer and the Arboricultural Impact Assessment prepared by the applicant's suitably qualified arborist, these trees have been identified as planted specimens rather than remnant native vegetation. The trees are predominantly ornamental landscape plantings and do not comprise extensive or significant vegetation cover across the site. The existing vegetation has been considered as part of the assessment of the proposal, with any potential impacts addressed through the submitted plans and supporting arboricultural documentation.
Easement(s)	A 1.83 metre wide drainage easement is located along the site's (rear) property boundary.
Footpath Assets / Access	Three (3) separate vehicle crossovers located along Ryans Road.
Covenant(s) / Restrictions	There are no restrictions or covenants affecting the subject site.

3. SURROUNDING LAND

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



Image 3: Aerial imagery of subject site and surrounds (Nearmap, 2026)

North	No. 618 Clayton Road: Vacant block of land that is listed on the EPA Landfill Register.  Image 4: Aerial imagery of No. 618 Clayton Road (Intramaps, 2026).
East	No. 7 Deals Road: Currently the land is used for a Refuse Transfer Station.  Image 5: Aerial imagery of No. 7 Deals Road (Intramaps, 2026).

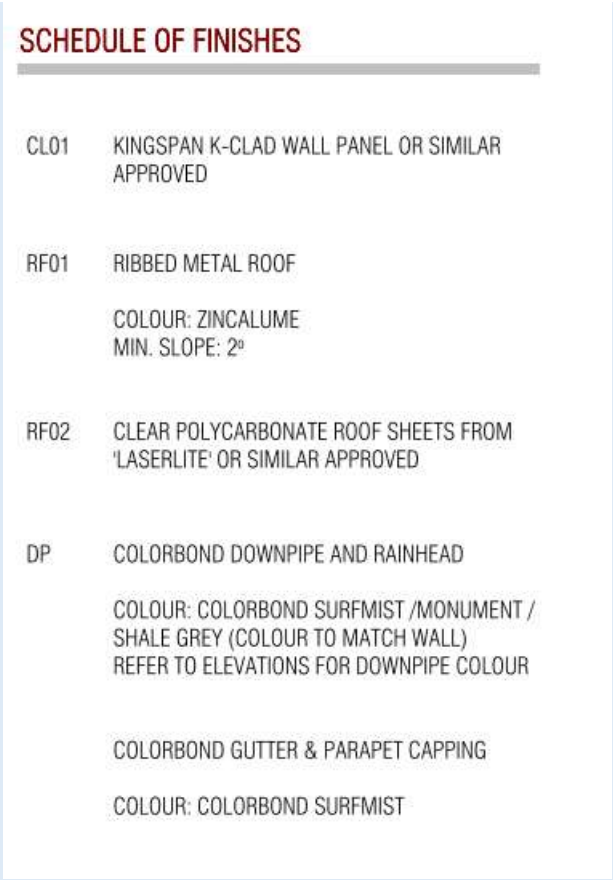
South	No. 654-718 Clayton Road: The site is used as a sanitary former land fill.  Image 6: Aerial imagery of No. 654-718 Clayton Road (Intramaps, 2026).
West	No. 632-642 Clayton Road: Number of warehouses attached with common property (vehicle access). The warehouses are for general industrial purposes.  Image 7: Aerial imagery of No. 632-642 Clayton Road (Intramaps, 2026).
Describe Neighbourhood Character	The subject site is located within the Industrial 1 Zone in Clayton South and forms part of a broader industrial precinct. The site adjoins land within the Green Wedge Zone, reflecting the transitional nature of the surrounding area between established industrial land and the broader green wedge.

	Surrounding land uses are predominantly industrial and infrastructure-related in nature, with a number of former landfill and waste-related sites located within the immediate and wider area.

4. PROPOSAL

Description	The proposal is for the following: • Construct a new 13.24m high warehouse with an area of 10,608sqm that will be used for storage and seven (7) unloading bays, this will be located on Lot 3 and 2. • New ancillary office and workshop building with an area of 245msq and 942msq respectively which will be located on Lot 3 and 2. • New internal driveway and car parking (60 car spaces). • As built shed to be included in this application and is located on Lot 2 and 1 • Removal of twenty-seven (27) trees in total, fifteen (15) of which have a truck circumference greater than 110cm and therefore of a size to be protected under Council's local law. The remaining twelve (12) are not protected trees. Officer's questioned the applicant on the specifics of how the land is proposed to be used, noting that the proposal has elements that could lend its operation to being better described as either a 'Contractor's Depot' and/or 'Trade Supplies', both of which are uses that would trigger a permit. In response the applicant provided legal advice addressing these questions, which noted the land would be used to store: • *Building supplies, materials (eg structural steel and timber) and machinery, purchased in bulk from overseas, for use on building sites as the need arises.* • *Scaffolding material owned by the client for rent or use.* • *Vehicles, trucks, excavators and other construction machinery which is proposed to remain in situ undercover until rented or used. It is anticipated that once leased, those vehicles will be used by the lessee or by the client for weeks at a time, as opposed to being collected and returned daily.* *Critically, we are instructed that the Subject Land is not proposed to be used as a base where staff will come and go each day, collecting machinery and/or materials, to then return them to the Subject Land at the end of each day. Instead, we understand that materials are stored and then sent from the site sporadically and infrequently for purchase or use offsite.* When further questioned as to the extent that goods would be hired out the applicant's legal representative noted: *To the extent that some of those goods…may be rented out from time to time, to the extent they are surplus to your needs, that component of the use is but a minor and inconsequential component and cannot be said to be real*

	and substantial purpose of the proposed use of the Subject Land, which is for a 'store'. Given the above explanation, and Council's obligation to assess an application as proposed, this application is assessed as a buildings and works application only, for which no use approval is required for a Store. In the event the operation of some components of the nominated use exceed "minor and inconsequential" levels in the future, the permit applicant must apply for a planning permit for use.
Maximum Building Height	13.24 metres.
Car Parking	Sixty (60) car parking spaces in total.
Loading and Unloading	Seven (7) dedicated unloading bays located within the new proposed warehouse.
Front Setback	21.7 metres to Ryans Road from the proposed office building. The proposed warehouse will be setback a further 81.314 metres.
Access	No changes are proposed to the existing vehicle access arrangements for the subject site. The existing 10 metre wide vehicle crossover located along Ryans Road will be retained and will continue to provide vehicular access to and from the site.
Vegetation Removal / Retention	Trees for removal (including trees which have a truck circumference less than 110cm): • **Ribbon Gum** x *(9)* • **Weeping Bottlebrush** x *(13)* • **Argyle Apple** x *(2)* • **Cootamundra Wattle** x *(3)* It is noted that these are native but planted and therefore exempt from requiring a permit for their removal pursuant to Clause 52.17 of the Kingston Planning Scheme. Trees for retention: The existing native trees, shrubs and grasses are growing in the landscaped areas along the east and south boundaries of the site between the power station and Ryans and Deals Road are to be retained.

Building Materials	 Image 8: Materials Finish (Sheet 5 of considered plans)

5. AMENDMENTS UNDER SECTION 50 / 50A / 57A OF THE ACT

No amendments made.

6. PLANNING CONTROLS

Zone / Overlay / Particular Provisions	Rationale
Clause 33.01 – Industrial 1 Zone	**Use Component** Pursuant to the table at Clause 33.01-1, a Store falls under Warehouse and is a Section 1 (no permit required) use, provided certain requirements are met. Of relevance to this application are the following requirements: • Must not be a purpose listed in the table to **Clause 53.10** with no threshold distance specified. • The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ○ The threshold distance, for a purpose listed in the table to **Clause 53.10**. ○ 30 metres, for a purpose not listed in the table to **Clause 53.10**. Must not adversely affect the amenity of the neighbourhood including through the: • Transport of materials, goods or commodities to or from the land.

Zone / Overlay / Particular Provisions	Rationale
	• Appearance of any stored goods or materials. • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. **Buildings and Works Component** Pursuant to 33.01-4, a permit is required to construct a building or construct or carry out works. Before deciding on an application in the Industrial 1 Zone, the responsible authority must consider, as appropriate: • *The Municipal Planning Strategy and the Planning Policy Framework.* • *Any natural or cultural values on or near the land.* • *Streetscape character.* • *Built form.* • *Landscape treatment.* • *Interface with non-industrial areas.* • *Parking and site access.* • *Loading and service areas.* • *Outdoor storage.* • *Lighting.* • *Stormwater discharge.*
Clause 45.01 – Public Acquisition Overlay (Schedule 2)	In accordance with Clause 45.01-1, a permit is required to construct a building or construct or carry out works. The decision guidelines under this overlay (Clause 45.01-4) are as follows: • *The Municipal Planning Strategy and the Planning Policy Framework.* • *The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.* • *The land is affected by Public Acquisition Overlay Schedule 2 (PAO2), which reserves land for future acquisition by the Minister responsible for administering Part 2 of the Crown Land (Reserves) Act 1978 for the purpose of the Sandbelt Parklands. The overlay seeks to facilitate the future establishment of a regional parkland network, providing public open space, environmental conservation, biodiversity enhancement and passive recreation opportunities.*

Zone / Overlay / Particular Provisions	Rationale
	A permit granted under this clause may be conditional on: • *The extent of alterations and extensions to an existing building and works, and the materials that may be used.* • *The location, dimensions, design and material or a new building or works.* • *The demolition, removal or alteration of any buildings or works.* • *The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.* • *No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.*
Clause 52.06 – Car Parking	The following car parking rate apply: ▪ Store – Ten (10) per cent of the site area. It is considered that the calculation should be based solely on the area associated with the proposed store use. Accordingly, areas outside of the store development, including the existing power station and undeveloped land, should not be included in determining the site area for the purposes of Clause 52.06. On this basis, the submitted parking calculations require amendment to ensure the statutory car parking requirement is accurately assessed in accordance with the Kingston Planning Scheme. This is further explained in the later part of this report.

7. REFERRALS

External Referrals

The application was referred to the following external authorities pursuant to Section 55 of the Planning *and Environment Act 1987*.

Department	Section 52/55	Determining / Recommending	Objection	Comments
Department of Energy, Environment and Climate Action (DEECA)	55	Determining	No	The application was initially referred to the Department of Energy, Environment and Climate Action (DEECA), with a response received on 3 February 2026. DEECA raised concerns regarding the canopy associated with the as-built shed, which has been constructed across the boundary of Crown Allotment 2071. In response, the permit applicant advised Council that the canopy structure would be removed following approval of the application. Accordingly, a condition will be included on any permit issued requiring the removal of the canopy.

				DEECA subsequently provided its formal consent to the proposal on 17 March 2026.
EPA	52	Recommending	No	EPA does not object to the proposal, subject to consideration of the following matters: • The site is located on a closed landfill that previously accepted putrescible waste, presenting a potential risk from landfill gas migration and accumulation within buildings. • EPA recommends further consideration and management of landfill gas risks associated with the development. • Council should clarify the existing and proposed future use of the land, having regard to the EPA permissions currently held for the site. • EPA has identified other potential risks to human health and the environment from pollution and waste, which are to be appropriately managed. • The site has a history of EPA involvement and the applicant is expected to be aware of its obligations under the General Environmental Duty (GED). • EPA has recommended the inclusion of a permit note regarding the General Environmental Duty (GED) under the Environment Protection Act 2017. The comments and note are considered appropriate given the previous uses and activities undertaken, including the more recent importation of waste material and fill. The comments reinforce the permit holder's ongoing responsibility to identify and manage risks to human health and the environment arising from pollution or waste associated with activities undertaken on the land. A condition and note is recommended to be included on any permit issued.

Internal Referrals
The application was referred to the following Council departments for comment:

Department / Area	Comments / Rationale / Recommended Conditions
Sustainable Design Advisor	No objection to the proposal was raised subject to the following conditions being applied: • Location, size, and depth of the 40sqm raingarden. • Location, capacity and connection of the 20kL rainwater tank. • Location, size, number of panels, and inclination of the 10kW Solar PV system. • Location of 8 bicycle parking spaces and 10 lockers as committed to within the SMP. • Location of EV charging spaces. (Trim Ref: 26/51414)
Traffic Engineer	No objection raised, subject to the following conditions being applied: • All car parking space dimensions and clearance must comply with Clause 52.06, with the minimum car parking space dimension of 2.6m wide and 4.9m long. • The two DDA spaces provided must comply with AS/NZS 2890.6, with ramps provided where required. • Corner splay requirements for accessways must be maintained at all times. • Car parking, accessways, pedestrian access must be well lit, secure, and kept available for these purposes at all times. • The loading and unloading of goods to and from vehicles must only be carried out on designated areas on the land. • The largest vehicle that can access the site is a 26m B-Double. (Trim Ref: 26/50284)
Development Advice Engineer	No objection raised, subject to conditions included on any permit issued relating to integrated stormwater management and stormwater drainage. (Trim Ref: 26/116505)
Roads and Drains	No objection raised, as there are no changes to the road reserve. (Trim Ref: 25/351869)
Vegetation Management Officer	Council's Vegetation Officer has reviewed the proposal and raised no objection, subject to conditions requiring the submission of an updated landscape plan to provide additional landscaping throughout the site. The vegetation scattered throughout the site has been identified, through both Council's assessment and the applicant's Arboricultural Impact Assessment, as native planted vegetation rather than remnant native vegetation.

As such, its removal is considered acceptable, subject to permit conditions requiring replacement planting and enhanced landscaping to offset the loss of the existing planted vegetation and ensure the site's landscape outcomes are maintained and improved over time.

(Trim Ref: 26/201636)

8. ADVERTISING

Pursuant to Clause 33.01-4 of the Industrial 1 Zone, the proposed development is exempt from notice requirements:

- An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Pursuant to Clause 45.01-2 of the Public Acquisition Overlay, the proposal is exempt from notice requirements:

- An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

9. PLANNING CONSIDERATIONS

Planning Policy Framework

The application has been assessed against the Planning Policy Framework and it is considered that the proposed development is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

The proposal allows for the continued use of both industry uses in an area designated for industrial development. It supports Clause 11 (Settlement) and Clause 17 (Economic Development), which are closely aligned with the objectives and policy outcomes sought by the Metropolitan Strategy – 'Plan Melbourne: Metropolitan Planning Strategy' (Department of Transport, Planning and Local Infrastructure, 2014).

This is achieved through the location of industrial development within a designated industrial area, together with strengthening the competitiveness of Melbourne's employment land, and providing jobs closer to where people live. The proposal will provide an improved quality of industrial building(s) on the site and encourage investment to the area which aligns with the objectives and strategies set out in Clause 17.03-1S.

Clause 11.02 (Managing Growth) aims to ensure a sufficient supply of land is made available for a variety of purposes, including industrial and commercial. To achieve this, it takes into account sufficient land availability to meet forecasted demand. Clause 11.03-1S places particular emphasis on ensuring that planning for urban growth should consider, amongst other things, the opportunities for the consolidation, redevelopment and intensification of existing urban areas.

The proposal allows for the continued use of industry in an area designated for industrial development. It supports Clause 11 (Settlement) and Clause 17 (Economic Development), which are closely aligned with the objectives and policy outcomes sought by the Metropolitan Strategy – 'Plan Melbourne 2017 - 2050: Metropolitan Planning Strategy' (Department of Land, Environment, Water and Planning).

This is achieved through the location of industrial development within a designated industrial area, together with strengthening the competitiveness of Melbourne's employment land, and providing jobs closer to where people live. The proposal will provide an improved quality of industrial building(s) on the site and encourage investment to the area which aligns with the objectives and strategies set out in Clause 17.03-1S.

Clause 17.03-1L (Industrial Land Supply in Kingston) applies to land as identified in the Industrial Framework Plan. It sets out strategies to ensure that a range of industrial land and buildings are delivered to meet the needs of a broad range of industries, to support the redevelopment and consolidation in Kingston's older industrial area and ensuring appropriate buffer areas between proposed industrial land and sensitive land uses are provided.

Clause 02.03-8 (Transport) at a local level, provides strategic directions for transport planning including to improve traffic circulation, car parking, site layout and truck access to sites within Kingston's older industrial areas, integrate land use and transport planning to create a more sustainable community and to minimise conflict with abutting land uses. The proposal provides appropriate car parking provision and utilises the existing road access without substantial burden on the existing network

Clause 15 (Built Environment and Heritage) aims to ensure the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Furthermore, it aims that all new land use and development appropriately responds to its landscape and character, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Clause 15.01-1S (Urban Design) aims to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. The objectives of Clause 15.01-2S (Building Design) seek to achieve building design outcomes that contribute positively to the local context and enhance the public realm. The provisions of Clause 15.02-1S encourage land use and development that is energy and resource efficient through improved building design, urban consolidation and promotion of sustainable transport.

Zoning Provisions

The application has been assessed against the relevant zoning (Industrial 1 Zone) and it is considered that the proposed development is consistent with the purpose of the zoning controls contained within the Kingston Planning Scheme.

Use of Land as Store

Council sought clarification regarding the appropriate characterisation of the proposed use as either a 'store' or 'depot' under the Kingston Planning Scheme. In response, the applicant submitted independent legal advice concluding that the proposed use is properly characterised as a 'store', as the predominant purpose of the site is the passive storage of

goods, machinery and vehicles for extended periods rather than operating as a daily base for staff, vehicles and equipment.

The advice relies on the definitions within the Planning Scheme and relevant VCAT authorities, concluding that the proposed use falls within the 'warehouse' land use category and does not require a planning permit for use, subject to the relevant conditions being met.

Assessment of Buildings and Works Against Zone

The proposal is considered to appropriately respond to the relevant decision guidelines of the Industrial 1 Zone. The development comprises a new 13.24 metre high warehouse with a floor area of approximately 10,608 square metres, including seven unloading bays, together with ancillary office and workshop facilities, internal accessways and 60 car parking spaces. The scale and built form of the development are consistent with the industrial zoning of the land and the broader character of the surrounding industrial precinct, which is characterised by large landholdings and industrial and former landfill-related land uses.

The proposed built form is considered appropriate having regard to the surrounding industrial context. The warehouse and ancillary office/workshop buildings are provided with sufficient setbacks from all site boundaries, ensuring appropriate separation from adjoining properties while accommodating landscaping (through conditions), vehicle circulation and servicing requirements. The scale and massing of the development are consistent with the established character of the locality, which is characterised by large industrial buildings and warehouses of a comparable size and scale. Accordingly, the proposal will integrate appropriately within the existing industrial precinct and will not result in any unreasonable built form impacts on adjoining land.

The siting and design of the development are considered appropriate having regard to the streetscape and surrounding context. The site's interface with land within the Green Wedge Zone has also been considered, noting that surrounding land uses are predominantly non-sensitive in nature, including former landfill and other industrial activities. The proposal is therefore unlikely to result in unreasonable amenity impacts upon sensitive land uses. Vehicle access to the site will continue to be provided via the existing 10 metre wide crossover to Ryans Road, with new internal accessways facilitating safe and efficient vehicle circulation throughout the site. The provision of seven unloading bays appropriately accommodates loading and servicing activities within the site, while 60 car parking spaces are provided to support the proposal. These arrangements ensure that vehicle movements, loading and servicing can occur internally without unreasonable impacts on the surrounding road network.

Over the years the existing use of the land has spread across the land parcel to the north. The proposed warehouse will appropriately contain the use of the land and limit the potential for off-site amenity impacts. However, the current development plans show a proposed driveway around the perimeter of the land with no fencing along the northern boundary. To ensure the use and works are contained to the planning unit as part of this application, a condition requiring a boundary fence to be constructed along the northern boundary is recommended.

The proposed landscaping treatment will assist in softening the presentation of the development and integrating the substantial warehouse building within its industrial zoned setting. Matters relating to lighting, outdoor storage and stormwater discharge can be appropriately managed through the design of the development and relevant permit conditions. Overall, subject to conditions the proposal represents an orderly and appropriate industrial development of the land and is considered to satisfactorily respond to the relevant decision guidelines of Clause 33.01-4.

The proposal provides for the appropriate management of stormwater generated by the development. Council's Drainage Engineering Department has assessed the proposal and raised no objection, subject to conditions requiring the submission and approval of a detailed Stormwater Management Plan. These conditions will ensure that stormwater is collected, treated and discharged in accordance with Council's engineering requirements, thereby minimising potential impacts on the surrounding drainage network and achieving an appropriate stormwater outcome.

As Built Shed

The application also seeks approval for the retention of an existing as-built shed located in the south-western portion of the site. The shed was erected without planning approval sometime between **29 October 2023 and 15 February 2024**.

The shed is ancillary to the primary warehouse and storage use and will continue to be used for the storage of equipment and materials. Having regard to the purpose of the Industrial 1 Zone, the retention of the shed supports the ongoing industrial use of the land, is consistent with the role and function of the zone, and will not result in unreasonable off-site amenity impacts. Accordingly, the retention of the as-built shed is considered to appropriately respond to the purpose and decision guidelines of the Industrial 1 Zone.

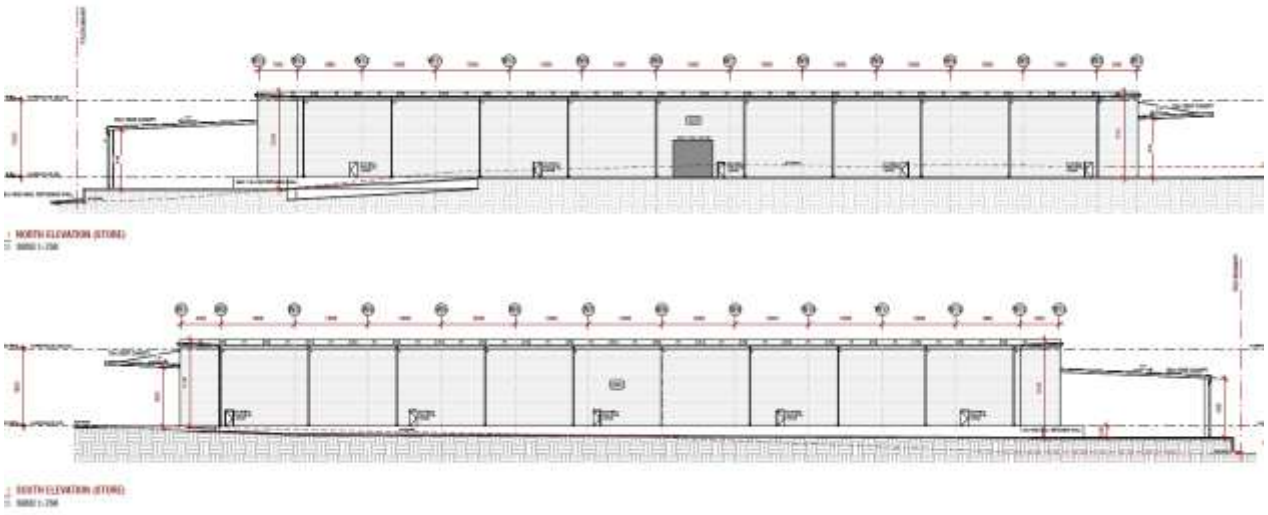


Image 9: Elevation Plan of Proposed Development

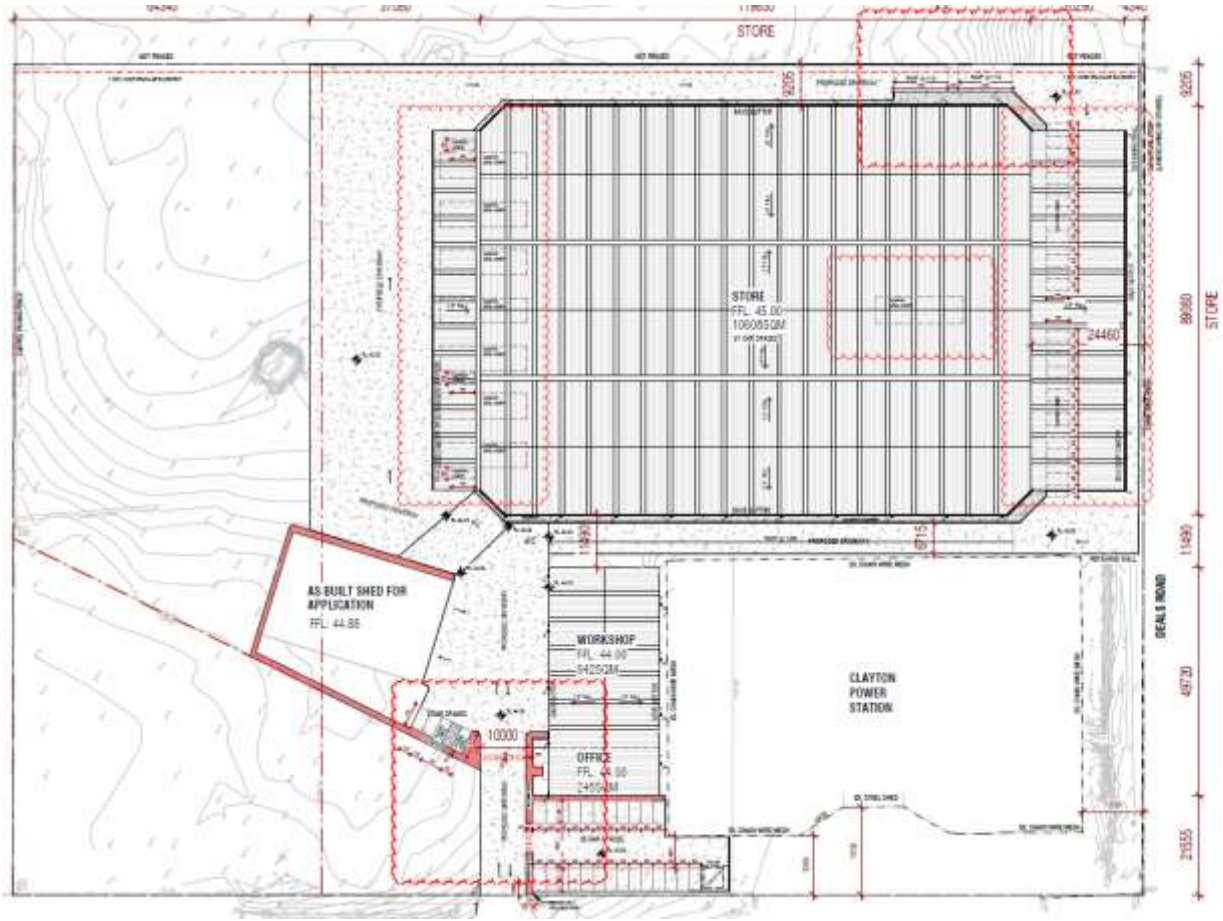


Image 10: Site Plan of Proposed Development

Removal of Vegetation

The proposal requires the removal of twenty-seven (27) existing trees located throughout the subject site. An Arboricultural Impact Assessment prepared by the applicant's suitably qualified arborist concludes that the trees cannot be retained, as they are located within or immediately adjacent to the proposed development footprint and would be subject to 100% Tree Protection Zone encroachment. The report recommends their removal, having determined that retention would compromise the health and structural stability of the trees. (It is noted that the arborist report numbers trees 1 through 29 but has missed numbers 11 and 12 therefore 27 trees in total have been listed).

The application is also supported by engineering advice relating to the underlying closed landfill, which identifies that the existing deep-rooted Eucalyptus trees have the potential to compromise the integrity of the landfill cap through root penetration and windthrow. Their removal is therefore considered appropriate to protect the long-term environmental performance of the site.

Council's Vegetation Officer has reviewed the proposal and raises no objection to the removal of the subject trees, noting they comprise planted vegetation rather than remnant indigenous vegetation. Subject to conditions requiring an updated landscape plan and replacement planting, it is considered that the proposal appropriately responds to the decision guidelines of the Industrial 1 Zone by recognising the site's natural values while ensuring an appropriate landscape outcome is achieved. On balance, the proposed vegetation removal is considered justified and will not result in any unreasonable environmental impacts.

Overlay Provisions

The application has been assessed against the relevant overlay (Public Acquisition Overlay), and it is considered that the proposed development is consistent with the purpose of the overlay controls contained within the Kingston Planning Scheme.

Assessment Against the Overlay

The proposal has been assessed against the decision guidelines of the Public Acquisition Overlay and is considered acceptable. The development is consistent with the Municipal Planning Strategy and the Planning Policy Framework and is not considered to prejudice the future purpose of the land identified under PAO2 for the Sandbelt Parklands.

The application was referred to the Department of Energy, Environment and Climate Action (DEECA) as the relevant referral authority, which has advised that it has no objection to the proposal from a land acquisition perspective. DEECA's support is based on the applicant's commitment to remove the temporary canopy structure (see image 11 below) that currently encroaches onto the Crown land. Whilst DEECA has identified that legal access arrangements across the Crown land remain to be resolved outside of the planning permit process, including the need for Landowner Consent and a licence agreement, these matters do not warrant refusal of the application.

A condition will be included to ensure the permit holder is aware that, in accordance with Clause 45.01-4 of the Kingston Planning Scheme, no compensation is payable for the demolition or removal of any buildings or works constructed under this permit where required for road purposes. The condition appropriately reflects the implications of the Public Acquisition Overlay affecting the land.

Accordingly, the proposal is considered to satisfy the relevant decision guidelines of the Public Acquisition Overlay.



Image 11: Aerial Imagery of Temporary Canopy Structure to Be Removed

Particular Provisions

The application has been assessed against the relevant particular provisions and it is considered that the proposed development meets the requirements contained within this section of the Kingston Planning Scheme.

Clause 52.06 – Car Parking

A total of 60 car parking spaces are proposed across the site. This comprises twenty-eight (28) spaces beneath the canopy of the proposed warehouse along the north-eastern boundary, three (3) spaces beneath the canopy on the western side of the proposed warehouse, twenty-five (25) spaces located in front of the proposed ancillary office building adjacent to the site frontage, and four (4) spaces located to the east of the existing shed. This distribution provides convenient parking for staff and visitors while supporting efficient vehicle circulation throughout the site.

Pursuant to Table 1 (Car Parking Requirement) under Clause 52.06-5, the use of Store requires 10% of the site for car parking.

The proposed store has a site area of 12,838 square metres, which includes the as-built shed, workshop and ancillary office. On this basis, the report applies the car parking rate for a Store within a Category 1 area under Clause 52.06, resulting in a statutory requirement of 1,283.9 square metres of parking, equating to 60 car parking spaces.

As the proposal provides 60 car parking spaces, the applicant concludes that the statutory car parking requirement is met and that no reduction in car parking is sought.

Areas unrelated to the store, including the existing power station and undeveloped land, should not be included in the calculation of the site area for the purposes of Clause 52.06. Accordingly, Council is satisfied that the proposed methodology appropriately reflects the

extent of the store use and that the provision of 60 car parking spaces meets the statutory car parking requirement.

Aboriginal Cultural Heritage

The subject site is located within an area identified as an Area of Cultural Heritage Sensitivity. However, it is considered that the land has been subject to significant prior ground disturbance associated with previous uses of the land and furthermore works associated with the existing industrial development, including the construction of buildings, hardstand areas, accessways and associated infrastructure.

Pursuant to Regulation 5 of the Aboriginal Heritage Regulations 2018, land that has been subject to significant ground disturbance is no longer considered an area of cultural heritage sensitivity for the purposes of the Regulations.

Accordingly, the disturbed areas of the site are exempt from the Cultural Heritage Management Plan (CHMP) requirements, and a CHMP is not required for the proposed development.

10. CONCLUSION

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

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 or economic effects.

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

- The design and siting of the proposed development to be compatible with the surrounding area.
- The proposal should not have a detrimental impact on surrounding properties (subject to appropriate conditions).
- The proposal satisfies the requirements of the Kingston Planning Scheme, including the PPF, strategic vision, zoning / overlay controls and Particular Provisions.

11. RECOMMENDATION

That Council determine to support the proposal and issue a planning permit **to construct a building and carry out works (warehouse, workshop/office building, shed)** at No. 27 & 29-33 Ryans Road CLAYTON SOUTH VIC 3169, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be substantially in accordance with the plans submitted to Council prepared by Evadys; TP01 Rev 1 06/11/2025, TP02 Rev 4 06/02/2026, TP03 Rev 3 20/01/2026, TP04 Rev 3 20/01/2026, TP05 Rev 2 06/11/2025, TP06 06/02/2026 & TP07 Rev 1 06/11/2025 but modified to show:

    a) Temporary canopy structure straddling crown allotment boundary on the as built shed to be removed.

    b) Location, size, and depth of the 40sqm raingarden.

c) Location, capacity and connection of the 20kL rainwater tank.

d) Location, size, number of panels, and inclination of the 10kW Solar PV system.

e) Location of 8 bicycle parking spaces and 10 lockers as committed to within the SMP.

f) Location of EV charging spaces.

g) The construction of a boundary fence along the northern boundary of the site.

h) A landscape plan and associated planting schedule for the site showing the proposed location, species type, mature height and width, pot sizes and number of species be planted on the site, with such plans to be prepared by a suitably qualified landscape professional and incorporating:

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

   ii. A survey, including, botanical names of all existing trees to be retained or removed on the site with a circumference at base of 110cm or greater, including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;

   iii. Retention of the existing native trees, shrubs and grasses growing in the landscaped areas along the east and south boundaries of the site between the power station and Ryans and Deals Road,

   iv. A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise 100% indigenous plantings;

   v. Thirty-five (35) trees in total with fifteen (15) canopy trees planted along the Deals Road frontage, five (5) canopy trees planted between the Ryans Rd carpark and the Ryans Road boundary and an additional fifteen (15) canopy trees included in the perimeter landscape beds or within the site, with the species planted to be a mixture of *Eucalyptus cephalocarpa*, *Eucalyptus radiata and Eucalyptus viminalis* subsp*. Pryoriana;*

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

   vii. Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.

Endorsed Plans

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

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.

Former Landfill and Environmental Risk Assessment

4. Before the commencement of any buildings or works, other than works reasonably required to undertake investigations under this condition, the permit holder must engage a suitably

qualified environmental professional, experienced in former landfill and contaminated land assessment, to prepare an Environmental Risk Assessment (ERA) for the site.

The ERA must be submitted to and approved by the Responsible Authority prior to the commencement of any buildings or works and must assess the current environmental condition of the land and the risks to human health and the environment associated with the proposed development, including:

a) the historical use of the land, including any former landfill operations and filling activities;

b) the nature, extent and condition of existing fill and waste materials;

c) any material imported, deposited or placed on the land following closure of the landfill, including filling undertaken to alter or level the land;

d) soil and groundwater contamination;

e) landfill gas;

f) risks associated with excavation, piling, penetration or disturbance of fill, waste materials or any landfill cap;

g) risks associated with construction activities, including the migration or mobilisation of contaminants or landfill gas; and

h) risks to human health and the environment arising from the construction, occupation and ongoing use of the development.

The ERA must demonstrate, to the satisfaction of the Responsible Authority, that:

i. all relevant environmental and human health risks associated with the development have been identified;

ii. those risks can be eliminated or reduced so far as reasonably practicable in accordance with the Environment Protection Act 2017 and relevant EPA guidance; and

iii. the site is suitable, or can be made suitable, for the proposed use and development.

5. Where the ERA identifies contamination, landfill gas, any other potentially unacceptable environmental risk, or where the nature or extent of fill or waste cannot be adequately characterised, the permit holder must obtain advice, verification or any recommendations from an environmental auditor appointed under the Environment Protection Act 2017 and provide such advice, verification or recommendations to the Responsible Authority before the commencement of the relevant buildings or works.

6. Where the ERA or environmental auditor recommends remediation, mitigation, monitoring, management, maintenance or any other environmental control measures, the permit holder must, at its cost:

a) prepare an Environmental Management Plan (EMP), or other management document acceptable to the Responsible Authority, addressing all recommendations of the ERA and/or environmental auditor;

b) submit the EMP to the Responsible Authority for approval;

c) implement all approved measures before occupation of the development commences; and

d) maintain all approved measures for the duration specified in the ERA, EMP or by the environmental auditor.

7. The approved EMP and all environmental control measures required by the ERA or environmental auditor must be implemented and complied with to the satisfaction of the Responsible Authority.

8. No occupation of the development may occur until all remediation, mitigation and environmental control measures required by the approved ERA, EMP and any environmental auditor's recommendations have been completed or otherwise implemented to the satisfaction of the Responsible Authority.
9. Any monitoring, management or maintenance required by the ERA, EMP or environmental auditor must be undertaken by the permit holder for the period specified by the suitably qualified environmental professional or environmental auditor and any monitoring reports must be provided to the Responsible Authority on request.

Vegetation

10. The existing vegetation to be retained is to be isolated from construction activities by tree protection fencing consisting of 1.8 metre high, mesh panel temporary fence on concrete bases or similar, installed prior to works commencing and retained until site works are complete.
11. The fenced tree protection area is only to be accessed for maintenance purposes.

Drainage

12. Unless with prior written consent of the Responsible Authority, before the development commences the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
    a) Prepare and submit Flood assessment report to Council satisfaction incorporating details as per below:
        i. Flood modelling of the pre and post development scenarios incorporating the entire development site and contributing catchments is required to demonstrate that the proposal has no adverse impacts on adjoining or downstream properties;
        ii. This assessment should be undertaken for a range of flood events, i.e. the 1% AEP, 10% AEP as well as climate change scenarios must be included. in accordance with the Melbourne Water Flood Mapping and Technical Specifications for flood mapping;
        iii. ARR2019 inputs for rainfall, losses, and temporal patterns must be adopted;
        iv. Both pre- and post-development scenarios must be included;
        v. Must be based on a 2D hydraulic model (e.g. TUFLOW), with hydrology from an accepted model such as RORB;
        vi. No adverse impact on downstream properties must be demonstrated;
        vii. Afflux plans showing the difference in flood levels between pre- and post-development conditions must be provided;
        viii. On-site detention or other flow control measures, where required must be provided;
    b) Prior to submitting detailed engineering plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management" and any issues identified by the flood modelling assessment as per condition a above.
    c) The applicant is required to design and construct an outfall drain of appropriate size from the subject site to Heatherton Road Council drainage system within Deals Road reserve at their costs to Council current standards, specifications and to Council satisfaction. Payment of an engineering fee of 3.25% of the cost of the required outfall drainage within the council road reserve works must be made to Council prior to final approval of the outfall drainage works engineering design plans.

d) The maximum permissible site discharge for this development site via the outfall drain to Council drainage system in Heatherton Road will be 60 Litre/sec.

e) The stormwater management (drainage) strategy must include a report with MUSIC modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. 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.

f) The water sensitive urban design treatments as per conditions b & c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.

g) Detailed Stormwater Management (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge in line with approved Stormwater Management (drainage) Strategy Report and the flood modelling report. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.

h) The detention system required on site might need to cater for 1% AEP storm event, which must be in line with flood modelling report and the stormwater strategy acceptable to Council satisfaction.

13. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:

a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.

b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge the maximum allowable flowrate of 60L/s.

c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.

Environmentally Sustainable Design

14. Prior to the endorsement of the plans required pursuant to condition 1 of this permit, the sustainable management plan prepared by Northern Environmental Design dated 4 February 2026 must be re-submitted and will be endorsed and form part of the endorsed plans.

General Amenity

15. Before occupation of the development hereby permitted, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.

16. Before occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:

a) Constructed to the satisfaction of the Responsible Authority.

b) Properly formed to such levels that they can be used in accordance with the plans.

c) Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.

d) Drained to the satisfaction of the Responsible Authority.

e) Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.

f) In accordance with any Council adopted guidelines for the construction of car parks.

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

17. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.

18. Concrete kerbs or other barriers must be provided to the satisfaction of the Responsible Authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.

19. Any existing vehicular crossover not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossover must be fully constructed to the Responsible Authority's standard specification.

20. The loading and unloading of goods to and from vehicles must only be carried out on the land.

21. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.

22. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the Responsible Authority's satisfaction.

23. Construction on the site must be restricted to the following times:

Monday to Friday:	7:00am to 7:00pm;
Saturday:	9:00am to 6:00pm; and
Sunday and Public Holidays:	No construction permitted.

Or otherwise as approved by the Responsible Authority in writing.

24. No signs or other advertising or identification may be erected or displayed on the site without written Council consent.

Traffic and Car Parking

25. All car parking space dimensions and clearance must comply with Clause 52.06, with the minimum car parking space dimension of 2.6m wide and 4.9m long.

26. The two DDA spaces provided must comply with AS/NZS 2890.6, with ramps provided where required.

27. Corner splay requirements for accessways must be maintained at all times.

28. Car parking, accessways, pedestrian access must be well lit, secure, and kept available for these purposes at all times.

29. The loading and unloading of goods to and from vehicles must only be carried out on designated areas on the land.

30. The largest vehicle that can access the site is a 26m B-Double.

Completion of Works

31. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

32. No compensation is payable for the demolition or removal of any buildings or works constructed under the permit in accordance with Clause 45.01-4.

Permit Expiry

33. 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:

    a) The development is not started before three (3) years from date of this permit.

    b) The development is not completed before five (5) years from the date of permit issue.

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

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

Note: Any buildings and works (including eaves) to be located within an easement requires separate consent from Council and/or the relevant service authority. This will need to be obtained prior to the issue of a building permit.

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

Note: This permit does not grant any permissions for the use of the land. The use of the land has been assessed based on the information provided as the land use term 'Store' and this a section 1 use under the Industrial 1 Zone. Any other use of the land under section 2 of the Industrial 1 Zone will require further permissions.

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

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

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

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

Note: Before the development starts, Landowner Consent and licencing agreement is required from the Department of Energy, Environment and Climate Action's Public Land Services team, in conjunction with the Public Land Acquisitions, Leasing and Divestment team, for the proposed access over Crown land. For further information, please contact publicland.portphillip@deeca.vic.gov.au and include SPP_Acquisitions@deeca.vic.gov.au.

Note: The Environment Protection Act 2017 introduced the general environment duty (GED) and it applies to all Victorians. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.

This involves a continuous, preventative approach and should be undertaken with the understanding that where an operation presents low-level risks, or already has appropriate

risk mitigation measures in place, further mitigation measures may still be necessary at a future point.

For further information on what the laws mean for Victorian businesses and community go to: https://www.epa.vic.gov.au/general-environmental-duty.

Appendices

Appendix 1 - KP-2025/534 - 29-33 Ryans Road, CLAYTON SOUTH VIC 3169 - Plans for consideration (Ref 26/41243)

Appendix 2 - KP-2025/534 - 29-33 Ryans Road CLAYTON SOUTH - Arborist Report (Ref 26/204633)

Appendix 3 - KP-2025/534 - 29-33 Ryans Road, CLAYTON SOUTH VIC 3169 - Transport Impact Asssessment (Ref 25/340617)

Author/s:	Matthew Yeung, Statutory Planner
Reviewed and Approved By:	Alfred Carnovale, Planning Appeals Coordinator
	Jonathan Guttmann, General Manager Planning and Place

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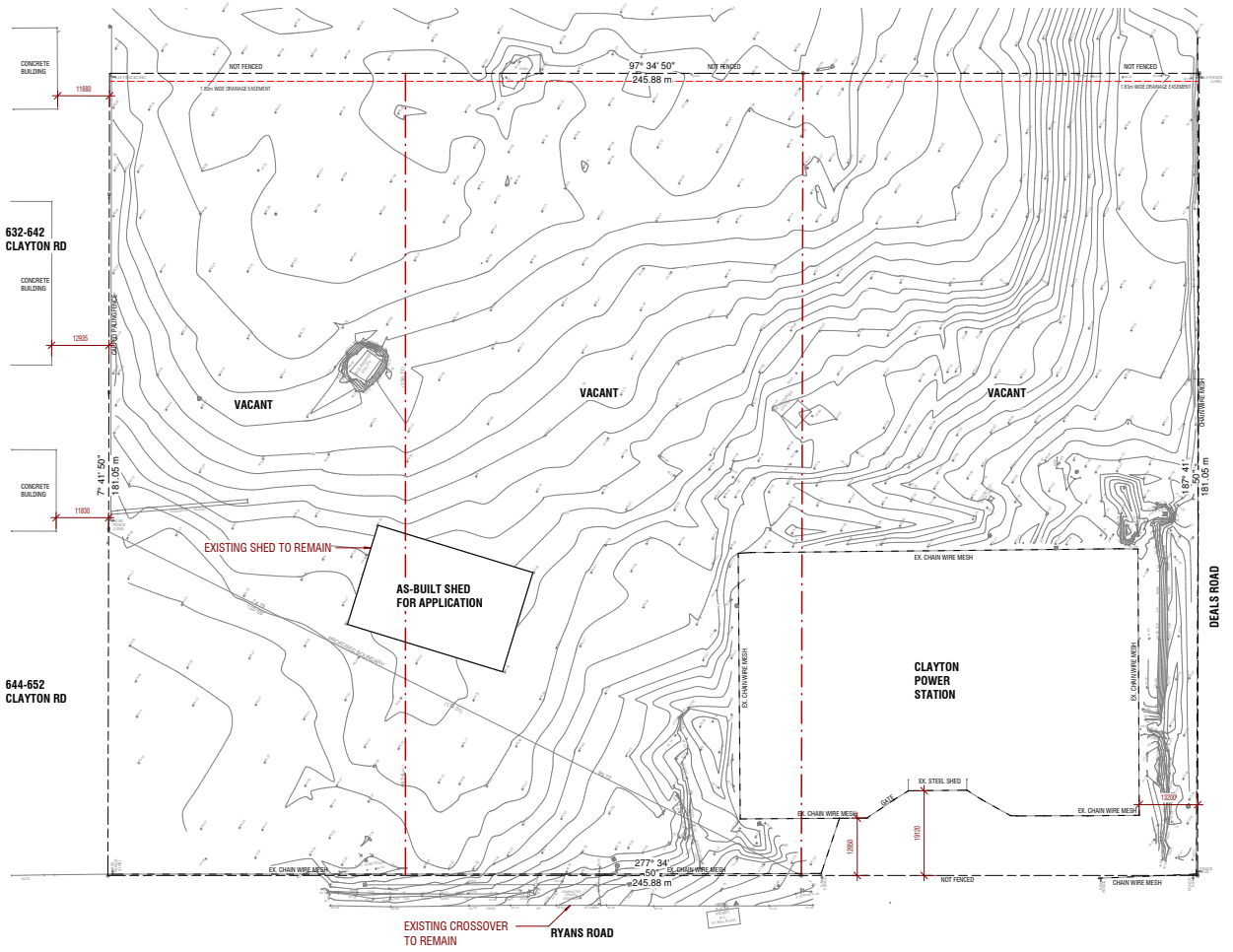
KP-2025/534 - 27 & 29-33 RYANS ROAD, CLAYTON SOUTH

1 KP-2025/534 - 29-33 Ryans Road, CLAYTON SOUTH VIC 3169 - Plans for consideration 167

2 KP-2025/534 - 29-33 Ryans Road CLAYTON SOUTH - Arborist Report 175

3 KP-2025/534 - 29-33 Ryans Road, CLAYTON SOUTH VIC 3169 - Transport Impact Asssessment 209

ADVERTISED PLANS
Documentation May
Be Subject to Copyrig



1 **EXISTING SITE PLAN**
TP01 **SCALE 1:500**

DEVELOPMENT SUMMARY

SITE AREA:	44,516 m²
SITE COVERAGE OF NEW BUILDING:	14,147 m² (31%)
WAREHOUSE NET AREA:	10,608 m²
WAREHOUSE EXTERNAL CANOPY AREA:	9,020 m²
WORKSHOP AREA:	942 m²
OFFICE NET AREA:	430 m²
TOTAL CAR SPACES:	60

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NO.	AMENDMENT TO ISSUE	DATE
01	INITIAL ISSUE	10.09.25

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SHEET NAME:
EXISTING SITE CONTEXT

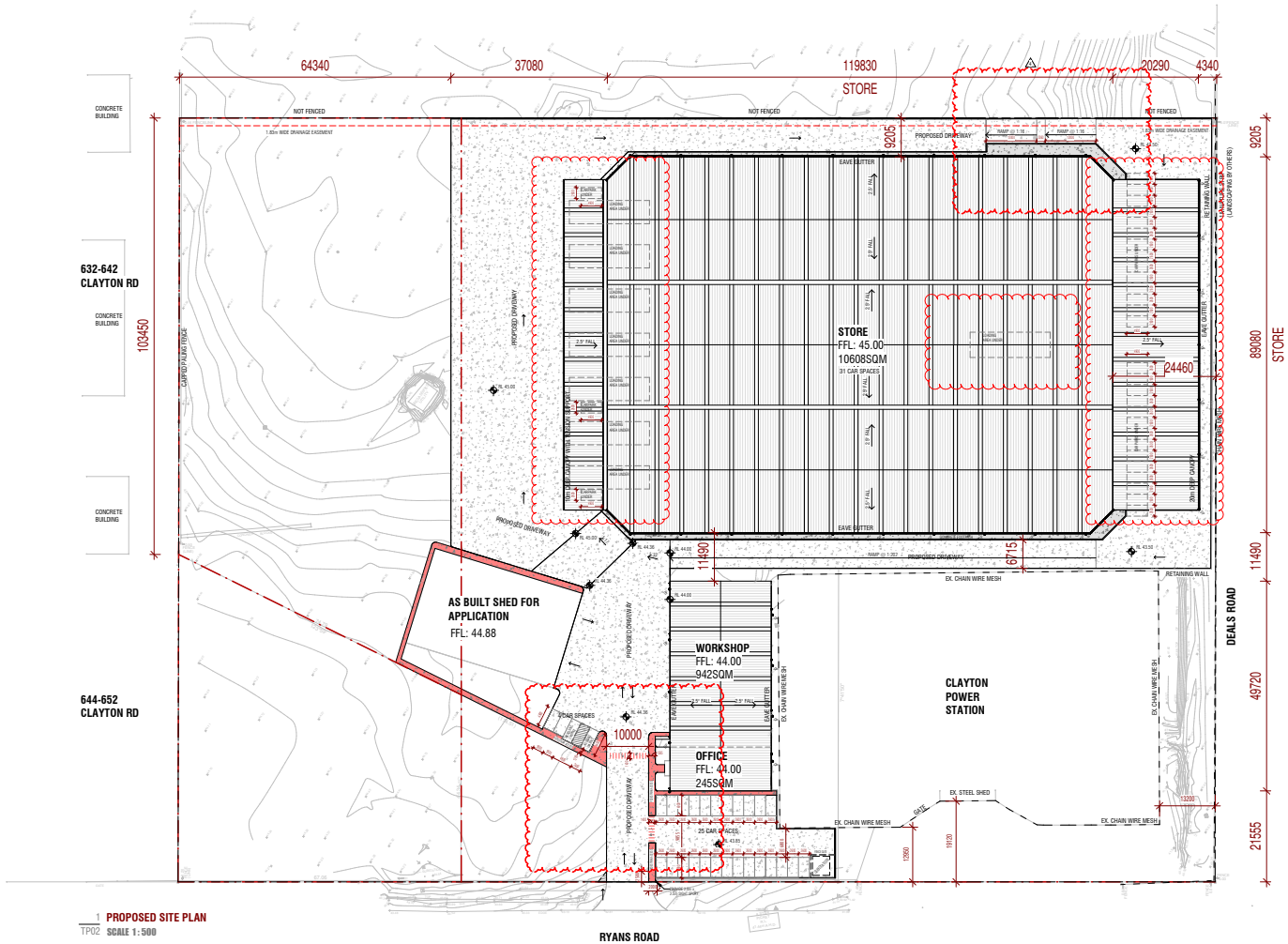
SCALE AS INDICATED

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REVISION	SHEET NO.	
1	TP01	

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1 PROPOSED SITE PLAN
TP02 SCALE 1:500

DEVELOPMENT SUMMARY

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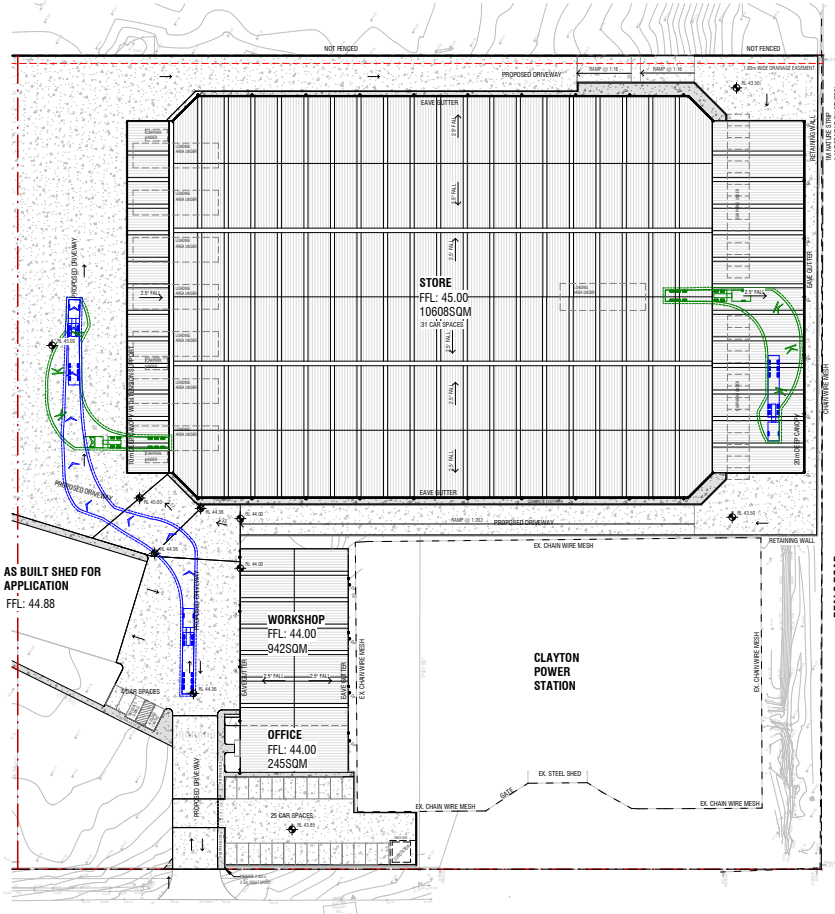
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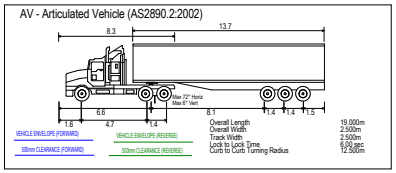
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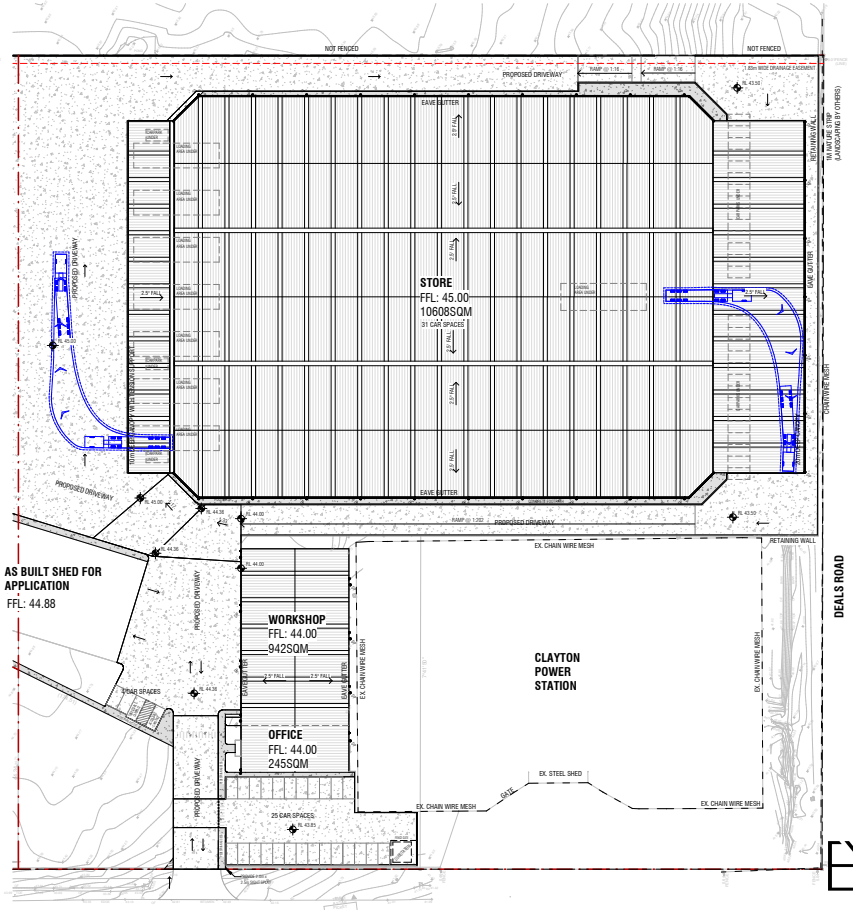
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1 **PROPOSED SWEPT PATH ENTRY**
TP03 **SCALE 1:500**







2 **PROPOSED SWEPT PATH AWAY**
TP03 **SCALE 1:500**

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A	PLANNING	03.09.25
3	REVISION TP CHECKLIST	03.09.25
2	REVISION TP CHECKLIST	02.09.25
1	REVISION TP CHECKLIST	01.09.25

PLANNING

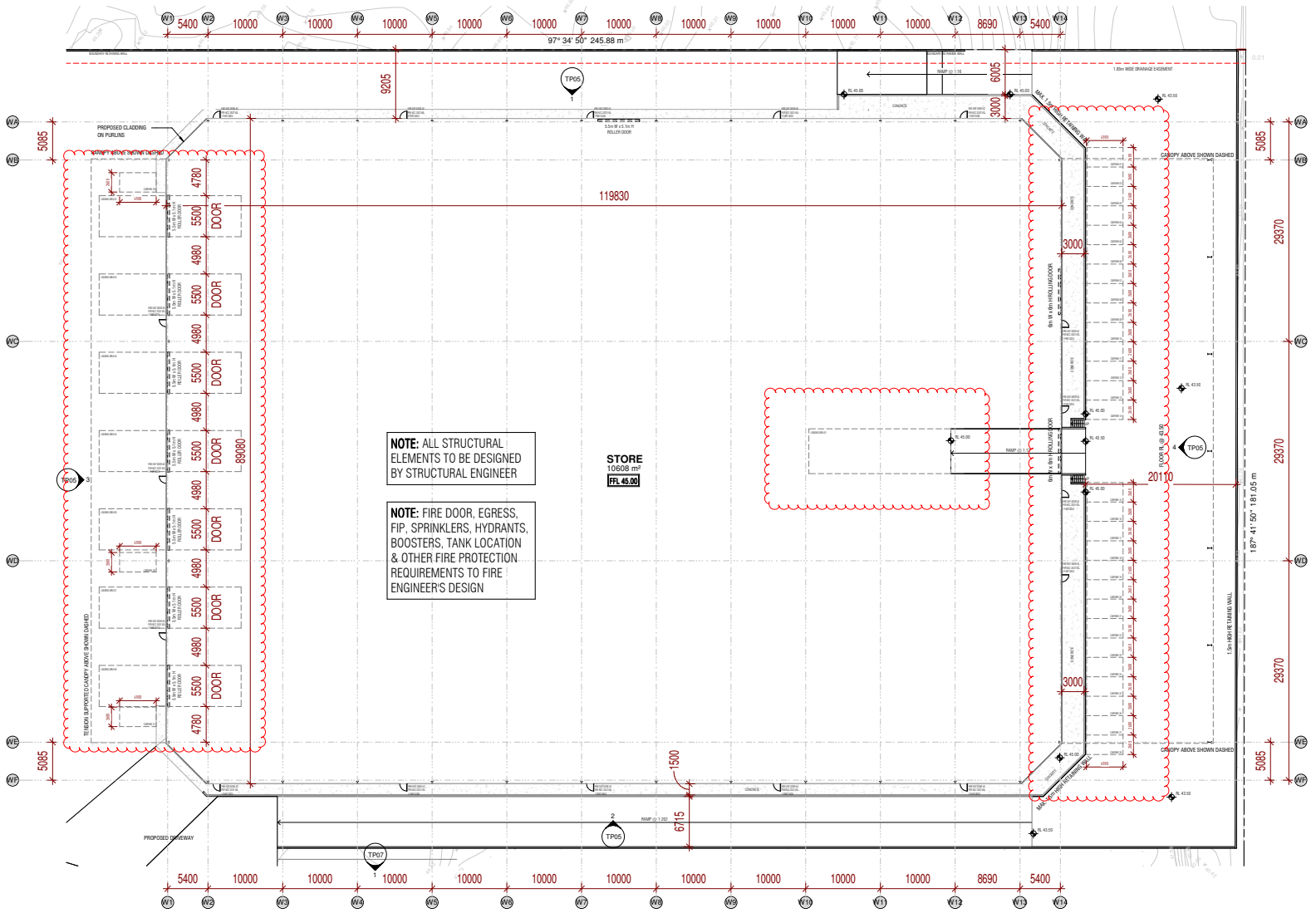
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SWEPT PATH ASSESSMENT

SCALE AS INDICATED

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REVISION 3	SHEET NO. TP03	

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1 GROUND FLOOR PLAN
TP04 SCALE 1:250

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3	ADDITIONAL TP COMMENTS	19.12.25
2	ADDITIONAL TP COMMENTS	12.12.25
1	RESPONSE TO COUNCIL LETTER	03.12.25

PLANNING

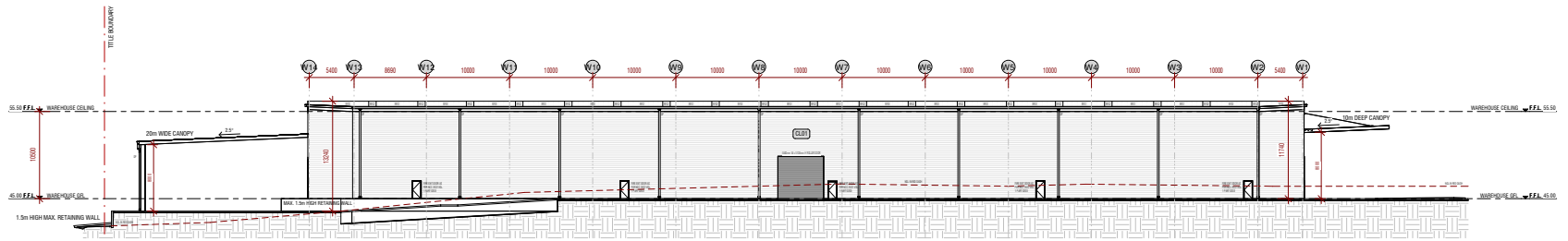
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PROPOSED STORE FLOOR PLAN

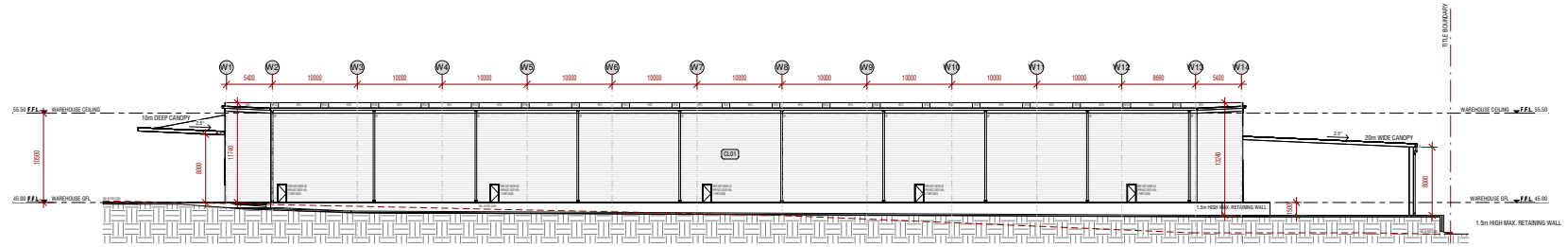
SCALE AS INDICATED

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REVISION	SHEET NO.	CLAYTON SOUTH
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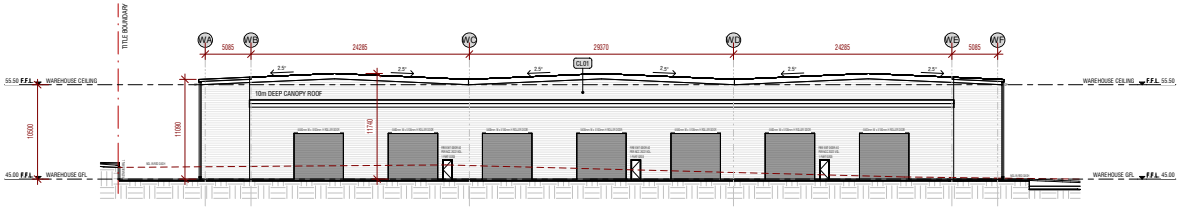
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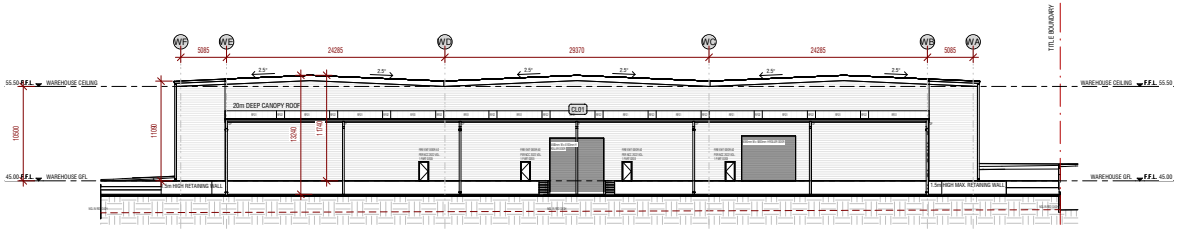
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TP05 **SCALE 1 : 250**



2 **SOUTH ELEVATION (STORE)**
TP05 **SCALE 1 : 250**



3 **WEST ELEVATION (STORE)**
TP05 **SCALE 1 : 250**



4 **EAST ELEVATION (STORE)**
TP05 **SCALE 1 : 250**

SCHEDULE OF FINISHES

CL01	KINGSPAN K-CLAD WALL PANEL OR SIMILAR APPROVED
RF01	RIBBED METAL ROOF COLOUR: ZINCALUME MIN. SLOPE: 2º
RF02	CLEAR POLYCARBONATE ROOF SHEETS FROM 'LASERLITE' OR SIMILAR APPROVED
DP	COLORBOND DOWNPIPE AND RAINHEAD COLOUR: COLORBOND SURFMIST /MONUMENT / SHALE GREY (COLOUR TO MATCH WALL) REFER TO ELEVATIONS FOR DOWNPIPE COLOUR
	COLORBOND GUTTER & PARAPET CAPPING
	COLOUR: COLORBOND SURFMIST

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2	PLANNING RESPONSE & DESIGN CHANGES
1	PLANNING RESPONSE
	PLANNING

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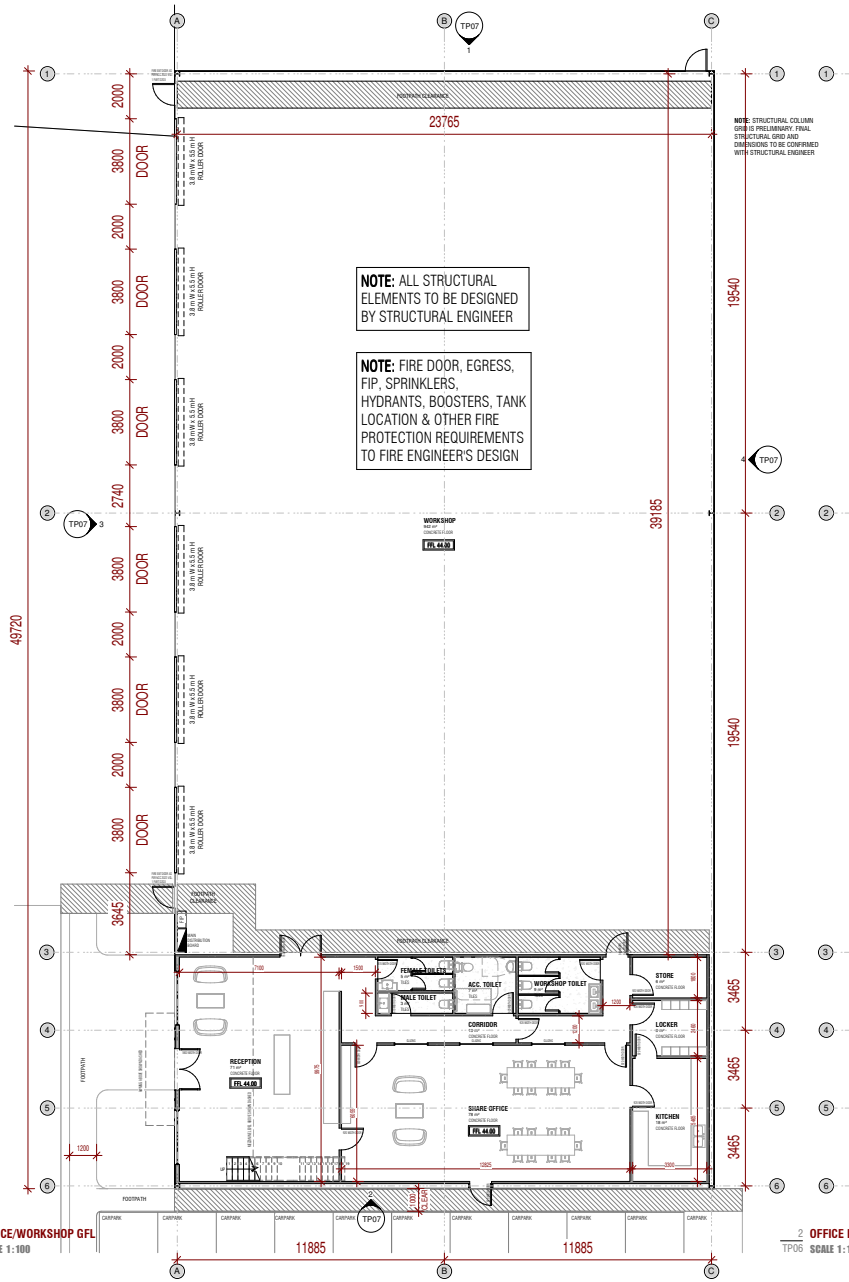
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PROPOSED STORE ELEVATIONS

SCALE AS INDICATED

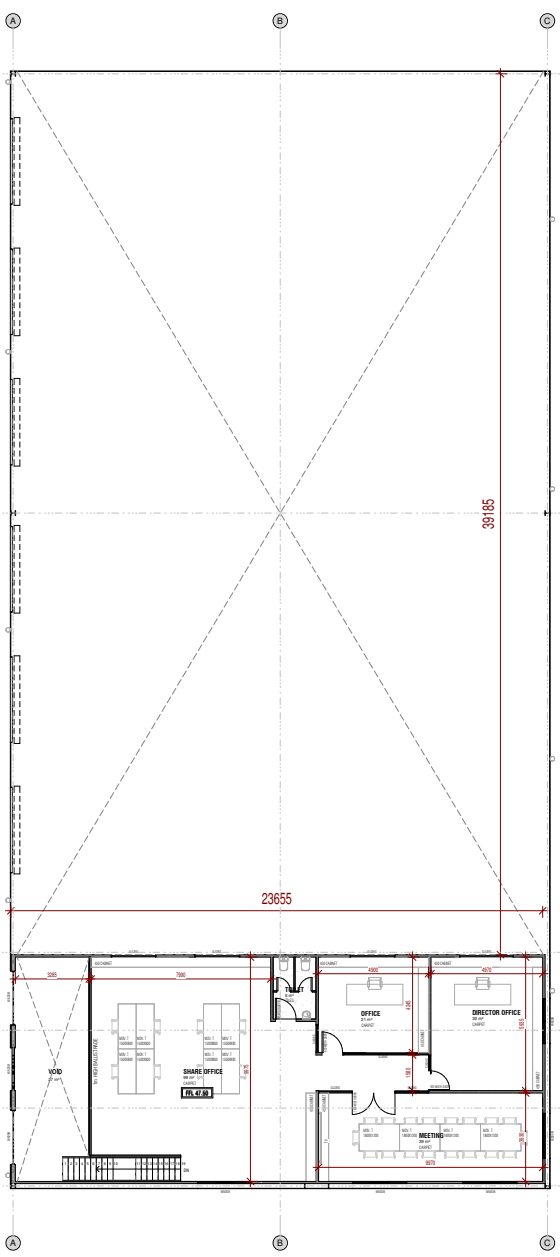
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1 OFFICE/WORKSHOP GFL
TP06 SCALE 1:100



2 OFFICE MEZZANINE FLOOR
TP06 SCALE 1:100

DEVELOPMENT SUMMARY

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NORTH

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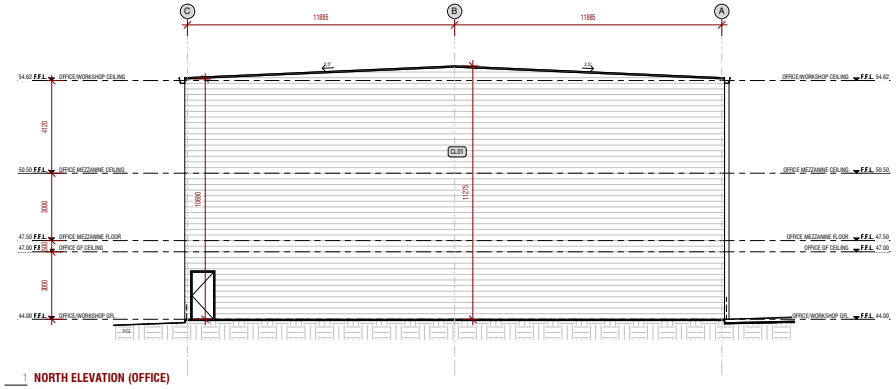
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PROPOSED OFFICE FLOOR PLAN

SCALE AS INDICATED

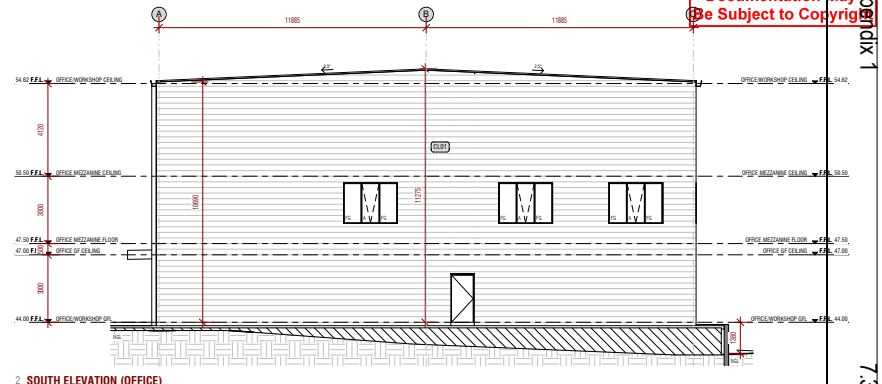
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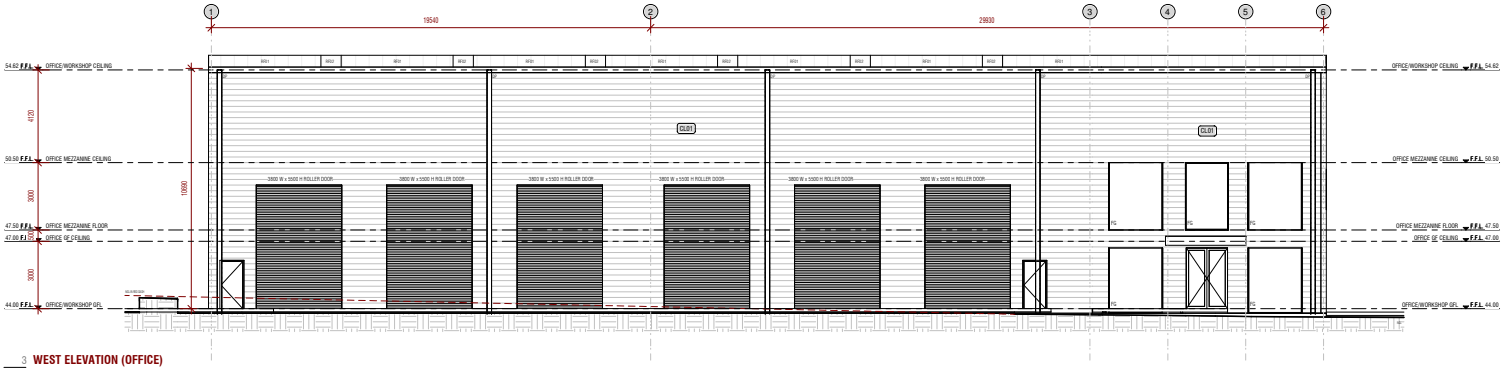
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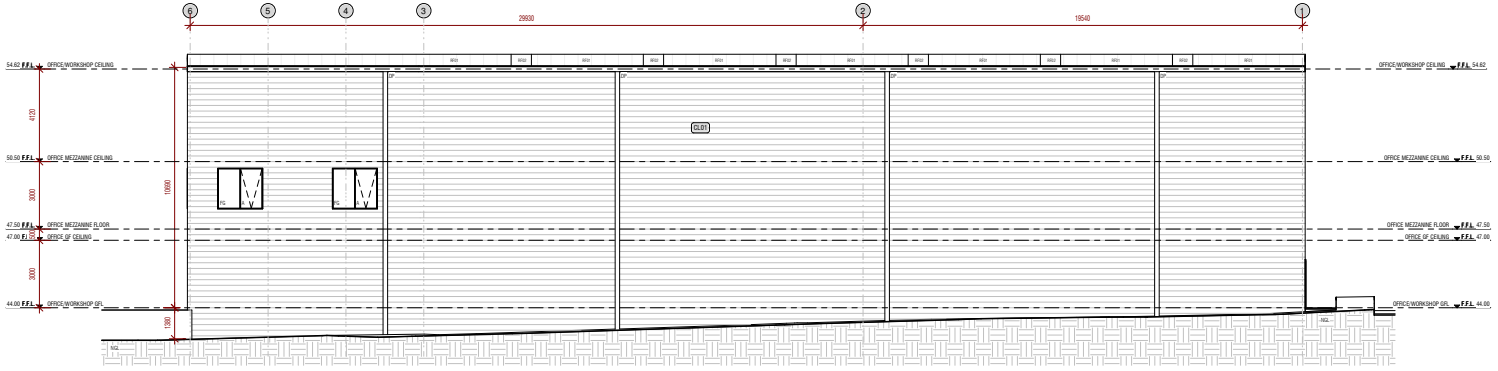
1 NORTH ELEVATION (OFFICE)
TP07 SCALE 1:100



2 SOUTH ELEVATION (OFFICE)
TP07 SCALE 1:100



3 WEST ELEVATION (OFFICE)
TP07 SCALE 1:100



4 EAST ELEVATION (OFFICE)
TP07 SCALE 1:100

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WINDOW LEGENDS

FG	FIXED GLAZING
A	AWNING WINDOW
FFL	FINISHED FLOOR LEVEL

SCHEDULE OF FINISHES

CL01	KINGSPAN K-CLAD WALL PANEL OR SIMILAR APPROVED
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RF02	CLEAR POLYCARBONATE ROOF SHEETS FROM 'LASERLITE' OR SIMILAR APPROVED
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PROPOSED OFFICE ELEVATIONS

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REVISION	SHEET NO.	
1	TP07	

29-31 Ryans Road Clayton South VIC 3169
Arboricultural Impact Assessment

Prepared for TT Group Aust



Arbor Express

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1

Document Tracking

Project Name	29-31 Ryans Road Clayton South VIC 3169 Arboricultural Impact Assessment
Project Number	AIA2/06/2026
Prepared by	Alex de Jong and Patrick Mortell - AQF Level 5 Arborist
Status	Final
Version	v2
Last saved on	14/06/2026

This report should be cited as 'Arbor Express 29-31 Ryans Road Clayton South VIC 3169 Arboricultural Impact Assessment prepared for TT Group Aust'.

ACKNOWLEDGEMENTS

This document has been prepared by Arbor Express Pty Ltd with support from TT Group Aust

Disclaimer
I do not assume responsibility for liability associated with the tree on/or adjacent to this project site, the future demise and/or any damage which may result therefrom. They take care to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided by others. I cannot be held responsible for any consequences as result of work carried out outside specifications, not in compliance with Australian Standards or by inappropriately qualified staff. If further investigations such as, aerial, drill and root tests are recommended, the report shall not be considered final until all investigations have been completed as further defects may be found. I have made every effort to accurately identify the current tree health and hazards. Results may or may not correlate to actual tree structural integrity. There are many factors that may contribute to limb or total tree failure, not all these symptoms are visible. There can be hidden defects that may result in a failure even though it would seem that other, more obvious defects would be the likely cause of failure. All standing trees have an element of unpredictable risk. The inspection was limited to a visual ground examination of the tree, without aerial inspections and below ground excavations. The assessments are limited and do not include specialized analysis. No internal diagnostics, aerial inspection and pathology test were conducted. Sketches, diagrams, graphs and photographs in this report, being intended as visual aids, are not necessarily to scale.

Table of Contents

1. Introduction 5
2. Method 6
3. Tree Schedule 9
4. Arboricultural Impact Assessment 12
5. Development Plans 13
6. Site Photos 14
7. Recommendations 17
8. References 18
Appendix A: Glossary of Terms 19
Appendix B: Retention Value 21
Appendix C: Safe Useful Life Expectancy (SULE) 22
Appendix D: Tree Protection Guidelines 24
Appendix E: Encroachment into the Tree Protection Zones 27

Abbreviations

Abbreviation	Description
AE	Arbor Express
AIA	Arboricultural Impact Assessment
AQF	Australian Qualifications Framework
AS	Australian Standards
C	Canopy
DAB	Diameter Above Buttress
DSH	Diameter at Standard Height
H	Height
m	Metre
mm	Millimetre
NDE	Non-Destructive Excavation
NO	Number
NRZ	Notional Root Zone
NSW	New South Wales
SRZ	Structural Root Zone
TPP	Tree Protection Plan
TPZ	Tree Protection Zone
VTA	Visual Tree Assessment

1. Introduction

This AIA has been prepared for TT Group Aust in relation to a proposed development at 29-31 Ryans Road Clayton South VIC 3169. The address of the subject site is in Table 1 and mapped in Figure 1. The purpose of this report is to:

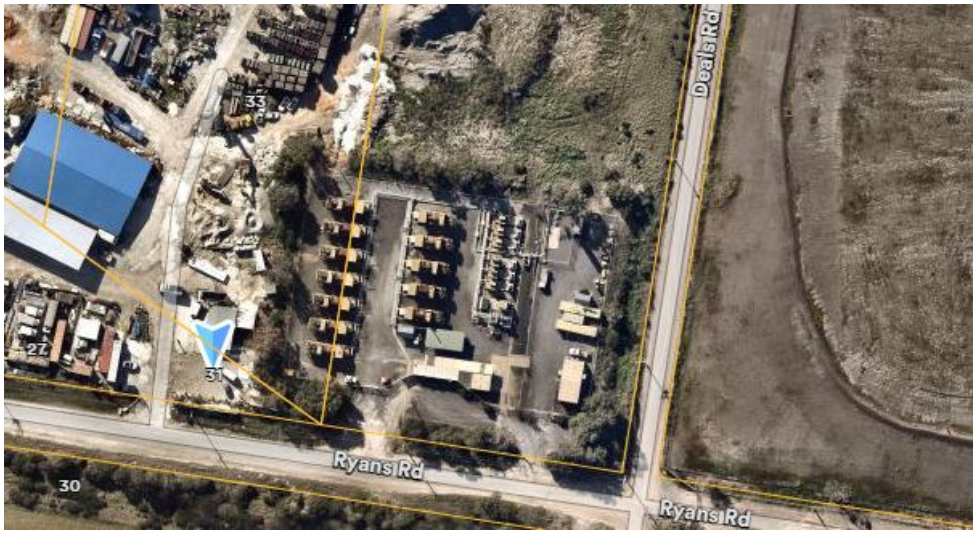
- Identify the trees within the site and adjacent surrounding area that are likely to be affected by the proposed development.
- Undertake a visual tree assessment of the subject trees.
- Assess the current overall health and condition of the subject trees.
- Evaluate the retention value of the subject trees.
- Identify trees to be removed, retained or transplanted.
- Determine the likely impacts of trees to be retained.
- Recommend tree protection measures to minimise the impacts to retained trees.
- Preparation of a tree protection plan for trees to be retained (if applicable).

Features of the subject site are tabulated below.

Table 1: Development site

Criteria	Description
Street address	29-31 Ryans Road Clayton South VIC 3169
Local government area	Kingston City Council

Figure 1: Location



2. Method

Visual Tree Assessment

The subject trees were assessed in accordance with a stage one visual tree assessment (VTA) as formulated by Mattheck and Breloer (1994)[1], and practices consistent with modern arboriculture.

A total of 29 subject trees were inspected on 2 June 2026.

The following limitations apply to this methodology:

- Trees were inspected from ground level.
- These assessments did not include aerial (climbing) inspections, soil sampling, or root excavations.
- The canopy spread was measured either by estimation or pacing, and the longest span was recorded.
- The height of each tree was estimated.
- Trees were inspected within limits of site access.
- No aerial inspections or root mapping was undertaken.
- Trees located on adjacent properties or in restricted areas were not fully visually inspected, so any defects or abnormalities may not have been documented.
- Tree identification relied on broad taxonomical features visible from ground level at the time of inspection.

Retention Values

The retention value is the value of retaining a tree or group of trees and is assessed based on a blend of environmental, cultural, physical, and social factors.

- **High:** These trees are deemed worthy of preservation, and their retention should be prioritized. Proposed site designs and the positioning of buildings and infrastructure should take into account the Tree Protection Zones (TPZs) to mitigate any negative effects. Additionally, the extent of the canopy, especially concerning high-rise development, should be taken into consideration. Significantly pruning the trees to accommodate building envelopes or temporary scaffolding is typically not acceptable.
- **Moderate:** Retaining these trees is desirable. They should be preserved as part of any proposed development, if feasible. However, these trees are considered less crucial for retention. If their removal becomes necessary, replacement planting should be contemplated in alignment with the Council's Tree Replacement Policy to offset any loss of amenity.
- **Low:** These trees lack significant ecological, heritage, or amenity value, or such values are greatly diminished due to their Safe Useful Life Expectancy (SULE). Therefore, these trees should not be viewed as hindrances to the future development of the site.
- **Very Low:** These trees are regarded as potentially hazardous, very poor specimens, or may even qualify as environmental or noxious weeds. Consequently, their removal is recommended irrespective of any proposed development considerations.

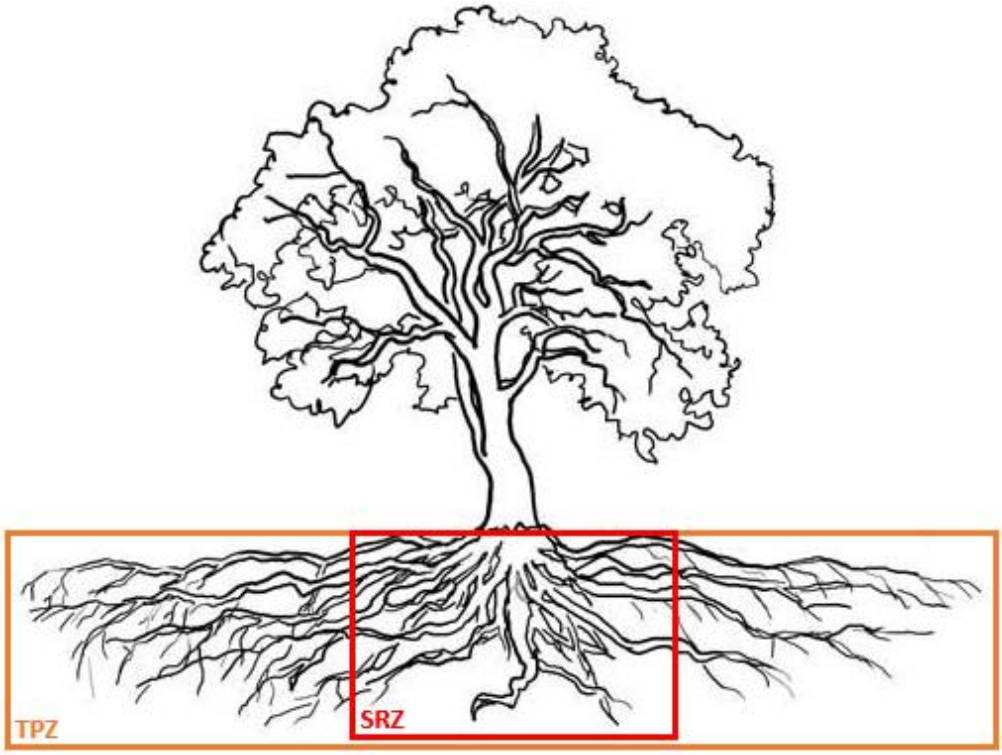
[1] Field Guide for Visual Tree Assessment (VTA) by Mattheck, C., and Breloer, H. Arboricultural Journa1, Vol 18 pp 1-23 (1994).

Protection Zones

Tree Protection Zone (TPZ): The Tree Protection Zone (TPZ) is fundamental for safeguarding trees on development sites. It encompasses both the root and crown spread, creating a protected space free from construction disturbances to preserve the tree's health and viability. The TPZ is calculated from the NRZ which is NRZ = DSH x 12

Structural Root Zone (SRZ): The Structural Root Zone (SRZ) defines the space essential for maintaining tree stability, often requiring a larger area to sustain the tree's health. Calculating the SRZ becomes necessary when substantial encroachment into a Tree Protection Zone (TPZ) is proposed. Further analysis through root investigations can provide valuable insights into the extent of these roots.

Figure 2: Tree Protection Zone and Structural Root Zone

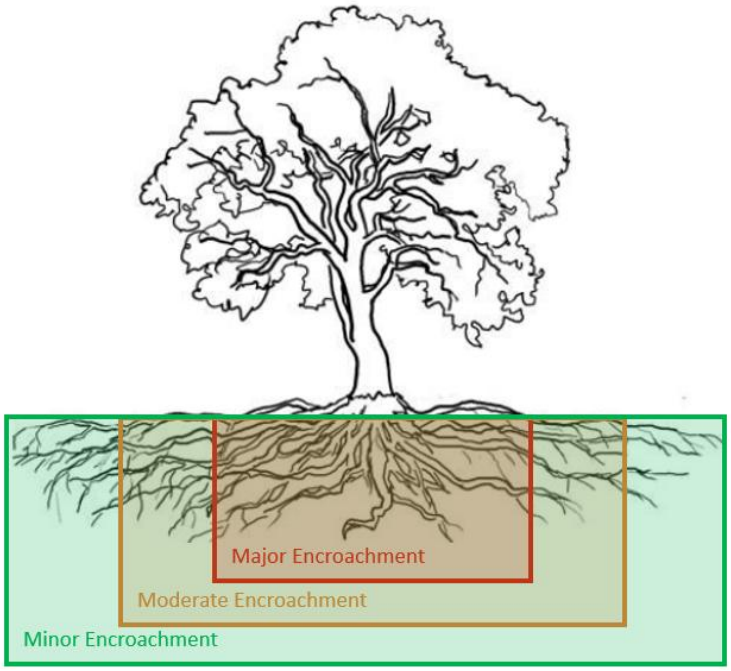


Impact Assessment

Development activities should be undertaken outside of Tree Protection Zones as much as possible. However, it's recognized that complete avoidance is not always feasible, and some encroachment within these zones may occur due to various reasons. Australian Standard AS 4970-2025, "*Protection of trees on development sites*," offers guidelines for managing such encroachments without necessitating extensive tree management and protection measures. Encroachment parameters are categorized as follows:

- **Minor TPZ Encroachment:**
  The proposed encroachment is considered minor as it affects less than or equal to 10% of the area of the Tree Protection Zone's (TPZ) and is located outside the Structural Root Zone (SRZ), and there have been no recent encroachments into the TPZ. Based on these conditions, it is generally unlikely that there will be a significant impact on the health, structure, or longevity of the tree. Tree protection measures should still be implemented during site works. To avoid a net loss of soil volume and area, the area of encroachment should be offset by incorporating an equivalent area into the TPZ, unless otherwise demonstrated by the project arborist that the tree will remain viable.
- **Moderate TPZ Encroachment:**
  A moderate encroachment is defined as one that affects more than 10% but less than or equal to 20% of the TPZ area and is located outside the SRZ. In such cases, an arborist must be engaged to assess the likely impacts and undertake any necessary investigations to determine the tree's ability to remain viable. These investigations may involve suitable design modifications or construction controls as part of a Tree Protection Plan (TPP) and Tree Protection Specification (TPS). As with minor encroachments, the area of soil and volume lost to the encroachment should be compensated by incorporating an equivalent area into the TPZ, unless the project arborist demonstrates otherwise.
- **Major TPZ Encroachment:**
  An encroachment is classified as major if it affects more than 20% of the TPZ area or is located within the SRZ. In such instances, an arborist must be engaged to assess the impact, explore alternative design solutions with the design team, or demonstrate that the tree can remain viable. A more detailed investigation is required, potentially including root mapping, soil analysis, review of site history, literature comparison, and examples of similar cases. A comprehensive TPP should be prepared to support the retention of the tree. As with lesser encroachments, the lost area should be offset within the TPZ unless the arborist determines that the tree will remain viable without this compensation.

Figure 3: Tree Protection Zone Encroachments



3. Tree Schedule

Tree #	*Botanical Name* (Common Name)	Height (m)	Canopy (m)	DBH (mm)	DAB (mm)	NRZ (m)	SRZ (m)	NRZ Encroachment	SULE	Retention Value	Action	Canopy Tree
1	*Eucalyptus viminalis* (Ribbon Gum)	10.50	8	351	405	4.21	2.26	100.0%	1B	Moderate	Remove	Yes
2	*Eucalyptus viminalis* (Ribbon Gum)	7.30	5	245	318	2.94	2.05	100.0%	1B	Moderate	Remove	Yes
3	*Melaleuca viminalis* (Weeping Bottlebrush)	6	4	181	220	2.17	1.75	100.0%	1B	Moderate	Remove	Yes
4	*Melaleuca viminalis* (Weeping Bottlebrush)	5.50	3	215	277	2.58	1.93	100.0%	1B	Moderate	Remove	No
5	*Melaleuca viminalis* (Weeping Bottlebrush)	5.50	3	207	246	2.48	1.84	100.0%	1B	Moderate	Remove	No
6	*Eucalyptus viminalis* (Ribbon Gum)	10.10	9	716	844	8.59	3.08	100.0%	4A	Low	Remove	Yes
7	*Eucalyptus cinerea* (Argyle Apple)	8.10	8	643	720	7.72	2.88	100.0%	1B	Moderate	Remove	Yes
8	*Eucalyptus cinerea* (Argyle Apple)	8.50	8	469	515	5.63	2.50	100.0%	1A	High	Remove	Yes
9	*Melaleuca viminalis* (Weeping Bottlebrush)	5	4	153	188	2.00	1.64	100.0%	1B	Moderate	Remove	No
10	*Melaleuca viminalis* (Weeping Bottlebrush)	5	4	141	167	2.00	1.56	100.0%	1B	Moderate	Remove	No
13	*Melaleuca viminalis*	5	4	148	172	2.00	1.58	100.0%	1B	Moderate	Remove	No

Tree #	*Botanical Name* (Common Name)	Height (m)	Canopy (m)	DBH (mm)	DAB (mm)	NRZ (m)	SRZ (m)	NRZ Encroachment	SULE	Retention Value	Action	Canopy Tree
	(Weeping Bottlebrush)											
14	*Melaleuca viminalis* (Weeping Bottlebrush)	5	4	142	180	2.00	1.61	100.0%	1B	Moderate	Remove	No
15	*Melaleuca viminalis* (Weeping Bottlebrush)	5	4	139	166	2.00	1.56	100.0%	1B	Moderate	Remove	No
16	*Melaleuca viminalis* (Weeping Bottlebrush)	4	3	131	155	2.00	1.51	100.0%	1B	Moderate	Remove	No
17	*Melaleuca viminalis* (Weeping Bottlebrush)	4	3	130	149	2.00	1.50	100.0%	1B	Moderate	Remove	No
18	*Melaleuca viminalis* (Weeping Bottlebrush)	4	3	94	112	2.00	1.50	100.0%	1B	Moderate	Remove	No
19	*Eucalyptus viminalis* (Ribbon Gum)	10.70	8	309	371	3.71	2.18	100.0%	1A	High	Remove	Yes
20	*Melaleuca viminalis* (Weeping Bottlebrush)	3	3	124	145	2.00	1.50	100.0%	1B	Moderate	Remove	No
21	*Acacia baileyana* (Cootamundra Wattle)	4	3	129	151	2.00	1.50	100.0%	1B	Moderate	Remove	No
22	*Acacia baileyana* (Cootamundra Wattle)	4	3	155	188	2.00	1.64	100.0%	1B	Moderate	Remove	No
23	*Acacia baileyana* (Cootamundra Wattle)	7	6	187	235	2.24	1.80	100.0%	4A	Low	Remove	Yes
24	*Eucalyptus viminalis* (Ribbon Gum)	9	5	191	294	2.29	1.98	100.0%	1B	Low	Remove	Yes

Tree #	*Botanical Name* (Common Name)	Height (m)	Canopy (m)	DBH (mm)	DAB (mm)	NRZ (m)	SRZ (m)	NRZ Encroachment	SULE	Retention Value	Action	Canopy Tree
25	*Eucalyptus viminalis* (Ribbon Gum)	10.20	6	227	310	2.72	2.02	100.0%	1B	Moderate	Remove	Yes
26	*Eucalyptus viminalis* (Ribbon Gum)	11.10	9	379	440	4.55	2.34	100.0%	1A	High	Remove	Yes
27	*Eucalyptus viminalis* (Ribbon Gum)	6	8	321	567	3.85	2.61	100.0%	4A	Low	Remove	Yes
28	*Eucalyptus viminalis* (Ribbon Gum)	9.50	8	361	389	4.33	2.23	100.0%	1B	Moderate	Remove	Yes
29	*Melaleuca viminalis* (Weeping Bottlebrush)	6	5	160	215	2.00	1.74	100.0%	1B	Moderate	Remove	Yes

4. Arboricultural Impact Assessment

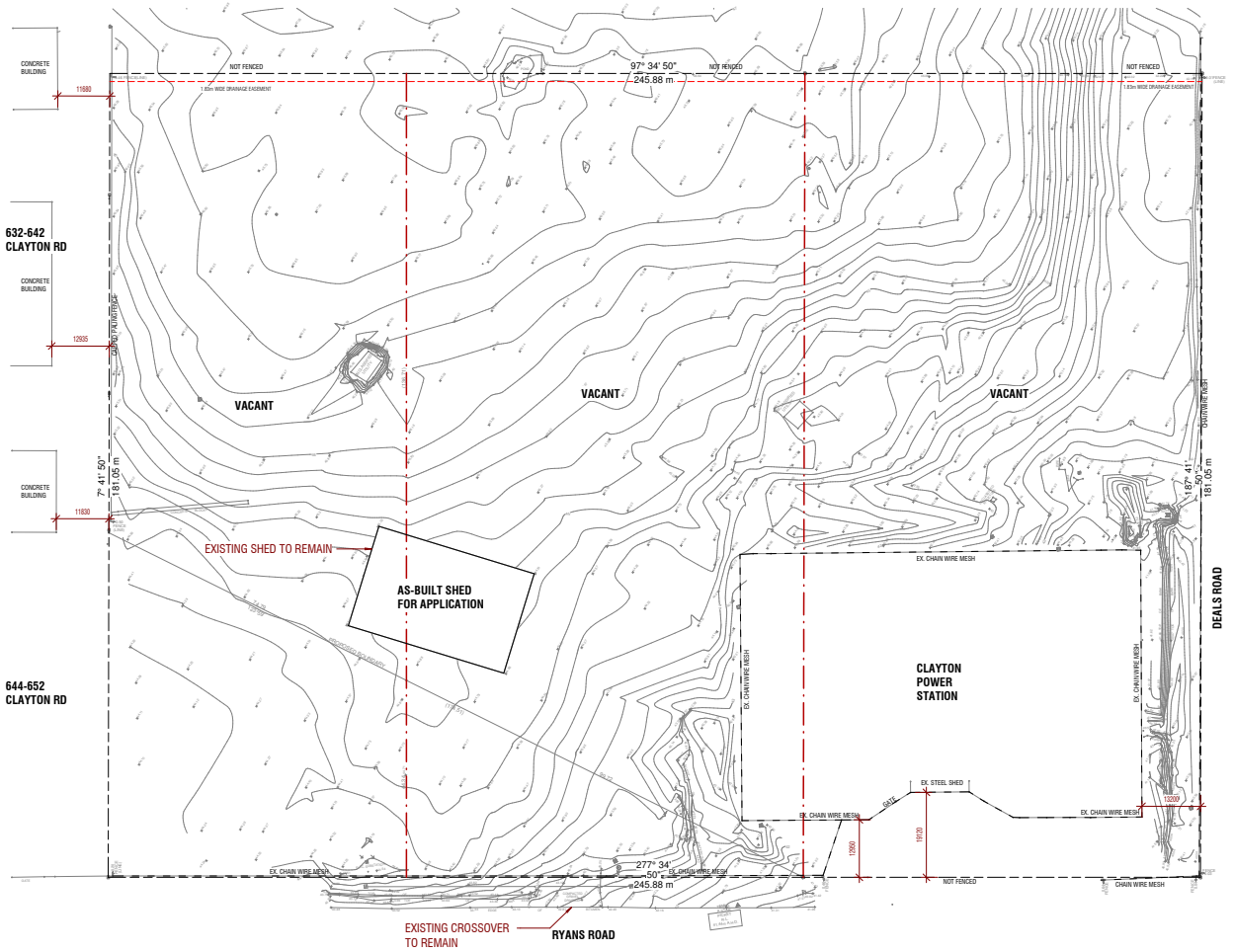


Legend

Notional Root Zone	○	Tree to be retained	○
Structural Root Zone	◌	Tree to be removed	●

Arbor Express

5. Development Plans



1 **EXISTING SITE PLAN**
TP01 **SCALE 1:500**

DEVELOPMENT SUMMARY

SITE AREA:	44,516 m²
SITE COVERAGE OF NEW BUILDING:	14,147 m² (31%)
WAREHOUSE NET AREA:	10,608 m²
WAREHOUSE EXTERNAL CANOPY AREA:	9,020 m²
WORKSHOP AREA:	942 m²
OFFICE NET AREA:	430 m²
TOTAL CAR SPACES:	60

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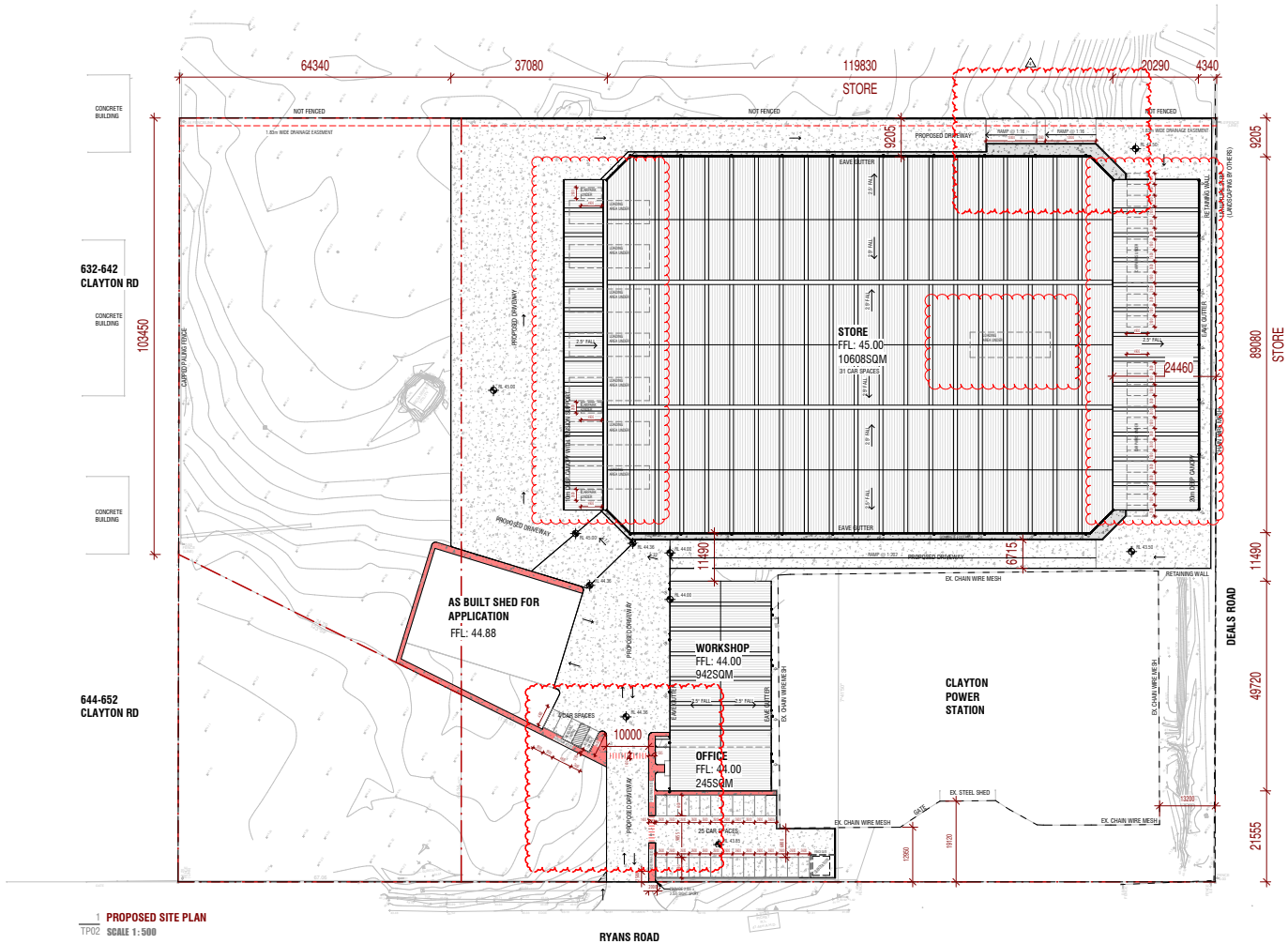
PLANNING

SHEET NAME:
EXISTING SITE CONTEXT

SCALE AS INDICATED

DRAWN.	JOB NO.	PROJECT ADDRESS:
CC	25007	29-33 RYANS RD CLAYTON SOUTH VICTORIA
REVISION	SHEET NO.	
1	TP01	

Check and verify all dimensions prior to commencement of work. This drawing shall be read in conjunctionwith all other contract documents including those by other consultants, and including specifications. Seek clarification of inconsistancies. Figured dimensions shall take precedence to scaled dimensions.



1 PROPOSED SITE PLAN
TP02 SCALE 1:500

DEVELOPMENT SUMMARY

SITE AREA:	44,516 m²
SITE COVERAGE OF NEW BUILDING:	14,147 m² (31%)
WAREHOUSE NET AREA:	10,608 m²
WAREHOUSE EXTERNAL CANOPY AREA:	9,020 m²
WORKSHOP AREA:	942 m²
OFFICE NET AREA:	430 m²
TOTAL CAR SPACES:	60

NORTH

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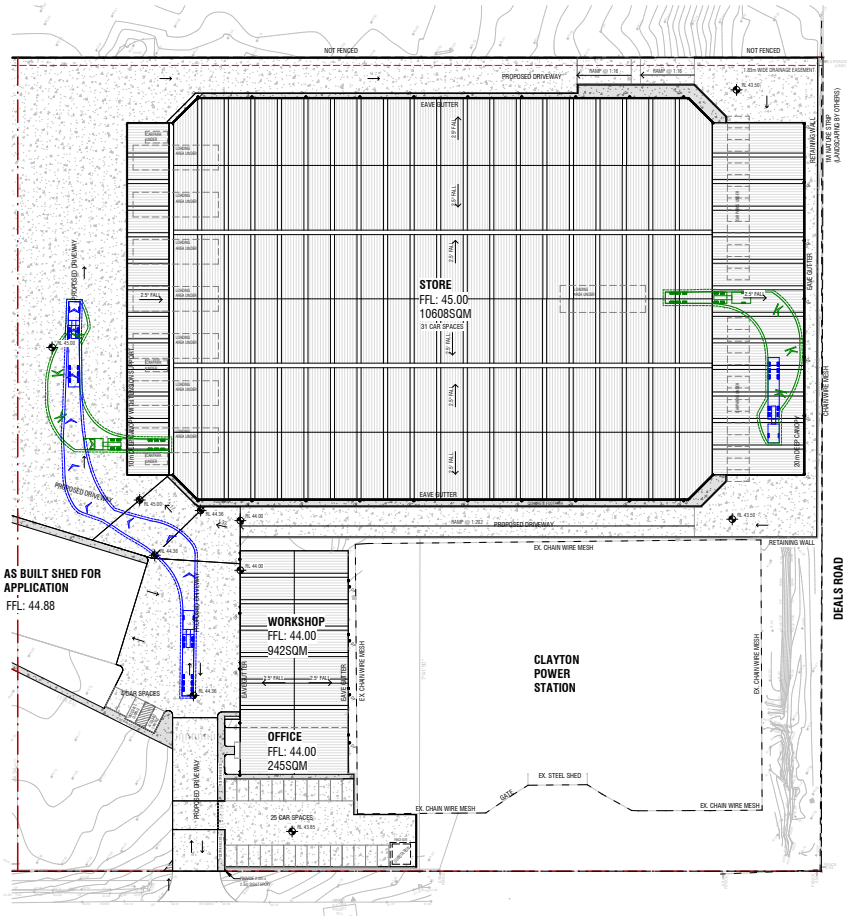
PLANNING

SHEET NAME:
PROPOSED SITE PLAN

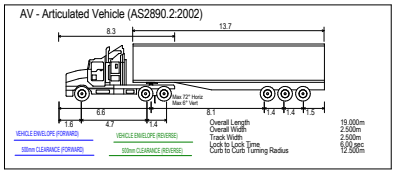
SCALE AS INDICATED

DRAWN.	JOB NO.	PROJECT ADDRESS:
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REVISION	SHEET NO.	CLAYTON SOUTH
4	TP02	VICTORIA

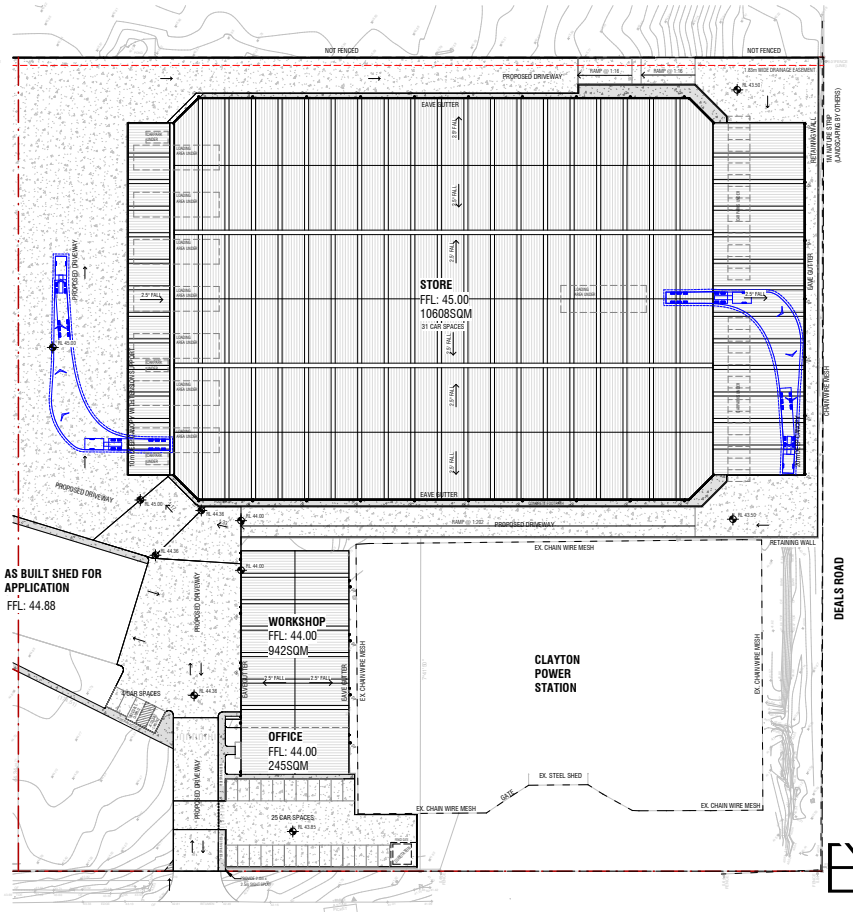
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1 **PROPOSED SWEPT PATH ENTRY**
TP03 **SCALE 1:500**







2 **PROPOSED SWEPT PATH AWAY**
TP03 **SCALE 1:500**

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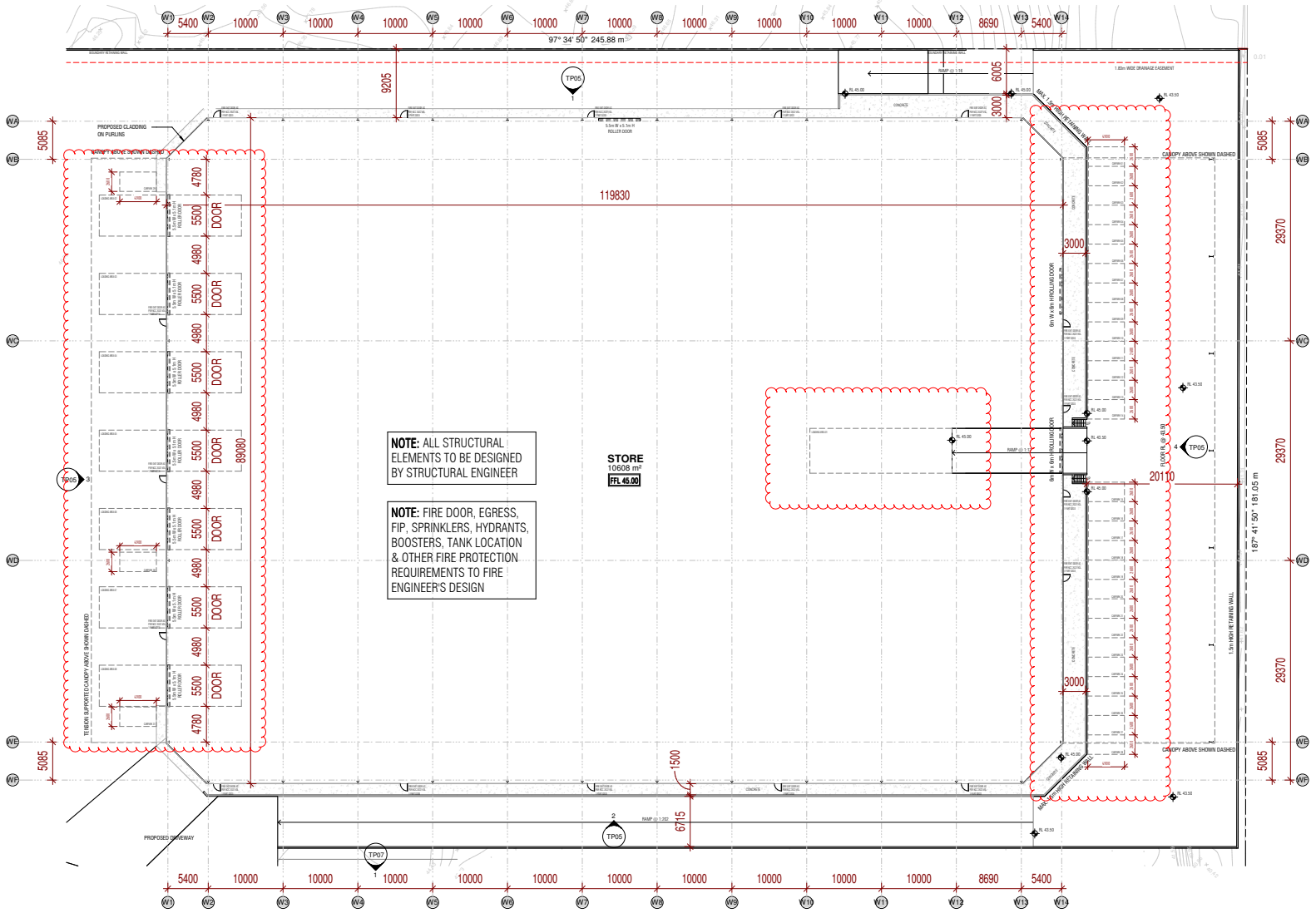
PLANNING

SHEET NAME:
SWEPT PATH ASSESSMENT

SCALE AS INDICATED

DRAWN.	JOB NO.	PROJECT ADDRESS:
J.H.	25007	29-33 RYANS RD
REVISION	SHEET NO.	CLAYTON SOUTH VICTORIA
3	TP03	

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1 GROUND FLOOR PLAN
TP04 SCALE 1:250

Check and verify all dimensions prior to commencement of work. This drawing shall be read in conjunctionwith all other contract documents including those by other consultants, and including specifications. Seek clarification of inconsistancies. Figured dimensions shall take precedence to scaled dimensions.

DEVELOPMENT SUMMARY

SITE AREA:	44,516 m²
SITE COVERAGE OF NEW BUILDING:	14,147 m² (31%)
WAREHOUSE NET AREA:	10,608 m²
WAREHOUSE EXTERNAL CANOPY AREA:	9,020 m²
WORKSHOP AREA:	942 m²
OFFICE NET AREA:	430 m²
TOTAL CAR SPACES:	60

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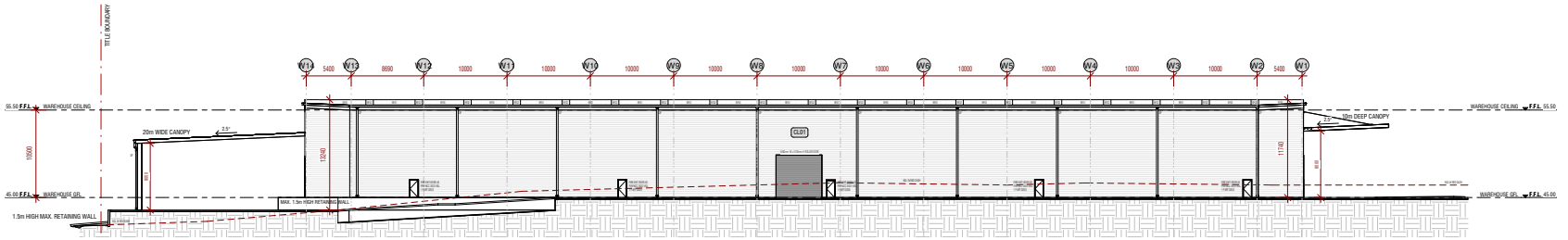
NOT FOR CONSTRUCTION

PLANNING

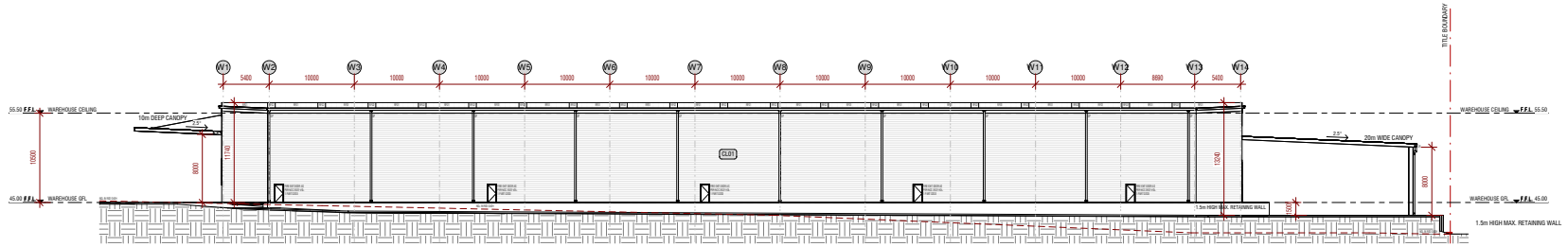
SHEET NAME:
PROPOSED STORE FLOOR PLAN

SCALE AS INDICATED

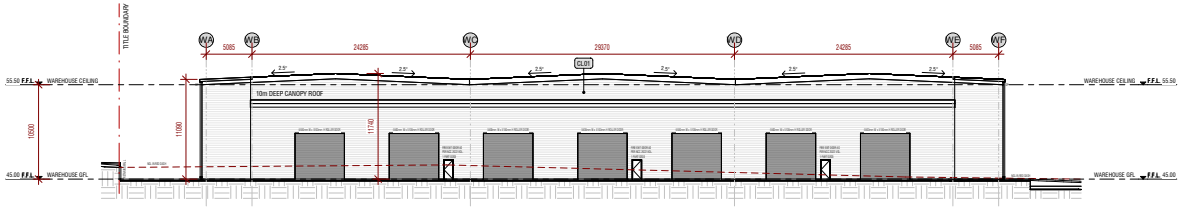
DRAWN.	JOB NO.	PROJECT ADDRESS
CC	25007	29-33 RYANS RD
REVISION	SHEET NO.	CLAYTON SOUTH
3	TP04	VICTORIA



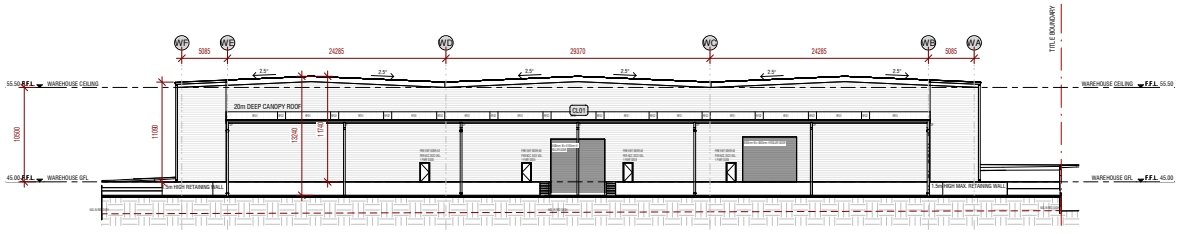
1 **NORTH ELEVATION (STORE)**
TP05 **SCALE 1 : 250**



2 **SOUTH ELEVATION (STORE)**
TP05 **SCALE 1 : 250**



3 **WEST ELEVATION (STORE)**
TP05 **SCALE 1 : 250**



4 **EAST ELEVATION (STORE)**
TP05 **SCALE 1 : 250**

SCHEDULE OF FINISHES

CL01	KINGSPAN K-CLAD WALL PANEL OR SIMILAR APPROVED
RF01	RIBBED METAL ROOF COLOUR: ZINCALUME MIN. SLOPE: 2º
RF02	CLEAR POLYCARBONATE ROOF SHEETS FROM 'LASERLITE' OR SIMILAR APPROVED
DP	COLORBOND DOWNPIPE AND RAINHEAD COLOUR: COLORBOND SURFMIST /MONUMENT / SHALE GREY (COLOUR TO MATCH WALL) REFER TO ELEVATIONS FOR DOWNPIPE COLOUR
	COLORBOND GUTTER & PARAPET CAPPING
	COLOUR: COLORBOND SURFMIST

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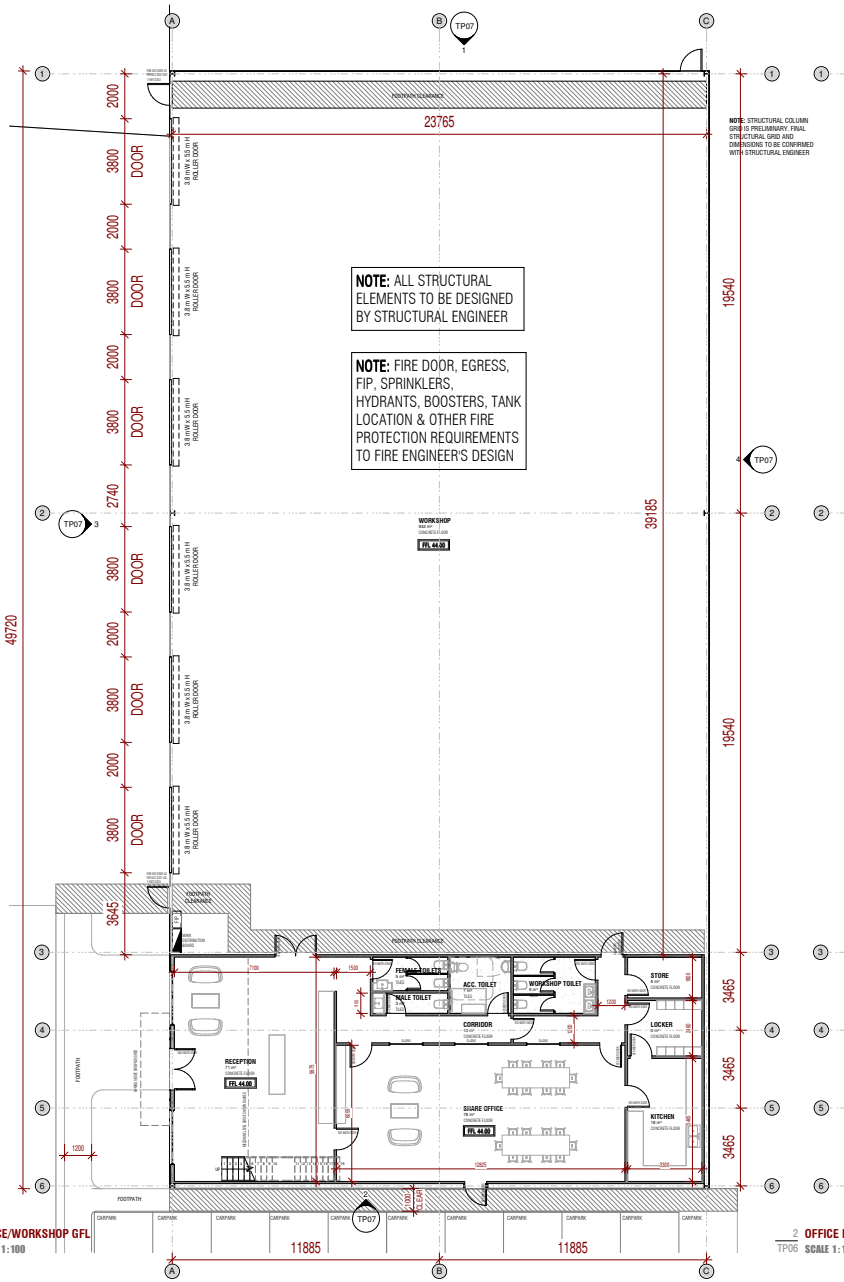
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PLANNING

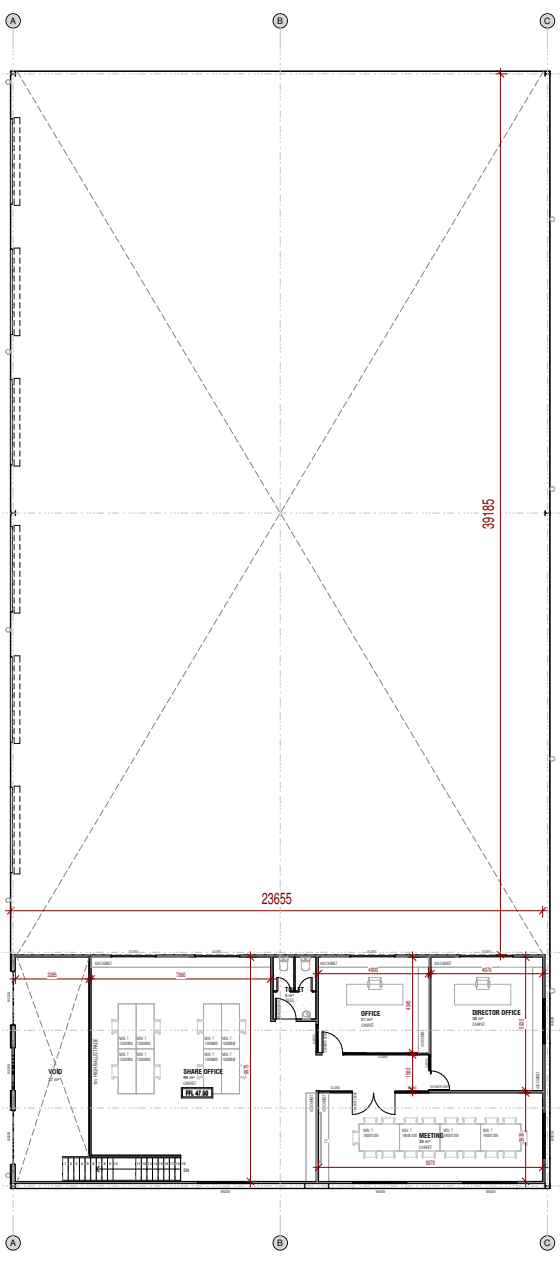
SHEET NAME:
PROPOSED STORE ELEVATIONS

SCALE AS INDICATED

DRAWN.	JOB NO.	PROJECT ADDRESS:
CC	25007	29-33 RYANS RD
REVISION	SHEET NO.	CLAYTON SOUTH
2	TP05	VICTORIA



1 OFFICE/WORKSHOP GFL
TP06 SCALE 1:100



2 OFFICE MEZZANINE FLOOR
TP06 SCALE 1:100

DEVELOPMENT SUMMARY

SITE AREA:	44,516 m²
SITE COVERAGE OF NEW BUILDING:	14,147 m² (31%)
WAREHOUSE NET AREA:	10,608 m²
WAREHOUSE EXTERNAL CANOPY AREA:	9,020 m²
WORKSHOP AREA:	942 m²
OFFICE NET AREA:	430 m²
TOTAL CAR SPACES:	60

NORTH

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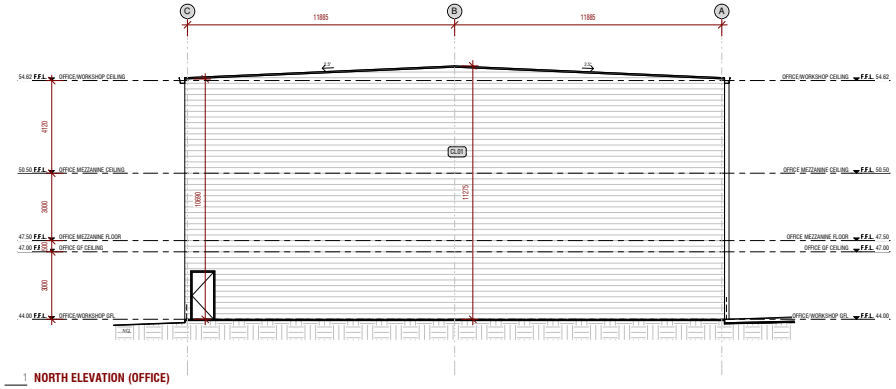
PLANNING

SHEET NAME:
PROPOSED OFFICE FLOOR PLAN

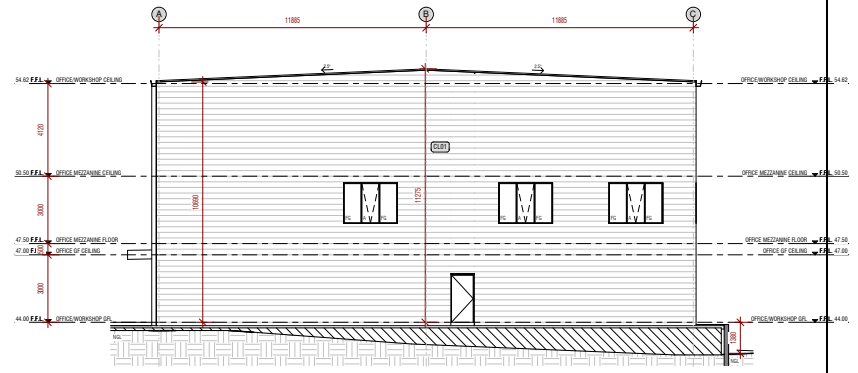
SCALE AS INDICATED

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REVISION	SHEET NO.	CLAYTON SOUTH
	TP06	VICTORIA

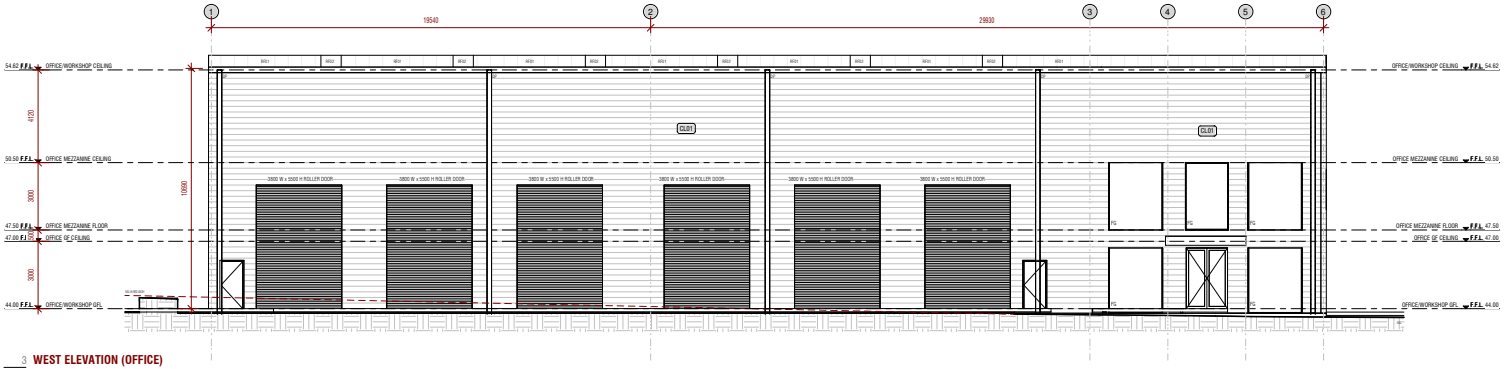
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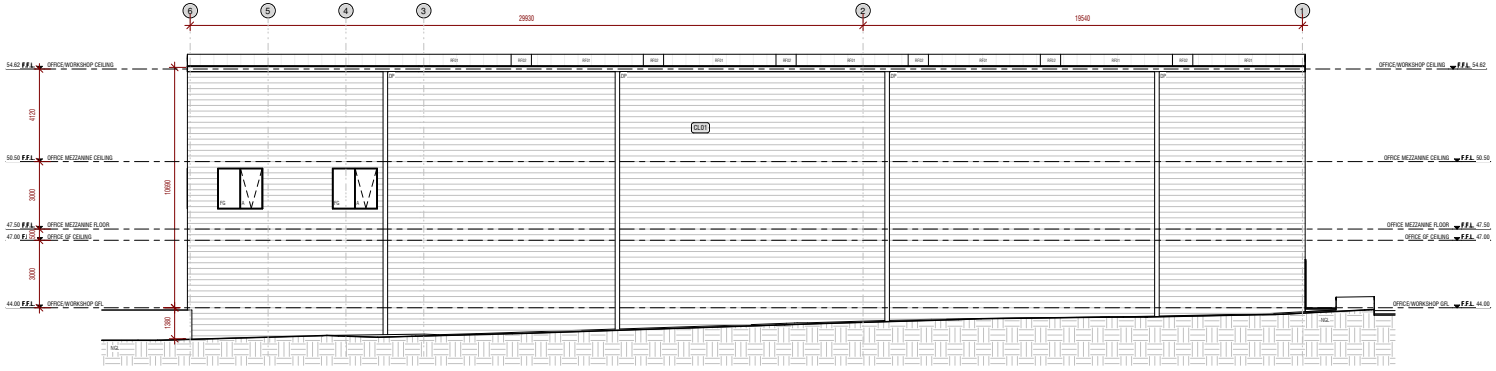
1 **NORTH ELEVATION (OFFICE)**
TP07 **SCALE 1:100**



2 **SOUTH ELEVATION (OFFICE)**
TP07 **SCALE 1:100**



3 **WEST ELEVATION (OFFICE)**
TP07 **SCALE 1:100**



4 **EAST ELEVATION (OFFICE)**
TP07 **SCALE 1:100**

Check and verify all dimensions prior to commencement of work. This drawing shall be read in conjunctionwith all other contract documents including those by other consultants, and including specifications. Seek clarification of inconsistancies. Figured dimensions shall take precedence to scaled dimensions.

WINDOW LEGENDS

FG	FIXED GLAZING
A	AWNING WINDOW
FFL	FINISHED FLOOR LEVEL

SCHEDULE OF FINISHES

CL01	KINGSPAN K-CLAD WALL PANEL OR SIMILAR APPROVED
RF01	RIBBED METAL ROOF COLOUR: ZINCALUME MIN. SLOPE: 2°
RF02	CLEAR POLYCARBONATE ROOF SHEETS FROM 'LASERLITE' OR SIMILAR APPROVED
DP	COLORBOND DOWNPIPE AND RAINHEAD COLOUR: COLORBOND SURFMIST /MONUMENT / SHALE GREY (COLOUR TO MATCH WALL) REFER TO ELEVATIONS FOR DOWNPIPE COLOUR
	COLORBOND GUTTER & PARAPET CAPPING COLOUR: COLORBOND SURFMIST

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A	PLANNING SUBMISSION
1	ARCHITECT DETAILS

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SHEET NAME:
PROPOSED OFFICE ELEVATIONS

SCALE AS INDICATED

DRAWN.	JOB NO.	PROJECT ADDRESS:
CC	25007	29-33 RYANS RD CLAYTON SOUTH VICTORIA
REVISION	SHEET NO.	
1	TP07	

6. Site Photos

Photo 1:

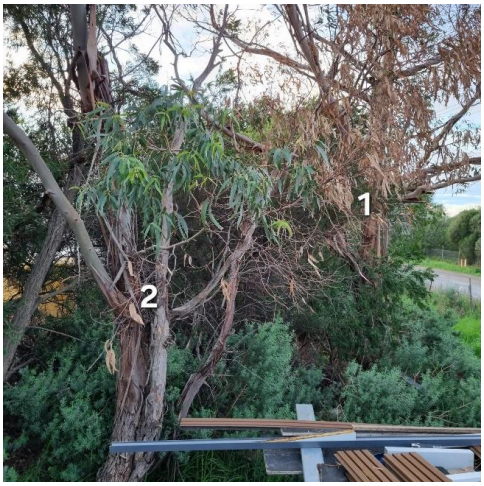


Photo 2:



Photo 3:



Photo 4:



Photo 5:



Photo 6:



Photo 7:



Photo 8:



Photo 9:



7. Recommendations

Tree Protection

All 29 subject trees assessed on 2 June 2026 are recommended for removal. The trees are located within or directly adjacent to the footprint of the proposed development at 29–31 Ryans Road, Clayton South VIC 3169, and their retention is not feasible given the extent of development impact. All trees have been assessed as having 100% TPZ encroachment, and none can be retained without compromising the structural integrity and viability of the root system.

In addition to the arboricultural assessment findings above, Tonkin & Taylor Pty Ltd (T+T), engaged by TT Aust Holdings Pty Ltd, has provided a separate technical recommendation dated 27 April 2026 in relation to the Clayton Road Closed Landfill, which occupies the same site. T+T confirmed that the subject trees — identified as Eucalyptus species — are established on or adjacent to the landfill cap, a 500 mm compacted clay layer overlaid with 250 mm of topsoil installed in 1995. T+T advises that deep-rooting trees of this kind pose a risk of compromising the integrity of the landfill cap through root penetration, and that windthrow events present a further risk of cap damage, potential exposure of waste, increased leachate generation, and uncontrolled landfill gas emissions in breach of the site's Aftercare Management Plan (AMP) and the General Environmental Duty under the Environment Protection Act 2017.

On the basis of the arboricultural impact assessment and the T+T engineering advice, it is recommended that all 29 subject trees be removed, including their root balls. Removal of the trees should be followed by local repair to the landfill cap, including backfilling of excavated areas and reinstatement of at least 500 mm of low permeability compacted clay and 200 to 300 mm of organic-rich topsoil in accordance with the landfill cap design. The affected areas should then be re-vegetated with a suitable grass species consistent with landfill cap management requirements.

8. References

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Standards Australia 2003. *Composition, Soil and Mulches, AS 4454 (2003)*, Standards Australia, Sydney.

Standards Australia 2007. *Australian Standard: Pruning of amenity trees, AS 4373 (2007)*, Standards Australia, Sydney.

Standards Australia 2025. *Australian Standard: Protection of trees on development sites, AS 4970 (2025)*. Standards Australia, Sydney.

Appendix A: Glossary of Terms

Abiotic - Pertaining to non-living agents, e.g. environmental factors.

Anchorage - The system whereby a tree is fixed within the soil, involving cohesion between roots and soil and the development of a branched system of roots which withstands wind and gravitational forces transmitted from the aerial parts of the tree.

Branch:
- Primary. A first order branch arising from a stem.
- Lateral. A second order branch, subordinate to a primary branch or stem and bearing sub-lateral branches.
- Sub-lateral. A third order branch, subordinate to a lateral or primary branch, or stem and usually bearing only twigs.

Branch collar - A visible swelling formed at the base of a branch whose diameter growth has been disproportionately slow compared to that of the parent stem; a term sometimes applied also to the pattern of growth of the cells of the parent stem around the branch base.

Cambium - Layer of dividing cells producing xylem (woody) tissue internally and phloem (bark) tissue externally.

Canker - A persistent lesion formed by the death of bark and cambium due to colonisation by fungi or bacteria.

Compartmentalisation - The confinement of disease, decay or other dysfunction within an anatomically discrete region of plant tissue, due to passive and/or active defences operating at the boundaries of the affected region.

Condition - An indication of the physiological condition of the tree. Where the term 'condition' is used in a report, it should not be taken as an indication of the stability of the tree.

Crown/Canopy - The main foliage bearing section of the tree.

Crown lifting - The removal of limbs and small branches to a specified height above ground level.

Crown reduction/shaping - A specified reduction in crown size whilst preserving, as far as possible, the natural tree shape.

DAB (Diameter Above Buttress) - Trunk diameter measured above the root buttress.

Defect - In relation to tree hazards, any feature of a tree which detracts from the uniform distribution of mechanical stress, or which makes the tree mechanically unsuited to its environment.

Dieback - The death of parts of a woody plant, starting at shoot-tips or root-tips.

Disease - A malfunction in or destruction of tissues within a living organism, usually excluding mechanical damage; in trees, usually caused by pathogenic micro-organisms.

DBH (Diameter at Breast Height) - Stem diameter measured at a height of 1.4 metres or the nearest measurable point. Where measurement at a height of 1.4 metres is not possible, another height may be specified.

Deadwood - Branch or stem wood bearing no live tissues. Retention of deadwood provides valuable habitat for a wide range of species and seldom represents a threat to the health of the tree. Removal of deadwood can result in the ingress of decay to otherwise sound tissues and climbing operations to access deadwood can cause significant damage to a tree. Removal of deadwood is generally recommended only where it represents an unacceptable level of hazard.

Epicormic shoot - A shoot having developed from a dormant or adventitious bud and not having developed from a first year shoot.

Heartwood/false-heartwood - The dead central wood that has become dysfunctional as part of the aging processes and being distinct from the sapwood.

Included bark (ingrown bark) - Bark of adjacent parts of a tree (usually forks, acutely joined branches or basal flutes) which is in face-to-face contact.

Lions tailing - A term applied to a branch of a tree that has few if any side-branches except at its end and is thus liable to snap due to end- loading.

Occlusion - The process whereby a wound is progressively closed by the formation of new wood and bark around it.

Pruning - The removal or cutting back of twigs or branches, sometimes applied to twigs or small branches only, but often used to describe most activities involving the cutting of trees or shrubs.

Reactive Growth/Reaction Wood - Production of woody tissue in response to altered mechanical loading; often in response to internal defect or decay and associated strength loss (cf. adaptive growth).

Ring-barking - The removal of a ring of bark and phloem around the circumference of a stem or branch, normally resulting in an inability to transport photosynthetic assimilates below the area of damage. Almost inevitably results in the eventual death of the affected stem or branch above the damage.

Stress - In plant physiology, a condition under which one or more physiological functions are not operating within their optimum range, for example due to lack of water, inadequate nutrition or extremes of temperature.

SRZ (Structural Root Zone) - The area around the base of the tree required for the tree's stability in the ground.

Topping - In arboriculture, the removal of the crown of a tree, or of a major proportion of it.

TPZ (Tree Protection Zone) - A specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

Veteran tree - Tree that, by recognised criteria, shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned. These characteristics might typically include a large girth, signs of crown retrenchment and hollowing of the stem.

Vigour - The expression of carbohydrate expenditure to growth (in trees).

Appendix B: Retention Value

Evaluating Sustainability and Landscape Significance to Determine Retention Value	
Retention Value	**Criteria and Categories**
High	These trees are considered to be worthy of preservation. As such, careful consideration should be given to their retention as a priority. Proposed site design and placement of buildings and infrastructure should consider the TPZ to minimize any adverse impact. In addition to TPZs, the extent of the canopy should also be considered, particularly in relation to a high-rise development. Significant pruning of the trees to accommodate the building envelope or temporary scaffolding is generally not acceptable.
Moderate	The retention of these trees is desirable. These trees should be retained as part of any proposed development, if possible; however, these trees are considered to be less critical for retention. If these trees must be removed, replacement planting should be considered in accordance with Council's Tree Replacement Policy to compensate for loss of amenity.
Low	These trees are not considered to be worthy of any special measures to ensure their preservation, due to current health, condition or suitability. They do not have any special ecological, heritage or amenity value, or these values are substantially diminished due to their SULE. These trees should not be considered as a constraint to future development of the site.
Very Low	These trees are considered to be potentially hazardous or very poor specimens or may be environmental or noxious weeds. The removal of these trees is therefore recommended regardless of the implications of any proposed development.

Appendix C: Safe Useful Life Expectancy (SULE)

	1 LONG SULE	2 MEDIUM SULE	3 SHORT SULE	4 REMOVALS	5 MOVED OR REPLACED
	Long: appeared to be retainable at the time of assessment for over 40 years with an acceptable degree of risk, assuming reasonable maintenance.	Medium: appeared to be retainable at the time of assessment for 15 to 40 years with an acceptable degree of risk, assuming reasonable maintenance.	Short: appeared to be retainable at the time of assessment for 5 to 15 years with an acceptable degree of risk, assuming reasonable maintenance.	Removal: trees which should be removed within the next 5 years.	Moved or Replaced: Trees which can be readily moved or replaced.
A	Structurally sound trees located in positions that can accommodate future growth.	Trees that may only live between 15 and 40 more years.	Trees that may only live between 5 and 15 more years.	Dead, dying, suppressed or declining trees through disease or inhospitable conditions.	Small trees less than 5 metres (m) in height.
B	Trees that could be made suitable for long-term retention by remedial tree care.	Trees that may live for more than 40 years but would be removed for safety or nuisance reasons.	Trees that may live for more than 15 years but would be removed for safety or nuisance reasons.	Dangerous trees through damage, structural defect, instability or recent toss of adjacent trees.	Young trees less than 1 5 years old but over 5m in height.
C	Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long term retention.	Trees that may live for more than 40 years but should be removed to prevent interference with more suitable individuals or to provide space for new planting.	Trees that may live for more than 15 years but should be removed to prevent interference with more suitable individuals or to provide space for new planting.	Dangerous trees through structural detects including cavities, decay, included bark, wounds or poor form.	Trees that have been regularly pruned to artificially control growth'.
D		Trees that could be made suitable for retention in the medium term by remedial tree care.	Trees that require substantial remedial tree care and are only suitable for retention in the short term.	Damaged trees that are' clearly not safe to retain.	
E				Trees that may live for more than 5 years but should be removed to prevent interference with more suitable individuals or to	

	1 LONG SULE	2 MEDIUM SULE	3 SHORT SULE	4 REMOVALS	5 MOVED OR REPLACED
				provide space for new planting.	
F				Trees that are damaging or may cause damage to existing structures within 5 years.	
G				Trees that will become dangerous after removal of other trees for the reasons given in A) to F).	

Appendix D: Tree Protection Guidelines

The following tree protection guidelines must be implemented during the construction period if no tree specific recommendations are detailed.

Tree Protection Zone Establishment

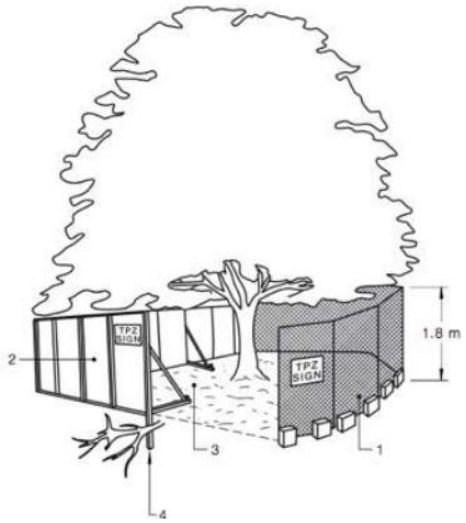
Prior to the introduction of any machinery or materials onto the site, and before initiating any works such as bulk earthworks, fencing should be installed. Once in place, any alterations or removal of protective fencing must receive approval from the project arborist. Access to the TPZ must be restricted by securing it appropriately. The establishment and management of the Tree Protection Zone should adhere to the following guidelines:

1) Specify the trees within and around the subject allotment that are slated for preservation and protection during the development process. This could involve trees on neighboring properties as well as street trees.

2) The Tree Protection Zone radius should align with the calculation specified in the Individual Tree Data and Imagery.

3) Please locate and mark the alignment of protective fencing. This alignment may differ from the actual TPZ radius, taking into account areas where acceptable encroachment is permitted (determined in consultation with the project arborist) and site access needs. Protective fencing is necessary only within the subject allotment, assuming appropriate boundary fencing is already installed.

4) Set up protective fencing as depicted in the accompanying image. Adhere to the relevant fencing requirements outlined in AS 4687 for temporary fencing and hoardings. Additionally, affix shade cloth or a similar material to mitigate the transfer of dust, particulate matter, and liquids into the protected area.



Legend:
1. Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
2. Alternative plywood or wooden palling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3. Mulch installation across surface of TPZ (at the discretion of the Project Arborist). No excavation construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
4. Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

Protection when works within the tree protection zone is required

If the fencing has been reduced from the full TPZ radius to accommodate vehicle or machinery access, it's crucial to implement heavy-duty ground protection and trunk protection. This measure is essential to support the passage of vehicles like excavators, cranes, pier drilling machinery, hydro-excavation trucks, and other necessary equipment.

The heavy-duty ground protection includes:

1) A layer of geotextile fabric on top of the natural ground.

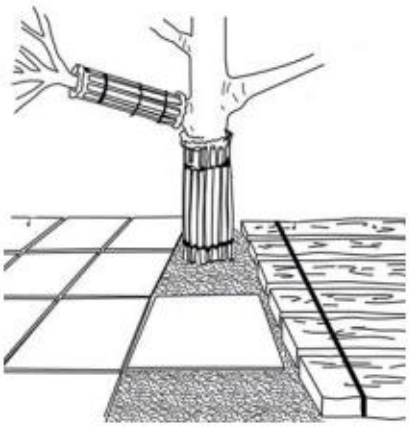
2) Cover the geotextile with a 100mm thick layer of organic mulch.

3) Install ground protection on top of the organic mulch (Bog mat or timber battens)

Trunk protection will include protection to the trunk and branches of trees as shown below. A minimum height of 2m is recommended.

1) Install breathable padding or hessian around the trunk of the tree.

2) Install closely spaced timber battens around the trunk, with the top edge protecting the trunk/bark by the padding/hessian. Secure with strapping

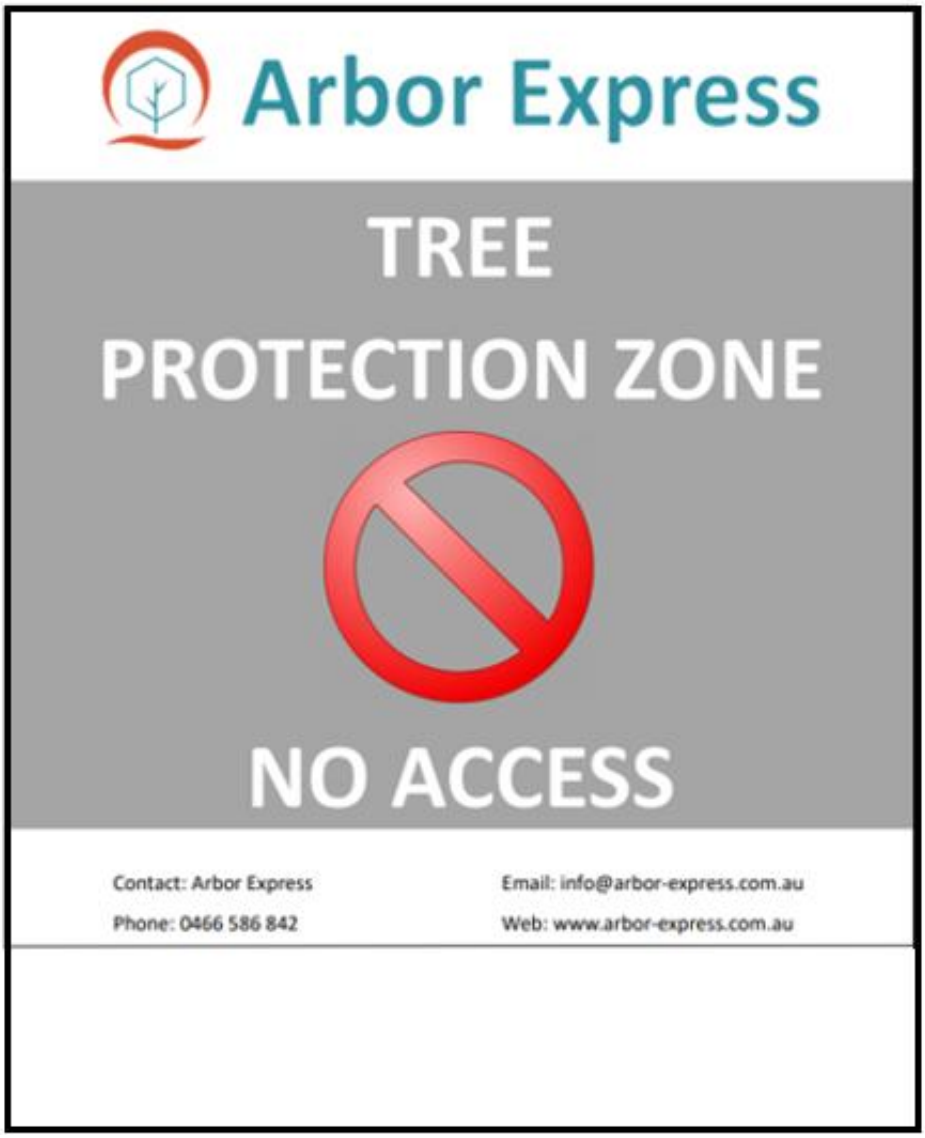


Notes:
1. For trunk and branch protection use boards and padding that will prevent damage to bark. Boards are to be strapped to trees, not nailed or screwed.
2. Rumble boards should be of a suitable thickness to prevent soil compaction and root damage.

Underground Services

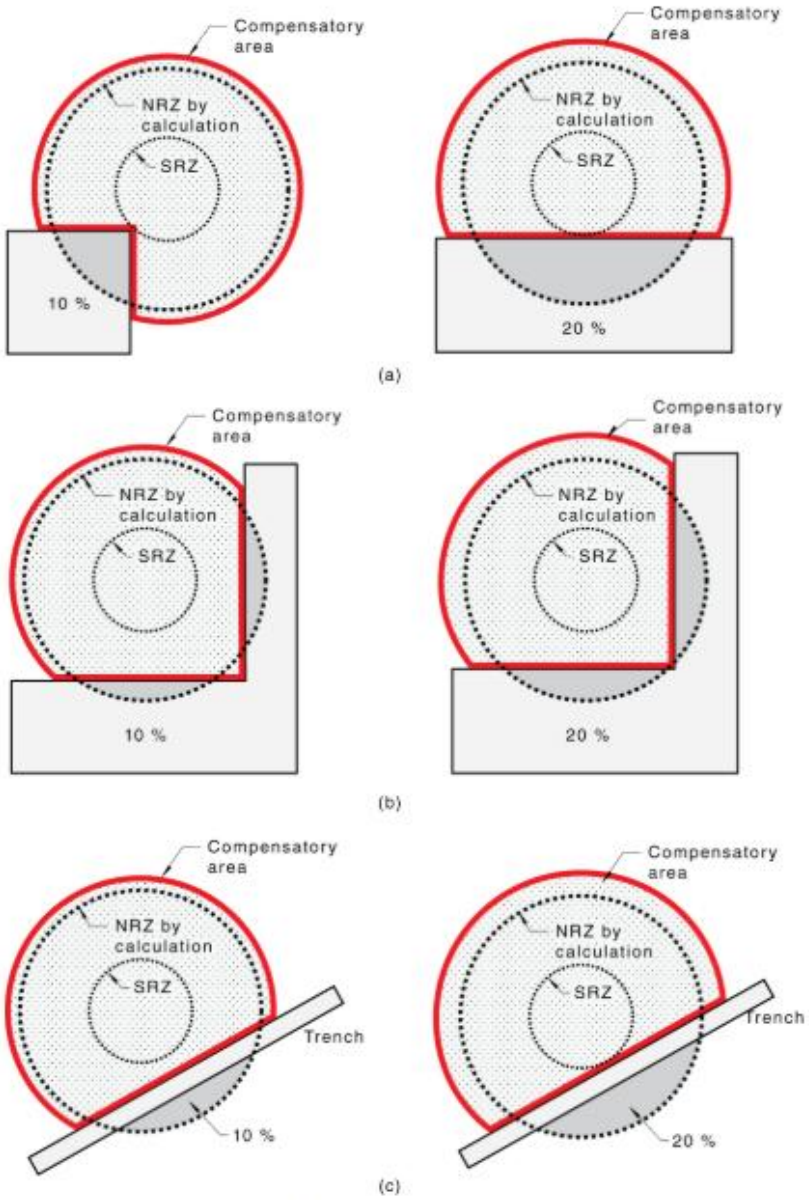
Whenever feasible, route all underground services away from the TPZ. If installing underground services within the TPZ becomes unavoidable, utilize non-intrusive methods such as horizontal directional drilling (HDD), non-destructive excavation (NDE) techniques like hydro-vacuum or Air Spade, or manually excavated trenches. Ensure that horizontal drilling or boring is carried out at a depth of at least 600 mm below grade. It's important to note that trenching for services is classified as "excavation." The project arborist should assess the potential impacts of drilling and bore pits on retained trees.

Example of a Tree Protection Sign



Appendix E: Encroachment into the Tree Protection Zones

Figure 1 — Sample minor and moderate encroachments



NOTE These examples are not to scale and are for illustrative purposes. The proposed encroachment is considered minor if it is less than or equal to 10 % of the area of the NRZ, has not had recent TPZ encroachments and is outside of the SRZ (see Clause 3.4). The proposed encroachment is considered moderate if it is greater than 10 % and less than or equal to 20 % of the area of the NRZ and is outside of the SRZ (see Clause 3.4).

Melbourne Geelong Sydney Brisbane Hobart
E mail@ratio.com.au
ABN 93 983 380 225

21 November 2025

Tony Tang
Director
TT Group Trust
29-33 Ryans Road
CLAYTON SOUTH VIC 3169

Proposed Storage Development
29-33 Ryans Road, Clayton South
Transport Impact Assessment Letter

Dear Tony,

As requested, Ratio Consultants has assessed the car parking and access arrangements of the proposed storage development at 29-33 Ryans Road, Clayton South.

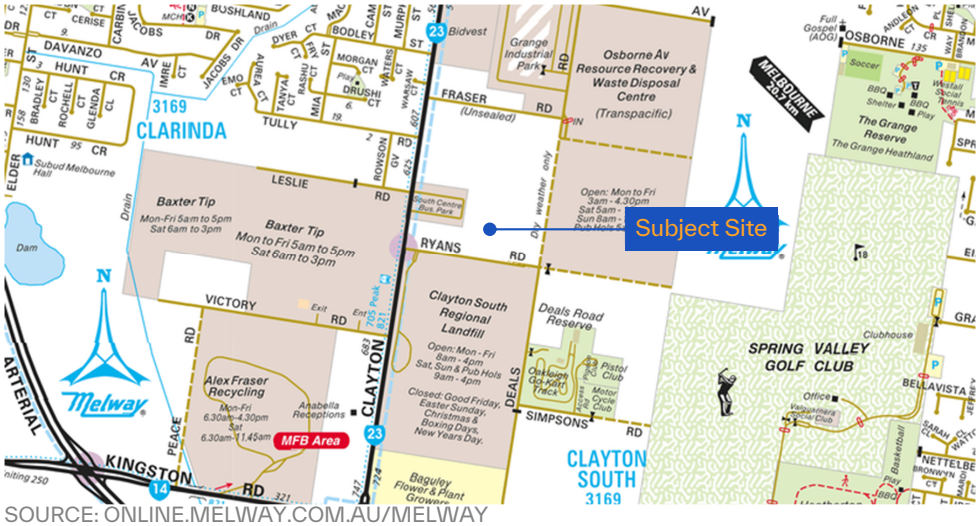
The purpose of this letter is to assess the car parking layout and vehicle access arrangements suitable for submission to Kingston City Council.

1. Existing Conditions

1.1 Site Locality

The site of the proposed development is located on the northern side of Ryans Street, between Clayton Road and Deals Road, in Clayton South. The site's location relative to the surrounding road network is shown in Figure 1.

Figure 1: Site Location



SOURCE: ONLINE.MELWAY.COM.AU/MELWAY

The subject site is irregular in space with frontage to Ryans Road of approximately 246 metres and an overall site area of approximately 44,516 square metres. The site is currently used for storage for various material and shipping containers and features a storage shed structure within the centre of the site. Additionally, Clayton Power Station is located within the southeast portion of the site.

The site is located within an Industrial 1 Zone (IN1Z) and is subject to a Public Acquisition Overlay – PS Map Ref PAO2 (PAO2) and is within an area of Aboriginal Cultural Heritage Sensitivity. Surrounding land use is primarily industrial in nature, with land zoned as Green Wedge A Zone (GWAZ) to the south of the site.

An aerial view of the subject site is shown in Figure 2

Figure 2: Aerial View of the Subject Site



SOURCE: APP.LANDCHECKER.COM.AU (IMAGE CAPTURED 20 AUGUST 2025)

1.2 Road Network

Ryans Road is a municipal Local Road that runs in a north-south alignment between Clayton Road and Deals Road. It has a carriageway width of approximately 10 metres, accommodating two-way vehicle movements.

Ryans Road has a 50km/hr speed limit applicable to built-up areas and constructed footpaths are provided on both sides of the road.

2. The Proposal

The proposal seeks to develop the site for the proposes of a storage development, comprising three warehouse buildings and an ancillary office. More specifically, the development comprises the following:

Table 1: Development Summary

Land Use		
Land Use Classification	**Description**	**Size/No.**
Store	Warehouse/Store	10,608 sqm
	Workshop/Store	942 sqm
	As Built Shed	1,043 sqm
	Office	245 sqm
Transport Infrastructure		
Type	**Description**	**Size/No.**
Vehicle Access	Car	Via Ryans Road [1]
	Truck	
Pedestrian Access	Circulating the site	-
Parking	Car Parking Spaces	60 spaces [2]

[1] Via modifying existing crossover to/from Ryans Road
[2] Comprising 25 parking spaces within a car park located to the east of the main accessway, 4 spaces (including 2 DDA spaces) within a car park to the west of the central accessway, 28 spaces located along the eastern side of the main store building and 3 spaces along the western side of the main store building.

3. Car Parking Assessment

3.1 Clause 52.06-5 Planning Scheme Assessment

Parking requirements for a range of developments are set out under Clause 52.06 of the Kingston Planning Scheme. The purpose of the Clause, among other things, is:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The number of car parking spaces required for the specified uses is listed under Table 1 of Clause 52.06-5. The car parking requirement specified for a use listed in table 1 does not apply if:

— A car parking requirement for the use is specified under another provision of the Planning Scheme: or

— A schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

No Parking Overlay is applicable to the subject site, and the site is located just outside the Principal Public Transport Network (PPTN) area.

Based on information provided by the client, it is understood that the primary function of the development is for the storage of goods. A such, it is considered appropriate for the Town Planning Application to classify the use as a storage facility.

Accordingly, the statutory car parking requirements for the proposed development have been assessed against the Column A rates and are summarised in Table 2.

Table 2: Statutory Car Parking Requirements

Type	Size / Number	Parking Rate	Parking Requirement
Store	12,838 sqm [1]	10% of site area	1283.9 sqm (60 spaces)

[1] Including as-built shed, workshop and ancillary office.

On this basis, the proposed development has a statutory requirement to provide 60 spaces. Given that 60 car parking spaces are proposed, the development meets the statutory requirements and does not seek a parking reduction.

4. Access and Car Parking Layout

4.1 Clause 52.06 Design Standard Assessment

The proposed vehicle access arrangements and car parking layout have been designed in accordance with the objectives and design requirements of Clause 52.06-5 of the Kingston Planning Scheme and/or AS/NZS 2890.1:2004.

An assessment against the relevant standards of Clause 52.06-9 of the Kingston Planning Scheme is provided below.

Design Standard 1 – Accessways

Design Standard 1 of Clause 52.06-9 relates to the design of accessways. The requirements of Design Standard 1 are assessed against the proposal in Table 3.

Table 3: Design Standard 1 Assessment – Accessways

Requirement	Comments
Must be at least 3m wide.	**Satisfied** – Accessways are provided at a minimum width of 5.8 metres.
Have an internal radius of at least 4m at changes of direction or intersection or be at least 4.2m wide.	**Satisfied** – Accessways are provided at a width excess of 4.2 metres.
Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	**Satisfied** – Vehicles are able to exit the last space of the car park in one manoeuvre.

Provide at least 2.1m headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8m.	**Satisfied** – A minimum headroom clearance of 2.1 metres is provided.
If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.	**N/A** – The accessway does not connect to a road in a Transport Zone 2 or Transport Zone 3.
Provide a passing area at the entrance at least 5m wide and 7m long if the accessway serves ten or more car parking spaces and is either more than 50m long or connects to a road in a Transport Zone 2 or Transport Zone 3.	**Satisfied** – The accessway facilitates two-way access.
Have a corner splay or area at least 50% clear of visual obstructions extending at least 2m along the frontage road from the edge of an exit lane and 2.5m along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	**Satisfied** – A pedestrian sight triangle measuring 2.0 metres along the road frontage and extending 2.5 metres has been provided on the exit side of the site access.
If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6m from the road carriageway.	**N/A**– Access to the car parking area is not from a land in a Transport Zone 2 or Transport Zone 3.
If entry to the car space is from a road, the width of the accessway may include the road.	**N/A** – Car parking spaces are not directly accessed from Ryans Road.

Design Standard 2 – Car Parking Spaces

Design Standard 2 of Clause 52.06-9 relates to the design of car parking spaces. The requirements of Design Standard 2 are assessed against the proposal in Table 4.

Table 4: Design Standard 2 Assessment – Car Parking Spaces

Requirement	Comments
Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2 of Design Standard 2	**Satisfied** – All car parking spaces have been provided in accordance with the dimensions outlined in Tabel 2 of Design Standard 2.
A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 of Design Standard 2, other than: – A column, tree, or tree guard, which may project into a space if it is within the area	**Satisfied** – All car parking spaces are provided with clearances in accordance with Diagram 1 of Design Standard 2 in Clause 52.06-9.

marked 'tree or column permitted' on Diagram 1 A structure, which may project into the space if it is at least 2.1m above the space	
Car spaces in garages or carports must be at least 6m long and 3.5m wide for a single space and 5.5m wide for a double space measured inside the garage or carport.	**Satisfied** – No garages or carports are proposed.
Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.	**N/A** – No tandem car parking spaces are proposed.
Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.	**N/A** – No dwellings are proposed.
Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 of Design Standard 2 by 500mm.	**Satisfied** – DDA parking spaces and shared zones have been designed in accordance with AS2890.6-2009 and are provided at a minimum width of 2.4 metres and length of 5.4 metres, 500mm of which is provided in the accessway.

Design Standard 3 – Gradients

Design Standard 3 of Clause 52.06-9 relates to the design of gradients. The requirements of Design Standard 3 are assessed against the proposal in Table 5.

Table 5: Design Standard 3 Assessment – Gradients

Requirement	Comments
Accessway grades must not be steeper than 1:10 (10%) within 5.0m of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.	**Satisfied** –The first 5 metres into the site is provided at a flat grade, satisfying this requirement.
Ramps (except within 5.0m of the frontage) must have the maximum grades as outlined in Table 3 of Design Standard 3 and be designed for vehicles travelling in a forward direction.	**Satisfied** – The proposed ramp gradients are in accordance with the Table 3 of Design Standard 3, with no gradients steeper than 1:16.
Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5%) for a summit grade change, or greater than 1:6.7 (15%) for a sag grade change, the ramp must include a transition section of at least 2.0m to prevent vehicles scraping or bottoming.	**Satisfied** – Appropriate transition sections have been provided to prevent scraping or bottoming.

4.2 Swept Path Assessment

An assessment (refer to Appendix A) of the accessibility to/from the site using the 'Autodesk Vehicle Tracking software has been conducted.

The 26 metre long B-Double vehicle was utilised in the assessment, and it has been demonstrated that the site access arrangements can cater for the nominated design vehicles. The B-Double will be able to enter the site in a forward direction, circulate around the site and egress in a forward direction.

Overall, the proposed site access arrangements and car parking layout have been designed appropriately and in accordance with the requirements of the Kingston Planning Scheme, AS/NZS 2890.6:2009 and the relevant sections of AS/NZS 2890.1:2004.

5. Bicycle Parking Assessment

5.1 Clause 52.34 Planning Scheme Assessment

Statutory requirements for the provision of bicycle parking are set out in Clause 52.34 of the Kingston Planning Scheme, with bicycle parking rates specified in Table 1 to Clause 52.34-5.

Notably, no bicycle parking rate is specified for store uses and therefore this use does not incur a statutory bicycle parking requirement.

While no formal bicycle parking is proposed, there ample space on-site to informally store bicycles associated with any bicycle parking demands.

6. Loading Arrangements

6.1 Statutory Requirement

Clause 65.01 'Decision Guidelines' of the Kingston Planning Scheme outlines the provision of loading requirements, and states the following:

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

— *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts."*

6.2 Loading and Waste Arrangements

Loading Arrangements

An assessment of key loading bays has been conducted for access of a 19 metre articulated vehicle using the 'Autodesk Vehicle Tracking' software, as displayed in Appendix A. The assessment displays that the articulated vehicle is able to adequately ingress and egress the site and the loading bays and parking spaces in a satisfactory manner.

In addition, an assessment has been conducted of the access to/from the site and internal circulation has been conducted for a 26 metre long B-Double vehicle.

The swept path assessment demonstrates that the vehicle is able to enter and exit the site in a forward direction and circulate the site in a satisfactory manner.

Waste Collection

It is understood that waste collection is proposed to be undertaken on site by a private waste collection service.

7. Traffic Assessment

7.1 Traffic Generation

The Transport for NSW Guide to Transport Impact Assessment outlines traffic generation rates for large format warehousing uses, which typically covers warehousing, storage, distribution and logistics activities accommodated in tenancies greater that 5,000 sqm of Gross Floor Area (GFA).

The guide suggests that for warehouses between 10,000 and 100,000 sqm, traffic is generated at a rate of 0.26 vehicle movements per 100 sqm of GFA in the site AM peak hour and of 0.23 vehicle movements per 100 sqm of GFA in the site PM peak hour.

Application of these rates to the overall floor area of 12,838 sqm equates to 33 vehicle movement in the AM peak hour and 30 vehicle movements in the PM peak hour.

7.2 Traffic Impacts

The proposed development is expected to generate up to 33 vehicle movements in the AM peak hour and 30 vehicle movements in the PM peak hour. This equates to approximately of 1 vehicle movement every 2 minutes, on average. This is a relatively modest level traffic in traffic engineering terms and, given the arterial nature of the adjacent road, is expected to be reasonably dissipated to Ryans Road and the surrounding road network without adverse impact to their operation or performance.

8. Conclusion

The proposal seeks to develop the site for the proposes of a storage development comprising a total floor area of 12,838 sqm. Based on the preceding assessment, the development is considered appropriate in terms of traffic and transport matters for the following reasons:

- The development proposes to provide a total of 60 car parking spaces on-site, meeting the statutory requirements of Clause 52.06 of the Kingston Planning Scheme.
- The proposed car parking layout and site access arrangements have been designed in general accordance with the dimensional requirements of Clause 52.06 of the Kingston Planning Scheme and the relevant sections of AS/NZS 2890.1:2004.
- The swept path assessment demonstrates that vehicular access arrangements to/from the site have been suitably designed and will be able to cater for the nominated largest vehicle expected to service the subject site.
- No on-site bicycle parking is statutorily required by the proposed development.
- The proposal is anticipated to generate in up to 33 vehicle movements during the AM and PM peak hours. This modest level of traffic is anticipated to have negligible impact to the existing operation of Ryans Road and the wider road network.

Overall, the proposed development is not expected to create adverse traffic of parking impacts in the precinct.

If you have any further queries, please feel free to contact the undersigned on 9429 3111.

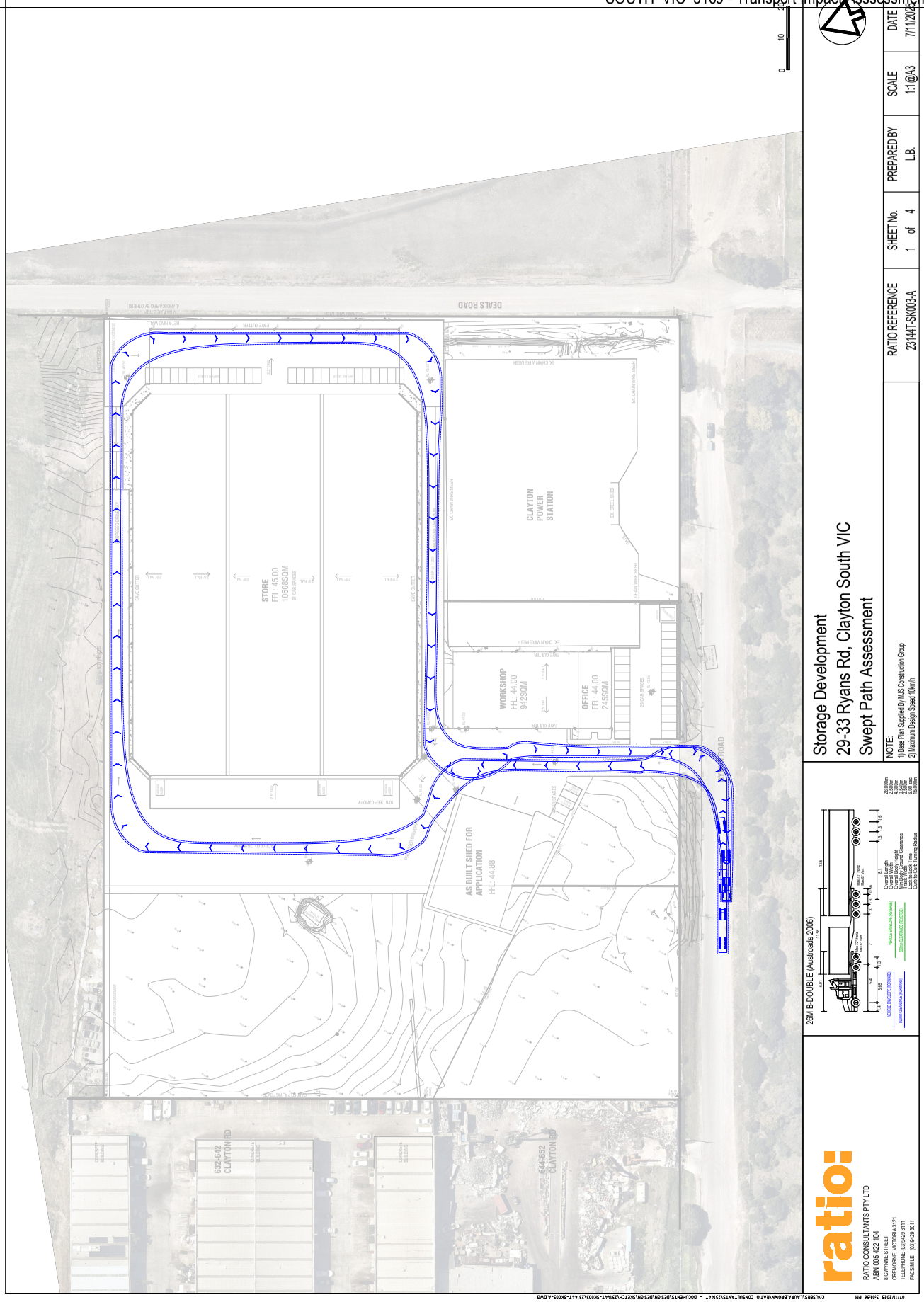
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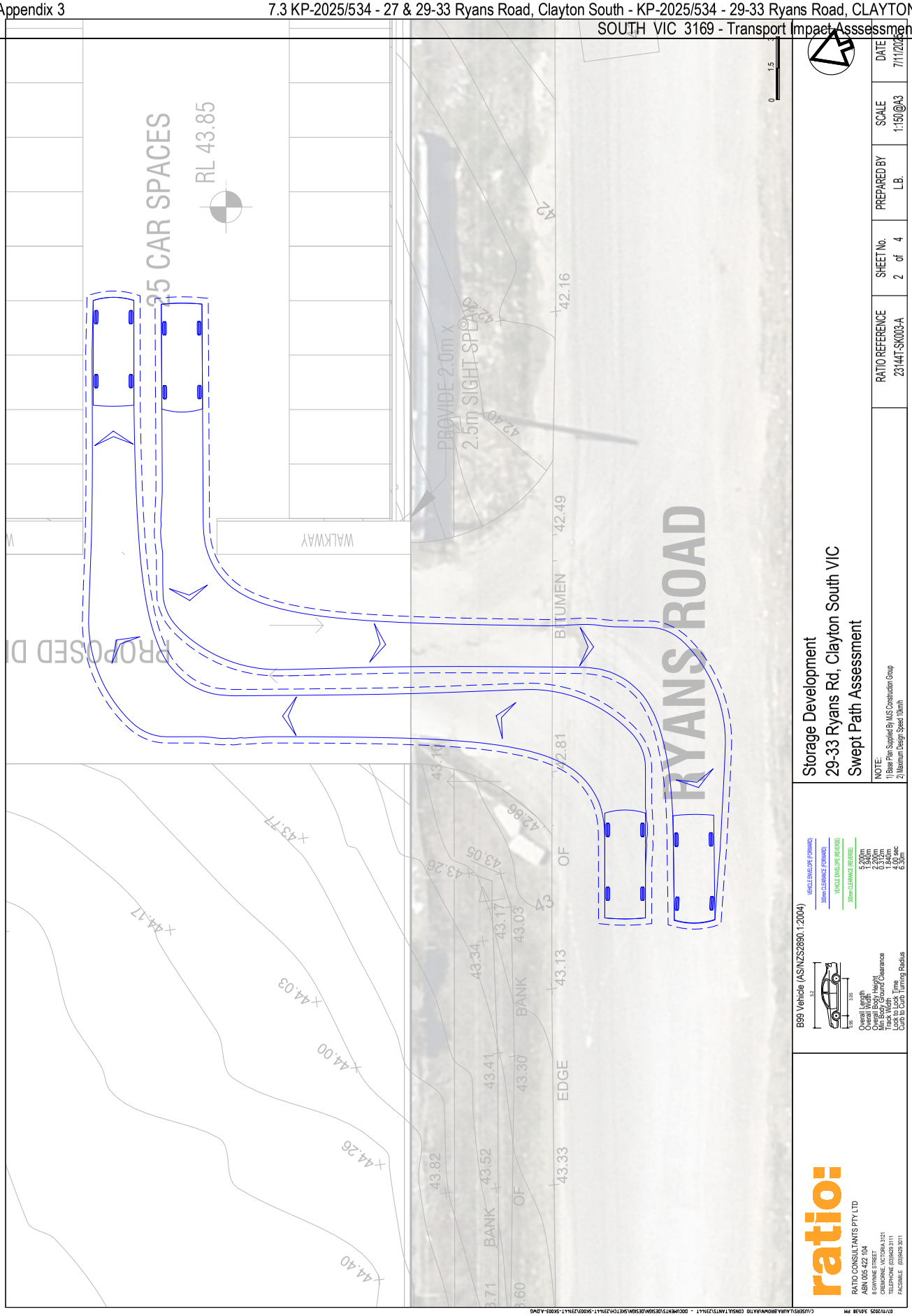
Yours Sincerely,

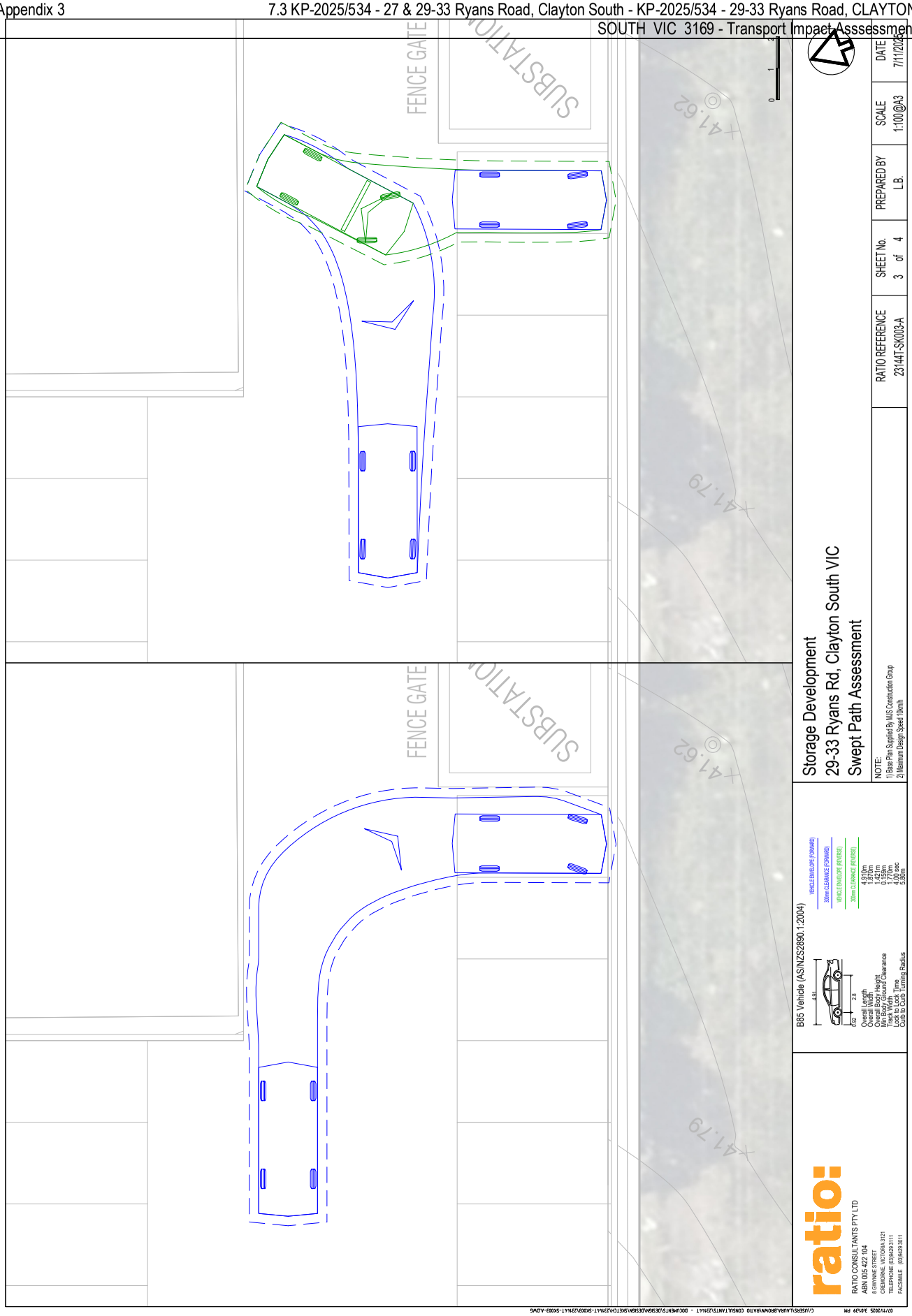


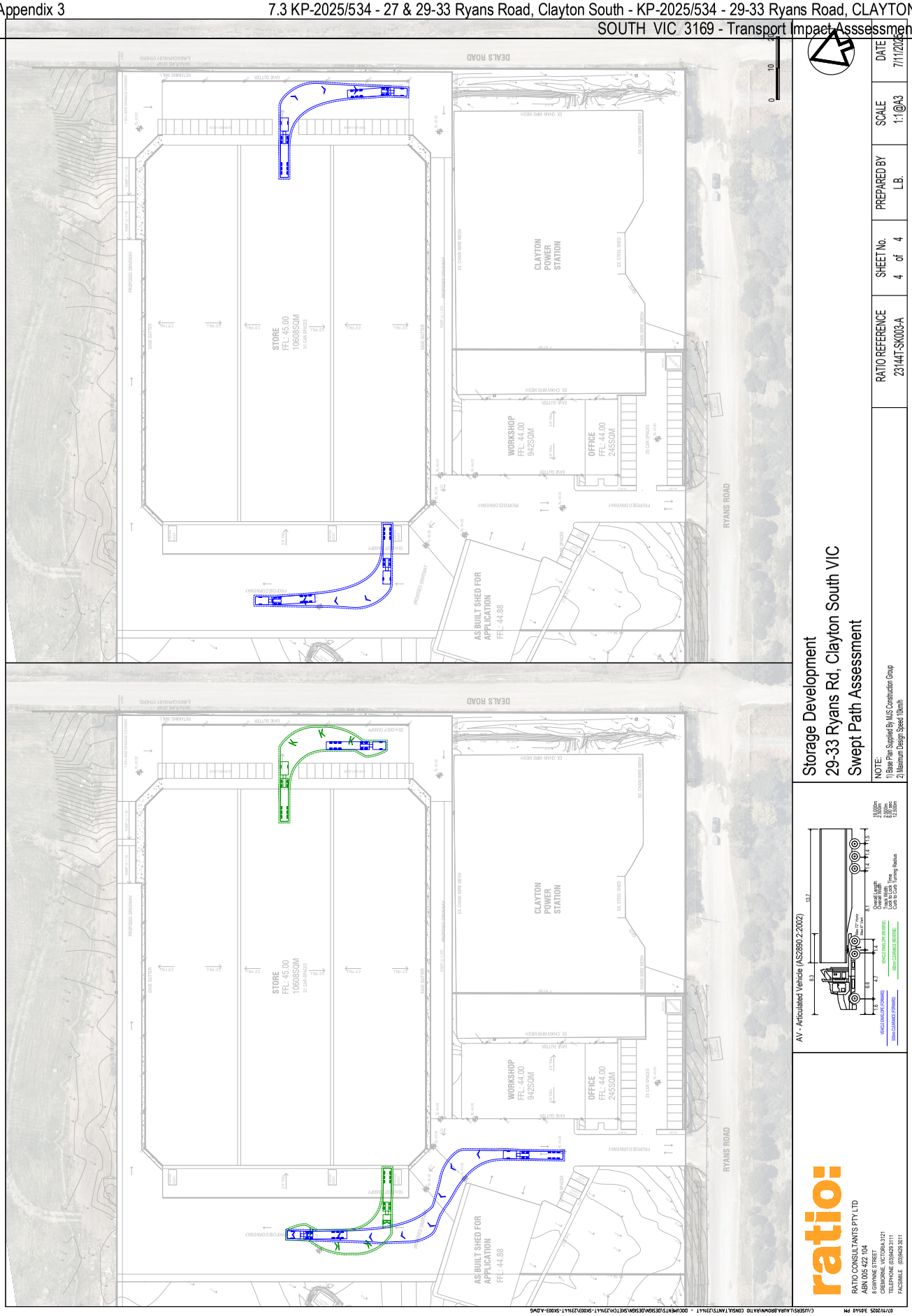
Chris Greenland
Director: Traffic

Appendix A Swept Path Assessment


DEALS ROAD
CLAYTON POWER STATION
STORE
FFL: 45.00
10608SQM
WORKSHOP
FFL: 44.00
942SQM
OFFICE
FFL: 44.00
245SQM
AS BUILT SHED FOR APPLICATION
FFL: 44.88
632-642 CLAYTON RD
644-652 CLAYTON RD
Storage Development
29-33 Ryans Rd, Clayton South VIC
Swept Path Assessment
26M B-DOUBLE (Austroads 2006)
NOTE:
1) Base Plan Supplied By MJS Construction Group
2) Maximum Design Speed 10km/h
RATIO REFERENCE
231441-SK003-A
SHEET No.
1 of 4
PREPARED BY
L.B.
SCALE
1:1@A3
DATE
7/11/2025
ratio:
RATIO CONSULTANTS PTY LTD
ABN 005 422 104
8 GWYNNE STREET
CREMORNE, VICTORIA 3121
TELEPHONE (03)9429 3111
FACSIMILE (03)9429 3011


25 CAR SPACES
RL 43.85
PROVIDE 2.0m x 2.5m SIGHT SPLAYS
WALKWAY
RYANS ROAD
BITUMEN
EDGE
BANK
OF
42.16
42.49
42.81
42.86
43.05
43.26
43.17
43.03
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43.41
43.34
43.52
43.82
43.33
43.71
43.60
43.77
44.17
44.03
44.00
44.26
44.40
Storage Development
29-33 Ryans Rd, Clayton South VIC
Swept Path Assessment
NOTE:
1) Base Plan Supplied By: MJS Construction Group
2) Maximum Design Speed 10km/h
RATIO REFERENCE
23144T-SK003-A
SHEET No.
2 of 4
PREPARED BY
L.B.
SCALE
1:150@A3
DATE
7/11/2025
B99 Vehicle (AS/NZS2890.1:2004)
Overall Length 5.20m
Overall Width 2.02m
Overall Body Height 2.200m
Min Body Ground Clearance 0.142m
Track Width 1.840m
Lock to Lock Time 4.00 sec
Curb to Curb Turning Radius 6.30m
VEHICLE ENVELOPE (FORWARD)
300mm CLEARANCE (FORWARD)
VEHICLE ENVELOPE (REVERSE)
300mm CLEARANCE (REVERSE)
ratio:
RATIO CONSULTANTS PTY LTD
ABN 005 422 104
8 GWYNNE STREET
CREMORNE, VICTORIA 3121
TELEPHONE (03)9429 3111
FACSIMILE (03)9429 3011
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SUBSTATION
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SUBSTATION
Storage Development
29-33 Ryans Rd, Clayton South VIC
Swept Path Assessment
B85 Vehicle (AS/NZS2890.1:2004)
RATIO CONSULTANTS PTY LTD
ABN 005 422 104
8 GWYNNE STREET
CREMORNE, VICTORIA 3121
TELEPHONE (03)9429 3111
FACSIMILE (03)9429 3011
RATIO REFERENCE
231447-SK003-A
SHEET No.
3 of 4
PREPARED BY
L.B.
SCALE
1:100@A3
DATE
7/11/2025
NOTE:
1) Base Plan Supplied By: MJS Construction Group
2) Maximum Design Speed 10km/h


DEALS ROAD
RYANS ROAD
CLAYTON POWER STATION
STORE
FFL: 45.00
10608SQM
31 CAR SPACES
WORKSHOP
FFL: 44.00
942SQM
OFFICE
FFL: 44.00
245SQM
25 CAR SPACES
AS BUILT SHED FOR APPLICATION
FFL: 44.88
PROPOSED DRIVEWAY
EX. CHAIN WIRE MESH
EX. STEEL SHED
EAVE GUTTER
RETAINING WALL
0
10
20
AV - Articulated Vehicle (AS2890.2:2002)
Storage Development
29-33 Ryans Rd, Clayton South VIC
Swept Path Assessment
NOTE:
1) Base Plan Supplied By MJS Construction Group
2) Maximum Design Speed 10km/h
RATIO REFERENCE
23144T-SK003-A
SHEET No.
4 of 4
PREPARED BY
L.B.
SCALE
1:1@A3
DATE
7/11/2025
ratio:
RATIO CONSULTANTS PTY LTD
ABN 005 422 104
8 GWYNNE STREET
CREMORNE, VICTORIA 3121
TELEPHONE (03)9429 3111
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Ordinary Council Meeting

28 September 2026

Agenda Item No: 7.4

PROPOSED PLANNING SCHEME AMENDMENT C233KING - UPDATE TO THE SCHEDULE TO CLAUSE 53.01

Contact Officer: Tanya Sokolowski, Principal Strategic Planner

Purpose of Report

This report seeks Council's endorsement to commence Planning Scheme Amendment C233king. The amendment proposes to update the Schedule to Clause 53.01 of the Kingston Planning Scheme to require an 8% open space contribution from the State Government led redevelopment of the Integrated Development Opportunity sites in Mentone and Cheltenham activity centres. The amendment also proposes a minor mapping change to address a zoning anomaly in Cheltenham relating to VicTrack land.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Seek authorisation from the Minister for Planning to prepare Amendment C233king to the Kingston Planning Scheme, subject to changes required by the Department of Transport and Planning.
2. Undertake notification of Amendment C233king in accordance with conditions provided by the Department of Transport and Planning.

1. Executive Summary

Planning Scheme Amendment C233king is proposed to address drafting issues in the Schedule to Clause 53.01 to require that four sites in the Mentone and Cheltenham activity centres are subject to an 8% open space contribution.

The State Government approved Amendment GC264 earlier this year, which rezoned land currently owned by VicTrack. Three land parcels in Cheltenham and one parcel in Mentone were rezoned to the Special Use Zone (**SUZ6**) and now have a Specific Control Overlay (**SCO18**). The overlay applies an Incorporated Document and master plan to guide future residential and commercial redevelopment of the sites ranging in height from 6 to 8 storeys.

The Schedule to Clause 53.01 of the Kingston Planning Scheme sets out the rates of open space contribution required in different areas of the municipality. In each of the Cheltenham and Mentone activity centres, an 8% contribution is levied, however the wording of the Schedule includes the following:

All land within the Moorabbin, Cheltenham and Mentone Activity Centres as defined by the Activity Centre Zone.

Noting that the VicTrack owned sites are zoned SUZ6, the above wording excludes the new Integrated Development Opportunity (IDO) sites, despite this land being located in the activity centre and capable of being developed with a scale of development commensurate with (or greater than) the adjacent and surrounding land in the Activity Centre Zone.

Amendment C233king proposes to include the SUZ6 within the wording of the schedule to ensure the four sites are captured and subject to an 8% contribution if they are subdivided.

It is also recommended that a zoning anomaly be addressed by Amendment C233king for land in Cheltenham which is erroneously located within the Commercial 1 Zone. This land forms part of Railway Walk and sits between two of the IDO sites that were rezoned to SUZ6. It's proposed the Commercial 1 Zone be amended to the Transport Zone for consistency with the zoning of land that primarily forms Railway Walk and is owned by VicTrack.

Actioning Council's August 24 resolution will take some time with the ultimate outcome unknown. If Council was ultimately unable to secure the purchase or long-term lease of the site from State Government, the current planning controls would not require an 8% open space contribution.

Noting Council's resolved and primary objective to purchase the site or obtain a long-term lease, it is still considered strategically appropriate that proposed Amendment C233king proceed. This will assist in futureproofing Council's position to ensure that if Council is unable to acquire the site, the opportunity to require an 8% open space contribution from subdivision is not lost.

Reforms to the *Planning and Environment Act* 1987 and Regulations, may mean the amendment will be required to go through a Planning Panel process to consider the merits of the amendment and any submissions referred to the Panel. Draft regulations have categorised amendments that seek to increase a financial or land contribution requirement as a 'high impact' amendment which will automatically be referred to a Panel. It is understood proclamation of the updated regulations will occur in October, this will confirm the impact category of the amendment, however there is a reasonable level of confidence it will remain in the 'high impact' category. This aspect of the process will need to be considered in terms of additional costs and timing.

2. Background

The Schedule to Clause 53.01 of the Kingston Planning Scheme which specifies the public open space contribution associated with the subdivision of land directs the percentage of required open space contribution(s) across different land areas in the municipality. In the instances of Cheltenham and Mentone Activity Centres where the subject land is in question, it is linked to the zoning of the land (eg. Activity Centre Zone). The table below is a direct extract from the Kingston Planning Scheme:

SCHEDULE
31/07/2018
VC148

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0
01/07/2026
GC246

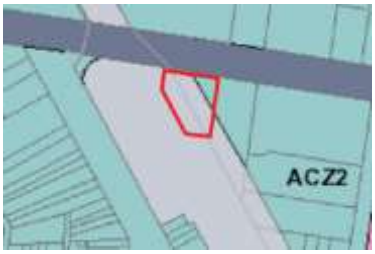
Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
All land within the Mordialloc Activity Centre as defined in Clause 11.03-1L-03 of the Local Planning Policy Framework.	8%
All land within the Moorabbin, Cheltenham and Mentone Activity Centres as defined by the Activity Centre Zone.	8%
All land shown as Open Space Contribution Area on Map 1.	8%
Strategic Redevelopment Sites where: • there is a rezoning of non residential land to residential land for intensive residential development; and the rezoning would create a new community within the redevelopment site (nominally 200 dwellings or more).	At least 8%
1136-1138 Nepean Highway, Highett (Former Highett Gasworks)	11.6%
All other land within the municipality	5%

As is highlighted above the Activity Centre Zone requires an 8% contribution whilst 'All other and within the municipality' requires 5%. Prior to the IDO sites being rezoned to Special Use Zone, they were either entirely or in large part outside the Activity Centre Zone although the land in question is very much within the Mentone and Cheltenham activity centres.

Outlined below are the mix of different zones that applied to the sites prior to the approval of Amendment GC264 in January this year.

In Mentone the site was partly within the Activity Centre Zone and partly within the Transport Zone:



In Cheltenham the three sites were either wholly or partly in the Transport Zone, or part Commercial 1 Zone or part Activity Centre Zone:



Draft Amendment GC264 was prepared by the Minister for Planning, at the request of Hallmarc Developments Pty Ltd. The draft amendment proposed several changes to the Kingston Planning Scheme, including:

- rezoning the four sites to the SUZ6
- applying the SCO18, with an associated incorporated document and master plan for each centre
- correcting mapping in Cheltenham to reflect a change to the municipal boundary that occurred in 2023 – incorporating two of the IDO sites that are located over the rail trench to be wholly within the Kingston municipal boundary.

Community consultation was undertaken on the draft amendment in June 2025.

Council received an officer prepared submission on 28 July 2025, responding to consultation on draft Amendment GC264. Council resolved to:

1. *Endorse and provide the submission in Appendix 1 to the Department of Transport and Planning in response to draft Planning Scheme Amendment GC264.*
2. *Write to the State Government and request that the component of Planning Scheme Amendment GC264 relating to the Mentone IDO site be removed from the Amendment to provide for the land to be used as Public Open Space.*
3. *Indicate in the letter to the State Government that if it is not prepared to designate the Mentone IDO site as Public Open Space, it refer the site to the Victorian Planning Authority for consideration in the Mentone Activity Centre Planning work scheduled to commence later this year, so its future role can be considered in a broader strategic context.*

Amendment GC264 was implemented into the Kingston Planning Scheme on 13 January this year, with relatively minor changes to the final form of planning controls. The Minister for Planning is now the responsible authority for:

- planning applications required to use the land pursuant to the SUZ6.
- administering Clause 45.12 (Specific Control Overlay) in respect of the relevant incorporated documents.

Council remains the responsible authority for:

- subdivision of the land.
- enforcement of the incorporated documents.
- matters under Division 2 of Part 9 of the Planning and Environment Act 1987 (agreements).

The current rates of open space contributions were implemented via Amendment C153, in April 2018. The amendment was informed by work undertaken by SGS Economics and Planning who had been appointed by Council to prepare a Public Open Space Contributions Review. The Review identified the forecast growth in major activity centres including Cheltenham and Mentone and open space provision requirements for these centres. The Review noted these centres would experience ‘transformational change’ which warranted the higher contribution of 8%, compared to other areas where a 5% contribution is levied. At the time of the Review, both Cheltenham and Mentone were forecast to likely have a shortfall in required open space by 2036.

SGS have prepared the correspondence in Appendix 1 to underpin Amendment C233king, to confirm their original work intended to apply to land within the boundaries of the activity centre where higher density development is facilitated.

Council's resolution on 24 August 2026 has also been considered. In response to Notice of Motion 17/2026, Council resolved to:

1. *Make an in-principle offer/conditional to the State Government to either purchase the subject land (subject to valuation and other such due diligence) or work with the State Government to obtain a long-term lease (minimum 25 years) over the land to provide for an appropriate community use(s) that incorporate public open space (noting the final point of this motion);*
2. *Write to the Member for Sandringham, Mr Brad Rowswell, and the Member for Southern Metropolitan, Mr Ryan Batchelor to:*
    a. *Ensure that the State Government do not sell the land included in Schedule 6 to the Special Use Zone through Planning Scheme Amendment GC264, also known as part of 79 Balcombe Road, Mentone;*
    b. *Advise of this resolution; and request a further meeting;*
3. *Instruct the Chief Executive Officer or delegate (on the basis the land has not been sold by the State Government) to obtain valuations of the subject land based on:*
    a. *Previous Transport Zone;*
    b. *Schedule 6 to the Special Use Zone;*
4. *Receive a report (on the basis the land has not been sold by the State Government) that outlines:*
    a. *The status of the subject land following the discussions with the Members of Parliament and the State Department of Transport and Planning, or relevant Government Departments/Agencies;*
    b. *The valuations advice obtained;*
    c. *The funds currently available and projected in relevant Council Reserves to determine how these funds could be utilised to provide for the purchase or long-term lease (minimum 25 years) of the subject land;*
    d. *Any other matters deemed relevant relating to the subject land, relevant to its potential future use;*
    e. *The process Council would resolve to follow to either purchase or pursue a long-term lease over the subject land;*
    f. *Any community groups that may be interested in activating the land and that nature of that activation. Eg Community garden etc;*
    g. *That this advice be provided to the first available Council Meeting where appropriate, noting that time is of the essence.*
5. *Confirms that any future formal unconditional offer, or monetary offer or agreement will be subject to Council consideration of an officer report.*

While the above processes are worked through, the amendment should proceed to ensure that the opportunity to require an 8% open space contribution is not lost if Council is ultimately unable to acquire the site or secure a long-term lease.

3. Discussion

3.1 Open space needs in Mentone and Cheltenham

SGS Economics and Planning was engaged by Council to undertake a Public Open Space Contributions Review in 2017 which examined open space provision throughout Kingston. The Review identified existing and forecast shortfalls of open space in both

Mentone and Cheltenham, based on projected population and dwelling growth current at the time. Since then, State Government projects for the Suburban Rail Loop (SRL) and Mentone Activity Centre Program have facilitated increases in dwelling capacity through new planning controls. Precinct planning for SRL East has amended residential zoning to land on the northern boundary of the Cheltenham activity centre and increased dwelling heights have been facilitated within the Mentone activity centre and its walkable catchment. This places greater importance on ensuring new developments are providing contributions that are commensurate with the demand they will generate for more open space in and around these centres.

The Review concluded the types of development enabled in the Cheltenham and Mentone activity centres was 'transformational' in nature, and warranted a higher 8% open space contribution rate, compared to other areas of the municipality where a 5% contribution was deemed appropriate. A letter of advice from SGS has been prepared to underpin the rationale for this proposed amendment which is in Appendix 1. The letter confirms the intention of their original work was to ensure the type of development now enabled for the IDO sites did contribute the higher rate.

It's recommended the wording in the Schedule to Clause 53.01 is amended to capture the IDO sites in Cheltenham and Mentone by requiring an 8% contribution for:

All land within the Moorabbin, Cheltenham and Mentone Activity Centres as defined by the Activity Centre Zone ***or Special Use Zone Schedule 6.***

3.2 High impact planning scheme amendments

Recent reforms to Planning Scheme Amendments will likely mean this amendment will be classified in a 'high impact' category. This will automatically require referral to a Planning Panel regardless of any submissions received during exhibition of the amendment. Consultation recently undertaken by the State Government on proposed new regulations that classify the different impact pathways for amendments would place this amendment in the high impact category because it seeks to increase a financial contribution requirement already applicable to the land.

Given the relatively confined nature of the amendment, there may be scope for the Panel to consider any submissions received and the merits of the proposal 'on the papers' and not require a face-to-face hearing. This will be dependent on a determination of the Panel. This aspect of the amendment has consequences in terms of additional costs and time, with a potential high degree of variability in cost depending on submissions received and whether any major issues of policy are raised. In a high cost scenario where a Panel hearing required Council to engage representation and experts this could come at a cost of approximately $150,000.

Given the significant development opportunities that have been enabled by Amendment GC264 for the four IDO sites, certainty is required to ensure this development makes a financial contribution commensurate to the scale of `development and open space need that will be generated. This is particularly important within the broader context of the intensification of development that has been enabled by the Activity Centre Program in Mentone, Suburban Rail Loop precinct planning in Cheltenham, and growing pressure on the provision of public open space.

3.3 Timing of the amendment and consequences for potential delays

In addition to the type of impact amendment category, the pending State Government election, and uncertainty of the results of the election, may result in delays at the Department of Transport and Planning in considering proposed planning scheme amendments. Depending on the timing of redevelopment of the IDO sites, the

opportunity to apply an 8% contribution rate may be missed (if the sites are subdivided).

Another existing category in the Schedule to Clause 53.01 where it might be argued a large development should be levied 8% is if it is considered to fall within the following:

Strategic redevelopment sites where:

- *There is a rezoning of non residential land to residential land for intensive residential development; and*

The rezoning would create a new community within the redevelopment site (nominally 200 dwellings or more).

Plans for redevelopment of the Mentone IDO site proposes 53 dwellings and would likely be difficult to argue the above applies.

The category would also be open to interpretation and potential contention regarding the previous mix of zones that applied to the sites before Amendment GC264, particularly for the one site in Cheltenham that was part Commercial 1 Zone and part Activity Centre Zone. Both of these zones enable residential development.

This category in the Schedule could be a fall back option if a subdivision application were received prior to the finalisation of the amendment or if the amendment is not approved by the Minister for Planning. It would potentially be subject to appeal, if a planning permit applicant disagrees with Council's interpretation of the Schedule, and an outcome at the Tribunal is not certain.

3.4 Open space contributions required on subdivision

It is not known what delivery model is intended for the IDO sites, however if the sites are developed for affordable housing or build to rent residential buildings, they may not be subdivided. The open space contribution is only levied if a building is subdivided. This should not be determinative of a decision whether to pursue a change to the planning scheme, particularly given the ability for buildings to be converted from affordable or build to rent housing at a later time and subdivided. There are recent examples of affordable housing approvals that have had limits in their use to ten years before being able to be converted to standard market rate housing.

The principle of requiring contributions commensurate with the demand generated by a development should be the primary consideration.

3.5 Proposed rezoning of Commercial 1 Zone land in Cheltenham

A zoning anomaly exists in Cheltenham for land that forms part of Railway Walk, sited between two of the IDO parcels. This appears to be a legacy anomaly that has applied to railway land for some time and was not addressed by Amendment GC264.

The land is zoned Commercial 1 Zone (C1Z), whilst the majority of Railway Walk is within a Transport Zone. This dual zoning of VicTrack land should be amended to ensure consistency with the land that forms Railway Walk and its ownership and is considered appropriate that it be rezoned to Transport Zone 1 (TRZ1).

4. Consultation

4.1 Internal Consultation:

Internal consultation has not been required. It is noted the proposed amendment seeks to implement the intended outcomes of Council's Open Space Review which was supported by internal teams who deliver public open space at the time it was undertaken.

4.2 Community Consultation:

The amendment will be required to be formally exhibited and comply with new legislative and regulation requirements for planning scheme amendments, while the new regulations have not yet commenced it is anticipated they will impact the amendment. DTP will need to assess the amendment once its lodged and advise if further information is required regarding community consultation. Given the amendment primarily affects the interests of the current landowner and potential land developer, the scope of engagement required will likely be confined to these two stakeholders.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Liveable and Sustainable - We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused

Strategy: Provide infrastructure and public spaces that enhance liveability, accessibility and are well-maintained now and into the future

The planning scheme amendment is proposed to ensure appropriate contributions are made to fund the provision of public open space.

5.2 Governance Principles Alignment

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

Principle (g) - the ongoing financial viability of the Council is to be ensured.

The proposed amendment seeks to apply a rate of public open space contributions commensurate to the need generated by future residents of the four redeveloped sites. There is currently pressure on existing public open space, with forecast growth in population increasing demand for open space, its important opportunities to require appropriate contributions are not missed.

5.3 Financial Considerations

Budget

Costs associated with this amendment will be dependent on the nature of submissions received and the Panel process. If the amendment progresses, a higher cost scenario could be in the order of approximately $150,000, based on engagement of representation and one expert. A further Council resolution would be required should the matter ultimately progress to a Planning Panel.

Staff Resources

The relatively confined nature of the amendment means that it can be accommodated within existing staff resources.

5.4 Risk considerations

If the Schedule to Clause 53.01 is not amended, Council may only be able to require a 5% open space contribution from the redevelopment and subdivision of the IDO sites. This level of contribution is less than what is required to meet the open space needs of a growing population in these centres, which are currently under pressure.

Appendices

Appendix 1 - SGS letter of advice (Ref 26/248878)

Author/s:	Tanya Sokolowski, Principal Strategic Planner
Reviewed and Approved By:	Amber Swales, Strategic Planner
	Tara Bell, Team Leader Urban Design & Place
	Jonathan Guttmann, General Manager Planning and Place

7.4

PROPOSED PLANNING SCHEME AMENDMENT C233KING - UPDATE TO THE SCHEDULE TO CLAUSE 53.01

1 SGS letter of advice..... 235

August 24, 2026
Tanya Sokolowski
Principal Strategic Planner
City Strategy
City of Kingston
tanya.sokolowski@kingston.vic.gov.au

Dear Tanya,

Kingston City Council – open space contributions amendment

Thank you for your instructions to provide advice on the appropriate treatment of four sites in Cheltenham and Mentone with respect to open space contributions.

Background

Four residual areas of land arising from level crossing removals at Cheltenham and Mentone have been enabled for mixed use development of up to eight storeys via Amendment GC264 to the Kingston Planning Scheme. This was gazetted earlier this year.

While these sites are embedded within the Cheltenham and Mentone Activity Centres, they do not share the same zoning. Rather, they are covered by a Special Use Zone (Schedule 6). This applies a Specific Control Overlay and Incorporated Documents which envisage relatively dense, mainly residential, development.

The City of Kingston levies public open space contributions under Clause 53.01 of the Planning Scheme. The schedule to Cl 53.01 identifies an 8% contribution requirement (land or equivalent value) in particular Activity Centre Zones, and 5% outside these areas. Special redevelopment areas, potentially undergoing rezoning to higher density housing, are also cited in the schedule to Cl 53.01 as requiring contributions of at least 8%.

Issue

Council wants the four SUZ sites in Cheltenham and Mentone to be treated the same as surrounding ACZ land with respect to public open space contributions. It proposes to seek an amendment to Cl 53.01 to state that an 8% public open space requirement will apply to….

> *All land within the Moorabbin, Cheltenham and Mentone Activity Centres as defined by the Activity Centre Zone* ***or Special Use Zone Schedule 6****.*

SGS's view

A report completed by SGS for Council in 2017 ultimately formed the strategic justification for the current provisions of Cl 53.01.

Our report argued that areas undergoing transformational change, such as the activity centres which had been flagged in policy as hosting substantial housing development going forward, should have public open space contribution geared to a preferred square metres per capita provision rate.

Outside these areas, the contribution rate could be linked to the cost of delivering a planned set of open space acquisition and enhancement projects.

Application of this logic led to recommendations for an 8% contribution rate in transformation areas and 5% elsewhere. Our report noted pure application of a standards-based approach would have justified a higher contribution rate than 8% in areas undergoing substantial redevelopment at relatively high densities. However, 8% was seen to be at the upper end of evident practice across the metropolitan area at the time.

In our view, were the logic developed in SGS's 2017 report to be applied to the sites enabled for development via GC264, they would clearly be seen to be part of their respective activity centres. As such, they would be subject to the same 8% contribution rate.

Council's proposed amendment to Clause 53.01 is therefore correcting an obvious anomaly. It is addressing an evident technical flaw in the drafting of the GC264 provisions.

We also note in passing that while SGS's method for calculating public open space contributions continues to apply many of the concepts articulated in our 2017 report for Kingston Council, it has evolved. SGS now applies a further concept which treats a municipality as one community with one open space system. Application of the current version of SGS's method would likely see a justifiable contribution rate of significantly more than 8% on the GC264 sites and all other development sites in the City.

Yours sincerely,



Dr Marcus Spiller
Principal & Partner
SGS Economics & Planning Pty Ltd
Canberra, Hobart, Melbourne, Sydney

8. Community Strengthening Reports

Ordinary Council Meeting

28 September 2026

Agenda Item No: 8.1

RESPONSE TO RESOLUTION - NOTICE OF MOTION 2/2025 - COMMUNICATION BOARD TRIAL FOR COMMUNITY SPACES

Contact Officer: **Christian Hamlyn, Community Diversity & Inclusion Officer**
Emma Bruce, Team Leader Diversity and Inclusion

Purpose of Report

The purpose of this report is to present the outcomes of the Communication Board trial at Peter Scullin Reserve and Bicentennial Park.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the findings of the evaluation of the Communication Boards installed at Peter Scullin Reserve and Bicentennial Park.
2. Support the retention of the existing Communication Boards at Peter Scullin Reserve and Bicentennial Park.
3. Support future Communication Board installations where a demonstrated community need is identified.
4. Note Communication Boards will be considered as part of the developments at Namatjira Park and/or Le Page Park.

1. Executive Summary

At the Council Meeting on 24 February 2025, Council endorsed Notice of Motion 2/2025:

That Council:

1. *Install and commence a trial of communication boards at Peter Scullin Reserve, Mordialloc, and Bicentennial Park, Chelsea, to support community members of all abilities to communicate and participate equally in our community spaces.*
2. *Receive a report, to be presented within 12 months of commencing the trial, which presents evaluation findings that include, but are not limited to user feedback, usability, and accessibility and consideration of any future installation sites.*

Public Communication Boards support inclusive public spaces by using symbols, words and images to help people with communication difficulties express their choices, feelings and needs when interacting with others in public spaces, while also raising awareness of different communication needs.

In August 2025, Communication Boards were installed at Peter Scullin Reserve, Mordialloc, and Bicentennial Park, Chelsea. This report presents the findings of the trial, responding to Item 2 of the Notice of Motion.

A multi-faceted and proportionate evaluation was undertaken to assess the effectiveness of the trial and understand how the community uses the public Communication Boards. It examined their visibility, accessibility, condition, observed use, and considered feedback from park users and relevant community stakeholders.

The evaluation found broad support for the initiative from community stakeholders and supports the retention of existing boards. The trial supports a targeted approach to future installations where a demonstrated community need is identified. Consistent with this approach, a Communication Board will be considered as part of the Namatjira Park and Le Page Park redevelopments.

2. Background

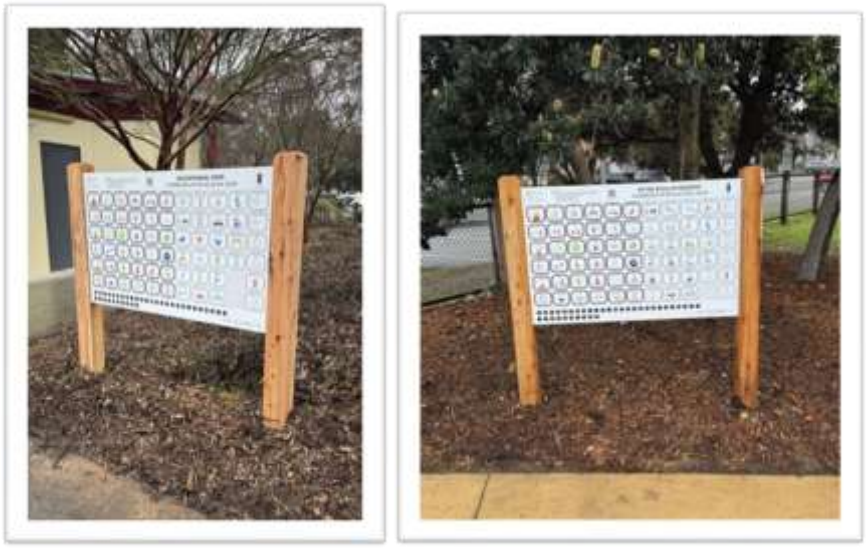
At the Council Meeting on 24 February 2025, Notice of Motion 2/2025 was carried by Council as follows:

That Council:

1. *Install and commence a trial of communication boards (similar to the picture below) at Peter Scullin Reserve, Mordialloc, and Bicentennial Park, Chelsea, to support community members of all abilities to communicate and participate equally in our community spaces.*
2. *Receive a report, to be presented within 12 months of commencing the trial, which presents evaluation findings that include, but are not limited to user feedback, usability, and accessibility and consideration of any future installation sites.*

Communication boards use symbols, words and images to support people who have difficulty using or understanding spoken language. In play spaces, they can help users express their choices, feelings and needs, and communicate with family members, carers and other children.
Prior to installation, Council consulted people with disability and carers. While generally supportive of the initiative, participants indicated that the boards were unlikely to have a significant direct impact for them, noting that many non-verbal people have individual communication boards.

Each board cost approximately $950 and were installed on 13 August 2025 as a trial to assess their accessibility, usability and value to the community, and to inform decisions about future installations.



3. Discussion

To assess the effectiveness, accessibility, and usability of the Communication Boards, several factors were considered, including:

- Design and accessibility
- Condition and levels of vandalism
- Community complaints and compliments
- Usage (via site inspections)
- General community understanding
- Internal feedback.

The evaluation was designed to be proportionate.

3.1 Trial Findings

3.1.1 Design and accessibility

While generic Communication Boards can provide some benefit, evidence shows that Communication Boards are most effective when tailored to the space. As such, Council worked with Access Ability Australia in consultation with speech pathologists to develop tailored boards for Peter Scullin Reserve, Mordialloc and Bicentennial Park, Chelsea. Using Augmentative and Alternative Communication (AAC) principles, each board was tailored to the play space to support communication across the full range of play options available at each park.

Both boards were assessed as being installed at an accessible height, including for people using wheelchairs, and positioned in visible and convenient locations. The symbols and text were assessed as clear, appropriately sized and easy to understand. The layout of each board was considered intuitive and user-friendly, with culturally inclusive and multilingual content incorporated into the design.

3.1.2 Condition and levels of vandalism

Both boards were in good physical condition at the 12 month assessment. They appeared durable, weather-resistant, clean and well maintained, with no significant fading or damage identified.

The Communication Boards were not vandalised during the 12 month trial, which could suggest a level of community respect for them and inclusion more broadly.

3.1.3 Community complaints and compliments

No complaints or compliments were received during the 12 month trial.

3.1.4 Usage

The evaluation methodology was not designed to measure all use occurring throughout the 12 month trial period but was designed to be proportionate, and therefore the method to track usage was via observational assessments. Observations provide a limited snapshot of activity and do not capture use by children and families who visit at different times or who use the boards intermittently.

Four site visits were undertaken across the two trial locations, with approximately 65 people present across the observation periods (see Table 1). However, no direct interaction with the boards was observed during the four visits.

Table 1: Site visit numbers by Location

Location	**Date and time**	**Approximate number of park users**
Peter Scullin Reserve	20 July, 11.40am–12.20pm	20
Peter Scullin Reserve	3 August, 9.30–10.30 am	30
Chelsea Bicentennial Park	30 July, 9.30–10.00am	5
Chelsea Bicentennial Park	3 August, 11.00am–12.00pm	10

3.1.5 General community understanding

3.1.5.1 Park users

During the park visits, officers informally approached park users to assess their awareness and perceptions of the boards. Some participants were initially unsure of the boards' purpose; however, feedback was generally supportive once their intended use was explained.

Participants considered that the boards could assist non-verbal children and people with intellectual disability to communicate their preferences, feelings and experiences with parents, carers and others. The boards were generally perceived as easy to use, particularly once their purpose had been explained. One suggested improvement was to provide the broader community with more information about the boards, who they are intended to support and how they can be used. To improve awareness and accessibility, Council has updated the park information on its website to advise visitors that Communication Boards are available at Peter Scullin Reserve and Bicentennial Park playgrounds.

3.1.5.2 Access and Equity Advisory Committee

Kingston's Access and Equity Advisory Committee was invited to provide feedback. Members expressed general support for the boards and their role in promoting

inclusive communication and raising community awareness of different communication needs.

3.1.5.3 Yarrabah School

Yarrabah School was contacted and invited to provide feedback on the Communication Boards and their potential use by students and families. Speech therapists from the school advised that communication boards promote inclusion by enabling children with communication difficulties to interact, participate, make choices and connect with others in public playgrounds.

3.1.6 Internal Consultation

Active Kingston and Open Space were consulted as part of the evaluation due to their respective responsibilities for managing Kingston's play spaces and parks. Both teams supported a targeted approach to future installations through major playground redevelopments, major upgrades and locations where accessibility and all-abilities participation are key design objectives.

Consistent with this approach, a Communication Board will be considered as part of the development at Namatjira Park and/or Le Page Park. Relevant Council teams will work collaboratively to assess its inclusion during the planning and design process.

3.2 Conclusion and Recommendations

The evaluation found that the Communication Boards are accessible, visible, easy to understand and well maintained. While no direct use was observed during the evaluation visits, feedback from community members, Yarrabah School and the Access and Equity Advisory Committee was generally supportive of the boards and their role in promoting inclusive communication and raising awareness of different communication needs.

The findings support the continued retention of the existing Communication Boards and confirm their value as a visible demonstration of Council's commitment to disability inclusion.

The trial supports a targeted approach to future installations where a demonstrated community need exists. Consistent with this approach, a Communication Board will be considered as part of the redevelopments at Namatjira Park and/or Le Page Park.

4. Compliance Checklist

4.1 Council and Wellbeing Plan Alignment

Strategic Direction: Healthy and Connected - We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.
Strategy: Support our diverse and growing community to participate in community life and strengthen connections to foster a sense of belonging and address loneliness and isolation

4.2 Governance Principles Alignment

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

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

The evaluation report provides transparent information on the process Council Officers took to evaluate, speak with community and inform Councillors of their findings.

4.3 Financial Considerations

The evaluation was undertaken with existing staff resources.

The initial installation cost of the two Communication Boards was $1,892, funded through existing operational budgets.

Based on recent installations by other councils, the estimated cost of a communication board ranges from approximately $900 to $5,000 per site, excluding staff time, design and consultation requirements.

4.4 Risk considerations

The evaluation relied on a small number of observation periods and informal engagement with park users. As a result, the findings may not fully capture the experiences of people who use AAC or the frequency with which the boards are used outside the observation periods.

Author/s:	Christian Hamlyn, Community Diversity & Inclusion Officer
	Emma Bruce, Team Leader Diversity and Inclusion
Reviewed and Approved By:	Susan Quach, Manager Inclusive Communities
	Kate Waters, General Manager Community Strengthening

9. Infrastructure and Open Space Reports

Ordinary Council Meeting

28 September 2026

Agenda Item No: 9.1

AWARD OF CONTRACT CON-26/074 TOOTAL ROAD, DINGLEY VILLAGE ROAD RECONSTRUCTION DINGLEY ARTERIAL TO MCCLURE ROAD

Contact Officer: Brian Trower, Team Leader Roads and Drains

Purpose of Report

The purpose of this report is to recommend that Council award Contract No. 26/074 Tootal Road, Dingley Village Road Reconstruction Dingley Arterial to McClure Road on a Lump Sum basis to Unyte Southern Pty Ltd at their submitted tender price of $6,617,516.77 (exclusive of GST).

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the outcome of the tender evaluation report for Contract No. 26/074 Tootal Road, Dingley Village Road Reconstruction Dingley Arterial to McClure Road, as set out in confidential Appendix 2 attached to this report;
2. Award Contract No. 26/074 Tootal Road, Dingley Village Road Reconstruction Dingley Arterial to McClure Road for the lump sum price of $6,617,516.77(exclusive of GST) to Unyte Southern Pty Ltd; and
3. Approve the allocation of a separate contingency as described in the attached confidential Appendix 3 Tender Assessment Report, and delegate authority to the CEO or delegate to expend this allowance to ensure the successful completion of the project.

1. Executive Summary

Tender submissions received for Contract No. 26/074 Tootal Road, Dingley Village Road Reconstruction Dingley Arterial to McClure Road have been assessed and Unyte Southern Pty Ltd was ranked as the highest scoring tenderer, after assessing company capability and financial factors.

The pre-tender estimate of this contract was $8.28m. The recommended tender price is lower than the estimate which aligns with current observed market trends.

The recommended tenderer has passed financial viability checks with appropriate financial guarantees being put in place. Council's Procurement and Contracts team has verified that their OH&S system is compliant as a Level 1 Contractor within the Amalgamated Councils of Victoria OHS Management System. Unyte Southern Pty Ltd has extensive history in the construction industry, and they are deemed to be capable of successfully delivering the specified works at the submitted tender price.

2. Background

The Tootal Road Reconstruction Project will deliver the reconstruction of Tootal Road, Dingley Village between McClure Road and the Dingley Bypass, together with the provision of a shared user path along the eastern side of the road corridor. The shared user path will connect to the existing footpath at Wyndarra Crescent. This project will improve the condition, safety, functionality and resilience of this key local transport link for all road users, including motorists, cyclists and pedestrians.

The need for the project was initially identified through road condition inspections undertaken in 2017, which assessed this section of Tootal Road as a future candidate for reconstruction. Subsequent flood modelling identified issues along Tootal Road and Jolimont Place, highlighting road flooding and potential adverse impacts on properties during severe weather events. The ongoing investigations highlighted an opportunity to combine the road and drainage projects.

The drainage mitigation aspects of the project were complex and added additional time to the investigation and design phases. External consultants were engaged to complete extensive flood modelling and determine the best way of reducing the risk to immediate properties and preventing excess water being discharged downstream. The best-case scenario, which has been designed, will be to install large stormwater tanks under Tootal Road to capture significant rain events. The stormwater can then be slowly discharged downstream without increasing the risk of flooding on other properties.

The Tootal Road, Dingley Village Road Reconstruction (from McClure Road to Dingley Bypass) works include the following:

- Reconstruct road pavement
- Construct new kerb and channel through to McClure Rd
- Install stormwater drainage system includes pits and pipes
- Construct a shared user path on the east side of Tootal Road
- Construct pedestrian crossing and footpath for access to Hawthorn Football Club
- Construct new traffic islands and vehicle crossings
- Fence removal and reinstatement on acquired land
- Construct underground stormwater storage

3. Discussion

3.1 Tender Evaluation

Prices were sought by advertised Public Tender which closed on Thursday, 23 July 2026 at 2:00pm.

Three tenders were received. Evaluation of the results of this public tender process was carried out by a Tender Evaluation Panel in accordance with Kingston's Procurement Policy and advice received from Procurement and Contracts Department.

The tenders were assessed using a combination of qualitative and quantitative criterion.

In the evaluation matrix, the scoring was undertaken using the following weightings:

Qualitative Assessment:

- OH&S, Environmental and Insurance compliance – Pass / Fail
- Financial capacity of organisation/business – Pass / Fail
- Experience / Past Performance – 25%
- Capacity and Resourcing – 25%

Quantitative Assessment:

- Price / Financial Benefit to Council – 50%

Appendix 2 (Confidential) includes a breakdown of scoring for each criterion as well as the overall score inclusive of price.

The highest overall score was achieved by Unyte Southern Pty Ltd with a tender price of $6,617,516.77 (excluding GST). Unyte Southern Pty Ltd confirmed during a post tender interview their ability to meet the program and goals for this project.

4. Consultation

4.1 Internal Consultation:

Internal teams were consulted during the design phase of this project. These included Engineering Design, Open Space, City Works, Drainage Maintenance, Procurement and Traffic Team.

4.2 Community Consultation:

Group	Method
Key Stakeholders Local Residents in Tootal Road	Information bulletins have been sent out to residents in July 2026 Ongoing discussion with Hawthorn Football Club since 2019 Further information will be distributed following the successful award of the contract.
General community	Your Kingston Your Say, Website Updates

4.3 Results/Findings:

Stakeholder feedback was implemented by the engineering design team.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Liveable and Sustainable - We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused
Strategy: Provide infrastructure and public spaces that enhance liveability, accessibility and are well-maintained now and into the future

Work covered by Contract No. 26/074 has been identified as necessary to sustain Council Road Infrastructure and improve stormwater drainage in the vicinity of Tootal Road, Dingley Village between Dingley Arterial and McClure Road.

5.2 Governance Principles Alignment

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

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

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Projected costings

Year 1 26/27	Year 2 27/28	Total Cost
$3.00m	$3.62m	$6.62m

Note: project contingencies are recommended as outlined in the confidential Tender Assessment Report. The contingency will only be required in the event of unexpected ground conditions or other unforeseen issues during construction.

Budget

The submitted price from the preferred tender is within the engineering estimated range and Council's endorsed project budget for 2026/2027 and 2027/2028. The project will be delivered over two financial years.

Staff Resources

All works required for this project are to be carried out under this contract. Council's contribution to staffing is limited to supervisory works which will be covered by existing staff resourcing.

5.4 Risk considerations

For the subject contract the preferred tenderer represents the best outcome to Council in terms of value for money.

Financial and OHS risks associated with this project will be appropriately managed through established procurement policies and contract clauses.

A financial risk assessment has been completed for Unyte Southern Pty Ltd.

Appendices

Appendix 1 - Tootal Road Dingley Village Road Reconstruction - Face Sheet of Drawing K6608 (Ref 26/258461)

Appendix 2 - RFT Scoring Matrix Combined - Pre Interview and Post Interview (Ref 26/258694) - Confidential

Appendix 3 - Signed CON-26/074 Tender Evaluation Report (Ref 26/258690) - Confidential

Author/s:	Brian Trower, Team Leader Roads and Drains
Reviewed and Approved By:	James Lenihan, Manager Infrastructure
	Samantha Krull, General Manager Infrastructure and Open Space

9.1

AWARD OF CONTRACT CON-26/074 TOOTAL ROAD, DINGLEY VILLAGE ROAD RECONSTRUCTION DINGLEY ARTERIAL TO MCCLURE ROAD

1 Tootal Road Dingley Village Road Reconstruction - Face Sheet of Drawing K6608 253

TOOTAL ROAD, DINGLEY VILLAGE
ROAD RECONSTRUCTION
DINGLEY ARTERIAL TO MCCLURE ROAD

WARNING

BEWARE OF UNDERGROUND SERVICES AND OVERHEAD POWERLINES

THE LOCATION OF UNDERGROUND SERVICES SHOWN ARE APPROXIMATE ONLY AND THEIR EXACT POSITION MUST BE PROVEN ON SITE

ASBESTOS

DRAINAGE PIPES, WATER PIPES, TELSTRA CONDUITS AND PITS CONTAINING ASBESTOS ARE LIKELY TO BE PRESENT IN THE VICINITY OF THESE WORKS. ANY WORKS WITHIN THE VICINITY OF THESE ASSETS MUST BE CARRIED OUT IN ACCORDANCE WITH COMPANY ASBESTOS HANDLING PROCEDURES

NOTE

TRAFFIC MANAGEMENT

CONTRACTOR TO SUBMIT TRAFFIC MANAGEMENT PLAN WITH "APPLICATION FOR APPROVAL OF TRAFFIC MANAGEMENT PLAN".

IMPORTANT

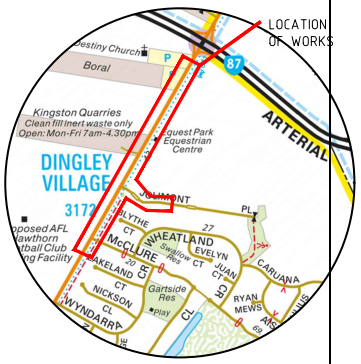
PROPOSED FOOTPATH LEVELS MUST BE SET CORRECTLY TO ENSURE D.D.A. COMPLIANCE. INCORRECT LEVELS MAY RESULT IN THE CROSSING REQUIRING REPLACEMENT OR THE FITTING OF TACTILE INDICATORS.

MELBOURNE ONE CALL SYSTEM DIAL 1100 DIAL BEFORE YOU DIG

NOTE.
ALL NOTED "ABANDONED" SERVICES INCLUDING GAS MAINS, WATER MAINS, ETC. - THE CONTRACTOR SHALL BE RESPONSIBLE & CONFIRM THAT THESE SERVICES ARE ABANDONED, INCLUDING LIAISING WITH THE RELEVANT AUTHORITY PRIOR TO COMMENCING CONSTRUCTION.

DRAWING LIST

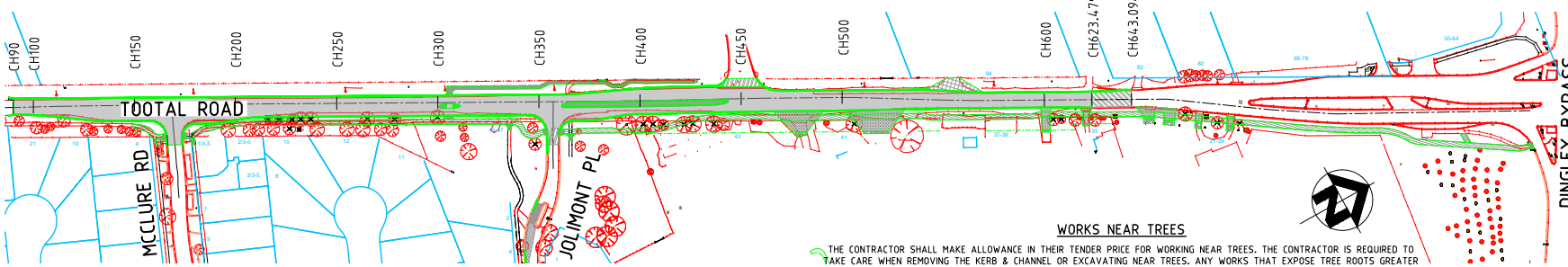
SHEET 1	FACE SHEET	SHEET 31	TOOTAL ROAD CROSS SECTION 2	SHEET 61	VEHICLE CROSSING DETAILS 2
SHEET 2	NOTES	SHEET 32	TOOTAL ROAD CROSS SECTION 3	SHEET 62	VEHICLE CROSSING DETAILS 3
SHEET 3	TYPICAL SECTIONS & DETAILS 1	SHEET 33	TOOTAL ROAD CROSS SECTION 4	SHEET 63	VEHICLE CROSSING DETAILS 4
SHEET 4	TYPICAL SECTIONS & DETAILS 2	SHEET 34	TOOTAL ROAD CROSS SECTION 5	SHEET 64	VEHICLE CROSSING DETAILS 5
SHEET 5	PAVEMENT PLAN 1	SHEET 35	TOOTAL ROAD CROSS SECTION 6	SHEET 65	VEHICLE CROSSING DETAILS 6
SHEET 6	PAVEMENT PLAN 2	SHEET 36	TOOTAL ROAD CROSS SECTION 7	SHEET 66	INTERSECTION DETAILS 1
SHEET 7	PAVEMENT PLAN 3	SHEET 37	TOOTAL ROAD CROSS SECTION 8	SHEET 67	INTERSECTION DETAILS 2
SHEET 8	PAVEMENT PLAN 4	SHEET 38	TOOTAL ROAD CROSS SECTION 9	SHEET 68	INTERSECTION DETAILS 3
SHEET 9	ROAD ALIGNMENT SETOUT DETAILS 1	SHEET 39	TOOTAL ROAD CROSS SECTION 10	SHEET 69	INTERSECTION DETAILS 4
SHEET 10	ROAD ALIGNMENT SETOUT DETAILS 2	SHEET 40	TOOTAL ROAD CROSS SECTION 11	SHEET 70	INTERSECTION DETAILS 5
SHEET 11	ROAD ALIGNMENT SETOUT DETAILS 3	SHEET 41	TOOTAL ROAD CROSS SECTION 12	SHEET 71	INTERSECTION DETAILS 6
SHEET 12	ROAD ALIGNMENT SETOUT DETAILS 4	SHEET 42	TOOTAL ROAD CROSS SECTION 13	SHEET 72	TRAFFIC ISLAND SETOUT DETAILS
SHEET 13	SHARED USER PATH ALIGNMENT SETOUT DETAILS 1	SHEET 43	TOOTAL ROAD CROSS SECTION 14	SHEET 73	REFUGE ISLAND SETOUT DETAILS
SHEET 14	SHARED USER PATH ALIGNMENT SETOUT DETAILS 2	SHEET 44	TOOTAL ROAD CROSS SECTION 15	SHEET 74	DRAINAGE LONGITUDINAL SECTION 1
SHEET 15	SHARED USER PATH ALIGNMENT SETOUT DETAILS 3	SHEET 45	TOOTAL ROAD CROSS SECTION 16	SHEET 75	DRAINAGE LONGITUDINAL SECTION 2
SHEET 16	SHARED USER PATH ALIGNMENT SETOUT DETAILS 4	SHEET 46	TOOTAL ROAD CROSS SECTION 17	SHEET 76	DRAINAGE LONGITUDINAL SECTION 3
SHEET 17	SHARED USER PATH ALIGNMENT SETOUT DETAILS 5	SHEET 47	TOOTAL ROAD CROSS SECTION 18	SHEET 77	DRAINAGE LONGITUDINAL SECTION 4
SHEET 18	LIP OF KERB ALIGNMENT SETOUT DETAILS 1	SHEET 48	TOOTAL ROAD CROSS SECTION 19	SHEET 78	DRAINAGE LONGITUDINAL SECTION 5
SHEET 19	LIP OF KERB ALIGNMENT SETOUT DETAILS 2	SHEET 49	TOOTAL ROAD CROSS SECTION 20	SHEET 79	DRAINAGE LONGITUDINAL SECTION 6
SHEET 20	LIP OF KERB ALIGNMENT SETOUT DETAILS 3	SHEET 50	TOOTAL ROAD CROSS SECTION 21	SHEET 80	PIT SCHEDULE
SHEET 21	LIP OF KERB ALIGNMENT SETOUT DETAILS 4	SHEET 51	TOOTAL ROAD CROSS SECTION 22	SHEET 81	PIT DETAILS
SHEET 22	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 1	SHEET 52	TOOTAL ROAD CROSS SECTION 23	SHEET 82	LINEMARKING AND SIGNAGE PLAN 1
SHEET 23	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 2	SHEET 53	TOOTAL ROAD CROSS SECTION 24	SHEET 83	LINEMARKING AND SIGNAGE PLAN 2
SHEET 24	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 3	SHEET 54	TOOTAL ROAD CROSS SECTION 25	SHEET 84	LINEMARKING AND SIGNAGE PLAN 3
SHEET 25	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 4	SHEET 55	TOOTAL ROAD CROSS SECTION 26		
SHEET 26	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 5	SHEET 56	TOOTAL ROAD CROSS SECTION 27		
SHEET 27	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 6	SHEET 57	TOOTAL ROAD CROSS SECTION 28		
SHEET 28	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 7	SHEET 58	TOOTAL ROAD CROSS SECTION 29		
SHEET 29	DETAIL PLAN AND LONGITUDINAL SECTION 1DETAIL 8	SHEET 59	TOOTAL ROAD CROSS SECTION 30		
SHEET 30	TOOTAL ROAD CROSS SECTION 1	SHEET 60	VEHICLE CROSSING DETAILS 1		



LOCALITY PLAN

NOT TO SCALE

MELWAYS REFERENCE MAP 88 D2



WORKS NEAR TREES

THE CONTRACTOR SHALL MAKE ALLOWANCE IN THEIR TENDER PRICE FOR WORKING NEAR TREES. THE CONTRACTOR IS REQUIRED TO TAKE CARE WHEN REMOVING THE KERB & CHANNEL OR EXCAVATING NEAR TREES. ANY WORKS THAT EXPOSE TREE ROOTS GREATER THAN 30mm IN DIAMETER SHALL BE REFERRED TO THE SUPERINTENDENTS REPRESENTATIVE FOR DIRECTION.

REF.	DATE	CHECKED	REVISION
E			
D			
C			
B	23/06/2026	D.S.	ISSUED FOR TENDER
A	25/05/2026	D.S.	ISSUED FOR COMMENT

LEGEND

SEWER LINE	S	VALVE		EXISTING DRAIN PIT	
GAS MAIN	G	FIRE HYDRANT	F.H.	PROPOSED DRAIN	
WATER MAIN	W	TELSTRA PIT		PROPOSED DRAIN PIT	
TELSTRA CABLE	T	ELEC. POLE		EXISTING K. & CH.	
ELEC. CABLE	E	ELEC. AERIAL		EXISTING K. & CH. TO BE REMOVED	
HOUSE DRAIN	H	EX.BOLLARD		PROPOSED K. & CH.	
EXISTING DRAIN	D	POLE FENCE			
FENCE		GATE			

City of KINGSTON

1230 NEPEAN HWY CHELTENHAM 3192
Ph. 1300 653 356
PO BOX 1000 MENTONE VICTORIA 3194

TOOTAL ROAD DINGLEY VILLAGE
ROAD RECONSTRUCTION
DINGLEY ARTERIAL TO MCCLURE ROAD
FACE SHEET

ENGINEERING DESIGN DEPARTMENT

DATUM	A.H.D
DESIGNED	S.LI
DRAWN	S.LI
FILE No.	185/4108

DRAWING NUMBER K6608 B

SHEET 1 OF

Ordinary Council Meeting

28 September 2026

Agenda Item No: 9.2

DRAFT PUBLIC LIGHTING POLICY

Contact Officer: Alex Reid, Traffic and Transport Engineer

Purpose of Report

The purpose of this report is to seek Council endorsement of the draft Public Lighting Policy for public consultation.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council endorse the draft Public Lighting Policy for public consultation

1. Executive Summary

The Public Lighting Policy was endorsed by Council on 24 May 2021 and is due for renewal. It is Council's public-facing document that sets out the principles for provision of street and public lighting in the City of Kingston. The draft Policy has been updated to reflect current Australian Standards.

2. Background

Public lighting is a highly visible community asset that plays an important role in supporting the safe and efficient movement of pedestrians, cyclists and vehicles. Lighting is required within road reserves in urban areas and is provided in many public places including parks, reserves, foreshore areas, activity centres, public buildings and car parks where there is night-time activity.

The Public Lighting Policy sets out the main principles for providing night-time street and public place lighting. It also establishes Council's vision, objectives and commitment to the provision and management of public lighting across the municipality. It is a public document reviewed every four years, with community consultation undertaken before presentation to Council for endorsement. Council last endorsed the Public Lighting Policy at its 24 May 2021 Meeting.

3. Discussion

3.1 Public Lighting Policy

The draft Public Lighting Policy sets out the main principles for the provision of street and public lighting in the City of Kingston. The draft Policy outlines requirements for street and public place lighting, as well as consideration of safety and sustainability. The draft Policy has been updated to reflect current Australian Standards.

4. Consultation

4.1 Internal Consultation:

In February 2026, the Traffic and Transport Team sought feedback on the Public Lighting Policy from multiple Council teams and departments:

The internal feedback received has been used to update the draft Public Lighting Policy.

4.2 Community Consultation:

The Communications and Engagement Team have developed the following consultation approach for consultation of the draft Public Lighting Policy.

Group	Method
Key Stakeholders	See targeted groups below
General community	Consultation on the draft Public Lighting Policy will include an opportunity to provide feedback online. Respondents can also email, mail, or call to provide their feedback on the draft Policy. We will promote this consultation via: • Your Kingston Your Say (dedicated page and e-newsletter). • Kingston News and other relevant Electronic Direct Mail (EDM) • Paid targeted social media adverts. • Onsite digital screens at Council facilities.
Advisory Committees	Access and Equity Advisory Committee. Active Kingston Advisory Committee. Environment and Open Spaces Advisory Committee.
Targeted groups	Groups such as local businesses, sports and recreation clubs and friends' groups will be invited to participate in the consultation through direct mail communications. Translated flyers will be developed to reach Culturally and Linguistically Diverse (CALD) communities (top three languages).

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Healthy and Connected - We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.
Strategy: Support our community to feel safe and be safe

The draft Policy aims to provide public lighting that supports community safety, accessibility, sustainability and the safe and efficient movement of pedestrians, cyclists and vehicles after dark.

5.2 Governance Principles Alignment

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

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

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

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

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

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

Public lighting attracts significant community interest about the location of lighting, service levels, costs, maintenance and environmental impacts. The Public Lighting Policy is a public facing document that is reviewed every four years and is subject to community consultation and Council approval.

The draft Public Lighting Policy establishes Council's vision, objectives and commitment to the provision and management of public lighting across the municipality.

The draft Policy aim to provide public lighting that supports community safety, accessibility, sustainability and responsible asset management.

The draft Policy support the consideration of innovations such as solar lighting, and innovative lighting technology such as dimmers, timers, and motion sensors.

The Policy has been developed with consideration of relevant national, state and regional legislation, policies, standards and industry guidelines.

5.3 Financial Considerations

Budget

No budgetary issues arise from the draft Policy.

Staff Resources

A range of departments within Council (together with external organisations) are involved in designing, installing, operating, and maintaining public lighting across the City of Kingston and this will continue in under the draft Policy.

5.4 Risk considerations

There are no risks associated with the draft Policy.

Appendices

Appendix 1 - Draft Public Lighting Policy (Ref 26/195435)

Author/s:	Alex Reid, Traffic and Transport Engineer
Reviewed and Approved By:	James Lenihan, Manager Infrastructure
	Samantha Krull, General Manager Infrastructure and Open Space

9.2

DRAFT PUBLIC LIGHTING POLICY

1 Draft Public Lighting Policy..... 261

Public Lighting Policy

VERSION NO.	*2*
APPROVAL	Council

TRIM REFERENCE	25/
REVIEW	Enter date (Four years from approval)
RESPONSIBLE EXECUTIVE	General Manager Infrastructure and Open Space
POLICY TYPE	Select Policy Type Council / Organisational / Operational
POLICY OWNER	Manager Infrastructure

REVISION RECORD	Version	Revision Description
24 May 2021	1	Initial policy

Draft

1. Purpose of this Policy

This Policy sets out the main principles for providing night-time street and public-place lighting in the City of Kingston. When Council receives a request for (or identifies a need for) better lighting the principles will guide how Council:

- Provides lighting to keep drivers and pedestrians moving safely.
- Helps people find their way around at night.
- Reduces illegal and anti-social activities.
- Designs and installs new public lighting.
- Manages the upkeep and replacement of existing lights.

2. Scope

This Policy outlines the requirements for streets and public place lighting in the City of Kingston, in the following areas:

- Street lighting in residential areas.
- Street lighting in commercial, industrial, and activity centre areas.
- Street lighting in laneways.
- Public lighting in parks, reserves, and foreshores.
- Feature lighting in public spaces.
- External lighting of public buildings and Council car parks.

3. Governance Principles and Council and Wellbeing Plan alignment

3.1 Governance Principles

Principle (b) - priority is to be given to achieving the best outcomes for the municipal community, including future generations.
Principle (c) - the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
Principle (d) - the municipal community is to be engaged in strategic planning and strategic decision making.
Principle (e) - innovation and continuous improvement is to be pursued.
Principle (h) - regional, state, and national plans and policies are to be taken into account in strategic planning and decision making.
Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

3.2 Council and Wellbeing Plan Alignment

Key Direction: Healthy and Connected – We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.

Key Direction: Liveable and Sustainable – We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused.

4. Policy Details

This Policy outlines the principles adopted by Council to determine:

- The standards of public lighting provided in the City of Kingston.
- Where public lighting will be located.
- When public lighting will be used.
- The selection criteria under which new public lights will be provided.

4.1 General

All street and public place lighting will be provided in accordance with the lighting categories specified in the Australian/ New Zealand Standard 1158 series – Lighting for Roads and Public Spaces.

Lighting on the arterial road network is under the direct control of the Department of Transport and Planning (DTP), though Council contributes 40% of the tariff cost under a formal agreement.

For roads where the Council is the designated road authority, Council is responsible for the full cost of street lighting. This includes electricity consumed, and the replacement of lamps and other luminaire parts (as required). These costs are covered through an annual tariff calculated by United Energy (the electricity Distributor) to supply electricity to Council's street lights without a meter (i.e. Council's unmetered power supply).

The cost of other public place lighting that is managed and controlled by the City of Kingston is the responsibility of Council.

4.2 Safety

The Council and Wellbeing Plan 2025-2029 is committed to supporting equity, fostering social connections, and ensuring safe, inclusive spaces for all. The Plan includes designing safe public places and infrastructure, and promoting safe behaviour to prevent injury from transport accidents and falls. The Council and Wellbeing Plan also identifies poor or no lighting as one of the five top reasons people feel unsafe.

Lighting is one of several strategies used to improve safety. However, lighting by itself cannot guarantee safety, and may not always be the most appropriate solution. Lighting should therefore be considered as one component of a broader approach to Crime Prevention Through Environmental Design (CPTED). Before implementing lighting changes for safety purposes, Council will consider broader environmental design issues such as having lots of people around to improve passive surveillance (as people feel safer when they are visible to others), or reducing locations with poor visibility and eliminating places that are hard to escape from. Where necessary, Council will consult Victoria Police to assess the effectiveness of lighting in deterring or potentially attracting illegal or anti-social behaviour at a particular location. Council will prioritise public safety for women, children, gender-diverse people, older adults, people with disabilities, and areas with high night-time use.

Public lighting is not intended to provide security of private properties. It is not the role of Council to improve the level of safety within private property boundaries through the installation of additional street lighting. Private properties are encouraged to install their own security lighting.

4.3 Commitment to sustainability

This Policy supports Council's commitment to reducing its corporate emissions to achieve net zero, as outlined in Council's Climate and Ecological Emergency Response Plan. Street and public lighting is the single largest consumer of electricity for Council. Street lighting is also the largest Greenhouse Gas (GHG) emitter for Council. In 2024/2025, approximately 22% of Council's gross organisational emissions were attributed to street lighting, incurring significant social, environmental, and economic costs.

Excessive, misdirected, or intrusive artificial light pollution contributes to energy waste and can disrupt wildlife ecosystems, negatively affect human health, and reduce enjoyment of the night sky through artificial sky glow.

When managing existing lighting infrastructure or planning new lighting, upgrades or replacements, Council will consider the following:

- Compliance with Australian Standards.
- The whole-life costs for public lighting (including cost of installation, energy consumption, ongoing maintenance, operational costs, and asset lifespan).
- Minimising GHG emissions and other adverse environmental impacts.
- Reducing energy consumption through use of energy efficient technologies, such as light emitting diodes (LED) or solar-powered lighting.
- Adoption of approved innovative lighting technology such as dimmers, timers, motion sensors, and changes to colour temperature, that can be controlled remotely to ensure appropriate lighting levels when needed.
- Procurement of renewable energy sources for public lighting.
- Reducing light pollution (spill).
- Minimising street clutter through integrating lighting technologies onto a single pole or luminaire.
- Using reliable and durable assets to ensure long-term functionality and reduce maintenance.
- Implement responsible disposable practices for decommissioned assets, including reuse and recycling where appropriate.
- Minimising or avoiding the use of harmful substances in construction of lighting infrastructure.

- Prioritising locally sourced, produced, or manufactured lighting or services (such as maintenance), in line with the Council's Procurement Policy.

The City of Kingston's Biodiversity Strategy (Priority Action 3h) includes adopting wildlife sensitive lighting principles for all Council Projects. The Australian Government's National Light Pollution Guidelines for Wildlife provides the theoretical, technical and practical information required to assess whether artificial lighting is likely to affect wildlife and the management tools to minimise and mitigate that effect.

In relation to light spill, in May 2019, United Energy (UE) classified glare control shields as approved non-standard fittings and, therefore, would no longer supply or install them on existing lights. If glare control is needed, the entire luminaire must be replaced with one that includes a built-in shield. Given the significant costs of retrofitting or maintaining luminaires with shields (to control light spill), Council will first explore alternative options – such as changing the distribution of light by adjusting the mounting height, the angle of the brackets, or using different types of luminaires (e.g. LED's) – before proceeding to install shielded luminaires.

4.4 Street lighting in residential areas

In residential areas that face arterial, sub-arterial or principal roads, Australians Standards 1158 require Category V (vehicle traffic) lighting levels. These levels are based on the road's operating characteristics as defined in the Standards.

On local residential streets and collector roads, Australian Standards 1158 requires lighting levels that meet Category P (pedestrian area) lighting.

In February 2015, United Energy, also specified spacing and mounting heights for new LED street lights to ensure they comply with Category P lighting requirements on minor roads.

In some cases, additional lighting may be needed near local area traffic management devices, such as speed humps, to improve visibility and safety.

Developers are responsible for the design and installation costs of street lighting in new estates. Where these lights are to be connected to Council's unmetered power supply, United Energy requires the use of either standard fittings, or approved non-standard (decorative) fittings, that meet United Energy's design and construction standards. Decorative fittings (lamps, luminaires, poles etc) are costly to maintain and replace, and are difficult to upgrade to newer technologies. For this reason, Council does not support the installation of decorative fittings in new residential estates that will, or are expected to, be transferred to Council's unmetered supply. Only standard fittings, approved by United Energy, should be used in these developments. For roads that will be handed over to Council, the street lighting levels in new estates must comply to Australian Standards 1158 series and, for LED lighting, follow United Energy's Technical Standards for spacing and mounting heights.

Council will replace existing non-standard decorative fittings with standard fittings in existing estates where the lights operate under Council's unmetered supply and require replacement. If an approved non-standard luminaire needs replacing, but the light pole is still in good condition, Council will install a standard luminaire approved by United Energy.

4.5 Street lighting in commercial, industrial, and activity centres areas

Council will ensure that street lighting in these areas provide illumination in line with Australian Standards.

In locations with high night-time pedestrian activity, higher lighting levels (above standard lighting levels) may be appropriate to enhance visibility and safety. However, lighting levels in these areas often combine Council's standard street lighting and lighting from adjoining

properties. As a result, overall lighting levels are often higher than the minimum levels required by Australian Standards. Council will therefore consider overall lighting levels in these areas before deciding on any public lighting upgrades.

In activity centres that include retail areas, public gathering spaces, and civic centres, the preferred approach is to use approved non-standard fittings connected to the unmetered supply, rather than a separate metered supply. Where appropriate, non-standard fittings that allow for underground cabling may be considered.

4.6 Street lighting in laneways

Laneways are often narrow, trafficable roads with limited space and nearby residential housing. This means opportunities for lighting within the laneway is limited and light spill could be a concern. Street lighting will therefore be provided at each end, or near each end, of a laneway. Council will not illuminate within laneway unless specific circumstances justify additional lighting - such as high levels of pedestrian or bicycle activity at night, and where installation is practical.

Where lighting is provided within the lane in residential areas, Council recommends Category P3 standard of lighting, reflecting the more enclosed environment and slightly higher risk of crime compared to typical residential streets.

4.7 Public lighting in parks, reserves, and foreshores

When assessing lighting in parks, reserves and foreshore, Council will consider the following factors:

- Health benefits of night-time use of these areas.
- Safety considerations, especially where public safety is a significant concern.
- Users of these spaces, including women, children, gender-diverse people, older adults and people with disability.
- Effectiveness of lighting in deterring or potentially attracting illegal or anti-social behaviour at a particular location.
- High passive night-time use (e.g. dog walking) or the potential for such use.
- Compliance with Australian Standards for lighting.
- Whole-life costs, including as installation, energy consumption, ongoing maintenance, operational costs and asset lifespan.
- Access to an affordable power supply.
- Impacts on wildlife.

Where lighting is deemed appropriate, roads, footpaths and cycle paths will generally be illuminated, rather than the entire park, reserve, foreshore, or other protected nature areas. When considering new public lighting, Council staff will consider the use of innovative lighting technology (such as dimmers, timers, motion sensors, changes to colour temperature, and solar lighting) to ensure the appropriate lighting levels are provided only when needed, balancing safety, sustainability, and community amenity.

If necessary, public lighting in these areas may include security lighting on electricity supply poles.

Residential amenity will be considered when designing the public lighting in these areas.

Lighting for sports grounds in open spaces used for formal night-time sports will be designed in accordance with Australian Standard 2560 series, Council requirements, and relevant

sporting body standards. The designs will also comply with AS/NZS 4282 to control obtrusive effects of outdoor lighting. Where suitable, this active-sport lighting infrastructure may also be used for lighting passive night-time use (such as dog walking) of these areas outside formal sporting hours.

4.8 Feature lighting in public places

Non-standard 'feature' lighting can significantly enhance the amenity of public places and highlight prominent features such as bridges, urban markers, public art, public places, war memorials, and similar structures. They may also be used in some laneways or open spaces that form part of the broader public realm, such as pedestrianised streets, night-time dining precincts, and foreshore areas.

Feature lighting will be considered on a project-by-project basis, with priority given to higher profile sites.

It is a Federal Government requirement that the Australian Flag be illuminated if it is flown at night.

4.9 External lighting of public buildings and Council car parks

Careful use of external lighting is an important part of public building design. Council will consider lighting to highlight key architectural features at night, and use of appropriate colours and light intensity. However, excessive lighting can have negative impacts (such as glare, and light spill). Council will therefore seek to avoid excessive illumination (including the indiscriminate use of floodlighting) and consider existing lighting from nearby public spaces. Council will take a responsible approach to energy use and environmental impacts, for example through use of timers or dimmers where appropriate.

External building lighting is generally metered and the responsibility of the building manager.

Council will consider the following factors when assessing lighting needs in car parks:

- the level of night-time vehicle and pedestrian activity,
- users of these spaces, including women, children, gender-diverse people, older adults, and people with disability.
- the risk of crime,
- relevant Australian Standards,
- the whole-of-life costs of lighting (including installation, maintenance, operating costs, and asset life),
- priority of available funding,
- the availability and affordability of a suitable power supply.

Non-standard light fittings may be considered for public car parks located in commercial areas with special heritage significance. The preferred approach is to install approved non-standard fittings on the unmetered network. In other car parks, the preference is to use metered lights.

Public lighting for public buildings and public car parks may also include security lighting mounted on electricity supply poles where required. Residential amenity will be considered during the lighting design process.

4.10 Key Stakeholders

Internal consultation was undertaken with the following teams:

- Active Kingston – Strategy and Projects.
- City Development – Planning.
- City Development – Vegetation and Compliance.
- City Strategy – Environmental Planning.

- City Strategy – Urban Design and Place.
- City Works.
- Communications and Engagement.
- Inclusive Communities.
- Inclusive Communities – Diversity and Inclusion.
- Infrastructure – Asset Management.
- Infrastructure – Building Infrastructure.
- Infrastructure – Engineering Design.
- Infrastructure – Roads and Drains.
- Infrastructure – Traffic and Transport.
- Kingston Business.
- Kingston Business – Place Activation Lead.
- Legal.
- Open Space – Public Space.
- Open Space – Bushland and Foreshore.
- Open Space – Urban Forest.
- Project Management Office – Capital Planning.
- Project Management Office – Major Projects.
- Project Management Office – Project Delivery.
- Project Management Office – Strategic Projects.

External Assessments *(to be confirmed after External Consultation)*

4.11 Risk Assessment
No risks were identified with this Policy.

4.12 Delegation and Authorisation (Compliance Framework)
There are no delegated positions with responsibilities for this Policy.

4.13 Gender Impact Assessment
A Gender Impact Assessment has been completed. It identified four actions, including:

- Investigate supplementary staff training to strengthen organisation capability and awareness of gender-responsive lighting outcomes.
- Investigating opportunities for existing active-sport lighting infrastructure to support passive night-time use of outside formal sporting hours.
- Embed gender considerations into open space lighting decisions via the Public Lighting Guidelines to introduce a structure decision-making and evaluation framework for parks, reserves, and foreshore areas.
- Update and review the Public Lighting Policy and Guidelines to ensure inclusive and gender-sensitive language is used throughout.

4.14 Privacy Impact Assessment
A Privacy Impact Assessment is not required for this Policy.

4.15 Human Rights Charter
This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006

5. Roles and Responsibilities

Role	Responsibility
Council Officers	*To investigate and Implement the Public Lighting Policy*

6. Related documents

6.3 Legislation

- Local Government Act 2020 (Vic)
- Road Management Act 2004 Section 174 – Code of Practice Operational Responsibility for Public Roads
- Electricity Industry Act 2000 (Vic)
- Public Lighting Code (Essential Services Commission) 2015
- Gender Equality Act 2020

6.4 Documents and resources

- Australian Flags Booklet 2022 – part 2 – protocols.
- Australian/New Zealand Standard AS/NZS 1158 series: Lighting for roads and public spaces.
- Australian/New Zealand Standard AS/NZS 2560 series: Sports lighting.
- Australian/New Zealand Standard AS/NZS 4282: Control of the obtrusive effects of outdoor lighting.
- City of Kingston – Biodiversity Strategy 2024-2029.
- City of Kingston – Council and Wellbeing Plan 2025-2029
- City of Kingston - Climate & Ecological Emergency Response Plan 2021
- City of Kingston - Laneway Lighting Standards - PowerPlant – October 2019
- City of Kingston Draft Public Lighting Guidelines.
- National Light Pollution Guidelines for Wildlife DCCEEW May 2023.
- United Energy - Distribution Plant Bulletin 0053 LED Street lights 12 February 2015
- United Energy - Notice to Councils within United Energy's Distribution Network 22/05/2019
- United Energy – Public Lighting Policy and Technical Standard 2401, 2014 v4
- VicRoads – TCG 006 – Guidelines to street lighting design January 2016 Rev B
- VicRoads – TCS 065 – Specification for the supply of LED Road Lighting Luminaires 2018

7. Definitions

Term	Definition
Approved non-standard fitting	An approved non-standard fitting is a type of light fitting that has been approved by United Energy for use on the unmetered supply, but is not a standard fitting. These fitting are also referred to as 'decorative' fittings. While the initial installation of such fittings is generally carried out by a developer, Council is subsequently responsible for the supply, provision, delivery, and replacement costs (including delivery to the nearest UE depot) of all approved non-standard fittings on its unmetered supply.

Term	Definition
Category V lighting	Lighting designed for roads where the visual requirements of motorists are the main consideration, such as major traffic routes.
Category P lighting	Lighting designed for roads and outdoor public spaces where the visual requirements of pedestrians are the primary consideration, such as local roads, outdoor shopping precincts, and car parks.
Colour temperature	Colour temperature is a property of visible light measured in Kelvins (k). Higher temperature (above 5000k) produce 'cool' bluish light, while lower temperatures (2700-3000k) produce 'warm' yellowish light. Blue-rich light can affect human health, such as sleep patterns. The colour temperature also can have ecological impacts on nocturnal wildlife.
Distributor	A supplier licensed under the Electricity Industry Act 2000 (VIC) to distribute or supply electricity. Distributors are responsible for the safe connection, installation, operation, maintenance, and replacement of Distributor operated lighting on the unmetered supply. For the City of Kingston, the electricity distributor is United Energy (UE).
Luminaire	An apparatus that houses and distributes the light from lamps.
Metered supply	A power supply where energy consumption is measured by a meter. Public lighting assets on metered supply are owned and maintained by Council.
Non-standard fitting	A lighting fitting that differs the standard fitting, typically connected to a metered supply.
Public lighting	External lighting installed within a road reserve or on other public land.
Public place	Any area to which the public has or is permitted to have access, including: 1. Bridges, footpaths, courts, laneways, pathways, or thoroughfares. 2. Parks, reserves, recreational areas, or other open spaces.
Retailer	An electricity retailer is responsible for billing energy consumption. Councils may select the electricity retailer, subject to procurement requirements.
Road/street	A right of way between boundaries of adjoining property.
Standard fitting	A lamp, luminaire, mounting bracket, public lighting pole, supply cable, or control equipment commonly used or approved by United Energy (UE). Standard fittings are typically connected to an unmetered supply, with the assets owned by the UE and therefore subject to the Public Lighting Code. UE maintain and replace the stock of all approved standard fittings.
Unmetered supply	A supply of electricity to equipment that is connected to the United Energy's network without a meter, e.g. most street lights.

Term	Definition
	Unmetered supply is also commonly referred to as the VESI (Victorian Electricity Supply Industry) public lighting scheme.

Draft

Ordinary Council Meeting

28 September 2026

Agenda Item No: 9.3

2025/26 CAPITAL WORKS OUTCOMES

Contact Officer: Emily Boucher, A/ Manager PMO and Major Projects

Purpose of Report

The purpose of this report is to provide Council and the community with the outcomes of the 2025/26 Capital Works program.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council notes the outcomes of the 2025/26 Capital Works program.

1. Executive Summary

The 2025/26 budget was adopted at a Council Meeting on 23 June 2025. The 2025/26 Capital Works Program of $103.5M comprised of 219 projects, 86 multi-year projects (including Mordi Aquatic Centre) and 133 single year projects.

Of the 86 multi-year projects, 76 completed the planned deliverables for 2026/27 and the remaining 10 projects required some funding to be carried over into 2026/27 to complete.

Of the 133 single year projects, 127 projects were completed, with six projects requiring some funding to be carried over to complete delivery in 2026/27.

As such, an adjustment of $2.7M is proposed to the 2026/27 adopted Capital Works Budget to incorporate these carry over projects from 2025/26. A separate financial report will be presented to Council for consideration of 2026/27 budget adjustments.

2. Background

The 2025/26 Budget was adopted at the Council Meeting in June 2025. The 2025/26 Capital Works Program adopted was $103.5M and comprised of 219 projects, 86 multi-year projects (including Mordi Aquatic Centre) and 133 single year projects.

Details of the 2025/26 Capital Works Program:

Summary of capital works by category



Mordi Aquatic Centre development	$48.6m
Community & Sporting Facilities	$20.5m
Fleet, Equipment & Technology	$2.4m
Parks & Reserves	$6.3m
Playgrounds & Active Recreation	$5.6m
Roads, Drains, Footpaths and Bike paths	$20.2m

Key strategies, plans and programs

Road Resurfacing & Renewal Program	$6.9m
Drainage Flood Mitigation Program	$6.6m
Namatjira Master Plan	$4.5m
Building Renewal Program	$4.0m
Le Page Master Plan	$3.3m
Local Shopping Centre Amenity Renewal Program	$2.8m
Playspace Strategy Implementation	$1.7m
Foreshore Renewal Program	$1.2m
Community Sports Club Infrastructure Program	$1.0m
Footpath Renewal Program	$1.0m
Walking & Cycling Strategy Implementation	$1.0m
Sportground Lighting Program	$0.8m

3. Discussion

3.1 2025/26 End of Year Results

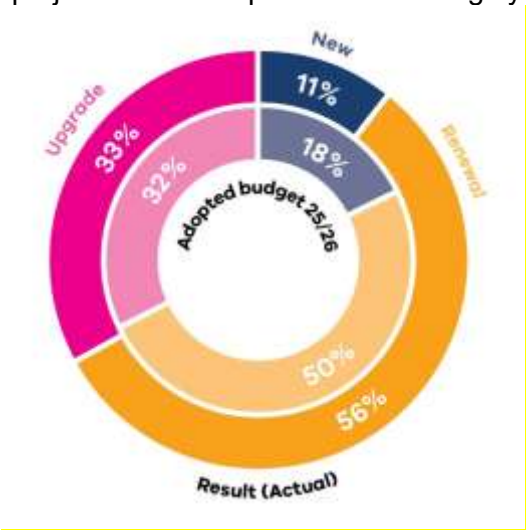
In 2025/26, Council adopted a Capital Works Program of $103.5 million. Following approved budget adjustments, including carry overs and bring forward projects, the adjusted capital program budget was $91.4 million, including $42.3 million for the Mordi Aquatic Centre project.

The 2025/26 program Capital Works Program comprised of 219 projects, 86 multi-year projects (including Mordi Aquatics) and 133 single year projects.

Of the 86 multi-year, 76 projects reported the planned deliverables as completed, and the remaining 10 projects requested carry over to complete FY25/26 deliverables.

Of the 133 single year projects, 127 projects reported as completed, with six projects requesting funding to be carried over to complete delivery in 2026/27.

The 2025/26 adopted budget reflected an investment split of 11% New projects, 56% Renewal projects and 33% Upgrade projects. Actual expenditure was largely aligned with these targets.



The Program delivered upgraded playgrounds, enhanced sports lighting and improved community buildings, creating safer, more accessible and welcoming spaces for residents. These investments support active lifestyles, strengthen community connections, and increase opportunities for recreation, sport and community participation across the municipality. An overview of these projects is provided in Appendix 1.

4. Consultation

Development of Council's Budget is undertaken through extensive consultation including the Talking Kingston platform, which enables year-round community input.

For the development of the 2025/26 budget, 724 submissions were received with all submitters being provided an opportunity to speak at the Special Council Meeting on 24 February 2025 at which 14 submissions were presented. The draft Budget was placed on exhibition from 29 April – 19 May 2025 with 14 submissions received through that process.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Liveable and Sustainable - We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment

and is future-focused
Strategy: Provide infrastructure and public spaces that enhance liveability, accessibility and are well-maintained now and into the future

The Project Management Office (PMO) closely monitors project performance across the entire Council capital works program to ensure the best outcomes for our community are achieved.

5.2 Governance Principles Alignment

Principle (c) - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

The Project Management Office (PMO) closely monitors project performance across the entire Council capital works program to ensure the best outcomes for our community are achieved.

5.3 Risk considerations

There are several factors that can impact the deliverability of Council's capital works program including but not limited to: construction industry cost escalations, general market forces, supply shortages, unforeseen latent site conditions, external authority approvals etc. To mitigate these risks, the program is actively managed.

Appendices

Appendix 1 - Q4 FY 2526 -Capex Quarterly Performance (Ref 26/214866)

Author/s:	Emily Boucher, A/ Manager PMO and Major Projects
Reviewed and Approved By:	Samantha Krull, General Manager Infrastructure and Open Space

9.3

2025/26 CAPITAL WORKS OUTCOMES

1 Q4 FY 2526 -Capex Quarterly Performance..... 277

City of KINGSTON

CAPITAL WORKS PROGRAM

QUARTERLY UPDATE

Q4 | FY 2025/26

Improving our streets and neighbourhoods

In 2025/26, Council completed significant investment in civil infrastructure renewals, including cycling infrastructure.



Old Dandenong Road

Oakleigh South
(Warrigal Road to Bourke Road)

Traffic management &
cycling lane construction



Gladesville Boulevard

Patterson Lakes

Acacia Crescent Reserve
pedestrian crossing construction



Reeve Court

Cheltenham

Footpath construction



Edithvale Shopping Strip

Edithvale

Revitalisation

Better places to play



Judd Parade Reserve, Cheltenham

New combination unit, new triswing set, new carousel, new pedestrian footpath, new furniture and landscaping.



Sheldon Place Reserve, Clayton South

New combination unit with agility trail, new carousel, new triswing set, new seesaw, new pedestrian pathways, new furniture and landscaping.



Bourke and Patty St Reserve, Mentone

New combination unit, new triswing set, new carousel, new climbing structure, new agility structure, new shelter, refurbishment of the existing halfball court with new acrylic painting and line marking, a new pedestrian footpath, new furniture, improved fencing and landscaping.

City of Kingston

Supporting local sport with projects



Mordialloc Bowls Club

The project included resurfacing both greens, one synthetic surface was recycled, drainage and base rectification works, with new synthetic grass and woven carpet installed.



Rowan Road Reserve, Dingley

Baseball sports lighting delivering six new light towers to support night training and winter season games, funded jointly by Sport and Recreation Victoria and Council.



Roy Dore Recreation Reserve, Carrum

Works included upgraded LED sports lighting, AFL behind goal safety netting and new coaches' boxes, all funded by Council.

More accessible community spaces



Highett Reserve Main Pavilion refurbishment with modern, functional and accessible facilities



Foreshore Accessible Beach Matting at Chelsea, Mordialloc and Mentone beaches



Planned future playground upgrades to include accessible footpaths at:

- Gartside Reserve, Dingley Village
- Follett Road Reserve, Cheltenham
- Doug Denyer Reserve, Mordialloc

Greener, safer public spaces



Farm Road Reserve, Cheltenham
Solar power lights to support dog walkers.



Snowdon Reserve
The project delivered a new landscaped area that better separates the onlead and offlead dog areas. Other upgrades included new fencing, a drinking fountain, additional tree planting, granitic gravel paths, and new turf areas.

Major projects taking shape



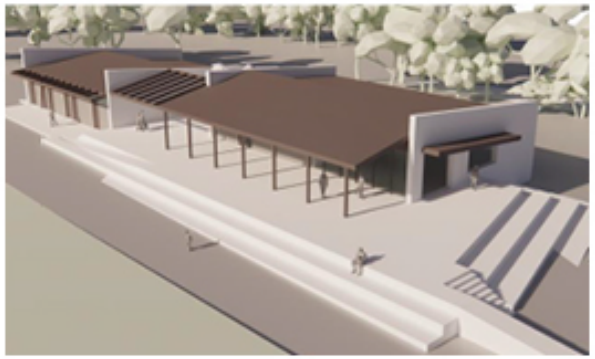
Mordi Aquatic Centre

A new, high-quality aquatic and leisure centre in Mordialloc featuring four pools, spa, sauna, and steam room, gym and fitness facilities and café. This investment supports the health and wellbeing of our community.



Le Page Park Masterplan

This project includes key sporting improvements including tennis pavilion and courts, cricket nets and netball courts. Reserve improvements include landscaping, car parking, pathways and an active recreation zone.



Namatjira Park Masterplan

Upgrades include a new sports pavilion, upgraded playground, active play zone, outdoor gym, expanded skate/BMX/scooter facility, improved path and trail network, a covered bowling green, parking and landscaping improvements.

10. Customer and Corporate Support Reports

Ordinary Council Meeting

28 September 2026

Agenda Item No: 10.1

PERFORMANCE REPORT – COUNCIL AND WELLBEING PLAN YEAR ONE – QUARTER FOUR (APRIL TO JUNE 2026)

Contact Officer: Jane Mangion, Corporate Planning and Reporting Business Partner

Purpose of Report

The purpose of this report is to provide Council with the performance outcomes against the Council & Wellbeing Plan 2025–29 for year one quarter four.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council note the status and commentary for the Council & Wellbeing Plan 2025–29 Year One Annual Action Plan 2025–26 actions and strategic indicators for quarter four.

1. Executive Summary

The Kingston Performance Report for year one quarter four includes actions and strategic indicators. The purpose of the report is to highlight Council's achievements in quarter four (April to June 2026) in relation to the implementation of the Council & Wellbeing Plan 2025–29 Year One Annual Action Plan 2025–26.

Of the 104 actions:

- 96% (100 actions) are complete
- 2% (2 actions) were not completed as scheduled and remain in progress
- 2% (2 actions) have not yet commenced

Appendix 1 provides detailed progress of the Year One Annual Action Plan 2025–26.

2. Background

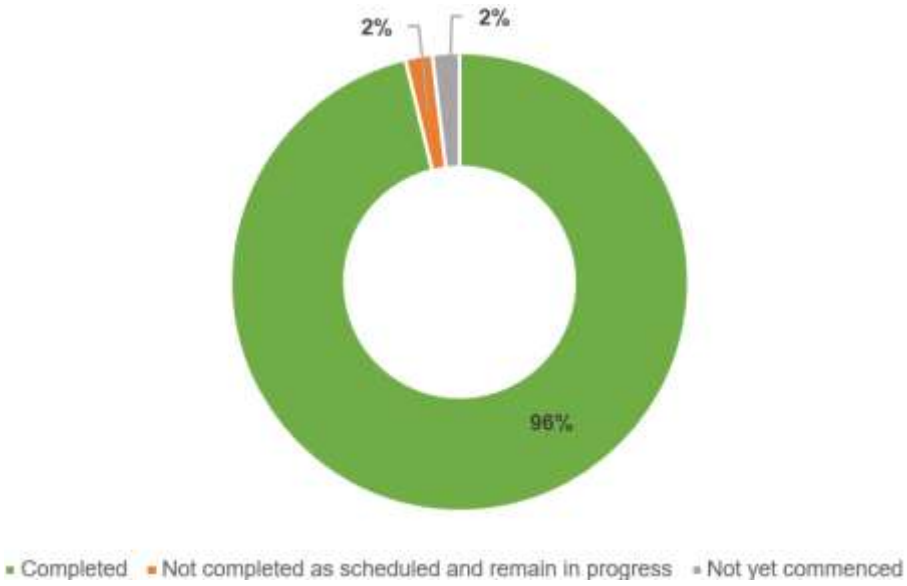
The Council & Wellbeing Plan 2025–29 sets out the strategic direction and objectives for the City of Kingston through to 30 June 2029, providing transparency and accountability to the community on Council's performance.

The Year One Annual Action Plan 2025–26 outlines how the City of Kingston will work towards achieving its Community Vision and the Council & Wellbeing Plan 2025–29 through key actions, including Major Initiatives, Initiatives and Council Strategies or Plans. The Annual Action Plan forms the foundation of the legislated quarterly performance reporting via the Kingson Performance Report.

3. Discussion

3.1 Performance Summary – Council Plan Actions

Figure 1: Council & Wellbeing Plan 2025–29, Year One Annual Actions, Quarter Four



Of the 104 actions in the Year One Annual Action Plan, 100 actions (96%) were completed at the end of quarter four. A further 2 actions (2%) were not completed as scheduled and remain in progress, and 2 actions (2%) had not yet commenced.

3.2 Key Achievements – Annual Action Plan 2025–26

During quarter four, the majority of actions from the Year One Annual Action Plan 2025–26 were completed, and some key achievements are shown in the table below:

Key Directions	Key Achievement
Healthy & Connected	• The Hidden Disabilities Sunflower Program was expanded through staff awareness initiatives and resource distribution across key customer-facing services. • Council delivered a total of 101 Road Safety education sessions, including early learning, primary school education, safe routes to school, senior driver, motorbike safety and e-scooter sessions. • Waves Leisure Centre continues to deliver a range of aquatic and leisure programs and services aimed at improving community health and wellbeing. Good community participation was maintained throughout the year, with the centre welcoming over 660,000 visitors.
Vibrant & Prosperous	• Streetscape renewal works were completed in Edithvale, Thames Promenade in Chelsea Heights, and Cavanagh Street in Cheltenham. • The Footpath Activities Policy and its accompanying standards were approved by Council on 22 June 2026. • The Creative & Learning Strategy 2026–2030 was endorsed in June 2026, setting the strategic direction for the Arts, Events and Library Services.
Liveable & Sustainable	• Construction of the changerooms and public toilets at Highett Reserve has been completed, providing all gender access for community sports clubs and reserve users.

Key Directions	Key Achievement
	• The draft Waste Strategy has been developed and will be presented for adoption at the August 2026 Council meeting. • Council rolled out a 'Bin it or Swim in It' campaign through posters and stormwater pit stencils in coastal shopping centres and streets across the municipality.
Responsibly Governed	• Council adopted the Annual Budget 2026–27, the 10-Year Financial Plan and the Revenue and Rating Plan at the May 2026 Council Meeting. • Council successfully implemented the unified communications system in June 2026, enhancing customer service and improved customer experience. • Council adopted the Acquisition and Divestment Policy in May 2026, designed to ensure consistent and transparent decision-making for Council's property portfolio.

3.3 Annual Actions not complete or commenced – Annual Action Plan 2025–26

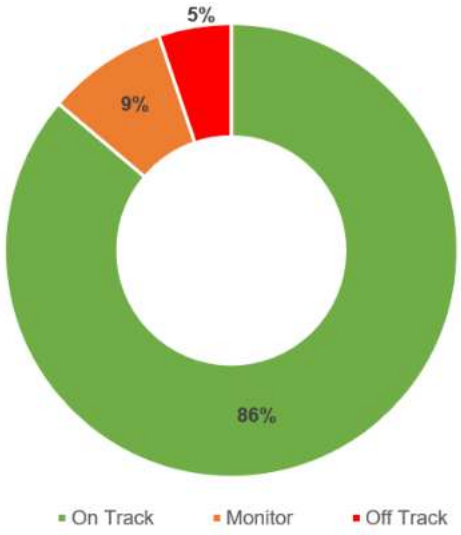
The below actions from the Annual Action Plan 2025–26 were either not completed and remain in progress or did not commence.

Action	Comment	% complete	Status
1. Commence development of a new AccessCare Strategy in line with the Australian Government Department of Health and Aged Care reform announcements.	Development of the new AccessCare Strategy has been delayed due to a number of factors including awaiting key reform announcements and related sector development and the Council decision to expand aged care services into Frankston as of 1 July 2026. It is anticipated that development of the new Strategy will commence in 2026–27.	0%	Not yet commenced
3. Undertake a disability audit of youth services and develop an action plan to improve access.	A disability audit and action plan of youth services remains incomplete due to internal resourcing constraints, resulting in assigned tasks not being completed to schedule. Works are still in progress, with some tasks reallocated and recruitment of new staff commenced to support finalising the action. It is anticipated that the remaining work will be completed by the end of the 2026–27 financial year.	75%	Not completed
95. Develop a Digital Strategy to improve customer experience, targeted communications and efficiencies across digital channels including Council's website, social media and digital data protection.	The Digital Strategy, to improve customer experience, targeted communications and efficiencies across digital channels, has been drafted. It will be adopted following the adoption of the Master Technology Strategy, which it falls under. It is expected that the strategy will be finalised in quarter two of 2026–27.	95%	Not completed

Action	Comment	% complete	Status
100. Implement relevant processes and practices upon the enactment of the Model Public Transparency Policy to drive transparency as part of the Good Governance Framework.	The Model Public Transparency Policy is still being developed by Local Government Victoria. Council will commence updating the relevant processes and practices once the Policy is enacted.	0%	Not yet commenced

3.4 Performance Summary – Council Plan Strategic Indicators

Figure 2: Council & Wellbeing 2025–29, Strategic Indicators, Quarter Four



As per the requirements of the *Local Government Act 2020*, Council is required to develop a suite of 4-year strategic indicators for monitoring the achievements of the objectives outlined in the Council & Wellbeing Plan 2025–29. For 2025–26, the City of Kingston is utilising 58 strategic indicators to monitor progress of the Council & Wellbeing Plan:

●	50 indicators (86%) represent high confidence levels, tracking on or beyond target.
●	5 indicators (9%) represent high confidence but are slightly outside the target.
●	3 indicators (5%) represent lower confidence due to not meeting the target at present.

4. Consultation

4.1 Internal Consultation:

The Annual Action Plan 2025–26 was developed in collaboration with Council departments and Councillors. Quarterly comments and results were provided by Council departments and reviewed by the Executive Leadership Team.

4.2 Community Consultation:

The Annual Action Plan 2025–26 was provided for public exhibition as part of the suite of corporate planning documents.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective
Strategy: Ensure good governance through integrity, accountability, and continuous improvement

5.2 Governance Principles Alignment

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

There are no financial considerations

5.4 Risk considerations

There are no risk considerations

Appendices

Appendix 1 - Performance Report - Council & Wellbeing Plan Year One - Quarter Four 2025-26 (Ref 26/208079)

Author/s:	Jane Mangion, Corporate Planning and Reporting Business Partner
Reviewed and Approved By:	Dillon Grech, Team Leader Corporate Performance
	Chris Heath, Manager Customer Experience and Corporate Performance
	Tracey Cheeseman, Acting General Manager Customer and Corporate Support

10.1

PERFORMANCE REPORT – COUNCIL AND WELLBEING PLAN YEAR ONE – QUARTER FOUR (APRIL TO JUNE 2026)

1 Performance Report - Council & Wellbeing Plan Year One - Quarter Four 2025-26 295



Performance Report Q4 2026

Council & Wellbeing Plan 2025–29



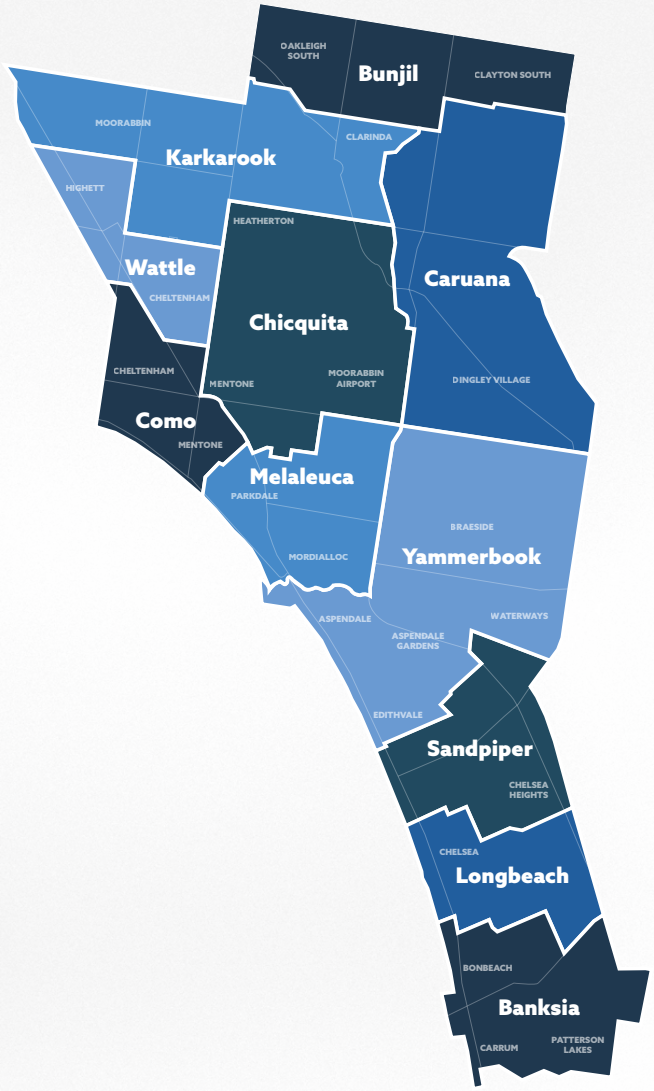


Acknowledgement of Country

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

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

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



Contents

Working towards our Community Vision 4

Performance against the Council & Wellbeing Plan 2025–29 5

Annual Actions: Performance Highlights 6

Our health and wellbeing priorities: highlights 7

Healthy & Connected 8

Vibrant & Prosperous 19

Liveable & Sustainable 26

Responsibly Governed 34

Strategic Indicators: Summary of Performance 43

Healthy & Connected 44

Vibrant & Prosperous 48

Liveable & Sustainable 52

Responsibly Governed 55

Working towards our Community Vision



The Kingston community has set a long-term, ambitious Community Vision that reflects local priorities and aspirations. Every four years, Council develops a Council & Wellbeing Plan, which sets the organisation's key directions, objectives and strategies to help realise this Vision.

> **"Kingston is a resilient, inclusive, and diverse community. We are building the most liveable and sustainable city in Victoria. We champion and nurture our green and open spaces creating a safe, healthy environment. Our shared legacy connects our community, embracing innovation, making Kingston the place to live."**

The Council & Wellbeing Plan 2025–29 sets out how we will work over the next four years to achieve the Community Vision. It also highlights how we will engage with our community, key stakeholders, community organisations, neighbouring municipalities and other levels of Government. The Plan also reflects our legislative obligations under the *Public Health and Wellbeing Act 2008* to improve local health outcomes.

The Plan is structured into four Key Directions:

- **Healthy & Connected**
- **Vibrant & Prosperous**
- **Liveable & Sustainable**
- **Responsibly Governed**

With seven health and wellbeing priorities identified for focus:

- Active and healthy living
- Healthy eating
- Mental wellbeing
- Smoking, alcohol & gambling harm
- Free from violence
- A safe community
- Climate change and health

Each year we develop an Annual Action Plan to support the delivery of the Council & Wellbeing Plan. It outlines the key actions Council intends to achieve for the community over the next 12 months.

For more information on the Council & Wellbeing Plan 2025–29 or the Annual Action Plan 2025–26, visit kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget

Performance against the Council & Wellbeing Plan 2025–29



The Kingston Quarterly Performance Report provides a comprehensive overview of the progress of the actions in the Annual Action Plan 2025–26 to demonstrate delivery of the key directions and objectives in the Council & Wellbeing Plan 2025–29.

The Quarterly Performance Report provides detailed reporting on our performance, as measured through:

- results achieved against the Key Directions and Objectives in the Council & Wellbeing Plan 2025–29
- progress against the key actions identified in the Annual Action Plan 2025–26
- progress against the Strategic Indicators in the Council & Wellbeing Plan 2025–29 (reported six-monthly)
- progress against Kingston's health priorities (reported six-monthly).

This report reflects Council's commitment to transparent reporting and accountability to our community. It also fulfils our statutory reporting requirements under the *Local Government (Planning and Reporting) Regulations 2020*.

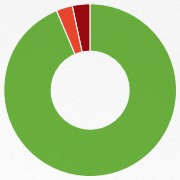
At the end of quarter four, our performance against the 104 actions listed in the Annual Action Plan 2025–26 and 58 Strategic Indicators listed in the Council & Wellbeing Plan is summarised below.

How we're tracking

Quarter four actions	Completed Action has achieved targets and is completed.	Not completed Action not completed as scheduled and remains in progress.	Not yet commenced
Healthy & Connected	30	1	1
Vibrant & Prosperous	18	–	–
Liveable & Sustainable	32	–	–
Responsibly Governed	20	1	1

Quarter four strategic indicators	On Track At or better than target.	Monitor Under target but within expected variance.	Off Track Not on target or within expected variance.
Healthy & Connected	15	1	–
Vibrant & Prosperous	14	1	–
Liveable & Sustainable	12	2	2
Responsibly Governed	9	1	1
			5

Annual Actions: Performance Highlights



Healthy & Connected

We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.

- The Hidden Disabilities Sunflower Program was expanded through staff awareness initiatives and resource distribution across key customer-facing services.
- Council delivered a total of 101 Road Safety education sessions, including early learning, primary school education, safe routes to school, senior driver, motorbike safety and e-scooter sessions.
- Waves Leisure Centre continued to deliver a range of aquatic and leisure programs and services aimed at improving community health and wellbeing. Good community participation was maintained throughout the year, with the Centre welcoming over 660,000 visitors.



Vibrant & Prosperous

We are a welcoming, lively and creative city that celebrates our well-utilised community spaces and thriving local businesses.

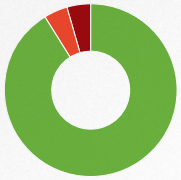
- Streetscape renewal works were completed in Edithvale, Thames Promenade in Chelsea Heights, and Cavanagh Street in Cheltenham.
- The Footpath Activities Policy and its accompanying standards were approved by Council in June 2026.
- The Creative & Learning Strategy 2026–2030 was endorsed in June 2026, setting the strategic direction for the Arts, Events and Library Services.



Liveable & Sustainable

We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused.

- Construction of the changerooms and public toilets at Highett Reserve has been completed, providing all gender access for community sports clubs and reserve users.
- The draft Waste Strategy has been developed and will be presented for adoption by Council in August 2026.
- Council rolled out a ‘Bin it or Swim in It’ campaign through posters and stormwater pit stencils in coastal shopping centres and streets across the municipality.



Responsibly Governed

We are a transparent and efficient organisation that is accountable, responsible and cost-effective.

- Council adopted the Annual Budget 2026–27, the 10-Year Financial Plan and the Revenue and Rating Plan in May 2026.
- Council successfully implemented the unified communications system in June 2026, enhancing customer service and improved customer experience.
- Council adopted the Acquisition and Divestment Policy in May 2026, designed to ensure consistent and transparent decision-making for Council’s property portfolio.

Our health and wellbeing priorities: highlights

Based on a review of our community's current health status and long-term trends, alongside community insights and key legislation and policy, Kingston identified seven priorities to improve the health and wellbeing of people in our municipality.

Active and healthy living

- Delivered 2025–26 All Abilities Action Plan actions, including expansion of the Hidden Disabilities Sunflower program, shopping strip accessibility improvements and beach access matting approvals for Mordialloc, Chelsea and Mentone beaches.
- Finalised the Community Infrastructure Framework to guide future investment in community facilities and strengthen support for services and communities.

Healthy eating

- Completed the Community Food Connections pilot in Clayton South to establish a baseline profile of the local food environment. The study provided insights into residents' experiences of the local food system and identified barriers to accessing nutritious and culturally appropriate food. It also highlighted opportunities to strengthen food security and support healthy eating.
- Completed the tender process for the new Mordialloc Aquatic Centre cafe, selecting an operator committed to Healthy Choices guidelines and nutritious food and drink options.

Mental wellbeing

- Delivered free Relationships Australia Victoria, Support Starts Here and Support-a-Mate casual counsellor training to strengthen community mental health support skills.
- Partnered with community centres, hubs, neighbourhood houses and libraries across multiple campaigns including Neighbours Every Day and Loneliness Awareness Week to promote community connection and belonging.

Smoking, alcohol & gambling harm

- Adopted the Gambling Policy 2026–2030 to establish a strategic approach to preventing and reducing gambling-related harm through advocacy, community education, partnerships and responsible planning.
- Partnered with neighbouring councils to deliver the Freshtake project engaging 150 young people to create peer-led, anti-vaping campaigns.

Free from violence

- Delivered a Men's Health Week 2026 program in partnership with community organisations, including a Dad Matters event promoting equitable parenting, healthy masculinities and respectful relationships.
- Delivered a 16 Days of Activism campaign featuring a men's behaviour change author talk and sports club toolkit to promote safe, equal and respectful communities.

A safe community

- Delivered 36 Road Safety Education sessions covering early years and older adults, pedestrian distraction, motorcycle safety and e-scooter safety.
- Partnered with Westfield Shopping Centre and emergency service partners to deliver Southland Community Safety Day with over 2,500 people attending.

Climate change & health

- Delivered eight environmental and sustainability workshops, supporting community learning on energy efficiency, biodiversity, nature strip gardening and food waste reduction.
- Engaged over 3,400 participants across the year in environmental and sustainability activities, including workshops on energy efficiency, biodiversity, wildlife, nature strip gardening and food waste reduction.

Healthy & Connected

Key Direction

Healthy & Connected

Objective

We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.

Importance for health and wellbeing

Being healthy and connected work together to support physical and mental health. Feeling connected to each other and to our community helps foster a sense of belonging and safety, which is essential for overall wellbeing.

Provide affordable, accessible and high-quality local services that address the different needs of our community members.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
1. Commence development of a new AccessCare Strategy in line with the Australian Government Department of Health and Aged Care reform announcements.	AccessCare	Development of the new AccessCare Strategy has been delayed due to a number of factors including awaiting key reform announcements and related sector development and the Council decision to expand aged care services into Frankston as of 1 July 2026. It is anticipated that development of the new Strategy will commence in 2026–27.	0%	Not yet commenced
2. Review the Community Connections Program to better respond to the significant rise in homelessness or risk of homelessness.	AccessCare	Council completed a review on the funding and staffing required to meet demand from new referrals and existing clients. A business case was presented to the Department of Health, Disability and Ageing and we are awaiting feedback.	100%	Completed
3. Undertake a disability audit of youth services and develop an action plan to improve access.	Family, Youth & Children's Services	A disability audit and action plan of youth services remains incomplete due to internal resourcing constraints, resulting in assigned tasks not being completed to schedule. Works are still in progress, with some tasks reallocated and recruitment of new staff commenced to support finalising the action. It is anticipated that the remaining work will be completed by the end of the 2026–27 financial year.	75%	Not completed
4. Implement a transparent expression of interest process to ensure fair access to all spaces in Community Hubs, optimising the utilisation of Council-managed facilities.	Inclusive Communities	The Expression of Interest process for Community Hub spaces was successfully completed in late 2025, providing a transparent and equitable approach to allocating access to Council-managed facilities. Applications were assessed and bookings allocated for the 2026 calendar year, helping to optimise the use of community spaces while ensuring fair access for community groups, organisations and program providers. The process supports effective utilisation of Community Hubs and enables facilities to respond to diverse community needs and growing demand.	100%	Completed

Support our diverse and growing community to participate in community life and strengthen connections to foster a sense of belonging and address loneliness and isolation.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
5. Commence developing a strategy to guide Council's approach to fairness and wellbeing across key life stages and priority population groups in our community.	Inclusive Communities	A draft Community Belonging Strategy has been developed, informed by community engagement, research, stakeholder input and cross-Council collaboration. The strategy seeks to establish a coordinated framework to strengthen community connection, participation, belonging and wellbeing across all life stages and priority population groups. Key themes, priorities and actions have been identified, that will position Council to deliver a more integrated and inclusive approach to supporting community wellbeing and reducing loneliness and isolation. The draft Strategy will be presented to Councillors in late 2026.	100%	✓
6. Implement the All Abilities Action Plan (2024–2028) for 2025–26 to improve physical access, social inclusion and economic opportunities for people with disability.	Inclusive Communities	Council successfully delivered the planned 2025–26 actions under the All Abilities Action Plan, achieving progress across physical access, inclusion and employment outcomes. The Hidden Disabilities Sunflower Program was expanded through staff awareness initiatives and resource distribution across key customer-facing services. Accessibility improvements were progressed in partnership with the Access and Equity Advisory Committee, including work to improve local shopping strip accessibility. Following a successful trial, permanent beach access matting was approved for Mordialloc, Chelsea and Mentone beaches, with additional infrastructure approved to support beach wheelchair access. Council also partnered with a disability employment agency to explore employment opportunities for people with disability, supporting greater economic participation and inclusion within the community.	100%	✓
7. Implement community connection initiatives to acknowledge Loneliness Awareness Week 2025.	Inclusive Communities	In August 2025, Council delivered a Loneliness Awareness Week campaign, encouraging the Kingston community to 'Find Connection' through the newly launched Community Directory on the Council website. The directory features a searchable map, making it easier for residents to discover and engage with community groups. Ongoing promotions for finding connection and the Community Directory will continue.	100%	✓

✓ Completed ⋯ Not completed ⊖ Not yet commenced

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
8. Continue to promote existing programs and services to young people in residential care, including sporting and recreational activities, to improve their access to programs, services, and supports.	Family, Youth & Children's Services	Recent focus was on engaging as many young people and service providers as possible in the Youth Strategy consultation, with a particular emphasis on reaching young people from marginalised backgrounds. A series of targeted outreach and engagement sessions were delivered to broaden participation and ensure diverse voices were represented in the consultation process.	100%	✓
9. Finalise the redevelopment of the Reconciliation Action Plan (2025–28) and commence implementation to build better relationships and opportunities for Aboriginal and Torres Strait Islander peoples and promote respect and equality.	Inclusive Communities	A major milestone was the endorsement of the Reconciliation Strategy 2026–2030, providing a clear roadmap for strengthening relationships, respect and opportunities for Aboriginal and Torres Strait Islander peoples. Implementation has commenced, supported by key initiatives including the organisation-wide Cultural Safety Audit, planning for Cultural Heritage Management Plan training, and ongoing partnerships with Aboriginal organisations.	100%	✓
10. Develop a First Nations youth program through the Derrimut Weelam Gathering Place to foster cultural pride, develop skills and create pathways for future education and workforce success.	Inclusive Communities	Derrimut Weelam Gathering Place delivered a range of culturally focused programs and activities that strengthened connection to Country, culture and community for First Nations children, young people and families. Key highlights included a School Holiday Water Safety Program delivered in partnership with Mordialloc Life Saving Club, which provided 33 First Nations children and young people with a culturally safe opportunity to develop essential water safety skills and participate in beach activities, and the Little Hands on Country program, which encouraged cultural learning and creativity through hands-on activities using natural materials.	100%	✓

✓ Completed ··· Not completed ⊖ Not yet commenced

Provide environments and services that promote and support mental and physical health and wellbeing.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
11. Deliver aquatic and leisure centre programs for 2025–26 to support the health and wellbeing of the diverse Kingston community.	Aquatic & Leisure	Waves Leisure Centre delivered a range of aquatic and leisure programs and services aimed at improving community health and wellbeing. Good community participation was maintained throughout the year for casual users, learn to swim, group fitness and memberships, with the centre welcoming over 660,000 visitors during the year.	100%	✓
12. Support sports clubs to enhance access and inclusion opportunities to increase community participation in sport and recreation.	Active Kingston	Council continues to promote inclusive and accessible community sport through education, engagement and policy initiatives. This includes supporting clubs to implement Fair Access Policy actions, providing practical resources, and delivering workshops to foster more inclusive club environments. Fair access principles have also been embedded in Council's broader club support framework, including the updated Allocations Policy and at club forums. Female participation reached 36.09 per cent in the 2026 winter allocations at Council's sporting facilities, a slight increase on the previous year.	100%	✓
13. Create a localised 2025 campaign to encourage young women to get active.	Inclusive Communities	The Move Your Way campaign was developed to inspire and support young women in Kingston to become more physically active. Key project deliverables included the development of a comprehensive campaign framework, tailored key messages and seasonal campaign taglines, as well as a co-design approach to engage young women in shaping the campaign. Scheduled for implementation in 2026–27, the campaign provides a strong foundation for promoting participation in physical activity, enhancing wellbeing, and encouraging lifelong healthy and active behaviours among young women in Kingston.	100%	✓
14. Provide information to the community about gambling harm and supports available to reduce harms from gambling in our community.	Inclusive Communities	Council continued to raise awareness of gambling-related harm and promote access to support services through community education, stakeholder engagement and partnership initiatives. Information about gambling harms and available supports was shared through Council advisory groups, helping to build awareness among key community representatives. Partnerships with the Better Health Network also enabled the delivery of financial literacy and wellbeing education across community and youth settings, strengthening community understanding of gambling harm prevention and support pathways. These activities contributed to a broader preventative approach to promoting mental health, wellbeing and financial resilience.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
15. Progress the update of Council's Gambling Policy to prevent and reduce harm from gambling in the City of Kingston.	Inclusive Communities	The Gambling Policy 2026–2030 was successfully developed and adopted by Council on 22 June 2026 following engagement with Councillors and community consultation. The policy establishes Council's strategic approach to preventing and reducing gambling-related harm through advocacy, community education, partnership development and responsible planning.	100%	✓
16. Complete the pilot Community Food Connections study to establish a baseline food profile for Clayton South that will identify future food initiatives to increase healthy eating in the community.	Inclusive Communities	Council completed the Community Food Connections pilot study for Clayton South, establishing a comprehensive baseline profile of the local food environment. The study mapped food resources across the five food system elements of grow, access, eat, learn and dispose, providing valuable insights into how residents interact with the local food system. Community engagement also identified key barriers and enablers to accessing nutritious, sustainable and culturally appropriate food, as well as opportunities to strengthen food security and healthy eating in the future. The findings provide an evidence base to inform future initiatives that support health, wellbeing and equitable access to healthy food within the community.	100%	✓
17. Co-design anti-smoking campaigns with secondary school aged young people to reduce the prevalence of vaping.	Family, Youth & Children's Services	Creative workshops were delivered to 150 students with partner councils. Fifty-one students from Mentone Girls and Westall Secondary College created anti-smoking campaigns, with Mentone Girls winning a major prize. An online and community campaign wrapped up this VicHealth-funded project at the end of 2025.	100%	✓
18. Collaborate with organisational and community partners to support initiatives that promote connection, belonging and good mental wellbeing in the community.	Inclusive Communities	Council collaborated with organisational and community partners to deliver a range of initiatives that promoted connection, belonging and positive mental wellbeing across the community. Activities included a nature-based walk to mark World Mental Health Day, promotion of and participation in Neighbour Day initiatives, and community engagement activities at the Southland Community Safety Day. Council also developed the 'Make Room for Connection' campaign for Loneliness Awareness Week 2026, bringing together community centres, community hubs, neighbourhood houses and libraries to deliver activities that support Council's vision of growing a kind, safe and connected Kingston. Collectively, these initiatives strengthened opportunities for social connection, community participation and mental wellbeing throughout the year.	100%	✓

✓ Completed ··· Not completed ⊖ Not yet commenced

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
19. Develop and test a model for providing Casual Counsellor training to enhance community skills in supporting people experiencing mental health challenges.	Inclusive Communities	Council collaborated with community and organisational partners to develop and test a Casual Counsellor training model designed to increase community confidence and skills in supporting people experiencing mental health challenges. Two pilot sessions were successfully delivered, including Support Starts Here for staff and volunteers from neighbourhood houses, community centres and emergency relief agencies, and Support a Mate delivered during Men's Health Week. Evaluation results demonstrated strong outcomes, with 100 per cent of Support Starts Here participants satisfied with the training and reporting increased knowledge and skills to support someone who is struggling. For Support a Mate, 92 per cent of participants were satisfied and 83 per cent reported improved knowledge and skills to support a mate experiencing challenges. The pilot has provided a strong evidence base for building community capacity, strengthening social support networks and promoting positive mental wellbeing across Kingston.	100%	✓

Support our community to feel safe and be safe.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
20. Support foreshore clubs to promote and provide increased community participation opportunities and programs around accessibility and water safety.	Active Kingston	Council partnered with Life Saving Victoria and local lifesaving clubs to deliver water-safety training on Kingston's foreshore for culturally and linguistically diverse community members. Following a successful trial of permanent, accessible beach matting at Aspendale Beach, Council is installing a further three permanent, accessible mats at Mordialloc, Mentone and Chelsea beaches.	100%	✓
21. Develop and adopt the Domestic Animal Management Plan (2026–30) to ensure Kingston remains a place where people and pets can peacefully and safely co-exist.	Compliance & Amenity	The Domestic Animal Management Plan (2026–2029) was adopted by Council in November 2025. Implementation is underway to promote responsible pet ownership, animal welfare and enhance the experience of animal ownership within the community.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
22. Strengthen regional community safety networks to identify opportunities for collaboration on projects that improve community safety and create positive change.	Inclusive Communities	Council strengthened regional and sector partnerships to support a coordinated approach to community safety through active participation in quarterly Community Safety Community of Practice meetings hosted by the Department of Justice. These forums enabled the sharing of knowledge, emerging trends and best practice across the sector. Council also strengthened relationships with key stakeholders through engagement with Crime Stoppers Victoria, ongoing collaboration and information sharing with neighbouring councils, and promotion of the Victoria Police Statewide Community Sentiment Survey. Collectively, these activities enhanced regional connections, supported collaborative problem-solving and contributed to improved community safety outcomes.	100%	✓
23. Deliver transport information sessions for 2025–26 to increase the ability and confidence of the community to use all modes of transport safely, and to maintain independence and social connections.	Infrastructure	A total of 101 Road Safety education sessions were held this year, with 31 in the last quarter including early learning, primary school education, bike education, safe routes to school, secondary school, senior driver, motorbike safety and e-scooter sessions.	100%	✓
24. Maintain an active swimming pool and spa safety program.	Municipal Building Surveyor	Council continued to provide a pool and spa safety program including inspections, enforcement and maintaining a pool register. The municipality currently has 5,850 private pools registered, which require certification every four years. A total of 1,107 compliance certificates were lodged this financial year.	100%	✓

✓ Completed ··· Not completed ⊖ Not yet commenced

Prevent and reduce all forms of family violence in our community.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
25. Deliver local activities for 16 Days of Activism Against Gender-Based Violence to increase understanding of the prevention of violence towards women and children.	Inclusive Communities	Council delivered a comprehensive 16 Days of Activism Against Gender-Based Violence campaign to raise awareness and promote the prevention of violence against women and children. Activities included an author talk featuring a men's behaviour change facilitator, library displays, children's story times, City Hall illuminated in orange, sporting club toolkits and staff participation in the Walk Against Family Violence. The campaign also increased community understanding of technology-facilitated abuse, delivered family violence training to Community and Neighbourhood House staff, and supported the Gender Equity in the Early Years Forum in partnership with Better Health Network. These initiatives contributed to building awareness, strengthening local capacity and promoting gender equality across the community.	100%	✓
26. Implement initiatives to promote healthy masculinities and improve men's mental health in response to identified needs.	Inclusive Communities	Council delivered a range of initiatives to promote healthy masculinities and support men's mental health in response to identified community needs. A comprehensive Men's Health Week 2026 program engaged community members through activities delivered by Council and community partners, creating opportunities for connection, learning and wellbeing. Council also contributed to regional leadership and knowledge sharing through active participation in the Engaging Men and Boys Community of Practice, including presenting insights from the successful Dad Matters event and sharing learnings with other councils. In addition, officers and Council representatives attended a Victorian Government Men's Health Forum hosted within Kingston, strengthening partnerships and awareness of emerging approaches to improving men's health and wellbeing. These initiatives have increased opportunities for engagement, promoted positive models of masculinity and strengthened support for men's mental health across the community.	100%	✓

✓ Completed ··· Not completed ⊖ Not yet commenced

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
27. Collaborate with regional, strategic and community partners to support initiatives that prevent all forms of family violence in our community.	Inclusive Communities	Council strengthened collaboration with regional, strategic and community partners to support a coordinated approach to preventing family violence and promoting gender equity. Council convened the quarterly Kingston Prevention of Family Violence Working Group, bringing together Council and community partners to share information, identify opportunities for collaboration and support local prevention initiatives. Officers also actively participated in the Municipal Association of Victoria's quarterly Gender Equity, Prevention of Family Violence and Violence Against Women network meetings, contributing to sector-wide knowledge sharing and best practice. In addition, officers attended the Violence Reduction Unit seminar focused on implementing a public health approach to violence prevention, supporting Council to strengthen its evidence-based approach to preventing family violence and creating safer, more equitable communities.	100%	✓
28. Collaborate with partners to promote women's health, increase health literacy, and support health screening efforts.	Inclusive Communities	Council collaborated with a range of health and community partners to promote women's health, improve health literacy and encourage participation in preventative health screening. Key initiatives included the promotion of Women's Health Week 2025 activities delivered by Council and partner organisations, engagement with BreastScreen Victoria at Kingston's International Women's Day event to increase awareness of breast screening services, and active participation in the Victorian Government Women's Pain Forum in April 2026. Ongoing partnerships with BreastScreen Victoria and planning for Women's Health Week 2026 have further strengthened Council's commitment to supporting women's health and wellbeing through education, awareness and improved access to health information and services.	100%	✓
29. Develop and co-design the Gender Equality Action Plan (2026–30) to meet the requirements of the *Gender Equality Act 2020* and continue to address systemic barriers that create gender inequality in the workplace.	People & Culture	Council has developed a new Gender Equality Action Plan (2026–30), informed by a Workplace Gender Audit and staff consultation. A co-design approach was used to ensure staff perspectives were meaningfully incorporated.	100%	✓

✓ Completed ··· Not completed ⊖ Not yet commenced

Empower and nurture our community to develop and lead community-based initiatives.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
30. Review the community event application process for events held on Council land to ensure events are well-governed and safe for all attendees.	Arts, Events & Libraries	The review of the community event application process has been completed with recommendations being developed for implementation.	100%	✓
31. Deliver the Kingston Grants Program, incorporating review recommendations, to improve flexibility, responsiveness and ease of access for community organisations.	Inclusive Communities	Council delivered improvements to the Kingston Grants Program to enhance flexibility, responsiveness and accessibility. Key review recommendations were implemented, including Council endorsement of further program updates in April 2026 and the closure of the Individual Development Grants stream from 12 July 2026. Council awarded 26 Community Bi-annual Grants, four Operational and Partnership Grants, 76 Community Small Grants and Start-up Grants, and 63 Individual Development Grants, supporting a wide range of community-led initiatives that foster connection, inclusion and wellbeing across Kingston.	100%	✓
32. Implement the recommendations of Council's awards program review to enhance the recognition and celebration of community achievements.	Inclusive Communities	The new Kingston Awards Policy was adopted by Council on 25 August 2025. The current celebration events model will continue to be delivered annually, including three separate awards events to recognise Community Awards, Youth Awards and Women of the Year Awards, aligned to Volunteer Week, Youth Fest and International Women's Day respectively.	100%	✓

✓ Completed ⋯ Not completed ⛔ Not yet commenced



Vibrant & Prosperous

Key Direction

Vibrant & Prosperous

Objective

We are a welcoming, lively and creative city that celebrates our well-utilised community spaces and thriving local businesses.

Importance for health and wellbeing

Vibrant and prosperous social and economic conditions foster improved learning and creativity, better quality relationships and greater productivity, all of which contribute to better health and wellbeing.

Support activity centres and shopping villages to be vibrant, unique and destination-focused.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
33. Invest in the renewal of local shopping centres and villages including Edithvale; Cavanagh Street, Cheltenham and Thames Promenade, Chelsea Heights to support local businesses and enhance liveability.	City Economy & Innovation	Council is investing in the renewal of key local shopping precincts to support business vitality and enhance liveability. Streetscape renewal works were completed in Edithvale, Thames Promenade in Chelsea Heights, and Cavanagh Street in Cheltenham.	100%	✓
34. Implement Council's destination marketing campaign for 2025–26 to entice visitors to Kingston, boosting tourism and the local economy.	Advocacy, Communications & Engagement	Council's destination marketing campaign continues to attract visitors to Kingston, supporting tourism and strengthening the local economy. The campaign's Instagram page now has 11,439 followers. Content achieved a reach of 95,830, an increase of 75.3 per cent compared with the previous reporting period. Content was viewed 611,767 times, representing an 18.7 per cent increase on the previous quarter. The best-performing content focused on food and drink experiences, often accompanied by voiceovers. Collaborative content with influencers and sponsored events also performed strongly.	100%	✓

Support local businesses to stay in Kingston and thrive.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
35. Lead the implementation of streamlined processes and procedures to support businesses through the planning application process.	City Development	The recent trial of an internal decision-making panel, introduced to streamline the assessment and determination of planning applications, has proven successful. The process has now been fully adopted and will support applicants, including businesses, by providing a more efficient and coordinated planning application process. In addition, during the last financial year, Council supported more than 50 planning applications and pre-applications by providing integrated advice across planning, environmental health, local laws, building, and business services.	100%	✓
36. Establish a new partnership with a business development provider to support local entrepreneurs.	City Economy & Innovation	Through the Business and Economic Development Advisory Committee, Council has assisted in facilitating the development of a new networking group to support tech and local entrepreneurs. The new SaaS (Software as a Service) Tech Leaders Kingston Group aims to support local connections and facilitate local supply networks for Kingston workers.	100%	✓
37. Update the Footpath Activities Policy to foster a safe and vibrant street life which balances the needs of residents, businesses and visitors to the municipality.	City Economy & Innovation	The Footpath Activities Policy and its accompanying standards were approved by Council on 22 June 2026.	100%	✓
38. Engage with major industry sectors to strengthen business to business opportunities and build capability.	City Economy & Innovation	Council has formed an alliance with neighbouring councils to support the food manufacturing sector to boost business-to-business opportunities and local capability. The alliance includes Greater Dandenong, Stonnington, Monash, and Knox councils. Engagement has also commenced with the local food manufacturing industry for a forum planned for 2026.	100%	✓
39. Continue to facilitate the Better Approvals coordination service which provides a single point of contact for businesses and reduces the time, cost, and uncertainty of starting a business.	City Economy & Innovation	Council's streamlined approvals service continued to provide a single coordination point to help businesses start faster and with greater certainty. A total of 83 businesses were supported through the Better Approvals Coordination Service this year, averaging more than 20 per quarter.	100%	✓

Explore and engage in partnerships with local businesses and organisations to enhance leisure and entertainment opportunities for the community.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
40. Commence implementation of the community use agreement for Hawthorn Football Club's community oval and pavilion to provide additional opportunities for physical activity and inclusion with a focus on women's sport.	Active Kingston	The Hawthorn Kennedy Community Centre features a new oval and pavilion for elite AFLW and local women's sport. A 30-year agreement for community use has been established between Kingston Council and Hawthorn Football Club, and community groups are now actively using the centre. Women and girls' participation is prioritised, with female participation representing 63.2 per cent of community use to date. User feedback has been very positive, with groups highlighting both the quality of the facility and the value it provides to the local community.	100%	✓
41. Pursue opportunities to develop partnerships with local organisations to enhance leisure, events and entertainment experiences in Kingston.	City Economy & Innovation	Council engaged with local venue partners in the delivery of programs throughout 2025–26. Local organisations that have been venue partners for business events in 2025–26 include Woodlands Golf Club, Franks Cafe in Cavanagh St, Cheltenham, We-Ef Lighting, Melbourne PC Users Group, and Mordialloc Motor Yacht Club.	100%	✓
42. Work with local businesses to promote participation in place activation events in commercial precincts.	City Economy & Innovation	Council supported a number of activation events across Kingston throughout 2025–26 including Moorabbin Junction After Dark in August 2025, Tastes and Tunes in Highett in October 2025, Christmas tree lighting in Parkdale and Mordialloc, and a Parkdale Easter Hunt in March 2026. Targeted outreach to traders and engagement with traders' associations, as well as marketing and communications activities has seen strong business involvement across the precincts.	100%	✓

Provide and promote vibrant community spaces that support public arts and are welcoming for all.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
43. Deliver phase 1 of the Kingston Arts Precinct Masterplan, and advance the project aligned with the Council's direction.	Arts, Events & Libraries	The Kingston Arts Precinct Masterplan was endorsed by Council in July 2025. Grant applications and bids through Council's annual budget process have been submitted to support the next phase of work.	100%	✓
44. Engage with local artists to deliver a suite of cultural programming to showcase local talent alongside professional artists.	Arts, Events & Libraries	Kingston Arts continues to champion local talent through a diverse range of programs and opportunities. Emerging Edithvale artist Lily Walker presented her exhibition Home Show after being selected through our highly sought-after annual Expressions of Interest Exhibition Program. We celebrated creativity across all ages and abilities through the hugely popular Artz Blitz competition. In partnership with PBS 106.7FM, our April Sunday Sounds series featured a local support performer. We also supported the development of local creatives, with three of four Visual Artists in Residence and two of three Writers in Residence at Dingley Library being Kingston residents.	100%	✓
45. Increase local performer representation across council-led festivals and events to create more opportunities for local talent.	Arts, Events & Libraries	Local performer representation across Council-led festivals and events was successfully increased, creating more opportunities for Kingston artists and performers. Strong local participation was showcased at major events, including Carols by Kingston and Mordi Fest. Programming for upcoming events will continue to prioritise local talent where appropriate, supporting increased representation across Council-led festivals and events.	100%	✓

Enhance opportunities for everyone to participate in creative arts, learning and recreational activities and services.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
46. Complete the development of the Creative & Learning Strategy (2025–29) to provide accessible and affordable programs for all ages to create a culturally rich, inclusive and vibrant community and promote mental well-being and social connection.	Arts, Events & Libraries	The Creative & Learning Strategy 2026–2030 was endorsed at the June 2026 Council Meeting setting the strategic direction for the Arts, Events and Library Services in line with the Council and Wellbeing Plan 2025–29.	100%	✓
47. Deliver engaging and high-quality library programs and events for 2025–26 to address recreational, informational, creative and social needs of the community.	Arts, Events & Libraries	Kingston Libraries continues to deliver diverse programs which address community need, spanning early childhood to retirement. Programs relating to sustainability, digital education and craft, as well as author talks are of particular interest to adults. April – June adult program highlights include Bird Watching with Sean Dooley (70 attendees), Sydney Writers Festival (multiple streamed sessions – 100+ attendees), our Eurovision Watch Party (50 attendees), The Matter of Facts (a collaboration with the ABC on AI and disinformation – 40 attendees) and the Westall UFO anniversary event (over 160 in person attendees, over 1,000 live streams). Our Children and Youth programs continue to garner high engagement; of note, our April School Holiday program included 37 events and 682 attendees.	100%	✓
48. Establish a creative careers and networking hub for young people to promote everyday creativity.	Family, Youth & Children's Services	Creative volunteer opportunities were established across Youth Services events, creating meaningful pathways for young people to develop skills, gain experience and build connections within the local creative sector. New volunteer roles – including Stage Manager, Photographer, Artist Liaison and MC – were co-designed with young people and embedded into event delivery, with initial trials demonstrating strong success. These opportunities contributed to the development of a creative peer support and networking pathway, supporting both volunteering and future career development. Young performers also benefited from a supportive and inclusive event environment, reporting increased confidence when performing. Opportunities to lead promotion through Youth Services social media channels enhanced young people's visibility and engagement, resulting in increased online interaction and event attendance.	100%	✓

Transform and maximise the use of community spaces and enhance libraries and hubs to meet the diverse and changing needs of the population.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
49. Finalise the Community Infrastructure Framework to guide Council's investment in community facilities to support service delivery and community needs.	Inclusive Communities	The Community Infrastructure Framework has been finalised following engagement with Councillors, community members and stakeholders. The Framework provides a strategic approach to guiding future investment in community facilities and will be presented to Council for adoption in July. It will support the ongoing transformation and optimisation of community infrastructure in Kingston.	100%	✓
50. Commence development of the Community Hubs Strategy to explore opportunities to enhance the utilisation of Council's community hubs, halls and community centres.	Inclusive Communities	The development of the Community Hubs Strategy has commenced, with an early draft Strategy prepared. When fully completed in 2026–27, it will guide the strategic direction of Council's community hubs, halls and community centres.	100%	✓



Liveable & Sustainable

Key Direction

Liveable & Sustainable

Objective

We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused.

Importance for health and wellbeing

Our health depends on a healthy environment. A safe climate, access to clean water, good quality air and healthy, natural environments are essential for good health and wellbeing. Liveable communities are safe, inclusive and environmentally sustainable.

Provide infrastructure and public spaces that enhance liveability, accessibility and are well-maintained now and into the future.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
51. Implement the Play Your Way Strategy (2023–33) program for 2025–26 to design and deliver playground renewals to provide equitable, accessible and quality play spaces for our community.	Active Kingston	Several playground upgrades have been delivered as part of the Play Your Way strategy including the Bourke and Patty Street Reserve playground in Mentone, the Judd Parade Reserve playground in Cheltenham, and the Sheldon Place Reserve playground in Clayton South. In 2025–26, design and community consultation was completed for playground upgrades at Gartside Reserve, Dingley Village; Follett Road Reserve in Cheltenham and Doug Denyer Reserve in Mordialloc.	100%	✓
52. Continue to work with the Victorian Government to secure suitable replacement land in the Green Wedge for regional sporting facilities (Kingston Fields).	Active Kingston	Council continues to advocate to the Victorian Government and the Suburban Rail Loop Authority for the required replacement land suitable for regional active sport, however, a response has not been received. In total, 34 hectares of replacement land needs to be secured to support future sporting development for a growing population, particularly in the northern part of the municipality.	100%	✓
53. Upgrade Highett Reserve Pavilion to provide public toilets, umpire rooms and changing rooms for use by all genders and abilities.	Active Kingston	Construction of the changerooms and public toilets at Highett Reserve has been completed, providing all gender access for community sports clubs and reserve users.	100%	✓
54. Progress construction of the Walter Galt Pavilion upgrade to provide additional umpire rooms and change rooms for use by all genders and abilities, and improve accessibility.	Active Kingston	The construction contract for the Walter Galt Pavilion upgrade was awarded in November 2025. Works are underway and completion is scheduled for late 2026.	100%	✓

✓ Completed ··· Not completed — Not yet commenced

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
55. Deliver sporting infrastructure renewals and upgrades to support community participation in sport and staying active.	Active Kingston	Renewal and upgrade of sporting infrastructure and active recreation for 18 projects including synthetic bowling green surface replacements, sportsground lighting, behind-goal netting, cricket net projects and multi-court facilities in our open space has been delivered.	100%	✓
56. Investigate locations to establish a purpose-built BMX/Pump track designed in collaboration with the community to facilitate the growing need for off road cycling facilities.	Active Kingston	Potential locations for a BMX/pump track have been identified at Edithvale Common, and Le Page Park. In addition, a broader BMX/Dirt Jumps and Skate Strategy is being developed and will involve collaboration with local communities and young people.	100%	✓
57. Progress phase one of the program to install electric vehicle chargers in 18 prioritised locations across the City of Kingston, including community education.	City Strategy	Installation of a check meter at Dingley Village Hub has progressed, as well as detailed design for chargers at Namatjira Park and Westall Community Hub, while Mordi Aquatic Centre remains on track for installation in December 2026. Council is also advancing a three-year kerbside EV charging trial with United Energy. As well as promoting EV education through our bi-monthly Sustainable Living newsletter including articles about EV battery life.	100%	✓
58. Develop the Waste Strategy with a focus on efficient and cost-effective services to support sustainability outcomes.	City Works	The draft Waste Strategy has been developed and will be presented for adoption at the August 2026 Council meeting.	100%	✓
59. Undertake programmed maintenance blitzes at various activity centres to improve amenity and presentation.	City Works	Maintenance blitzes to improve local amenity were completed in a range of locations during the year including Main Street in Mordialloc, Westall Shopping Centre, at shopping precincts in Mentone, Carrum, Parkdale, Chelsea, Warrigal Road/Alnutt Parade in Cheltenham, Centre Road/Melaleuca in Clarinda, Balcombe Road/Collins Street/Nepean Hwy in Mentone and Follett Road in Cheltenham.	100%	✓
60. Finalise the Public Toilet Strategy to improve provision of public toilets across the municipality.	Inclusive Communities	Council adopted the Public Toilet Strategy 2026–36 on 23 February 2026. The Strategy assesses the condition and suitability of the current public toilet network in Kingston, identifies service gaps and recommends actions to improve quality, accessibility and overall management.	100%	✓
61. Develop a program of works for accessibility improvements in Kingston's major activity centres to improve community participation and belonging.	Infrastructure	Following accessibility audits of Moorabbin, Mentone, Cheltenham, Chelsea and Mordialloc, 15 accessibility improvement projects were selected for implementation and a program of works developed. Four sites have already been completed, with larger scale projects to be considered as part of Council's annual budget processes.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
62. Implement the Walking and Cycling Plan (2023–28) program for 2025–26 to provide more active and sustainable transport options in the municipality.	Infrastructure	All 2025–26 Walking and Cycling Plan actions have been completed, including construction of the Old Dandenong Road cycling lane and the installation of traffic signals at the intersection of Thames Promenade and Fourth Avenue.	100%	✓
63. Commence improvements at Doug Denyer Reserve and Kevin Hayes Reserve to enhance amenity across the two reserves.	Open Space	Planning for the delivery of improvements at Doug Denyer Reserve and Kevin Hayes Reserve has progressed, with a contractor appointed and works scheduled to commence in early 2026–27.	100%	✓
64. Commence delivery of the Le Page Park Masterplan program of works for 2025–26 to improve recreational facilities and accessibility.	PMO & Major Projects	Delivery of the Le Page Park Masterplan has commenced and significant construction works will be undertaken over the 2026–27 financial year.	100%	✓
65. Commence delivery of the Namatjira Reserve Masterplan program of works for 2025–26 to improve recreational facilities and accessibility.	PMO & Major Projects	Delivery of the Namatjira Reserve Masterplan has commenced and significant construction works will be undertaken over the 2026–27 financial year.	100%	✓

Support appropriate and affordable housing development and infrastructure to meet the current and future needs of our diverse community.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
66. Advocate for Council's decisions at VCAT and continue to provide positive, mediated outcomes in the interests of the community.	City Development	Council continues to represent the community by advocating for its planning decisions at the Victorian Civil and Administrative Tribunal (VCAT). Where possible, Council seeks to resolve matters through compulsory conferences and mediation, promoting collaborative outcomes that reflect local values and priorities. Council continues to successfully advocate for these matters at the VCAT Compulsory Conferences. Of the total 25 VCAT matters being considered, there were nine successfully mediated. This represents 36 per cent of the total decisions being mediated.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
67. Explore and facilitate social and affordable housing opportunities with private developers and on key Victorian Government and Council-owned sites to increase the provision of social and affordable housing across the municipality in accordance with the Social and Affordable Housing Strategy (2020).	City Strategy	Council continued to advocate for affordable and social housing through Victorian Government projects, including the Former Kingswood Golf Course, Suburban Rail Loop Advisory Committee hearing and the Level Crossing Removal Integrated Development Opportunity sites in Cheltenham and Mentone which was recently approved by the Minister for Planning.	100%	✓

Protect, preserve and enhance our natural environment for current and future generations.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
68. Lead the review of the Significant Tree Register to provide a robust strategic basis for a future planning scheme amendment of the Environmental Significance Overlay – Schedule 3 to protect Kingston's best trees.	City Development	Council has led the review of the Significant Tree Register by auditing the existing protected trees and proposed nominated trees. An onsite arboricultural review of the nominations on public land has commenced.	100%	✓
69. Deliver Gardens for Wildlife assessments to enhance habitat for native wildlife and connect the community with nature.	City Strategy	Council delivered 22 Gardens for Wildlife visits to residents in all areas of Kingston this quarter, which brings the annual total to 95 visits. Local residents valued the practical garden advice for the challenging local dry and sandy soil. Council also planted its first dedicated wildlife garden in open space at Tintern Mews, connecting the community with nature.	100%	✓
70. Develop and deliver communications and education to the Kingston community, through membership of the Lower Dandenong Creek Litter Collaborative, to reduce litter in our waterways and Port Philip Bay.	City Strategy	Council developed a range of educational resources, including a video showing residents how to prevent stormwater pollution from entering drains and flowing into Port Phillip Bay, and an interactive map on Council's website illustrating how local waterways connect to the Bay. In addition, the 'Bin it or Swim in It' campaign was rolled out through posters and stormwater pit stencils in coastal shopping centres and streets across the municipality.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
71. Implement the Urban Forest Strategy (2023–30) for 2025–26 to protect and enhance our urban forest and increase our tree canopy cover.	Open Space	Council continued to implement the Urban Forest Strategy (2023–30) through annual tree planting, proactive management of existing trees and embedding urban forest objectives into capital works and public realm projects. A significant milestone was reached this year, with Kingston's urban forest now exceeding 100,000 Council-managed trees. These initiatives enhance biodiversity, improve resilience to urban heat, support climate adaptation and reflect Council's long-term commitment to expanding and protecting the municipality's tree canopy.	100%	✓
72. Commence the update of the Open Space Strategy to reflect the future needs of the growing Kingston community.	Open Space	The update of the Open Space Strategy is progressing with a focus on Activity Centres, including testing key directions and a review of completed actions to inform future priorities.	100%	✓
73. Continue to manage the Kingston foreshore consistent with the Coastal and Marine Management Plan, focusing on creating safe and welcoming beaches and balancing the needs of users and the environment.	Open Space	Foreshore management continues in line with the Coastal and Marine Management Plan, with a focus on safety, accessibility and environmental balance. The Foreshore Access Framework will inform the prioritisation of access improvements.	100%	✓
74. Continue to work in partnership with the Victorian Government on the development and realisation of the Chain of Parks.	PMO & Major Projects	Council's work on the Chain of Parks is now substantially finished, with the completion of a milestone report and deliverables for the Victorian Government finalised.	100%	✓

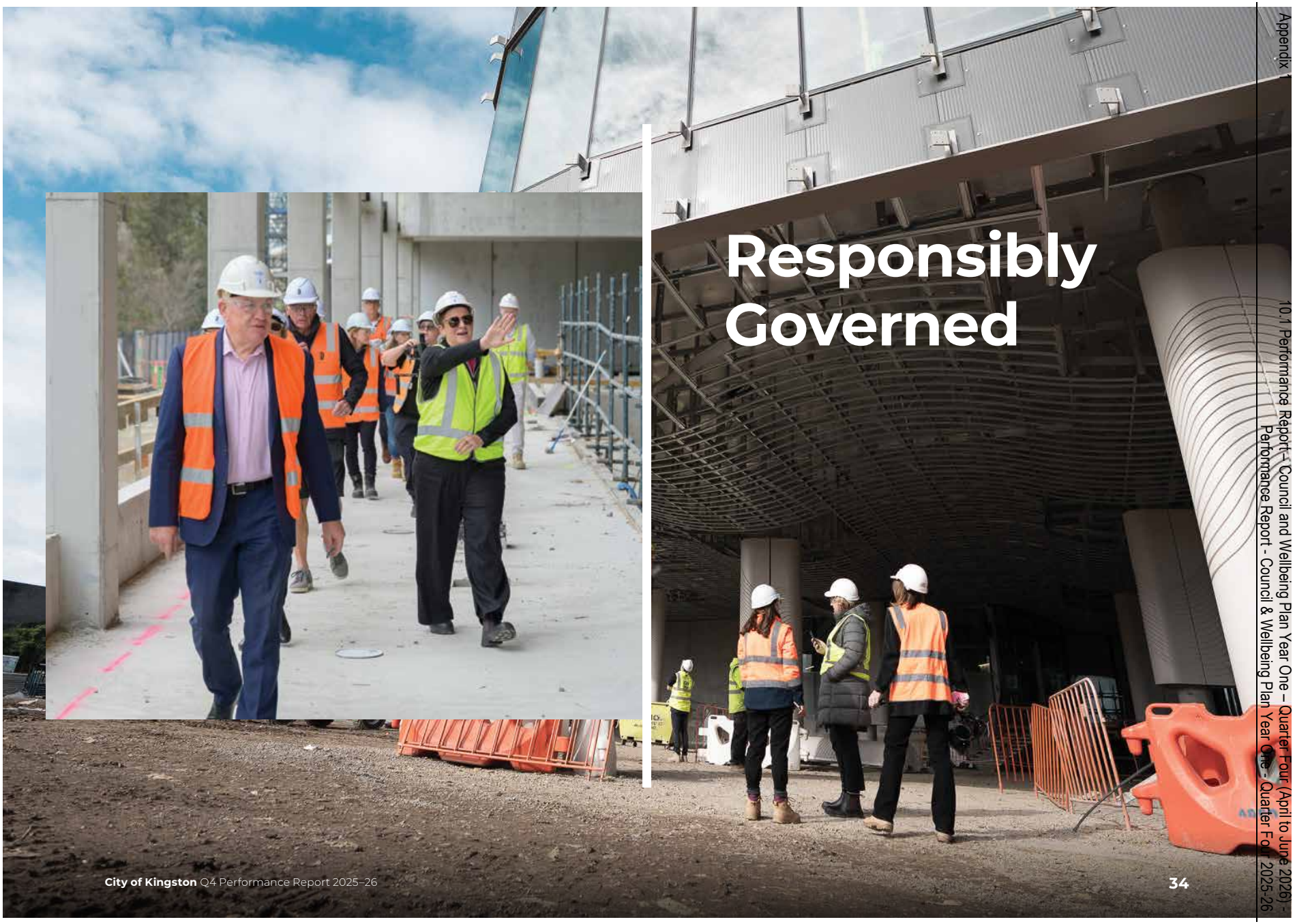
Respond and adapt to the impacts of climate change on our community and infrastructure.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
75. Investigate and develop an investment strategy for future investment into Waves, including electrifying operations and other environmentally sustainable design solutions, to improve efficiencies and reduce our greenhouse gas emissions.	Aquatic & Leisure	Investigations to support the development of a Waves Leisure Centre investment strategy have been completed, with consultants appointed to develop the Waves Investment Strategy within the 2026–27 financial year. An application to the Australian Government's Community Energy Upgrades Fund for $2.5m in funding support towards the electrification project at the centre was successful, enabling Council to proceed with an upgrade of Waves' mechanical systems to fully electric in 2027–28.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
76. Implement Environmentally Sustainable Design training for internal and external stakeholders to improve the built form in the municipality, including passive design.	City Development	Council delivered training to staff on Environmentally Sustainable Design verification, effective shading, and climate risk to support sustainable development outcomes and informed decision-making. Council also delivered community sustainability programs, including workshops on draft proofing, home electrification, solar, batteries, EV chargers, heat pumps, insulation and energy efficiency. Free Environmentally Sustainable Design advice continues to be offered to permit applicants, with five online meeting requests to date.	100%	✓
77. Launch the Sustainable Event Guidelines to Council staff to embed high-quality, accessible and sustainable practices in Kingston-run events.	City Economy & Innovation	The Sustainable Event Guidelines have been launched internally to staff, embedding best practice principles for accessibility and environmental responsibility in Kingston-run events.	100%	✓
78. Commence development of a coastal climate adaptation plan to improve understanding of climate hazards and mitigate future climate risks in line with key actions from the Plan for Victoria.	City Strategy	Council has completed a Coastal Climate Change Hazard and Risk Assessment and a high-level organisational all-hazard Climate Change Risk Assessment. These two pieces of work are the first steps in completing adaptation action planning for the municipality and the coast.	100%	✓
79. Engage the community in environmental education and behaviour change activities to enhance stewardship of our urban forest, reduce community greenhouse emissions and potable water use, and save on bills.	City Strategy	Community members participated in a wide range of environmental and sustainability events, including energy efficiency, birdwatching, biodiversity and wildlife, nature strip gardening, and food waste reduction workshops. There were 416 recorded participants across eight events this quarter, with a total of 3,450 participants for the year.	100%	✓
80. Work in collaboration with Melbourne Water to develop flood mapping for Kingston to inform capital works and maintenance projects, strategic planning and emergency management.	Infrastructure	Development of the Melbourne Water flood modelling has progressed well, with four models completed in 2025–26.	100%	✓
81. Continue to transition Council's fleet to zero/low emission vehicles where appropriate, including electric vehicles and hybrids, to help achieve Council's NetZero emissions goals.	Procurement & Contracts	Council's commitment to transitioning its fleet to zero/low emission vehicles continues to be a focus, with consideration being given to zero/low emissions vehicles whenever replacement planning is undertaken. This work will continue to be managed as part of Council's business-as-usual activity.	100%	✓

Maintain our neighbourhood character and preserve our heritage and cultural history.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
82. Progress implementation of the Kingston Heritage Review to identify and preserve significant heritage places across Kingston.	City Strategy	The Kingston Heritage Review was endorsed by Council at the May 2026 Council Meeting, with approval granted to prepare a Planning Scheme Amendment, subject to further consultation with affected property owners.	100%	✓



Responsibly Governed

Key Direction

Responsibly Governed

Objective

We are a transparent and efficient organisation that is accountable, responsive and cost-effective.

Importance for health and wellbeing

The opportunity to be heard helps people shape their community, which creates a sense of belonging and being valued. High levels of trust in public institutions and government contributes to strong civic engagement, political participation and economic development, which are essential for overall wellbeing.

Provide value for rates through efficiency and innovation.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
83. Commence the service review program for 2025–26 to ensure adaptable, capable, and sustainable services.	Customer Experience & Corporate Performance	Council has completed delivery of the 2025–26 service review program, with each project defining its service outcomes, completing a review of the current-state operating model and identified future-state recommendations to ensure adaptable, capable and sustainable services.	100%	✓
84. Implement a program to uplift leadership capability through Council's Workforce Plan Annual Action Plan 2025–26 to manage, develop and optimise the workforce to meet current and future community needs.	People & Culture	Leadership capability is one of the four key focus areas of Council's new Workforce Plan 2025–29 and is supported by specific actions in the Workforce Plan Annual Action Plan 2025–26. The Leadership Excellence Program for Senior Leadership Team and Middle Level leaders has been designed to manage, develop and optimise the workforce to meet current and future community needs based on delivering leadership excellence.	100%	✓

Prioritise the current and future needs of the community through effective and sustainable long-term management and planning.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
85. Develop the 2026–27 Annual Budget, Long Term Financial Plan, and Revenue and Rating Plan to ensure financial sustainability, responsibility and efficiency.	Finance	The development of the Annual Budget 2026–27, the 10-Year Financial Plan and the Revenue and Rating Plan was adopted by Council at the May 2026 Council Meeting.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
86. Draft and adopt the Acquisition and Divestment Policy to ensure consistent and transparent decision-making for Council's property portfolio.	Property Services	The Acquisition and Divestment Policy, designed to ensure consistent and transparent decision-making for Council's property portfolio, was adopted by Council in May 2026.	100%	✓

Provide a diverse range of engagement opportunities for our community to influence decision-making.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
87. Deliver Council's Representative Community Panel and deliberative engagement program for 2025–26, including identification of key topics and induction of a new panel, to provide opportunities for public consultation and ensure a diverse and inclusive range of views are considered in key Council decisions.	Advocacy, Communications & Engagement	Council has implemented a brand refresh for Kingston Represent and launched the expression of interest process for the next two-year panel. Planning for future sessions has commenced, with high-level topics identified and mapped out for the next two years.	100%	✓

Enhance promotion of our services and ensure communication with the community is proactive, clear and accessible.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
88. Deliver the Website Redevelopment Project for 2025–26 to provide contemporary, simple-to-use and accessible websites for Council's services, including the new Kingston Arts website.	Advocacy, Communications & Engagement	The Arts website redevelopment project has been successfully launched and handed over to the Arts Marketing team. The Active website redevelopment project progressed well during the quarter, with most key tasks now completed, including the majority of content uploads. The main remaining milestone is the implementation of the new facility management software, a critical dependency for the website launch. Work is expected to commence shortly, with implementation timelines to be confirmed once access becomes available. This work will continue to be managed as part of business-as-usual activities.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
89. Provide information to the community in a variety of accessible and responsive formats to ensure Council communication is accessible and inclusive.	Advocacy, Communications & Engagement	Council continues to strengthen accessibility and inclusion across its communications and engagement activities, ensuring information is easy to access and responsive to the diverse needs of the community. Recent consultations, including the Waste Strategy and Australia Day Review, featured plain English fact sheets, translated materials, pictorial surveys, tailored printed resources, and increased face-to-face engagement at community events. Council has also expanded multilingual content across consultation materials, construction updates and digital platforms to support greater community participation and engagement.	100%	✓

Advocate for more equitable and improved outcomes that respond to the diverse needs of the community.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
90. Implement the Advocacy Strategy (2023–26) for 2025–26, including launching the advocacy campaign for the 2026 Victorian Government election campaign, to seek positive community outcomes on key projects.	Advocacy, Communications & Engagement	Key advocacy activities for the year included: · Advanced a clear advocacy agenda focused on election commitments. · The Victorian State Budget included $462,500 in matched funding for Bricker Reserve and Mavis Hutter Reserve. · Kicked off the Put Kingston First campaign, with priorities published online and community and stakeholder engagement ahead of the September launch. · Continued to engage state and federal MPs, resolving constituent matters through Council's concierge service. · Supported the implementation of the Nepean Partnership with the City of Frankston. · Advocacy efforts also continued through cross-Council working groups, manager briefings and a strong pipeline of grant applications, securing $283,786. A further $2.85 million in applications is currently under assessment.	100%	✓
91. Advocate for the Victorian Government to improve maintenance on state-owned assets to meet community expectations and enhance liveability.	Advocacy, Communications & Engagement	Council identify priority intersections, maintenance issues and black spots to inform ongoing traffic advocacy efforts, including through the Put Kingston First campaign. Council also partnered with local MPs to clarify maintenance responsibilities, successfully identifying and challenging several instances of proposed cost shifting where responsibilities for works remained with the Victorian Government.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
92. Advocate for Council's position on the Suburban Rail Loop Authority's precinct planning process through the Independent Advisory Committee to ensure the planning and infrastructure outcomes meet the current and future needs of the Kingston community.	City Strategy	Following advocacy by Council at the Independent Advisory Committee hearing, the Minister for Planning advised on 26 June 2026 that the planning controls would be released for the Suburban Rail Loop precincts. The Suburban Rail Loop Authority then published plans on its website showing the preferred building heights within the precincts.	100%	✓
93. Advocate for the Level Crossing Removal Project to deliver good urban design outcomes, including connectivity and open space, to support vibrant and safe localities, active transport and community participation and recreation.	City Strategy	Council adopted advocacy work positioned to influence the Victorian Government to adopt a rail over road approach for the Aspendale Level Crossing Removal project. The advocacy work sets key design expectations for the delivery of the project, including delivery of the missing link in the shared user path, providing new open spaces and public realm and improving existing rail and road crossings.	100%	✓
94. Advocate for urban design excellence in development within Kingston to provide a high-quality and accessible built environment for our community.	City Strategy	Council adopted advocacy work positioned to influence the Victorian Government to adopt a rail over road approach for the Aspendale Level Crossing Removal project. Council continues to advocate for good design outcomes in the context of the new planning reforms, deemed-to-comply applications, and applications assessed via the Victorian Government's Development Facilitation Program.	100%	✓

Provide people-centred customer service that is responsive, effective and empathetic.

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
95. Develop a Digital Strategy to improve customer experience, targeted communications and efficiencies across digital channels including Council's website, social media and digital data protection.	Advocacy, Communications & Engagement	The Digital Strategy, to improve customer experience, targeted communications and efficiencies across digital channels, has been drafted. It will be adopted following the adoption of the Master Technology Strategy, which it falls under. It is expected that the strategy will be finalised in quarter two of 2026–27.	95%	Not completed
96. Leverage the unified, cloud-based communications platform and explore future opportunities around data analytics and AI to enhance customer service and experience.	Customer Experience & Corporate Performance	Council successfully completed project implementation of the unified communications system in June 2026, enhancing customer service and improved customer experience.	100%	Completed
97. Implement a framework to collect and Analyse customer complaints data to identify new trends and systemic issues across Council, with the objective to support service delivery and enhanced customer experience.	Customer Experience & Corporate Performance	Council has introduced an organisation-wide framework for capturing and analysing complaints, enabling accurate recording, timely responses and fair resolution while identifying trends and systemic issues. The framework supports ongoing service improvement and strengthens customer trust.	100%	Completed

Ensure good governance through integrity, accountability, and continuous improvement.

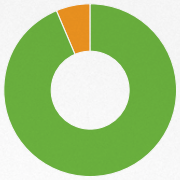
ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
98. Communicate Council's performance for 2025–26 via the Annual Community Satisfaction Survey, Local Government Performance Reporting Framework, Kingston Annual Report and quarterly Council & Wellbeing Plan Performance Reports to provide accountability and transparency to the community.	Customer Experience & Corporate Performance	The Community Satisfaction Survey interviews were completed for the year, bringing the total interviews to approximately 400 responses. The final report has been drafted with results to be published on Council's website early in the new financial year. Four Council & Wellbeing Plan Performance Reports were presented to Council throughout the year, highlighting Council's progress on annual actions and performance.	100%	✓
99. Review all strategic and operational risks and high-risk compliance obligations to drive accountability as part of the Good Governance Framework.	Governance, Risk & Integrity	The organisation-wide review of the Operational Risk Register, including the introduction of target risk ratings, was completed and tabled at the December 2025 Audit and Risk Committee meeting. The organisation-wide attestation of high-risk compliance obligations, which confirmed a strong compliance status, was also completed and tabled at the same meeting.	100%	✓
100. Implement relevant processes and practices upon the enactment of the Model Public Transparency Policy to drive transparency as part of the Good Governance Framework.	Governance, Risk & Integrity	The Model Public Transparency Policy is still being developed by Local Government Victoria. Council will commence updating the relevant processes and practices once the Policy is enacted.	0%	⛔
101. Commence development of a Cyber Security Strategy to protect Council's information systems, data and networks from cyber threats.	Information & Digital Technology	Council has commenced development of a Cyber Security Strategy. Key priorities have been identified, with external specialists engaged to support roadmap development and alignment with industry standards and Council's strategic objectives.	100%	✓
102. Develop the Records and Information Management Strategy to identify key organisational priorities, define actionable steps, and establish modern records management practices.	Information & Digital Technology	Council has completed the developed of a draft Records and Information Management Strategy, through consultation across services and departments, including a series of workshops. The Strategy is scheduled for endorsement in September 2026. This will be managed as part of business-as-usual activity.	100%	✓

ACTION	DEPARTMENT	COMMENT	PERCENT COMPLETE	STATUS
103. Establish a unified, cloud-based communications platform to modernise Council operations, improve accessibility, collaboration, and customer engagement.	Information & Digital Technology	Council has delivered two cloud-based communications platforms, with implementation completed by June 2026.	100%	✓
104. Update the procurement guidelines and contract management framework to enhance accountability and integrity.	Procurement & Contracts	Council endorsed a new Procurement Policy on 15 December 2025, which came into effect on 2 February 2026, in accordance with Section 108 of the *Local Government Act 2020*. In line with the launch of the new Policy, Council's procurement procedures have been reviewed and updated to reflect current best practice, with procurement practices remaining transparent, accountable, and responsive to community needs.	100%	✓



Strategic Indicators

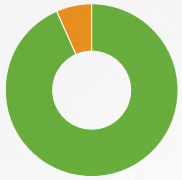
Strategic Indicators: Summary of Performance



Healthy & Connected

We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.

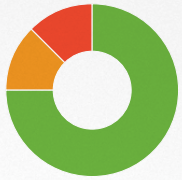
- The City of Kingston's Waves Leisure Centre received 660,640 visits by community members during the 2025–26 financial year.
- Female participants accounted for 36.09 per cent of winter allocations at Council sporting facilities, a slight increase on last year, and from the summer allocations.
- Participation in Council-managed community centre programs continued to grow, reaching 55,234 participants in 2025–26 and reflects a strong demand for accessible, affordable, high-quality programs.



Vibrant & Prosperous

We are a welcoming, lively and creative city that celebrates our well-utilised community spaces and thriving local businesses.

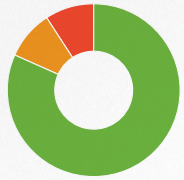
- A total of 20 workshops and events to support businesses were held in 2025–26.
- 68,125 people attended City of Kingston events during the 2025–26 financial year. Recent events included a Citizenship Ceremony, the Volunteer Appreciation & Community Awards, and the National Reconciliation Week Flag Raising.
- Approximately 24,000 children, carers and parents attending storytimes across Kingston Library branches in 2025–26.



Liveable & Sustainable

We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused.

- A total of 5,475 plants were given away as part of the the 2026 Free Plant Giveaway. With residents also receiving information about indigenous plants, local wildlife and garden advice.
- Council delivered a total of 95 Gardens for Wildlife visits to residents in all areas of Kingston. Residents valued the practical garden advice for the local dry and sandy soil conditions.
- A total of 47 Environmentally Sustainable Design Assessments were undertaken for planning applications this financial year.



Responsibly Governed

We are a transparent and efficient organisation that is accountable, responsible and cost-effective.

- In 2025–26, 90.5 per cent of Freedom of Information requests were completed within statutory timeframes.
- Satisfaction with Council's website remained stable at 81 per cent.
- 79.40 per cent of Customer Care telephone calls were resolved at the first point of contact, marginally below the 80 per cent target.

Key Direction

Healthy & Connected

Objective

We are a healthy, inclusive and accessible community, where social connections thrive and everyone feels supported and safe.

Importance for health and wellbeing

Being healthy and connected work together to support physical and mental health. Feeling connected to each other and to our community helps foster a sense of belonging and safety, which is essential for overall wellbeing.

Provide affordable, accessible and high-quality local services that address the different needs of our community members.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 1. Council's child care centres utilisation rate (excluding sessional kinder).	Family, Youth & Children's Services	Council's child care centres recorded lower-than-forecast enrolments at both Carrum and Parkdale during the year, while enrolments at Edithvale exceeded target. In response, a range of initiatives, including a targeted marketing campaign, were implemented to increase occupancy levels. These measures contributed to a steady uplift in enrolments over the final months of the financial year, with positive momentum continuing across the centres.	94.00%	89.18%	Monitor
Si 2. Number of new Home Care packages delivered to Kingston residents.	AccessCare	A total of 359 new Home Care packages were delivered during the 2025–26 financial year.	300.00	359.00	On Track
Si 3. Participation in the MCH service.	Family, Youth & Children's Services	The City of Kingston is committed to providing high-quality Maternal and Child Health (MCH) services. This result represents an improvement compared with the 2024–25 financial year, reflecting ongoing efforts to engage with families and ensure the service is responsive to their needs and accessible to the community.	79.11%	79.30%	On Track
Si 4. Percentage of participants satisfied with Kingston's family support programs.	Family, Youth & Children's Services	100 per cent positive feedback continues to be received from both case management programs (Integrated Family Services and Community Family Support Services) along with parenting groups.	80.00%	100.00%	On Track
Si 5. Percentage of participants satisfied with Kingston's youth services support & counselling program.	Family, Youth & Children's Services	Participants have remained 100 per cent satisfied with Kingston's Youth Services Support and Counselling Program for the 2025–26 financial year.	80.00%	100.00%	On Track

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 6. Number of hours of domestic, personal, respite and social support care delivered to people who are older and/or have a disability.	AccessCare	The City of Kingston continues to deliver a high number of hours of support care to people who are older or have a disability, which reflects referrals received within the local area. A total of 121,197 hours were delivered for the 2025–26 financial year.	108,600.00	121,197.00	On Track

Support our diverse and growing community to participate in community life and strengthen connections to foster a sense of belonging and address loneliness and isolation.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 7. Number of hours provided by community volunteers to City of Kingston activities.	Inclusive Communities	Council's volunteer programs continued to make a significant contribution to the community, with volunteers providing over 1,300 hours of service across a wide range of Council activities and programs during June, and over 16,000 for the 2025–26 financial year. Approximately 400 volunteer enquiries were received, highlighting the strong commitment of community members to contribute to Kingston. Volunteer contributions supported individuals, families and community programs, helping to strengthen social connections and enhance community wellbeing. Council acknowledges and thanks its volunteers for their ongoing dedication, generosity and positive impact across the municipality.	1,204.33	1,323.50	On Track

Provide environments and services that promote and support mental and physical health and wellbeing.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 8. Percentage of Kingston's sporting facilities that are gender inclusive.	Active Kingston	A total of 53.23 per cent of Kingston's sporting facilities are gender inclusive. This figure will increase once improvements are completed at Walter Galt Pavilion, Highett Pavilion, Namatjira Reserve and Le Page Park.	42.90%	53.23%	On Track
Si 9. Utilisation of aquatic facilities.	Aquatic & Leisure	The City of Kingston's Waves Leisure Centre received 660,640 visits by community members during the 2025–26 financial year. This equates to approximately four visits per head of municipal population. Attendance has been strong across all programs, including Learn to Swim, group fitness participation and school holiday attendances.	3.23	3.93	On Track

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 10. Percentage of female participation in organised sport.	Active Kingston	Female participants accounted for 36.09 per cent of winter allocations at Council sporting facilities, a slight increase on last year, and from the summer allocations. Council continues to promote female participation by working with clubs on Fair Access Policy actions, including hosting Fair Access workshops.	35.00%	36.09%	

Support our community to feel safe and be safe.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 11. Number of people participating in aquatic education programs.	Aquatic & Leisure	There were 4,770 attendances at Kingston's aquatic education programs, including Learn to Swim, schools' programs and community-based water safety and aquatic education outreach.	2,350.00	4,770.00	
Si 12. Percentage of graffiti removal requests actioned within two business days.	City Works	A total of 98 per cent of the graffiti removal requests allocated to Council's contractor were actioned within two business days, ensuring that council facilities are maintained to a high standard.	98.00%	98.00%	
Si 13. Number of road safety education sessions delivered.	Infrastructure	There was a total of 101 Road Safety Education Sessions held this year. Sessions included early learning, primary school student education, bike education, safe routes to school, secondary school education, senior driver, motorbike safety and e-scooter sessions.	40.00	101.00	
Si 14. Percentage of residents satisfied with local traffic management (e.g., traffic calming, signs, speed limits).	Infrastructure	The result of 75 per cent shows a 'very good' level of satisfaction and is consistent with the previous year. Young adults (18 to 34 years) and senior citizens (75 years and over) were notably more satisfied than average.	74.00%	75.00%	

Prevent and reduce all forms of family violence in our community.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 15. Percentage of participants satisfied with prevention of family violence programs run by Kingston.	Inclusive Communities	Six programs were delivered to support the prevention of family violence in the community. A high satisfaction score of 98 per cent was recorded by participants, in which 71 per cent were very satisfied and 27 per cent were satisfied.	80.00%	98.00%	

Empower and nurture our community to develop and lead community-based initiatives.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 16. Satisfaction with training sessions run by Council to support the operations of community groups and organisations.	Inclusive Communities	Council delivered six training and capacity-building sessions to support community groups and organisations, covering topics including grant writing, conflict resolution, first aid, ethical use of AI in grant writing, and community support services. Participant feedback was overwhelmingly positive, with an overall satisfaction rating of 98.6 per cent. The strong results demonstrate the value of these training opportunities in building the skills, confidence and capability of community organisations and volunteers to effectively support their communities.	80.00%	98.60%	On Track

Key Direction

Vibrant & Prosperous

Objective

We are a welcoming, lively and creative city that celebrates our well-utilised community spaces and thriving local businesses.

Importance for health and wellbeing

Vibrant and prosperous social and economic conditions foster improved learning and creativity, better quality relationships and greater productivity, all of which contribute to better health and wellbeing.

Support activity centres and shopping villages to be vibrant, unique and destination-focused.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 17. Percentage of residents satisfied with maintenance and cleaning of public areas.	City Works	The result of 75 per cent shows a 'very good' level of satisfaction with young adults (18 to 34 years) notably more satisfied than average, and respondents from multilingual households notably more satisfied than respondents from English speaking households.	76.00%	75.00%	Monitor

Support local businesses to stay in Kingston and thrive.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 18. Number of business support workshops and events held by Council.	City Economy & Innovation	Five events and workshops were held in quarter four, for an annual total of 20 workshops and events to support businesses. Council partnered with the South East Melbourne Manufacturing Alliance (SEMMA) for two manufacturing forums, a Business Leaders' Network event, an AI workshop for businesses and consultation for the Warrigal Road Shopping Centre upgrade.	20.00	20.00	On Track
Si 19. Percentage of footpath trading applications processed within 15 days.	City Economy & Innovation	A total of 15 footpath trading applications were received between 1 January and 30 June 2026, with all but one processed within 15 business days. The City of Kingston's efficient handling of applications continues to support local businesses to thrive.	90.00%	93.33%	On Track

Explore and engage in partnerships with local businesses and organisations to enhance leisure and entertainment opportunities for the community.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 20. Number of local organisations engaged to assist in the running of Council's business events.	City Economy & Innovation	During this financial year, Council engaged 34 local organisations to support the delivery of its business events. In quarter four, five local organisations were engaged to provide catering, venue hire, and consultancy services for workshop delivery.	20.00	34.00	On Track

Provide and promote vibrant community spaces that support public arts and are welcoming for all.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 21. Number of attendees at Council-run festivals and civic events	Arts, Events & Libraries	68,125 people attended City of Kingston events during the 2025–26 financial year. Our most recent events included a Citizenship Ceremony (1,414 attendees), the Volunteer Appreciation & Community Awards (250 attendees), and the National Reconciliation Week Flag Raising (200 attendees).	51,000.00	68,125.00	On Track
Si 22. Percentage of attendees satisfied with Council-run large scale events.	Arts, Events & Libraries	Feedback collected from attendees at Pet Expo during the quarter was overwhelmingly positive, with 93.33 per cent of respondents satisfied with their experience. This increased the annual average satisfaction rating to 88.15 per cent, significantly exceeding the target.	80.00%	88.15%	On Track

Enhance opportunities for everyone to participate in creative arts, learning and recreational activities and services.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 23. Percentage of attendees satisfied with City of Kingston arts and cultural programs and events.	Arts, Events & Libraries	The City of Kingston's arts and cultural programs and events achieved an average satisfaction rating of 92 per cent for the 2025–26 year. Satisfaction ratings are collected from post-event survey respondents who attended arts and cultural programs which include 'Comedy at the Shirley', 'Morning Melodies', school holiday programs and special events.	80.00%	92.00%	On Track

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 24. Number of participants in arts and cultural development programs.	Arts, Events & Libraries	25,983 people participated and engaged with arts and cultural programs for the 2025–26 financial year. Recent highlights included a Live at City Hall performance by Nathan Cavaleri in recognition of Men's Health Month, a classical chamber music performance by the award-winning Affinity Quartet, a near sold-out performance of the musical comedy Sea Wolves Howl at the Shirley Burke Theatre, and the increasingly popular Jazzeoke by Mordialloc Jazz Orchestra. The winter school holiday program featured four sold-out workshops by Beat Lab and a spoken word workshop presented at Parkdale Library. The Writers in Residence pilot program at Dingley Village Library wrapped up after 10 weeks, and featured successful workshops run by all three writers.	4,560.00	25,983.00	
Si 25. Number of local artists supported through Council Grants.	Arts, Events & Libraries	There was a total of seven Community Bi-annual grants received in the Arts Projects and Programs category during the 2025–26 financial year, of which six received funding.	5.00	6.00	
Si 26. Number of carers and children attending story times.	Arts, Events & Libraries	The number of children attending story time has remained steady across the 2025–26 financial year and has seen a total of approximately 24,000 children, carers and parents attending storytimes across Kingston Library branches.	20,400.00	24,030.00	
Si 27. Active library borrowers in the municipality.	Arts, Events & Libraries	The percentage of active library borrowers has increased to 24 per cent, exceeding the target. This growth has been supported by library initiatives to boost engagement and accessibility, as well as the introduction of Extended Access.	18.08%	24.01%	
Si 28. Percentage of residents satisfied with Kingston library services (e.g., visiting, borrowing books, storytime, using library resources).	Arts, Events & Libraries	Satisfaction with Kingston's library services remain stable this year at 85 per cent. This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	84.00%	85.00%	

On Track Monitor Off Track

Transform and maximise the use of community spaces and enhance libraries and hubs to meet the diverse and changing needs of the population.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 29. Number of hours usage of City of Kingston arts and cultural venues.	Arts, Events & Libraries	Venue Hire utilised Kingston City Hall, Kingston Arts Centre and Shirley Burke Theatre with 1,668 hours for June and a total of 3,600 hours for the 2025–26 financial year. Attracting 39,893 visitors and delivering 105 individual events that spanned across external commercial hires, internal major annual events, community theatre, community engagement events and artist workshops. Of these hirers, we attracted 9.5 per cent of new business including Base entertainment, Marcopolo Property Developers, Middle C Music Academy, Lantian Li (comedian), Triumph of Good and Six degrees of Sound. Mainstay hirers that Council provide ongoing support to are Mordialloc Theatre Company, Melbourne Theatre Organ, Mordialloc Jazz Orchestra and Eisteddfod By The Bay.	1,580.00	1,668.00	
Si 30. Number of hours of programs provided by Council at Council-managed community centres and hubs.	Inclusive Communities	The Community Hubs continue to deliver a wide range of affordable and high quality programs, responding to strong and increasing community demand. Program delivery has grown significantly, with 4,686.70 hours provided at council-managed centres and hubs for the 2025–26 financial year, reflecting ongoing engagement and impact.	4,200.00	4,686.70	
Si 31. Number of participants at programs provided by Council at Council-managed community centres.	Inclusive Communities	Participation in programs delivered at Council-managed community centres continued to grow throughout the year, driven by the introduction of new programs and enhanced promotion through Council's communication channels. Attendance significantly exceeded expectations with 55,234 participants for the 2025–26 financial year, demonstrating strong community demand for accessible, affordable and high-quality programs. The increased participation highlights the important role community centres play in fostering social connection, learning and community wellbeing across Kingston.	42,000.00	55,234.00	

Key Direction

Liveable & Sustainable

Objective

We live in a sustainable, well-planned and maintained city that preserves neighbourhood character, protects the environment and is future-focused.

Importance for health and wellbeing

Our health depends on a healthy environment. A safe climate, access to clean water, good quality air and healthy, natural environments are essential for good health and wellbeing. Liveable communities are safe, inclusive and environmentally sustainable.

Provide infrastructure and public spaces that enhance liveability, accessibility and are well-maintained now and into the future.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 32. Percentage of asset renewal and upgrade expenditure compared to depreciation.	Finance	The indicator declined in 2025–26, primarily due to a rise in depreciation expense following Council's revaluation of fixed assets. In the forecast years, the proportion of renewal and upgrade expenditure as part of the broader capital works program is expected to grow. This reflects a greater focus on asset renewal works in the forecast years with major projects proposed. As forecast depreciation continues to grow, the indicator is forecast to decline. Future asset renewal works will be considered through upcoming budget processes.	136.00%	80.52%	
Si 33. Percentage of residents satisfied with infrastructure and public space.	Infrastructure	The average satisfaction with the 10 measured services and facilities declined two percentage points to 75 per cent, remaining at a "very good" level of satisfaction. Highest satisfaction was with parks and gardens (80 per cent), with footpaths, roads and toilets somewhat lower (71–72 per cent).	70.00%	75.00%	
Si 34. Percentage of overflowing litter bins reported by the community that are emptied within 24 hours.	City Works	All reported overflowing litter bins are emptied within 24 hours. This is aided by the use of QR codes for community reporting and efficient work by Council's contractor.	100.00%	100.00%	

Support appropriate and affordable housing development and infrastructure to meet the current and future needs of our diverse community.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 35. Percentage of planning decisions made by Council that are appealed to VCAT.	City Development	Of the 821 decisions made for the year, nineteen applications (2.31 per cent) were appealed to VCAT.	5.00%	2.31%	

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 36. Percentage of Council planning decisions upheld at VCAT.	City Development	The City of Kingston is committed to providing an efficient and effective statutory planning service. There was a 22 per cent increase in the number of planning decisions upheld at VCAT compared to the previous year. A number of items were resolved at VCAT through consent or mediation, or struck out. Although these are still reflected as decisions 'not upheld', Council considers this a good outcome as all parties reached an agreement through mediation.	40.00%	61.54%	On Track
Si 37. Percentage of Council buildings compliant with *Disability (Access to Premises – Buildings) Standards 2010*.	Infrastructure	A total of 31 per cent of Council buildings are compliant with *Disability Standards 2010*, with Turner Road public toilets achieving compliance in 2025–26, and improvements to access delivered at Allan McLean Hall, Mordialloc Toy Library and Aspendale Gardens Community Centre.	31.00%	31.00%	On Track

Protect, preserve and enhance our natural environment for current and future generations.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 38. Percentage of kerbside collection waste diverted from landfill.	City Works	The City of Kingston continues to encourage landfill diversion through efficient kerbside recycling and green organics collection services. In 2025–26 the amount of kerbside waste diverted from landfill declined slightly, primarily due to reduced recycling tonnages as more container recycling occurs outside of Council bins. Landfill and green organic tonnages have remained consistent.	54.20%	52.09%	Monitor
Si 39. Number of fauna sightings recorded on camera traps across Kingston bushland reserves.	Open Space	Multiple records of native species were found across bushland and foreshore sites during the financial year, with 144 sightings including possums, birds and reptiles.	40.00	144.00	On Track
Si 40. Percentage decrease in the spread of noxious weeds across all Council-managed bushland and foreshore areas.	Open Space	There has been a 5 per cent reduction in the most significant weeds identified across bushland and foreshore sites. High level analysis of the weed management contract shows all contract targets being met or exceeded. This is reinforced by data from the Department of Energy, Environment and Climate Action's peri urban weed management program.	1.00%	5.00%	On Track
Si 41. Number of participants in Friends of Kingston groups.	Open Space	There were 395 participants in Friends groups this financial year, with higher than usual participation (110 participants) across bushland and foreshore sites in the last quarter. There are very active groups at Bonbeach and the Grange, as well as Kingston Heath, and the Kingston nursery.	400.00	395.00	Monitor

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 42. Number of plants distributed as part of Council's Free Plant Vouchers scheme.	City Strategy	The 2026 Free Plant Giveaway was very successful with 5,475 plants given away and residents receiving information about indigenous plants, local wildlife and garden advice.	4,600.00	5,475.00	On Track
Si 43. Number of Gardens for Wildlife assessments of residential gardens.	City Strategy	Council delivered a total of 95 Gardens for Wildlife visits to residents in all areas of Kingston during 2025–26. Residents valued the practical garden advice for the local dry and sandy soil conditions.	88.00	95.00	On Track
Si 44. Number of participants engaged in environmental education opportunities.	City Strategy	Community members participated in a wide range of environmental and sustainability events, including energy efficiency, birdwatching, biodiversity and wildlife, nature strip gardening, and food waste reduction workshops. There were 416 recorded participants across eight events this quarter, with a total of 3,450 participants for the year.	425.00	3,450.00	On Track

Respond and adapt to the impacts of climate change on our community and infrastructure.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 45. Number of businesses engaged for discussions around emission reduction.	City Economy & Innovation	Councils Energy Advisor engaged 18 businesses for discussions around cost savings and emissions reduction measures this quarter, with an annual total of 69 businesses engaged.	60.00	69.00	On Track
Si 46. Number of planning applications that have had an Environmentally Sustainable Design Assessment.	City Development	A total of 47 Environmentally Sustainable Design Assessments were undertaken for planning applications this financial year.	40.00	47.00	On Track
Si 47. Percentage reduction in corporate greenhouse emissions.	City Strategy	There was a 1.92 per cent reduction in total net emissions compared to the previous year, based on three quarters of actual data and one quarter of estimated data (2,842 tonnes in 2025–26 compared to 2,898 in 2024–25) which is below the target. Ongoing electrification during 2025–26 has continued to contribute to an overall reduction in emissions. There has also been a reduction in diesel and petrol used by Council vehicles. Note: Contractors' fuel has been excluded from Council's emissions profile since 2024–25. Due to the one-quarter data lag from the emissions data provider, final emissions data will not be available until October 2026.	25.00%	1.92%	Off Track

Key Direction

Responsibly Governed

Objective

We are a transparent and efficient organisation that is accountable, responsive and cost-effective.

Importance for health and wellbeing

The opportunity to be heard helps people shape their community, which creates a sense of belonging and being valued. High levels of trust in public institutions and government contributes to strong civic engagement, political participation and economic development, which are essential for overall wellbeing.

Provide value for rates through efficiency and innovation.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 48. Percentage of residents satisfied with Council's performance providing value for rates.	Finance	Satisfaction with Council's performance providing value for rates remains steady at 67 per cent. This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	67.00%	67.00%	

Prioritise the current and future needs of the community through effective and sustainable long-term management and planning.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 49. Net operating surplus/deficit percentage variance from budget.	Finance	The surplus is $38.3m favourable to budget, with an actual surplus of $50.2m against a budget of $11.8m, representing over 100% variance. The variance is from unbudgeted non-cash assets contributions from Level Crossing Removal Project.	0.00%	100.00%	
Si 50. Percentage of capital works budget forecast to be spent.	PMO & Major Projects	Total capital budget spend (inc Mordi Aquatics) for the end of year is $94,900,000 representing 104 per cent spend to baseline budget. Excluding Mordi Aquatics the capital spend was $47,600,000 representing 97 per cent spend of full year budget.	100.00%	104.00%	
Si 51. Community satisfaction with Council decisions made in the interest of the community.	Governance, Risk & Integrity	The City of Kingston continues to work hard to make decisions in the best interests of our community. Council performance has remained stable at 71 per cent compared to the previous year. This rating is sourced from the annual Community Satisfaction Survey conducted by an independent research company.	60.00%	71.00%	

Provide a diverse range of engagement opportunities for our community to influence decision-making.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 52. Percentage of residents satisfied with community consultation and engagement.	Advocacy, Communications & Engagement	The City of Kingston continues to work hard to strengthen community consultation and engagement through initiatives such as *Your Kingston Your Say* and the Community Representative Panel. Council performance has remained steady at 74 per cent compared to the previous year. This rating is sourced from the annual Community Satisfaction Survey conducted by an independent research company.	59.00%	74.00%	

Enhance promotion of our services and ensure communication with the community is proactive, clear and accessible.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 53. Percentage of Kingston website pages that are Web Content Accessibility Guidelines (WCAG) 2.1 – AA standard accessible.	Advocacy, Communications & Engagement	A total of 67 per cent of Council's websites are compliant with WCAG standards. Council's Website Redevelopment Project is still underway, revamping all websites and addressing accessibility issues. Compliance will increase as the project is rolled out.	80.00%	67.00%	
Si 54. Percentage of residents satisfied with Council's website.	Advocacy, Communications & Engagement	Satisfaction with Council's website remained stable at 81 per cent. This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	77.00%	81.00%	

Advocate for more equitable and improved outcomes that respond to the diverse needs of the community.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 55. Percentage of residents satisfied with Council's representation, lobbying, and advocacy on behalf of the community.	Advocacy, Communications & Engagement	Satisfaction with Council's representation, lobbying, and advocacy on behalf of the community remains in line with Council expectations at 70 per cent. This rating is sourced from the annual Local Government Community Satisfaction Survey, conducted by an independent research company.	69.00%	70.00%	

Provide people-centred customer service that is responsive, effective and empathetic.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 56. Percentage of Customer Care telephone calls resolved at the first point of contact.	Customer Experience & Corporate Performance	Customer Care telephone calls were resolved at the first point of contact, marginally below the 80 per cent target. Opportunities are being explored through training and capability development to improve first contact resolution results.	80.00%	79.40%	

Ensure good governance through integrity, accountability, and continuous improvement.

INDICATOR	DEPARTMENT	COMMENT	TARGET	ACTUAL	STATUS
Si 57. Percentage of Freedom of Information requests completed on time.	Governance, Risk & Integrity	In 2025–26, 90.5 per cent of Freedom of Information (FOI) requests were completed within statutory timeframes, with applications increased from 43 last year to 90 this year. Of the 39 formal decisions made, six (9.5 per cent) were delayed due to request complexity, document volumes and resource constraints. 24 (42 per cent) of requests were resolved outside the formal FOI process, supporting Council's commitment to transparency. A further 10 requests were transferred, lapsed or withdrawn. Four decisions were appealed to the Office of the Victorian Information Commissioner (OVIC); three were completely or substantially upheld, with one still under review.	80.00%	90.50%	
Si 58. Percentage of Council & Wellbeing Plan Annual Action Plan actions on track.	Customer Experience & Corporate Performance	Of the 104 Annual Action Plan 2025–26 actions, 101 have been completed, 2 are in progress and 1 has not yet commenced. The Annual Action Plan comprises the key actions that deliver the Key Directions of the Council & Wellbeing Plan 2025–29.	90.00%	96.00%	

On Track Monitor Off Track

City of
KINGSTON

1230 Nepean Highway, Cheltenham VIC 3192
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Ordinary Council Meeting

28 September 2026

Agenda Item No: 10.2

PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2026 AND GOVERNANCE AND MANAGEMENT CHECKLIST 2025-26

Contact Officer: **Annette Forde, Senior Corporate Planning and Performance Officer**

Purpose of Report

The purpose of this report is to present Council with the Performance Statement for the year ended 30 June 2026 and the Governance and Management Checklist 2025-26, to approve "in principle" for inclusion in the Annual Report 2025-26; to authorise submission to the Victorian Auditor-General (VAGO); and to authorise certification by Cr Georgina Oxley (Mayor), Cr Jane Agirtan (Councillor), and Peter Bean (Chief Executive Officer).

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note the Performance Statement for the year ended 30 June 2026 and the Governance and Management Checklist 2025-26;
2. Note the recommendation from Council's Audit & Risk Committee following its meeting on 10 September 2026;
3. Approve the Performance Statement for the year ended 30 June 2026 and the Governance and Management Checklist 2025-26 in principle as part of the Annual Report 2025-26, subject to any changes recommended or agreed to by the auditor;
4. Authorise Cr Georgina Oxley (Mayor), Cr Jane Agirtan (Councillor), and Peter Bean (Chief Executive Officer) to certify the Performance Statement for the year ended 30 June 2026 and the Governance and Management Checklist 2025-26, in their final form after any changes recommended or agreed by the auditor have been made, in accordance with the *Local Government (Planning and Reporting) Regulations 2020*.

1. Executive Summary

The Performance Statement for the year ended 30 June 2026 and the Governance and Management Checklist 2025-26 have been:

- endorsed in principle by Council's Audit and Risk Committee, subject to any subsequent significant changes that may arise from completion of audit procedures prior to the reports going to Council for formal adoption;
- reviewed by the external auditors, HLB Mann Judd, and Victorian Auditor-General's Office (VAGO), and are pending the Auditor-General's audit report.

2. Background

Under the Local Government (Planning and Reporting) Regulations 2020, all Victorian councils are required to include a Performance Statement in their annual reports.

Councils are also required to provide an assessment of their performance against the Governance and Management Checklist in their annual reports.

The Performance Statement is audited by the Victorian Auditor-General's Office and must be certified by two councillors, the Chief Executive Officer and the Principal Accounting Officer.

The Governance and Management Checklist must be certified by the Chief Executive Officer and the Mayor.

3. Discussion

3.1 Performance Statement

Appendix 1 details the Performance Statement for the Year Ended 30 June 2026. Once approved by Council and certified, the indicators and commentary will be added to Kingston's Annual Report 2025–26 and submitted to Local Government Victoria for the Know Your Council website.

3.1.1 Service Performance Indicator results compared to 2024-25

The 2025–26 Service Performance Indicators are broadly in line with Council expectations. None of the service performance indicators reported in the Performance Statement varied by more than 10 per cent compared to 2024–25.

3.1.2 Financial Performance Indicator results compared to 2024-25

The 2025–26 Financial Performance Indicators are broadly in line with Council expectations. The following indicators varied by more than 10 per cent compared to 2024–25, primarily reflecting the impact of borrowings for the Mordialloc Aquatic Centre and ongoing expenditure pressures.

Indicator & % variation	Comment
Current assets compared to current liabilities -13.02%	This indicator declined from the previous year primarily because current liabilities increased at a greater rate than current assets, largely due to the timing of accrued expenses at year end. Current assets also increased, particularly in term deposits, driven by the $32 million Mordi Aquatic Centre loan drawn in 2025/26 and the early receipt of the Financial Assistance Grant. However, the increase in current liabilities outweighed the growth in current assets, resulting in the lower ratio.
Unrestricted cash compared to current liabilities -75.60%	This indicator declined from the previous year primarily due to the decrease in term deposits classified as unrestricted cash and an increase in current liabilities driven by timing of accrued expenses at year end and the proportion of the $49 million interest-bearing loan for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26) recognised as a current liability. Looking ahead, unrestricted cash is projected to increase in 2026/27 due to higher term deposits held below 90 days, works program, and continuing interest-bearing loan impact.

Indicator & % variation	Comment
Loans and borrowings compared to rates 168.73%	The indicators align with budget expectations, reflecting Council's $49.0 million interest-bearing loan drawn for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26). An additional loan is scheduled for 2026/27.
Non-current liabilities compared to own source revenue 109.49%	This indicator has risen in 2025/26, driven by an increase in Non-Current Liabilities reflecting Council's $49.0 million interest-bearing loan drawn for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26). An additional loan is scheduled for 2026/27, contributing to higher forecasts in subsequent years.
Adjusted underlying surplus (or deficit) -514.56%	During 2025/26, revenue increased across several categories, including rates, user fees, statutory fees and fines, operating grants, and other income. However, expenditure growth has exceeded revenue growth, placing pressure on the underlying result. Despite this, the underlying result is comparable with the budget target of -6.3%. The forecast trend reflects continued expenditure growth at a higher rate than revenue growth. This outcome will be reviewed through future budget processes, with opportunities identified to improve financial sustainability. The increase in expenditure is primarily driven by the challenging economic environment and ongoing inflationary pressures.

3.1.3 Sustainable Capacity Indicator results compared to 2024-25

None of the Sustainable Capacity Indicators for 2025–26 showed a variance of more than 10 per cent compared to 2024–25.

3.2 Governance and Management Checklist

Appendix 2 details the Governance and Management Checklist 2025–26, with Council assessing that it is compliant against each of the 27 items.

Analysis indicates no areas of concern or gaps, with all required governance and management arrangements in place.

Once approved by Council and certified, the Governance and Management Checklist 2025–26 will be added to Kingston's Annual Report 2025–26.

3.3 Audit Status

The final year end external audit was undertaken by HLB Mann Judd on behalf of the Victorian Auditor-General's Office, with the Auditor-General's audit report now pending.

On 10 September 2026, the Audit and Risk Committee resolved to:

1) Note that the Annual Financial Report and Annual Performance Statement for the year ended 30 June 2026 may be subject to change pending finalisation of any outstanding audit procedures.
2) Note that external audit has indicated that subject to satisfactory completion of all remaining audit procedures, a confirming audit opinion will be provided on both the Annual Financial Report and the Annual Performance Statement.

3) Note that there are no material matters raised in the external audit draft final management letter.
4) Provide “in principle” endorsement of the Annual Financial Report and Annual Performance Statement for the year ended 30 June 2026 subject to any subsequent significant changes that may arise from completion of audit procedures prior to going to Council for formal adoption.
5) Will review for endorsement any subsequent significant changes to the Annual Financial Report and the Annual Performance Report for the year ended 30 June 2026 requested by the auditors after this Committee meeting and before they are submitted to Council for approval.
6) Note that the Principal Accounting Officer may make minor amendments to the Annual Financial Report and the Annual Performance Statement for the year ended 30 June 2026 to meet VAGO requirements without those changes requiring Committee approval.
7) Recommend that Council, at its meeting on Monday 28 September 2026, adopt the Annual Financial Report and the Annual Performance Statement “in principle” and forward to VAGO.

4. Consultation

4.1 Internal Consultation:

This analysis has been undertaken by the Corporate Performance Team and Finance Departments and in close engagement with all relevant departments of the organisation.

4.2 Community Consultation:

Not applicable.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective
Strategy: Ensure good governance through integrity, accountability, and continuous improvement

5.2 Governance Principles Alignment

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

Not applicable.

5.4 Risk considerations

There are no risk considerations identified in this report.

Appendices

Appendix 1 - DRAFT City of Kingston Performance Statement for the year ended 30 June 2026 (Ref 26/213206)

Appendix 2 - Governance & Management Checklist 2025-26 (Ref 26/206180)

Author/s:	Annette Forde, Senior Corporate Planning and Performance Officer
Reviewed and Approved By:	Dillon Grech, Team Leader Corporate Performance
	Chris Heath, Manager Customer Experience and Corporate Performance
	Shane Marr, Manager Finance
	Tracey Cheeseman, Acting General Manager Customer and Corporate Support

10.2

PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2026 AND GOVERNANCE AND MANAGEMENT CHECKLIST 2025-26

1 DRAFT City of Kingston Performance Statement for the year ended 30 June 2026..... 361

2 Governance & Management Checklist 2025-26 383

City of
KINGSTON

Performance Statement

For the Year Ended 30 June 2026

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Table of Contents

Certification of the performance statement 4
Victorian Auditor–General's Office audit report 5
Section 1. Description of municipality....7
Section 2. Service performance indicators....8
Section 3. Financial performance indicators 11
Section 4. Sustainable capacity indicators....17
Section 5. Notes to the accounts....19
5.1. Basis of preparation 19
5.2. Definitions 20
5.3. Other Matters 21

Certification of the performance statement

In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

_____

Peter Bean

Principal Accounting Officer

Dated:

In our opinion, the accompanying performance statement of the Kingston City Council for the year ended 30 June 2026 presents fairly the results of council's performance in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

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 2020* to certify this performance statement in its final form.

_____

Cr Georgina Oxley

Mayor

Dated:

_____

Cr Jane Agirtan

Councillor

Dated:

_____

Peter Bean

Chief Executive Officer

Dated:

Victorian Auditor–General's Office audit report

2 pages reserved for VAGO report – to be inserted when available

2 pages reserved for VAGO report – to be inserted when available

Section 1. Description of municipality

The City of Kingston is located approximately 20 kilometres south-east of the Melbourne CBD. Kingston covers an area of 91 square kilometres, including significant areas of foreshore. Every suburb offers something different, from diverse businesses, housing, community facilities, shops and restaurants to beaches and bushland. Our city is also home to 117 playgrounds, as well as parks, and reserves, including significant green spaces such as Bicentennial Park in Chelsea, Kingston Heath in Cheltenham, and Grange Reserve in Clayton South.

Kingston is recognised as one of Victoria's main employment centres and largest industrial sectors, with more than 96,000 local jobs across over 18,000 businesses. Over 30 per cent of residents work locally and can enjoy shorter travel times and an improved work-life balance.

Community and business networks play an important role in linking and supporting local businesses. 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 community facilities are located across the municipality, providing libraries, arts centres, community hubs, neighbourhood houses, and early years services to residents, workers, and visitors. A diverse range of community groups, programs, and services are also available to our community.

We have an estimated resident population of 168,061 people spanning a wide range of ages, cultures, and household types. Our community is consistently growing, and by 2046, Kingston's population is expected to reach 192,026 people and 81,995 dwellings. Consistent with national trends, Kingston's oldest residents comprise the fastest-growing population group in the municipality.

Kingston is a culturally diverse city with residents from over 106 countries and more than 84 languages spoken. About 30 per cent of Kingston's population was born overseas – including in the United Kingdom, Greece, China, Italy, Vietnam, Sri Lanka, and India – with 26 per cent speaking a language other than English at home. We also had 723 community members identifying as Aboriginal and Torres Strait Islander in the 2021 Census. People who need assistance due to a disability make up six per cent of our population, and 14 per cent of residents aged 15+ are carers for people with a disability, long term illness or older age.

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.

Section 2. Service performance indicators

For the year ended 30 June 2026

Service / Indicator / measure [formula]	Results 2023 Actual	2024 Actual	2025 Actual	2026 Target as per budget	2026 Actual	Comments
Aquatic Facilities ***Utilisation***						
Utilisation of aquatic facilities *[Number of visits to aquatic facilities / Municipal population]*	3.76	4.02	4.03	N/A	3.93	The City of Kingston's Waves Leisure Centre received 660,640 visits by community members during the 2025/26 financial year. This equates to approximately four visits per head of municipal population. Attendance has been strong across all programs, including Learn to Swim, group fitness and school holiday programs.
Animal Management ***Health and safety***						
Animal management prosecutions *[Number of successful animal management prosecutions / Number of animal management prosecutions] x 100*	100.00%	79.17%	100%	N/A	100%	The City of Kingston investigates offences under the Domestic Animals Act 1994, with a focus on serious breaches such as dog attacks. These matters are generally addressed through legal proceedings initiated in the Magistrates' Court of Victoria. Pursuing legal action serves to protect the community, promote compliance, and deliver justice to those affected. All City of Kingston animal management prosecutions were successful for the year.

Service / ***Indicator*** / *measure* [formula]	Results 2023 Actual	2024 Actual	2025 Actual	2026 Target as per budget	2026 Actual	Comments
Food Safety ***Health and safety***						
Critical and major non-compliance outcome notifications *[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] x 100*	96.76%	100.00%	100%	N/A	100%	The City of Kingston prioritises food safety and ensures that any high-risk issues identified during an assessment are attended to immediately, and action taken to remove or reduce the risk. Of the 313 critical and major non-compliance outcome notifications received, 100 per cent were followed up.
Governance ***Satisfaction***						

Results						
Service / Indicator / *measure* [formula]	**2023**	**2024**	**2025**	**2026**		**Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	
Satisfaction with community consultation and engagement *[Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement]*	56.00	58.00	74.00	59.00	74.00	The City of Kingston continues to work hard to strengthen community consultation and engagement through initiatives such as Your Kingston Your Say and the Community Representative Panel. Council's performance has remained steady at 74, which is unchanged from the previous year. This rating is sourced from the annual Kingston Community Satisfaction Survey conducted by an independent research company.
Libraries ***Participation***						
Library membership *[Number of registered library members / Population] x 100*	N/A	25.40%	26.91%	N/A	27.94%	The City of Kingston library service continues to attract new members, with 27.94 per cent of the Kingston population currently registered as library members. The library service is utilising strong programming, targeted outreach and marketing to showcase library collections, resources and spaces to attract new members, visits and loans.

Results						
Service / Indicator / *measure* [formula]	**2023**	**2024**	**2025**	**2026**		**Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	
Maternal and Child Health (MCH) ***Participation***						
Participation in the MCH service *[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x 100*	79.60%	75.75%	78.35%	N/A	79.30%	The City of Kingston is committed to providing high-quality MCH services. This result represents an improvement compared with the 2024–25 financial year, reflecting ongoing efforts to engage with families and ensure the service is responsive to their needs and accessible to the community.
Participation in the MCH service by Aboriginal children *[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x 100*	83.48%	86.89%	83.19%	N/A	82.09%	The City of Kingston continues to maintain its high level of engagement with First Nation families with young children. This result shows a very slight decrease when compared to the 2024/25 financial year, with a small number of families continuing to move to the newly opened First Peoples Health and Wellbeing Clinic in Frankston, which is closer to their homes.
Roads						

Results						
***Service* / *Indicator* /** *measure* [formula]	**2023**	**2024**	**2025**	**2026**		**Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	
Condition						
Sealed local roads below the intervention level *[Number of kilometres of sealed local roads below the renewal intervention level set by Council / Kilometres of sealed local roads] x 100*	98.81%	98.97%	99.70%	95.60%	99.70%	The City of Kingston's continued investment in road maintenance ensures that the local road network is in good condition and above renewal intervention levels.
Statutory Planning ***Service standard***						
Planning applications decided within the relevant required time *[(Number of regular planning application decisions made within 60 days) + (Number of VicSmart planning application decisions made within 10 days) / Number of planning application decisions made] x 100*	55.66%	69.61%	67.04%	60.00%	65.28%	The City of Kingston is committed to working with applicants and objectors to achieve quality outcomes in planning application decisions. The percentage of planning applications decided within required statutory timeframes is consistent with the previous year and the average for the last four years.

Results						
***Service* / *Indicator* /** *measure* [formula]	**2023**	**2024**	**2025**	**2026**		**Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	
Waste Management ***Waste diversion***						
Kerbside collection waste diverted from landfill *[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x 100*	55.16%	54.20%	52.53%	54.20%	52.09%	The City of Kingston continues to encourage landfill diversion through efficient kerbside recycling and green organics collection services. In 2025/26, the amount of material diverted from landfill declined slightly, primarily due to reduced recycling tonnages as more container recycling occurs outside of Council bins. Landfill and green organic tonnages have remained consistent.

Section 3. Financial performance indicators

For the year ended 30 June 2026

***Dimension/ indicator/* measure**	**2023**	**2024**	**2025**	**2026**		**2027**	**2028**	**2029**	**2030**	**Material Variations and Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	**Forecast**	**Forecast**	**Forecast**	**Forecast**	
Efficiency Expenditure level										
Expenses per property assessment *[Total expenses / Number of property assessments]*	$3,176.58	$3,388.40	$3,698.41	$3,769.00	$3,864.02	$4,022.12	$4,125.28	$4,255.72	$4,373.88	There is a year-on-year growth in expenditure due to inflationary and demand pressures, hence Council expects this indicator to continue to increase in future years.
Revenue level										
Average rate per property assessment *[Sum of all general rates and municipal charges / Number of property assessments]*	$1,825.99	$1,870.64	$1,940.14	$2,014.00	$2,000.70	$2,089.01	$2,134.21	$2,200.04	$2,267.52	This indicator has been steadily increasing over the three-year period due to rate cap increases. The City of Kingston is compliant with the State Government's Rate Cap each year. The forecast trend is for this indicator to remain around the same level with a slight increase each year.

***Dimension/ indicator/* measure**	**2023**	**2024**	**2025**	**2026**		**2027**	**2028**	**2029**	**2030**	**Material Variations and Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	**Forecast**	**Forecast**	**Forecast**	**Forecast**	
Liquidity ***Working capital***										
Current assets compared to current liabilities *[Current assets / Current liabilities] x 100*	235.35%	209.01%	210.17%	194.50%	182.80%	160.95%	148.24%	160.18%	170.68%	This indicator declined from the previous year primarily because current liabilities increased at a greater rate than current assets, largely due to the timing of accrued expenses at year end. Current assets also increased, particularly in term deposits, driven by the $32 million Mordi Aquatic Centre loan drawn in 2025/26 and the early receipt of the Financial Assistance Grant. However, the increase in current liabilities outweighed the growth in current assets, resulting in the lower ratio.
Unrestricted cash										
Unrestricted cash compared to current liabilities *[Unrestricted cash / Current liabilities] x 100*	184.60%	132.49%	92.36%	123.80%	22.54%	86.67%	74.83%	87.25%	97.96%	This indicator declined from the previous year primarily due to the decrease in term deposits classified as unrestricted cash and an increase in current liabilities driven by timing of accrued expenses at year end and the proportion of the $49 million interest-bearing loan for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26) recognised as a current liability. Looking ahead, unrestricted cash is projected to increase in 2026/27 due to higher term deposits held below 90 days, works program, and continuing interest-bearing loan impact.

Dimension/ indicator/ measure	2023	2024	2025	2026		2027	2028	2029	2030	Material Variations and Comments
	Actual	Actual	Actual	Target as per budget	Actual	Forecast	Forecast	Forecast	Forecast	
Obligations ***Loans and borrowings***										
Loans and borrowings compared to rates *[Interest bearing loans and borrowings / Rate revenue] x 100*	0.00%	0.00%	9.77%	29.00%	26.26%	22.60%	20.40%	18.60%	16.50%	The indicators align with budget expectations, reflecting Council's $49.0 million interest-bearing loan drawn for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26). An additional loan is scheduled for 2026/27.
Loans and borrowings repayments compared to rates *[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x 100*	0.00%	0.00%	0.00%	2.60%	0.69%	2.77%	3.04%	2.95%	2.86%	The indicators align with budget expectations, reflecting Council's $49.0 million interest-bearing loan drawn for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26). An additional loan is scheduled for 2026/27.
Indebtedness										
Non-current liabilities compared to own source revenue *[Non-current liabilities / Own source revenue] x 100*	5.38%	5.14%	12.39%	27.70%	25.96%	26.29%	23.70%	21.63%	19.36%	This indicator has risen in 2025/26, driven by an increase in Non-Current Liabilities reflecting Council's $49.0 million interest-bearing loan drawn for the Mordialloc Aquatic Centre ($17 million drawn in 2024/25 and $32 million drawn in 2025/26). An additional loan is scheduled for 2026/27, contributing to higher forecasts in subsequent years.

Dimension/ indicator/ measure	2023	2024	2025	2026		2027	2028	2029	2030	Material Variations and Comments
	Actual	Actual	Actual	Target as per budget	Actual	Forecast	Forecast	Forecast	Forecast	
Asset renewal and upgrade										
Asset renewal and upgrade compared to depreciation *[Asset renewal and asset upgrade expense / Asset depreciation] x 100*	111.10%	126.86%	86.46%	136.0%	80.52%	103.94%	79.79%	48.23%	54.21%	The indicator declined in 2025/26, primarily due to a rise in depreciation expense following Council's revaluation of fixed assets. In the forecast years, the proportion of renewal and upgrade expenditure as part of the broader capital works program is expected to grow. This reflects a greater focus on asset renewal works in the forecast years with major projects proposed. As forecast depreciation continues to grow, the indicator is forecast to decline. Future asset renewal works will be considered through upcoming budget processes.

***Dimension/ indicator/* measure**	**2023**	**2024**	**2025**	**2026**		**2027**	**2028**	**2029**	**2030**	**Material Variations and Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	**Forecast**	**Forecast**	**Forecast**	**Forecast**	
Operating Position ***Adjusted underlying result***										
Adjusted underlying surplus (or deficit) *[Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x 100*	6.03%	-1.92%	1.56%	-6.30%	-6.45%	-5.40%	-4.20%	-4.20%	-3.90%	During 2025/26, revenue increased across several categories, including rates, user fees, statutory fees and fines, operating grants, and other income. However, expenditure growth has exceeded revenue growth, placing pressure on the underlying result. Despite this, the underlying result is comparable with the budget target of -6.3%. The forecast trend reflects continued expenditure growth at a higher rate than revenue growth. This outcome will be reviewed through future budget processes, with opportunities identified to improve financial sustainability. The increase in expenditure is primarily driven by the challenging economic environment and ongoing inflationary pressures.
Stability ***Rates concentration***										
Rates compared to adjusted underlying revenue *[Rate revenue / Adjusted underlying revenue] x 100*	61.13%	64.02%	58.76%	65.0%	63.11%	63.50%	62.50%	62.40%	62.40%	The result remains in line with the forecast and is consistent with prior years above 60%, indicating that rates revenue continues to be the Council's primary and stable source of underlying revenue. The other underlying revenue sources are user fees, grants, and statutory fees.

***Dimension/ indicator/* measure**	**2023**	**2024**	**2025**	**2026**		**2027**	**2028**	**2029**	**2030**	**Material Variations and Comments**
	Actual	**Actual**	**Actual**	**Target as per budget**	**Actual**	**Forecast**	**Forecast**	**Forecast**	**Forecast**	
Rates effort										
Rates compared to property values *[Rate revenue / Capital improved value of rateable properties in the municipality] x 100*	0.20%	0.21%	0.21%	0.20%	0.22%	0.23%	0.24%	0.24%	0.25%	This indicator is consistent with the forecast. The forecast trend moving forward is for this indicator to gradually increase, as both rate revenue and the Capital Improved Value gradually increase over time.

Section 4. Sustainable capacity indicators

For the year ended 30 June 2026

Results					
Indicator / measure *[formula]*	**2023 Actual**	**2024 Actual**	**2025 Actual**	**2026 Actual**	**Comments**
Population					
Expenses per head of municipal population *[Total expenses / Municipal population]*	$1,529.77	$1,621.70	$1,750.25	$1,825.00	This result is consistent with budget expectations. It is forecast to increase in future years, in line with growth in expenditure due to inflationary pressures.
Infrastructure per head of municipal population *[Value of infrastructure / Municipal population]*	$8,112.26	$9,169.75	$11,002.83	$12,102.16	The result has increased from the previous year due to the revaluation of infrastructure assets in 2025/26.
Population density per length of road *[Municipal population / Kilometers of local roads]*	258.67	264.84	269.36	271.99	The result demonstrates consistent population density as the City of Kingston's population increases when compared to an already established road network.
Own-source revenue					
Own-source revenue per head of municipal population *[Own-source revenue / Municipal population]*	$1,219.90	$1,265.15	$1,385.87	$1,308.25	Council's own source revenue per head remains relatively stable and consistent with previous years. While revenue from rates and user fees continues to increase, this growth has been largely offset by population growth, resulting in the indicator remaining steady over time. This reflects Council's ability to maintain its level of own source revenue on a per capita basis while supporting a growing community.
Recurrent grants					
Recurrent grants per head of municipal population *[Recurrent grants / Municipal population]*	$348.30	$325.39	$392.04	$406.16	The result is in line with expectations and reflects a continued strong level of operating grants received by Council, particularly in aged care and childcare, and the receipt of 80% of the 2026/27 Financial Assistance grant allocation.

Results					
Indicator / measure *[formula]*	**2023** **Actual**	**2024** **Actual**	**2025** **Actual**	**2026** **Actual**	**Comments**
Disadvantage					
Relative Socio-Economic Disadvantage *[Index of Relative Socio-Economic Disadvantage by decile]*	9.00	9.00	9.00	9.00	The result reflects a relatively low level of socio-economic disadvantage within the City of Kingston's diverse communities.
Workforce turnover					
Percentage of staff turnover *[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100*	16.85%	16.04%	16.36%	16.21%	Staff turnover decreased slightly compared to the previous year and is marginally below the four-year average.

Section 5. Notes to the accounts

5.1. 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, service performance, financial performance and sustainable capacity indicators and measures together with a description of the municipal district, an explanation of material variations in the results and notes to the accounts. This statement has been prepared to meet the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020.

Where applicable the results in the performance statement have been prepared on accounting bases 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 or the Council's satisfaction survey provider).

The performance statement presents the actual results for the current year and the previous three years, along with the current year's target, if mandated by the Local Government (Planning and Reporting) Regulations 2020. Additionally, for the prescribed financial performance indicators and measures, the performance statement includes the target budget for the current year and the results forecast for the period 2026-27 to 2029-30 by the council's financial plan.

The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the performance statement. 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.

5.2. Definitions

Key term	Definition
Aboriginal children	means a child who is an Aboriginal person
Aboriginal person	has the same meaning as in the Aboriginal Heritage Act 2006
adjusted underlying revenue	means total income other than: • non-recurrent grants used to fund capital expenditure; and • non-monetary asset contributions; and • contributions to fund capital expenditure from sources other than those referred to above
adjusted underlying surplus (or deficit)	means adjusted underlying revenue less total expenditure
annual report	means an annual report prepared by a council under section 98 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
asset upgrade expenditure	means expenditure that – (a) enhances an existing asset to provide a higher level of service; or (b) extends the life of the asset beyond its original life
critical non-compliance outcome notification	means a notification received by council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorised officer under that Act, of a deficiency that poses an immediate serious threat to public health
current assets	has the same meaning as in the Australian Accounting Standards
current liabilities	has the same meaning as in the Australian Accounting Standards
food premises	has the same meaning as in the *Food Act 1984*
intervention level	means the level set for the condition of a road beyond which a council will not allow the road to deteriorate and will need to intervene
local road	means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*
major non-compliance outcome notification	means a notification received by a council under section 19N(3) or (4) of the *Food Act 1984*, 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
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
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

Key term	Definition
rate revenue	means revenue from general rates, municipal charges, service rates and service charges
relative socio-economic disadvantage	in relation to a municipal district, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipal district is located according to the Index of Relative Socio-Economic Disadvantage of SEIFA
restricted cash	means cash, cash equivalents and financial assets, within the meaning of the Australian Accounting Standards, 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
SEIFA	means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet site
unrestricted cash	means all cash and cash equivalents other than restricted cash

5.3. Other Matters

Overview of 2026

Council continues to closely monitor the current economic environment to ensure that inflation pressures, interest rates, rental challenges and the increasing cost of materials are considered and planned for in delivering services and capital projects.

These challenges are not only impacting our capacity to provide services but is also, unfortunately, placing significant cost of living pressures on our community and their capacity to manage personal financial hardship. The increased cost of housing in both the purchase and rental markets is impacting low to medium income earners living in the municipality.

This is contributing to significant pressure on welfare and support organisations to meet the increasing demands of our community's needs. We are continuing to provide critical services to our community and will continue working with individual ratepayers on payment arrangements and comprehensive targeted cost of living package.

GOVERNANCE AND MANAGEMENT CHECKLIST

For the year ended 30 June 2026

Governance and Management Items		Assessment
1	**Community engagement policy** *(policy outlining Council's commitment to engaging with the community on matters of public interest)*	Adopted in accordance with section 55 of the Act.
		Date of adoption: 22/09/2025
		The Community Engagement Policy was adopted at the Kingston Council Meeting on 22 September 2025, outlining Council's commitment to engaging with the community on matters of public interest. It also includes Best Practice Guiding Principles and Council's deliberative engagement approach. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/community-engagement-policy
2	**Community engagement guidelines** *(guidelines to assist staff to determine when and how to engage with the community)*	Current guidelines in operation.
		Date of commencement: 12/10/2017
		Kingston's Community Engagement toolkit commenced on 12 October 2017 to assist staff to determine when and how to engage with the community and is regularly reviewed and updated.
3	**Financial Plan** *(plan under section 91 of the Act outlining the financial and non-financial resources required for at least the next 10 financial years)*	Adopted in accordance with section 91 of the Act.
		Date of adoption: 25/05/2026
		The Long-Term Financial Plan 2026–36 was adopted at the Kingston Council Meeting on 25 May 2026, outlining the financial and non-financial resources required for at least the next 10 financial years. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget
4	**Asset Plan** *(plan that sets out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)*	Adopted in accordance with section 92 of the Act.
		Date of adoption: 27/10/2025
		The Asset Plan 2025–2035 was adopted at the Kingston Council Meeting on 27 October 2025, setting out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget
5	**Revenue and Rating Plan** *(plan setting out the rating structure of Council to levy rates and charges)*	Adopted in accordance with section 93 of the Act.
		Date of adoption: 25/05/2026
		The Revenue and Rating Plan 2026–30 was adopted at the Kingston Council Meeting on 25 May 2026, setting out the rating structure of Council to levy rates and charges. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget

Governance and Management Items		Assessment
6	**Annual budget** *(plan 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 94 of the Act.
		Date of adoption: 25/05/2026
		The Annual Budget 2026–27 was adopted at the Kingston Council Meeting on 25 May 2026, setting out the services to be provided and initiatives to be undertaken during the budget year and the funding and other resources required. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-and-budget
7	**Risk policy** *(policy outlining Council's commitment and approach to minimising the risks to Council's operations)*	Current policy in operation
		Date of commencement: 15/05/2023
		Kingston's Risk Management Policy commenced on 15 May 2023, and outlines Council's commitment and approach to managing and mitigating strategic, operational and corporate risks. The Policy is part of Council's Enterprise Risk Management Framework, aligns with Kingston's Good Governance Framework, and is compliant with the Australian Standards ISO 31000:2018.
8	**Fraud policy** *(policy outlining Council's commitment and approach to minimising the risk of fraud)*	Current policy in operation
		Date of commencement: 30/06/2025
		Kingston's Fraud and Corruption Policy commenced on 30 June 2025, outlining Council's commitment and approach to minimising the risk of fraud to meet Council's legislative obligations under the *Local Government Act 2020*. A Fraud and Corruption Procedure and Investigation Plan was also developed to support the policy and related documents, which include the Code of Conduct Policy, Public Interest Disclosure Procedure, Enterprise Risk Management Framework and Good Governance Framework.
9	**Municipal emergency management planning** *(participation in meetings of the Municipal Emergency Management Planning Committee)*	Municipal Emergency Management Planning Committee (MEMPC) meetings attended by one or more representatives of Council (other than the chairperson of the MEMPC) during the financial year.
		Dates of MEMPC meetings attended: 13/08/2025, 12/11/2025, 11/02/2026 & 13/05/2026.

Governance and Management Items		Assessment
		The Kingston District Municipal Emergency Management Plan was revised by MEMPC and approved by the Regional Emergency Management Planning Committee on 1 July 2024. Council chaired the following MEMPC meetings during 2025–26: • 13 August 2025 • 12 November 2025 • 11 February 2026 • 13 May 2026 kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/municipal-emergency-management-planning
10	**Procurement policy** *(policy outlining the principles, processes and procedures that will apply to all purchases of goods and services by the Council)*	Adopted in accordance with section 108 of the Act.
		Date of commencement: 02/02/2026
		The Procurement Policy was adopted at the Kingston Council Meeting on 15 December 2025 and commenced on 2 February 2026. The policy outlines the principles, processes and procedures that will apply to the purchase of goods and services by Council. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/procurement-policy
11	**Business continuity plan** *(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
		Date of commencement: 20/03/2025
		The Business Continuity Plan commenced on 20 March 2025 and sets out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster. The Plan applies to all critical services and support functions and associated infrastructure provided and/or maintained by the City of Kingston.
12	**Disaster recovery plan** *(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
		Date of commencement: 10/04/2026
		Kingston's ICT Disaster Recovery Policy, approved on 10 April 2026, sets out Council's governance framework, responsibilities and mandatory requirements for restoring technology systems, applications and data following a disruption that cannot be resolved through normal operations.
13	**Complaint policy**	Policy developed in accordance with section 107 of the Act.

Governance and Management Items		Assessment
	(policy under section 107 of the Act outlining Council's commitment and approach to managing complaints)	Date of commencement: 24/06/2024
		The Complaint Policy was adopted at the Kingston Council Meeting on 24 June 2024 and outlines Council's commitment and approach to managing complaints. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/complaints-resolution-policy
14	**Workforce plan** *(plan outlining Council's commitment and approach to planning the current and future workforce requirements of the organisation)*	Plan developed in accordance with section 46 of the Act.
		Date of commencement: 24/11/2025
		The Workforce Plan 2025–29 commenced on 24 November 2025. The plan outlines Council's commitment and approach to planning for current and future workforce requirements.
15	**Payment of rates and charges hardship policy** *(policy outlining Council's commitment and approach to assisting ratepayers experiencing financial hardship or difficulty paying their rates)*	Current policy in operation
		Date of commencement: 22/06/2026
		Kingston's Hardship Policy commenced on 22 June 2026, outlining Council's commitment and approach to assisting ratepayers who are experiencing financial hardship or difficulty paying their rates. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/financial-hardship-policy
16	**Risk management framework** *(framework outlining Council's approach to managing risks to the Council's operations)*	Current framework in operation
		Date of commencement: 20/03/2025
		Council's Enterprise Risk Management Framework was updated on 20 March 2025 and outlines Council's approach to managing operational, corporate and strategic risks to the Council's operations in accordance with the Local Government Act 2020 and in line with the Australian Standards ISO 31000:2018.
17	**Audit and Risk Committee** *(advisory committee of Council under section 53 and 54 of the Act)*	Established in accordance with section 53 of the Act
		Date of establishment: 01/01/1997
		The Audit and Risk Committee (ARC) was established 1 January 1997 in accordance with section 53 of the *Local Government Act 2020*. The ARC Charter is developed in accordance with section 53 of the *Local Government Act 2020*. The Charter has been reviewed and was adopted by Council on 26 August 2024. kingston.vic.gov.au/council/your-council/audit-and-risk-committee
18	**Internal audit**	Internal auditor engaged
		Date of engagement: 11/06/2025

Governance and Management Items		Assessment
	(independent accounting professionals engaged by the Council to provide analyses and recommendations aimed at improving Council's governance, risk and management controls)	Council's internal audit auditor, RSM, was appointed in June 2025 to provide analyses and recommendations aimed at improving Council's governance, risk and management control.
19	**Performance reporting framework** *(a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 98 of the Act)*	Current framework in operation
		Date of adoption: June 2014
		The performance reporting framework currently in operation is the Local Government Performance Reporting Framework, which commenced in June 2014.
20	**Council Plan report** *(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)*	Current report
		Date of report:15/12/2025, 23/03/2026 & 25/05/2026.
		The Council & Wellbeing Plan 2025–29 was adopted at the Kingston Council Meeting on 23 June 2025. Council & Wellbeing Plan Performance Reports for Year One (2025-26) were noted at Council Meetings on: • 15 December 2025 (Quarter 1) • 23 March 2026 (Quarter 2) • 25 May 2026 (Quarter 3) The final Performance Report (Quarter 4) will be presented for noting at the Council Meeting on 28 September 2026. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-performance-reports
21	**Quarterly budget reports** *(quarterly reports to Council under section 97 of the Act, comparing actual and budgeted results and an explanation of any material variations)*	Quarterly reports presented to Council in accordance with section 97(1) of the Act.
		Date of report: 24/11/2025, 23/02/2026 & 25/5/2026
		Council noted quarterly budget reports at Council Meetings on: • 24 November 2025 (for the period ending September 2025) • 23 February 2026 (for the period ending December 2025) • 25 May 2026 (for the period ending March 2026). kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/council-plan-performance-reports
22	**Risk reporting**	Risk reports prepared and presented
		Dates of reports: 18/11/2025 & 05/05/2025

Governance and Management Items		Assessment
	(six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Over the past twelve months, strategic risk workshops were held, and risk reports were presented to the Executive Leadership Team on: • 18/11/2025 • 05/05/2026
23	**Performance reporting** *(six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 98 of the Act)*	Performance reports prepared
		Dates of reports: 11/09/2025 & 19/03/2026.
		Performance reporting indicator results for the Local Government Performance Reporting Framework six-monthly results were presented to the Audit and Risk Committee on: • 11 September 2025 (year ending 30 June 2025) • 19 March 2026 (2025–26 half-year results)
24	**Annual report** *(annual report under sections 98 and 99 of the Act containing a report of operations and audited financial and performance statements)*	Annual report presented at a meeting of Council in accordance with section 100 of the Act.
		Date of presentation: 27/10/2025
		The Annual Report 2024–25 was considered at the Kingston Council Meeting on 27 October 2025. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/annual-report
25	**Councillor Code of Conduct** *(code setting out the standards of conduct to be followed by Councillors and other matters)*	Code of conduct reviewed and adopted in accordance with section 139 of the Act.
		Date reviewed and adopted: 26/10/2024
		The Model Councillor Code of Conduct came into effect on 26 October 2024 and outlines the required standards of Councillor behaviour across all Victorian councils. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/model-councillor-code-of-conduct
26	**Delegations** *(documents 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 11(7) of the Act and a register kept in accordance with sections 11(8) and 47(7) of the Act.
		Date of review: 24/04/2026
		The Instrument of Sub-Delegation by Chief Executive Officer to Staff demonstrates Council's delegation of authority. The Instrument of Sub-Delegation is dated 24 April 2026 and was made by the CEO under authority of an instrument of delegation authorised by Resolution of Council made on 22/09/2025. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/instrument-of-sub-delegation-by-the-ceo-to-staff

Governance and Management Items		Assessment
27	**Meeting procedures** *(Governance Rules governing the conduct of meetings of Council and delegated committees)*	Governance Rules adopted in accordance with section 60 of the Act.
		Date rules adopted: 26/03/2024
		The City of Kingston's Governance Rules were adopted on 26 March 2024 and governs the conduct of meetings of Council and delegated committees. kingston.vic.gov.au/council/council-documents/plans-policies-and-reports/governance-rules

Certification of Governance and Management Checklist

I certify that this information presents fairly the status of Council's governance and management arrangements.

Peter Bean
Chief Executive Officer
Date:

Cr Georgina Oxley
Mayor
Date:

Ordinary Council Meeting

28 September 2026

Agenda Item No: 10.3

DRAFT COUNCILLOR SOCIAL MEDIA GUIDELINES

Contact Officer: Kelly Shacklock, Manager Governance, Risk and Integrity

Purpose of Report

To present the Draft Councillor Social Media Guidelines to Council for its consideration and adoption.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council adopt the Councillor Social Media Guidelines.

1. Executive Summary

This report presents the Draft Councillor Social Media Guidelines (the guidelines). Social media provides Councillors with a valuable opportunity to engage with the community, share information about Council activities and hear directly from residents.

Social media is a primary channel for Councillor communication and community engagement, offering clear benefits for transparency and civic participation. However, this engagement introduces governance and reputational risks including misinformation, inappropriate commentary, conflicts of interest, misuse of position and reputational harm. The significance of these risks is evidenced by a number of Arbiter matters across the sector arising from Councillors' social media use, demonstrating the potential for misconduct findings and governance consequences where clear and consistent standards are absent.

The draft Councillor Social Media Guidelines have been developed as a practical resource to support Councillors who choose to maintain a social media presence. The Guidelines provide good practice guidance to assist Councillors to participate online in a manner that protects both individual Councillors and Council's reputation.

The Guidelines address four key topics:

- Councillors' own content and interactions on social media;
- Management of comments and content posted by others on Councillor-managed pages;
- Information that should be included in social media biographies and page information; and
- Wellbeing, safety and risk management considerations associated with social media use.

2. Background

At the 25 May 2026 Council meeting, the following was resolved:

That Council:

1. Note that there is an existing media policy that covers the use of social media;

2. Retain the existing policy; and

3. Develop guidelines for further adoption by Council for use of social media that are in line with the Model Councillor Code of Conduct, Occupational Health and Safety Act 2004 (Vic) and existing policies.

Also at the 25 May 2026 Council meeting, Council adopted the Governance and Cultural Improvement Action Plan. The action plan included the following: I*ntroduce: Councillor Guidelines for Social Media Use.*

3. Discussion

3.1 Purpose of the Guidelines

Social media has become a primary channel through which Councillors communicate with, and engage the community. While these platforms offer considerable opportunities to enhance transparency, accessibility and civic participation, they also introduce heightened governance and reputational risks. These risks include the dissemination of misinformation, inappropriate or intemperate commentary, actual or perceived conflicts of interest, misuse of position, and reputational harm to individual Councillors and to Council as an organisation.

The significance of these risks is evidenced by several Arbiter matters across the local government sector arising directly from Councillors' use of social media. Such matters demonstrate the potential for misconduct findings, reputational and governance consequences. Arbiter determinations are made publicly available on the Local Government Victoria webpage Councillor conduct framework.

The adoption of Social Media Guidelines is an important governance measure. The Guidelines are intended to support Councillors to use social media effectively and responsibly, in a manner consistent with their obligations under the Local Government Act 2020, the Councillor Code of Conduct, and Council's broader commitment to transparent and accountable governance.

3.2 Content and Engagement

The Guidelines encourage Councillors to:

- Distinguish personal views from Council's formal position.
- Ensure information shared is accurate, fair and respectful.
- Avoid publishing confidential information or material that could prejudice a Council decision.
- Consider election period requirements when posting content.
- Engage respectfully with community members and avoid escalating online disputes.

The Guidelines also remind Councillors that the Model Councillor Code of Conduct applies to social media activity, including comments made in a personal capacity where those comments could reasonably be associated with the Councillor's role.

3.3 Managing Comments and Third-Party Content

The Guidelines recognise that Councillors may be regarded as publishers of content appearing on pages they administer and therefore encourage active moderation practices. Councillors are encouraged to:

- Publish clear expectations regarding acceptable behaviour.
- Include a complaints mechanism.
- Utilise platform moderation tools.

- Remove abusive, discriminatory, defamatory or unlawful content.
- Maintain records of serious incidents before removing content.

The Guidelines also support the use of reporting and blocking functions where accounts engage in persistent abusive behaviour

3.4 Social Media Profile Information

To improve transparency and community understanding, the Guidelines recommend that Councillors include:

- Their name and role.
- A statement that views expressed are personal and not necessarily those of Council.
- Links to Council's official channels.
- Information about how to access Council services.
- Advice that the page is not monitored continuously.
- A complaints mechanism

3.5 Wellbeing and Safety

The Guidelines acknowledge that online abuse of Councillors is a recognised occupational health and safety concern within the local government sector. Councillors are encouraged to establish boundaries around social media use, document serious incidents, seek support when required and escalate threats to police where safety concerns arise.

The Guidelines further encourage Councillors to consider the wellbeing, privacy and safety of Council officers, fellow Councillors and community members when posting content online.

4. Consultation

4.1 Internal Consultation:

Councillors participated in a workshop to inform the development of the guidelines. The draft guidelines were also referenced during mandatory professional development, with a specific session on the Model Councillor Code of Conduct that included the use of social media.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective
Strategy: Ensure good governance through integrity, accountability, and continuous improvement

The Councillor Social Media Guidelines support Council's commitment to good governance by promoting integrity, accountability and responsible conduct.

5.2 Governance Principles Alignment

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

The Model Councillor Code of Conduct outlines the required standards of Councillor behaviour across all Victorian councils.

5.3 Risk considerations

The Councillor Social Media Guidelines support the mitigation of governance, legal, reputational and wellbeing risks by promoting responsible online engagement, protecting confidential information, encouraging appropriate moderation of social media content, supporting compliance with existing legislative and conduct obligations, and providing practical strategies for managing online abuse and harassment.

Appendices

Appendix 1 - Draft Councillor Social Media Guidelines (Ref 26/244636)

Author/s:	Kelly Shacklock, Manager Governance, Risk and Integrity
Reviewed and Approved By:	Tracey Cheeseman, A/ General Manager Customer and Corporate Support

10.3

DRAFT COUNCILLOR SOCIAL MEDIA GUIDELINES

1 Draft Councillor Social Media Guidelines 397

City of KINGSTON

Social Media Guidelines

A practical guide for Councillors

Social media is a useful tool to connect with your community; to share what Council is doing, listen to residents, and be a trusted local voice. Used well, it strengthens engagement, transparency, and trust.

These guidelines are supportive, not prescriptive. There is no obligation to be active on social media. If you choose to be, this guide offers good practice to help you get the most from these platforms while protecting yourself, your community and Council's reputation.

What this guide covers

1	2	3	4
Your content & engaging with others	Other people's activity on your pages	Your social media bio	Looking after self & others

1 Your content and engaging with others

What you post and how you respond to others reflects on you as an elected representative and on Council. A few simple habits will keep your presence positive, credible and low-risk.

Posting well

- **Distinguish** your personal view from Council's official position. If you're expressing your own opinion, say so.
- **Keep it** accurate, fair and respectful. Check facts before you post and avoid sharing misinformation.
- **Never share** confidential information, matters discussed in confidential sessions, or anything that could prejudice a decision still before Council.
- **Be mindful of** political advertising, and check the Election Period (Caretaker) guidance before posting during that time.

Engaging with others

- **Respond with** courtesy and respect, even when others don't.
- **Acknowledge** genuine questions and feedback where you can
- **Direct** service requests to the right Council channel rather than trying to resolve them
- **Think before** liking, sharing or endorsing content that you wouldn't be comfortable posting yourself
- **Don't be drawn** into arguments. If a thread becomes heated, step back

> **Remember:** The Model Councillor Code of Conduct applies to your social media activity including comments made in a personal capacity if they could be read as coming from you as a Councillor.

2 Other people's activity on your pages

You are responsible for your social media page, not just your own posts. You can be considered the "publisher" of comments others leave, so setting expectations and moderating consistently is required.

Set the ground rules

- **Publish** a short, visible statement about the behaviour you expect (respectful, on-topic, no abuse, no misinformation). This sets the tone and gives you a fair basis to moderate.
- Publish a complaints mechanism statement. (eg. This page is not monitored at all times. If you are concerned about content or comments, or wish to make a complaint, please (*insert a preferred contact mechanism*).
- **Use** your page settings to filter or hide offensive words and manage who can comment.
- **Disable** comments and/or interactions if you are unable to moderate your page

Moderating comments

Good practice
Hide or delete comments that put you at risk such as abusive, discriminatory, defamatory or unlawful content promptly.
Moderate consistently against your stated ground rules, regardless of who posted.
Avoid engaging with trolls
Keep a record of serious incidents (screenshots) before removing content.

> **Tip:** Blocking or reporting persistently abusive accounts is reasonable and appropriate, protecting the civility of your page protects your whole community.

3 Your social media bio — what to include

Your bio is the first thing people see. A clear, consistent bio helps residents understand who you are, what you can (and can't) help with, and how to reach the right service.

Consider including

- ✓ Your name and role (e.g. "Councillor, [Ward], Kingston City Council".)
- ✓ A short line clarifying that views are your own and not the formal position of Council.
- ✓ A link to Council's website and official channels for authoritative information.
- ✓ How to access Council services, a link or phone number for the customer service centre, so service requests go to the right place.
- ✓ A note that the page is not monitored 24/7
- ✓ A complaints mechanism

A sample bio line

"Cr [Name] – [Ward], Kingston City Council. Views my own. This page isn't monitored 24/7 – for complaints email (insert detail). For Council services queries call 1300 653 356 or visit kingston.vic.gov.au"

Use a pinned post: With limited space available in the bio section, consider using a pinned post that allows for more space to include the above details.

4 Looking after yourself and others

Online abuse of councillors is a recognised and growing occupational health and safety issue across the sector. Your wellbeing and the wellbeing of others matters.

Protecting your wellbeing

- **Set** boundaries — you don't need to be available 24/7. It's healthy to log off, mute notifications and take breaks.
- **Disengage when necessary — avoid** engaging with abuse. Ignoring, muting or blocking protects your health and denies trolls the reaction they seek.
- **Document** serious abuse, threats or harassment. Keep screenshots, report it to the platform, and tell Council so you're supported.
- **Escalate** threats to your safety or your family's safety to police immediately, and notify Council's CEO
- **Reach out for support — use** Council's Employee Assistance Program for confidential support

Looking out for others

- **Be aware** that content involving Council staff, fellow Councillors or community members can affect their safety and wellbeing too. Don't name or expose officers in ways that invite abuse.
- **Protect** privacy — avoid sharing images or personal information about others without consent.
- **Respond** to any formal complaints promptly.

> **You are not alone:** The sector, through the MAV and WorkSafe has recognised online harassment of councillors as an risk to Councillors. Take steps to ensure your safety and seek support

Where to go for help and more information

- Governance, Risk & Integrity team — for advice on this guide, the Code of Conduct, or a specific situation.
- Employee Assistance Program (EAP) — confidential wellbeing support.
- Communications team — for profile graphics, banners and suggested content.
- Related guidance — Model Councillor Code of Conduct, Councillor Code of Conduct, and Election Period (Caretaker) guidance.

These guidelines are intended as supportive good-practice guidance and do not create new obligations beyond those in the Local Government Act 2020 and the Model Councillor Code of Conduct.

Ordinary Council Meeting

28 September 2026

Agenda Item No: 10.4

RESPONSE TO RESOLUTION - STRENGTHENING GOVERNANCE RULES

Contact Officer: Ellie Lockard, Council Governance Officer

Purpose of Report

The purpose of this report is for Council to note the draft version 4 Governance Rules for public consultation.

Disclosure of Officer / Contractor Conflict of Interest

No Council officer who has provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

RECOMMENDATION

That Council:

1. Note the draft Governance Rules for public consultation; and
2. Receive a report to consider the adoption of the final draft following the consultation period, with this report to summarise community feedback received and any subsequent amendments to the draft.

1. Executive Summary

This report responds to the Council resolution of 23 March 2026 and presents the draft Governance Rules for consideration for public consultation.

The report provides a summary of the revision process and details proposed changes that have been incorporated in response to Council's resolved position to strengthen governance rules relating to notices to notices of motion and further feedback from Councillors and the Governance and Policy Committee and the Municipal Monitors.

It is noted that the *Local Government Legislation Amendment (Stronger Community) Bill 2026* is before Parliament and includes provision for Model Governance Rules. Given the uncertainty and timeframe for potential adoption and implementation of the Model Governance Rules, the opportunity was taken to refresh the Governance Rules in its entirety, specifically with regard to Meeting Procedure and Conflict of Interest chapters.

The draft Governance Rules is attached at Appendix 1 for Council's consideration for public consultation.

2. Background

Council resolutions

Council resolved the following at its 23 February 2026 Council Meeting:

That Council:

1. *Expedite a review of the Governance Rules;*
2. *As a first step of this review, request a report for the March Ordinary Council Meeting on potential amendments to the Council's Governance Rules relating to Notices of Motion at part 24, inclusive of:*
   a) *Submission and admission provisions;*
   b) *Any other relevant parts of the Governance Rules, including part 25, Requirements for Motions & Amendments;*
3. *That the report considers options to strengthen and clarify the Chief Executive Officer's powers to reject or require amendment of Notices of Motion that:*
   a) *Do not align with the principles and objectives of the Governance Rules;*
   b) *Are inconsistent with the Local Government Act 2020 or other relevant legislation;*
   c) *Are inconsistent with the Model Councillor Code of Conduct;*
   d) *Pose unreasonable legal, reputational, governance, or workplace health and safety risks; or*
   e) *Risk Council acting beyond its power or in a manner that may bring Council into disrepute;*
4. *That the report includes consideration of:*
   a) *Clearer and more explicit rejection grounds; strengthened thresholds for objectionable, prejudicial or high-risk content;*
   b) *Improved safeguards where Notices of Motion may impact individual staff members or Councillors;*
   c) *Officer and organisational contribution and time commitments;*
   d) *Any relevant best practice governance approaches from other Victorian councils; and*
5. *That the report outlines the legal, governance and operational implications of any proposed changes and provides recommended amendments for Council's consideration.*

A response to the above resolution was tabled at the 23 March 2026 Council Meeting recommending targeted amendments to Chapter 2 of the Governance Rules to strengthen clarity, promote focus of strategic decision making, enhance risk management, protect individuals and support lawful and effective decisions while preserving Councillors' democratic rights. Council resolved at this meeting as follows:

That Council:

1. *Note that the report outlines an analysis of the Governance Rules relating to Notices of Motion, issues identified, best practice sector advice and options to strengthen Governance Rules in respect to Notices of Motion;*
2. *Note a review of the Governance Rules, Meeting Procedure will commence that considers the options to strengthen the Governance Rules as outlined in section 4 of this report; and*
3. *Following this review, receive a further report regarding the Governance Rules review and proposed amendments, with view to formally amend the Governance Rules in accordance with the Local Government Act 2020.*

This report responds to point 3 of the March 2026 resolution.

Governance and Cultural Improvement Action Plan
The Council resolved action plan includes the below:

- *Strengthen Governance Rules to enhance good governance in decision making, including review of notice of motion provisions*

Legislative provisions

Section 60 of the *Local Government Act 2020* (the Act) specifies that a Council must develop, adopt and keep in force Governance Rules. The Governance Rules provide the foundation for Council's decision-making and operational conduct, ensuring alignment with the overarching governance principles set out in section 9(2) of the Act.

3. Discussion

3.1 Revision process and issues identified

Suggested amendments recommended at the 23 March 2026 Council meeting were discussed at the 2 June 2026 Governance & Policy Committee Meeting. Further feedback on the draft Governance Rules was received from a workshop held with Councillors at the 15 June 2026 Strategic Briefing and the 7 September Councillor Briefing.

Feedback helped inform changes for incorporation into the draft revision of the Governance Rules, including changes to Chapter 5: Disclosure of Conflicts of Interest in addition to the originally proposed amendments to Chapter 2: Meeting Procedure. Other feedback received from the Monitors are also incorporated into the draft, denoted by a red asterisk (*).

With the uncertain timeframe around the release of the State Government's Model Governance Rules, plus the requirement for public consultation when amending the Rules, the opportunity was also taken to:

- Address typographical/grammatical errors
- Introduce sequential clause numbering for consistency with general practice at other Councils
- Improve structure and formatting
- Remove duplicated or obsolete provisions and legal references
- Include gender-neutral language throughout

These changes have strengthened the Governance Rules' integrity, readability, and alignment with good governance practice.

3.2 Summary of amendments

The draft Governance Rules are attached at Appendix 1 with recommended amendments highlighted in yellow, and the below table further outlines the proposed changes. The current Governance Rules are attached for comparison at Appendix 2.

Governance Rule	Change
Rule 4: Definitions	• New definition included for Annual Statutory Meeting • Amended definitions for: - Community Asset Committee - Council meeting - Delegated Committee • New definition included for Written/in writing
Rule 5: Context	Reference to Model Councillor Code of Conduct included.
Rule 6: Decision Making (Previously Chapter 1 Rule 2)	Amendment of sub-rule 6.3(d) to include the text 'regarding planning application matters' between 'If a member of Council staff proposes to make a decision' and 'under delegation' to reflect current practice.
Rule 13: Determining the Election of the Mayor (Previously Chapter 2 Rule 6)	Amended to allow Councillors to speak for up to two minutes in support of their nomination* Sub-rule 13.6.3 and 13.7.3 amended for consistency
Rule 16: Dates and Times of Meetings Fixed by Council (Previously Chapter 2 Rule 9)	Amended to include reference to Annual Statutory Meeting*
Rule 19: Notice of Meeting (Previously Chapter 2 Rule 12)	Sub-rule 19.2.2 amended regarding notice required for Special Council meetings, to include where practicable
Rule 21: Inability to Maintain a Quorum (Previously Chapter 2 Rule 14)	Sub-rule 21.2 amended to become two parts, with the second part reading: 'The inability to maintain a quorum is due to technical difficulties arising in the Council chamber, in which case, the meeting may be reconvened at the Chair's discretion upon the advice of the Chief Executive Officer.'
Previous Chapter 2 Rule 21: En Bloc Resolutions	Removed to reflect current practice. Also, a recommendation of Operation Sandon Special Report (IBAC, 2023) and Municipal Monitors.
Rule 24: Cancellation or Postponement of a Meeting (Previously Chapter 2 Rule 17	• Sub-rule 24.2 amended to read: 'The Chief Executive Officer must set the time, date and place of the new meeting in consultation with Mayor as practicable as per procedures in rule **Error! Reference source not found.** with notice provided in accordance with rule **Error! Reference source not found.**..' • Inclusion of new sub-rule 24.3 reading: 'The Chief Executive Officer must table at this subsequent Council meeting a written report regarding the reason for the postponement or cancellation of the earlier meeting.'
Rule 25: Agenda and Scope of Business (Previously Chater 2 Rule 18)	• Sub-rule 25.1: inclusion of word 'Ordinary' to clarify that this list does not apply to Special Council meetings • Inclusion of 'Items for Tabling In Accordance with Local Government Act 2020' to facilitate the tabling of required items such as Arbiter Determinations
Rule 26: Change to Order of Business (Previously Chapter 2 Rule 19)	Amended text in italics: 'Once an agenda has been produced, the order of business for that Council meeting may only be altered by resolution of Council.'
Rule 28: Urgent Business (Previously Chapter 2 Rule 22)	Sub-rule 28.1: wording amended to specify Council to consider and be satisfied that the business meets the urgent requirements as stated at sub-rules 28.1.1 and 28.1.2
Rule 30: Notices of Motion (Previously Chapter 2 Rule 24)	• Sub-rule 30.1.1 amended to specify signature by three Councillors • Sub-rule 30.1.2 amended to require lodgement via online submission form, no later than midday on the day failing exactly 14 days before the date of the Ordinary Council Meeting. An example of applying the timeline is also included • Sub-rule 30.2 removed to reflect current procedure • Sub-rule 30.4 amended to include relevant General Manager

Governance Rule	Change
	• Sub-rule 30.7 to include CEO may reject a rationale submitted with a NoM, under the same required grounds that apply to a NoM • Order of sub-rules 30.7 and 30.8 switched to reflect that the Mayor's rejection of a NoM at a Council meeting would occur after the NoM having been accepted by the CEO • Sub-rule 30.13 (repeat submission of NoMs) amended for clarity and consistency with draft Model Governance Rules • Sub-rule 30.14.4 amended to include 'strategy, protocol, guideline or convention' to requirement for officer report • Sub-rule 30.15 amended that CEO will indicate if information is confidential within meaning of the Act. • New sub-rule 30.16 prohibiting NoMs during a general election.
Rule 30: **Notices of Motion** (Previously Chapter 2 Rule 24)	Sub-rule 30.14.2: amendment to current $25k expenditure threshold for officer report (with any alteration supported also to be made to sub-rule 31.7 regarding amendments)
Rule 31: Requirements for Motions and Amendments (Previously Chapter 2 Rule 25)	• Sub-rule 31.5 amended to reflect the use of screens in the chamber when proposing amendments • Sub-rule 31.6 amended that the Chair must reject a motion/amendment that does not conform with sub-rule 31.3 or 31.4. This amendment provides consistency for the Chair.
Rule 32: Procedures with Respect to Motions (Previously Chapter 2 Rule 26)	• Sub-rule 32.6 amended to add text 'or confirm the amendment as it appears onscreen' and to specify that sub-rule 31.7 also applies to alternative motions unless Councillors are informed of risks, costs and budget implications via the report/officer advice • Sub-rule 32.8 amended for clarity regarding request for voting in parts
Rule 34: Rules of Debate (Previously Chapter 2 Rule 28)	• Sub-rule 34.2 that mover of a motion may only speak against the motion for purpose of eliciting debate* • Sub-rule 34.3 amended to remove gendered language • Sub-rule 34.6 that Councillor moving an alternate motion of amended motion must speak to their reasons during debate • Sub-rule 34.8 amended so that if mover reserves, speaking time reduces to 3 minutes • New sub-rule 34.10 prohibiting questions from being used to bring officers into debate • Sub-rules 34.12 and 34.13 amended to make conditions for statements or comments apply to questions to officers • Sub-rule 34.22 amended to remove gendered language • Sub-rule 34.27.2 amended to remove gendered and obsolete terms of address • Sub-rule 34.27.5 amended for terminology supporting equity and inclusion
Rule 35: Speaking Times (Previously Chapter 2 Rule 29)	Rule reworded for clarity and to reflect current procedure: • Inclusion of new sub-rule 35.1.5 'Speaking to any other matter: 3 minutes' • Sub-rule 35.2 amended, and new sub-rule 35.3 included, to reflect current procedure • Sub-rule 35.1.1 A mover that reserves may later speak at reduced time of 3 minutes

Governance Rule	Change
Rule 37: Procedural Motions (Previously Chapter 2 Rule 31)	• Table updated to include further examples of procedural motions • Inclusion of note: 'All procedural motions are prohibited while another procedural motion is currently being dealt with'
38. Notice of Recission	Note removed that NoM provisions apply. This section sets out the specific procedure for notice of recission
Rule 43: Points of Order (Previously Chapter 2 Rule 37)	Amendment to sub-rule 43.2 to allow Points of Order to be taken against questions to officers.
Rule 44: Dissent from Chair's Ruling (Previously Chapter 2 Rule 38)	• Sub-rule 44.1 references Model Councillor of Code of Conduct • Sub-rule 44.3 amended to include requirement for Chair to vacate during motion of dissent, remove gendered language
Rule 45: **Public Question Time** (Previously Rule 39)	• Sub-rule 45.2 amended to prohibit public question time during a general election period • Sub-rule 45.3 amended to: - Change submission deadline to 10am on meeting day; - Remove reference to email submission (to reflect current practice where this is not available, with a webform used) - Specify counter submission for hard copy questions (removing box to allow time stamping of submissions) • Sub-rule 45.5 amended to remove 'a Councillor and reflect current practice of officers answering questions at meetings • Sub-rule 45.7 amended to reflect current practice regarding questions submitted in parts
Rule 46: Petitions (Previously Chapter 2 Rule 40)	• Sub-rule 46.1 amended to specify that petitions must: - Be signed with full name and address - Relate to a matter within the duties, functions and powers of Council • New sub-rule 46.2 prohibiting the signing of a petition on another person's behalf except where authorised • New sub-rule 46.3 specifying that signature pages must contain the petition request (verifies that signatures relate to the petition matter and prevents 'recycling' from other documents) • New sub-rule 46.4 specifying that petitions relating to a current planning application within the remit of Council; or matters currently undergoing public consultation, will be tabled at a Council meeting and will be referred to be received as an objection in accordance with the Planning and Environment Act 1987, or relevant Section 223 submission process as appropriate • Inclusion of new sub-rule 46.8 as follows: 'A Councillor may choose to speak to a motion to receive a petition with reference to sub-rule 46.7 and the subject matter of the request only.(speaking in support of the request itself rather than the motion may provide an impression that a vote to accept the petition is a vote to grant the request).
Previous Chapter 2 Rule 45: Divisions	Removed due to redundancy following adoption of practice of recording all votes in minutes in line with recommended in Operation Sandon Special Report (IBAC, 2023).
Rule 51: Record of Vote (Previously Chapter 2 Rule 46)	Amended to reflect current practice of all votes being recorded in meeting minutes.
Rule 52: **Confirmation of Minutes** (Previously Chapter 2 Rule 47)	• Sub rule 52.1.1 amended to include text '(including by electronic means)' • Sub-rule 52.1.4 amended to remove reference to signature of minutes to reflect current practice • Obsolete sub-rule 52.1.5 referencing 'minute book' removed

Governance Rule	Change
Rule 55: **Form and Availability of Minutes** (Previously Chapter 2 Rule 50)	• Sub-rule 55.1.4 amended to include conflict of interest 'announcement' and 'officer deemed as present at the meeting' • Sub-rule 55.1.7 amended to remove words 'upon a division' (regarding the recording of votes cast)
Rule 65	• Sub-rule 65.1 now includes delegate who can advise all Councillors of any notification of remote attendance to the Council meeting
Rules 71 to 83: Disclosure of Conflicts of Interest (Previously Chapter 5 Rules 1-11)	• Introduction and footnote referring to repeal of Division 1 Part A of the Local Government Act 1989 removed • Rules 73, 75, 77 regarding Disclosures of a Conflict of Interest redrafted for clarity (no change to intent/effect) • New sub-rule 71.3 specifying that the provisions of this chapter also apply to officers deemed to be attendees at Council meetings • New rules 72, 74 and 76 regarding Foreshadowed Declarations at Council, Delegated Committee and Community Asset meetings: - Requirement for motion of commitment to good governance - Requirement for members not in attendance to submit written declaration to CEO prior to meeting of any conflict of interest in an agenda item • Rule 79 regarding Disclosure by Members of Council staff redrafted for clarity (no change to intent/effect)
Rule 85: Confidential Information (Previously Chapter 6 Rule 2)	Removal of reference to repeal of LGA1989 provision. Remove reference for CEO designation of information as confidential to reflect LGA 2020 provisions
Election Period Policy **(Chapter 8)**	• Edited for structure, consistency and clarity • Only material change is the removal of reference to reimbursement of telephone expenses as all devices are now Council-provided • Clause 4.8.11 By-elections removed, with relevant content incorporated into Scope

3.3 Community Engagement Approach

The community engagement approach for the draft Governance Rules is outlined below:

Group	Method
Kingston Represent	Members of Kingston Represent will be contacted to invite feedback on the proposed changes.
Strategic Advisory Committees	Members of all Strategic Advisory Committees will be contacted to invite feedback on the proposed changes.
General community	Your Kingston Your Say page and survey Promoted via advertisements on digital screens at key Council facilities including Customer Counter, Kingston Libraries, Waves Leisure Centre, Family & Children's Hubs; social media posts on Council's corporate channels

4. Compliance Checklist

4.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective
Strategy: Ensure good governance through integrity, accountability, and continuous improvement

The proposed amendments to the Governance Rules enhance transparency, accountability in Council decision-making and represent a commitment to continuous improvement and alignment with legislative requirements and emerging best practice.

4.2 Governance Principles Alignment

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

Section 60 of the *Local Government Act 2020* (the Act) specifies that a Council must develop, adopt and keep in force Governance Rules.

The Governance Rules ensure alignment with the overarching governance principles set out in section 9(2) of the Act.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

The proposed amendments to the Governance rules strengthen governance practices by improving clarity and consistency across meeting procedures while reinforcing integrity through enhanced conflict of interest provisions and clearer disclosure requirements.

4.3 Risk considerations

Proposed amendments to the Governance Rules must:

- Comply with the *Local Government Act 2020*
- Preserve procedural fairness and robust debate

Appendices

Appendix 1 - Draft Version 4 Governance Rules (Ref 26/244301)
Appendix 2 - Version 3 Governance Rules adopted March 2024 (Ref 20/168524[v4])

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Reviewed and Approved By:	Kelly Shacklock, Manager Governance, Risk and Integrity
	Tracey Cheeseman, Acting General Manager Customer and Corporate Support

10.4

RESPONSE TO RESOLUTION - STRENGTHENING GOVERNANCE RULES

1 Draft Version 4 Governance Rules..... 413

2 Version 3 Governance Rules adopted March 2024..... 471

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City of
KINGSTON

Governance Rules

CITY OF KINGSTON GOVERNANCE RULES

INTRODUCTION 3
CHAPTER 1 – GOVERNANCE FRAMEWORK 5
CHAPTER 2 – MEETING PROCEDURE FOR COUNCIL MEETINGS 7
Part A – Introduction 7
Part B – Election of Mayor 8
Part C – Meeting Procedure 10
Division 1 – Notices of Meetings 10
Division 2 – Quorums 11
Division 3 – Business of Meetings 12
Division 4 – Motions 13
Division 5 – Debate 16
Division 6 – Procedural Motions 19
Division 7– Rescission Motions 21
Division 8 – Points of Order 22
Division 9 – Public Question Time 23
Division 10 – Petitions and Joint Letters 24
Division 11 – Voting 25
Division 12 – Minutes 25
Division 13 – Behaviour & Public Attendance 27
Division 14 – Additional Duties of Chair 28
Division 15 – Suspension of Standing Orders 28
Division 16 – Miscellaneous 29
Division 17 – Meetings Conducted Remotely 29
CHAPTER 3 – MEETING PROCEDURE FOR DELEGATED COMMITTEES 32
CHAPTER 4 – MEETING PROCEDURE FOR COMMUNITY ASSET COMMITTEES 34
CHAPTER 5 – DISCLOSURE OF CONFLICTS OF INTEREST 36
CHAPTER 6 – MISCELLANEOUS 44
CHAPTER 7 – THE COMMON SEAL 46
CHAPTER 8 – ELECTION PERIOD POLICY 48
4.1 Council Decisions 49
4.2 Public Consultation 51
4.3 Council Events 51
4.4 Council Publications and Media 51
4.5 Annual Report 53
4.6 Use of Council Resources 54
4.7 Ward Meetings 55
4.8 Media and Media Services 55
4.9 Access to Council Information 55
4.10 Information Request Register 56

Introduction

1. Nature of Rules

These are the Governance Rules of Kingston City Council, made in accordance with section 60 of the *Local Government Act 2020.*

2. Date of Commencement

These Governance Rules commenced on TBC 2026.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise, the following words and phrases mean:

Act	means the *Local Government Act 2020*
Annual Statutory Meeting	means the annual Council meeting open to the public at which the Councillors elect a Councillor to be the Mayor of the Council under section 25(1) of the Act
Chief Executive Officer	means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer
Community Asset Committee	means a decision-making committee established by the Council for the purpose of managing a community asset in the municipal district under section 65 of the Act
Council	means Kingston City Council.
Council meeting	means a meeting of the Council at which all Councillors are entitled to attend and vote under section 61(1) of the Act
Council meeting conducted remotely	means a Council meeting or a joint meeting of councils attended by one or more Councillors by electronic means of communication, conducted in accordance with Division 17 of these rules
Delegated Committee	means a decision-making committee established by the Council and including at least two Councillors under section 63(1) of the Act
Mayor	means the Mayor of the Council
these rules	means these Governance Rules
Written/in writing	means hard copy and electronic copy form, includes duplicated, lithographed, photocopied, printed and typed, and has a corresponding meaning.

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Chapter 1

Governance Framework

Chapter 1 – Governance Framework

5. Context

These rules should be read in the context of and in conjunction with:

a) the overarching governance principles specified in section 9(2) of the Act;

b) The Model Councillor Code of Conduct; and

c) the following documents adopted or approved by Council:

i) Good Governance Framework

ii) Public Transparency Policy

6. Decision Making

6.1. In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council), Council must consider the matter and make a decision:

a) Fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and

b) On the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

6.2. Council must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered).

6.3. Without limiting anything in sub-rule 6.2:

a) Before making a decision that will directly affect the rights of a person, Council (including any person acting with the delegated authority of Council) must identify the person or persons whose rights will be directly affected, give notice of the decision which Council must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;

b) If a report to be considered at a Council meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;

c) If a report to be considered at a Delegated Committee meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and

d) If a member of Council staff proposes to make a decision regarding planning application matters under delegation and that decision will directly affect the rights of a person or persons, the member of Council staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.



Chapter 2

Meeting Procedure for Council Meetings

Chapter 2 – Meeting Procedure for Council meetings

Part A – Introduction

7. Title

This Chapter will be known as "Meeting Procedure".

8. Purpose of this Chapter

The purpose of this Chapter is to:

a) Provide for the election of the Mayor and any Deputy Mayor;

b) Provide for the appointment of any Acting Mayor; and

c) Provide for the procedures governing the conduct of Council meetings.

9. Definitions and Notes

9.1. In this Chapter:

"absolute majority" means the number of Councillors which is greater than half the total number of the Councillors of Council;

"abstain" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"agenda" means the notice of a meeting setting out the business to be transacted at the meeting;

"Chair" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the Act;

"derogatory" means causing serious harm to a person's or Council's reputation across a broader section of the community.

"municipal district" means the municipal district of Council;

"notice of motion" means a notice setting out the text of a motion, which it is proposed to move at the next relevant Ordinary Council Meeting

"notice of rescission" means a notice of motion to rescind a resolution made by Council;

"Ordinary Council Meeting" means a Council Meeting fixed under rule 16.

"Special Council Meeting" means a Council Meeting called under rule 18.

9.2. Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This part is concerned with the annual election of the Mayor. It describes how the Mayor is to be elected.

11. Election of the Mayor

The election of the Mayor will occur at a Council Meeting in accordance with the Act, which is known as the Annual Statutory Meeting.

The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Act.

12. Method of Voting

The election of the Mayor must be carried out by a show of hands.

13. Determining the Election of the Mayor

13.1. The Chief Executive Officer must open the meeting at which the Mayor is to be elected and invite nominations for the office of Mayor.

13.2. Nominations do not require seconding.

13.3. The Chief Executive Officer shall ask each nominee, other than when self-nominated, if they accept the nomination. Councillors may speak in support of their own nomination only, for up to two minutes.

13.4. Once nominations for the office of Mayor have been received and accepted, the following provisions will govern the election of the Mayor.

13.5. If there is only one nomination, the candidate nominated must be declared to be duly elected.

13.6. If there are two candidates (or two remaining candidates after the completion of sub-rule 13.7):

13.6.1. The Councillors present at the meeting vote for one of the candidates

13.6.2. In the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

13.6.3. If neither candidate receives an absolute majority of the votes:

a) Council may resolve to conduct the meeting to determine the election at a later date and time; or

b) A further vote must be taken until one of the candidates receive an absolute majority of votes, at which point that candidate will be declared to be duly elected.

c) If, after two or more further votes are taken and neither candidate receives an absolute majority of votes, the provisions of this sub-rule must again be followed;

13.7. If there are three or more candidates (or three or more remaining candidates):

13.7.1. The Councillors present at the meeting vote for one of the candidates;

13.7.2. In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected;

13.7.3. In the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct the meeting to determine the election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

13.7.4. If one of the remaining candidates receives an absolute majority of the votes, they are duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;

13.7.5. If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot.

13.7.6. If a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:

a) each candidate with an equal lowest number of votes will draw one lot;

b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and

c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates until a candidate receives an absolute majority of votes, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the Act requires that before the election of the Mayor, a Council must determine by resolution whether the Mayor is to be elected for a 1-year or 2-year term.

14. Election of Deputy Mayor and Chairs of Delegated Committees

Any election for:

14.1. Any office of Deputy Mayor; or

14.2. Chair of a Delegated Committee

Will be regulated by rules 11 to 13, as if the reference to the:

14.3. Chief Executive Officer is a reference to the Mayor; and

14.4. Mayor is a reference to the Deputy Mayor or the Chair of the Delegated Committee.

15. Appointment of Acting Mayor

If Council has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

15.1. resolving that a specified Councillor be so appointed; or

15.2. following the procedure set out in rules 12 and 13.

Part C – Meeting Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings

16. Dates and Times of Meetings Fixed by Council

Subject to rule 18, Council must from time to time fix the date, time and place of all Council meetings which are known as Ordinary Council Meetings and the Annual Statutory Meeting.

17. Council May Alter Meeting Dates

Council may change the date, time and place of any Ordinary Council Meeting which has been fixed by it and must provide reasonable notice of the change to the public.

18. Meetings Not Fixed by Council

18.1. The Mayor or at least 3 Councillors may by a written notice call a Council meeting which is known as a Special Council Meeting.

18.2. The Chief Executive Officer may by a written notice call a Special Council Meeting as soon as practicable following the result of a Council election or by-election being declared.

18.3. The notice must specify the date and time of the Special Council Meeting and the business to be transacted (which may include a motion to be presented to the meeting).

18.4. The notice must be given to the Chief Executive Officer (or delegate) at least 72 hours prior to the date and time of the Special Council Meeting, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

18.5. The Chief Executive Officer must convene the Special Council Meeting as specified in the notice.

18.6. Only the business specified in the written notice can be transacted at the Special Council Meeting. Agenda items 22.1.1 and 22.1.2 are also included for all Special Council Meetings.

19. Notice Of Meeting

19.1. A notice of meeting, incorporating or accompanied by an agenda of the business to be dealt with, must be delivered or sent electronically to every Councillor for all Council meetings at least 48 hours before the meeting.

19.2. Reasonable notice of each Council meeting must be provided to the public. Council may do this:

19.2.1. For Ordinary Council Meetings by preparing a schedule of meetings annually and arranging publication of such schedule on Council's website and social media platforms; and

19.2.2. For Special Council Meetings by giving notice on Council's website, having regard to sub-rule 18.4:

a) On Council's social media platforms; and

b) On digital screens in Council facilities as practicable.

Division 2 – Quorums

20. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any Council meeting, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 64.1:

20.1. The meeting will be deemed to have lapsed;

20.2. The Mayor or, in the Mayor's absence, the Acting Chair or the Chief Executive Officer, must convene another Council meeting, to be held no later than seven days after the date and time stated in the agenda for the lapsed meeting, with an agenda identical to that of the lapsed meeting.; and

20.3. The Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor or (in the absence of the Mayor) the Acting Chair or Chief Executive Officer.

21. Inability To Maintain A Quorum

21.1. If during any Council meeting, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 64.1, then rule 20 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

21.2. Sub-rule 21.1 does not apply if:

21.2.1 The inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered; or

21.2.2 The inability to maintain a quorum is due to technical difficulties arising in the Council chamber, in which case, the meeting may be reconvened at the Chair's discretion upon the advice of the Chief Executive Officer.

22. Adjourned Meetings

22.1. Council may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.

22.2. The Chief Executive Officer must give written notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

22.3. If it is impracticable for the notice given under sub-rule 22.2 to be in writing, the Chief Executive Officer must give notice to each Councillor by telephone or in person.

23. Time limits for Meetings

23.1. A Council meeting must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.

23.2. In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the Chair immediately prior to the meeting standing adjourned. In that event, the provisions of sub-rules 22.2 and 22.3 apply.

24. Cancellation or Postponement of a Meeting

24.1. The Chief Executive Officer, in consultation with the Mayor where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a Council meeting, cancel or postpone a Council meeting.

24.2. The Chief Executive Officer must set the time, date and place of the new meeting in consultation with Mayor as practicable as per procedures in rule 22 with notice provided in accordance with rule 19.

24.3. The Chief Executive Officer must table at this subsequent Council meeting a written report regarding the reason for the postponement or cancellation of the earlier meeting.

Division 3 – Business of Meetings

25. Agenda and Scope of Business

25.1. To facilitate and maintain open, efficient and effective processes of government, business at Ordinary Council meetings must include:

25.1.1. Apologies;

25.1.2. Disclosures of Conflicts of Interest;

25.1.3. Items of business as confidential in compliance with the Act;

25.1.4. Confirmation of Minutes;

25.1.5. Public Question Time;

25.1.6. Petitions;

25.1.7. Notices of Motion;

25.1.8. Delegates Reports, Councillor Statements & Presentation of Awards;

25.1.9. Items for Tabling under the Local Government Act 2020 and

25.1.10. Urgent Business.

26. Change to Order of Business

Once an agenda has been produced, the order of business for that Council meeting may only be altered by resolution of Council.

27. Delegate Reports, Councillor Statements & Presentation of Awards

27.1. The Mayor and Councillors who are delegates or representatives of Council on other bodies may report to the Council meeting on issues of importance to Council, notwithstanding that the report is not listed on the agenda.

27.2. A Councillor may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.

27.3. No motion (except to receive any such report or statement) can be accepted by the Chair unless there is a matter raised in it which is resolved in the manner prescribed by rule 28 to be urgent business.

27.4. At the discretion of the Chair, awards may be presented to individuals and community groups at Council meetings.

27.5. Debate is not required under this rule.

28. Urgent Business

28.1. If the agenda for a Council meeting makes provision for urgent business, business can only be admitted as urgent business by resolution of Council, and only where Council has considered and is satisfied that the business;

28.1.1. relates to or arises out of a matter which has arisen since distribution of the agenda; and

28.1.2. cannot safely or conveniently be deferred until the next Council meeting.

28.2. A Councillor proposing business to be admitted as urgent business must make the proposed motion available in order for 28.1.1 and 28.1.2 to be considered.

28.3. Once admitted as an item of urgent business, a motion which does not comply to sub-rule 31.4 must be rejected by the Chair.

Division 4 – Motions

29. Councillors May Propose Notices of Motion

Councillors may ensure that an issue is listed on an agenda by lodging a notice of motion.

30. Notices Of Motion

30.1. A notice of motion must be:

30.1.1. Signed by at least three Councillors; and

30.1.2. Lodged via the designated online submission form no later than 12 midday on the day falling exactly 14 days before the date of the Ordinary Council Meeting. (for example, for an Ordinary Council Meeting held on Monday 28 September, submissions must be lodged by 12 noon on Monday 14 September).

30.2. A notice of motion may be lodged by midday 7 days before the date of an Ordinary Council Meeting that:

30.2.1. Relates to or arises out of a matter which has arisen since the distribution of the draft agenda of the Ordinary Council Meeting that is presented at a Councillor briefing session; and

30.2.2. The Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:

a) safety concerns; or

b) time sensitivity; or

c) an impact on the benefit and wellbeing on the municipal community.

30.3. A notice of motion included in the agenda must be accompanied by written officer comments addressing the notice of motion.

30.4. A Councillor should invite feedback from all Councillors and the relevant General Manager on a notice of motion prior to lodgement.

30.5. The notice of motion may include a written rationale for the proposed motion to be submitted. The full text of any notice of motion and rationale must be included in the agenda.

30.6. The Chief Executive Officer must cause all notices of motion to be numbered, dated and entered in the notice of motion register in the order in which they were received.

30.7. The Chief Executive Officer may reject any notice of motion and/or rationale which:

30.7.1. Is outside of the legislative powers of Council; or

30.7.2. If passed would result in Council otherwise acting invalidly; or

30.7.3. Is derogatory; or

30.7.4. Is vague or unclear in intention; or

30.7.5. Is objectionable in language or nature;

but must:

a) Notify in writing the Councillor who lodged the notice of motion the rejection and reasons for the rejection; and

b) Give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.

30.8. Any motion which is determined by the Chair at an Ordinary Council Meeting to be vague or unclear in intention must not be accepted by the Chair.

30.9. Except by leave of Council, each notice of motion before any meeting must be considered in the order in which they were entered in the notice of motion register.

30.10. If a Councillor who has given a notice of motion is absent from the meeting or fails to move the motion when called upon by the Chair, any other Councillor may move the motion.

30.11. A notice of motion may be moved which differs in wording to the notice of motion published in the agenda, provided it leaves the intention and effect of the notice of motion materially undisturbed.

30.12. If a notice of motion is not moved at the Council meeting at which it is listed, it lapses.

30.13. A notice of motion cannot be identical or substantially similar to a substantive motion, or part of a motion, that has lapsed or been voted upon by Council in the preceding three months.

30.14. A notice of motion must call for an officer report if the notice of motion:

30.14.1. Substantially affects the level of Council services; or

30.14.2. Commits the Council to expenditure that has not been included in the adopted budget (including operational and/or capital costs) in excess of $25,000; or

30.14.3. Establishes or amends a Council policy, strategy, protocol, guideline; or convention

30.14.4. Commits Council to any contractual arrangement; or

30.14.5. Concerns any litigation in respect of which Council is a party.

30.15. Where the subject matter of a notice of motion is confidential information within the meaning of the Act, the Chief Executive Officer will indicate the notice of motion as confidential in accordance with relevant grounds as contained in the Act, in which case, the notice of motion will be considered in the part of the relevant Council meeting that is closed to members of the public.

30.16. Notices of Motion may not be submitted during a general election period.

31. Requirements for Motions and Amendments

31.1. A motion may be moved by a Councillor as a formal proposal that the Council meeting should resolve on in certain terms.

31.2. A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.

31.3. A motion which purports to be an amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.

31.4. A motion or amendment which is proposed by a Councillor at a Council meeting must be:

31.4.1. Clearly expressed and unambiguous; and

31.4.2. Not derogatory or objectionable in nature; and

31.4.3. Relevant to an item on the agenda (unless it relates to an item which has been agreed by the meeting as urgent business).

31.5. Any motion or amendment which differs in wording from a recommendation or notice of motion which is on the agenda must be presented on the screens used for display of the meeting proceedings before any further debate takes place on the matter or before a vote is taken. The Chair may adjourn the Council meeting to allow time for this to occur.

31.6. Any motion or amendment which does not conform to sub-rule 31.3 or 31.4 must be rejected by the Chair.

31.7. An amendment must call for an officer report if the amendment commits the Council to expenditure that has not been included in the adopted budget (including operational and/or capital costs) in excess of $25,000.

32. Procedures with Respect to Motions

32.1. A Councillor proposing to move a motion must first indicate a wish to address the Chair.

32.2. Once recognised by the Chair, the mover must state the motion without speaking to it.

32.3. The Chair must call for a seconder (other than the mover).

32.4. Any motion which is not seconded lapses.

32.5. Where the mover intends to move a recommendation as it appears in the agenda, they may do so in the following manner, “I move the recommendation on page (state page number) of the agenda.”

32.6. Where the mover intends to move a motion other than a recommendation as it appears in the agenda, they must state the motion in full or confirm the amendment as it appears onscreen. Sub-rule 31.7 applies to all motions other than officer recommendations as appearing in the agenda, unless the relevant report to Council explicitly outlines the risks, costs and budget implications regarding the impact of the alternate motion, or this officer advice has been provided to Councillors in writing prior to the Council meeting.

32.7. Once a motion is seconded, the Chair may:

32.7.1. Invite Councillors to speak in accordance with sub-rule 34.8; or

32.7.2. Ask whether the motion is opposed and if no opposition is indicated, the Chair may then put the motion to the vote without debate; or

32.7.3. At any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.

32.8. A Councillor may request that some or all parts of a motion be put to the vote separately at the Chair’s discretion where:

32.8.1. The motion is in two or more parts; and

32.8.2. The non-adoption of a part or parts of the motion would not deprive any adopted part of its effect or intent.

32.9. If the Chair determines to put a motion to the vote separately in accordance with sub-rule 32.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 32.11 applies.

32.10. Subject to rule 34, a motion must be put to the vote when the Chair believes that the issues have been reasonably canvassed in the debate.

32.11. The moving or seconding of a motion can be withdrawn. The Chair may:

a) Seek a substitute mover or seconder; or

b) If there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

33. Procedures with Respect to Amendments

33.1. Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.

33.2. The procedures contained in rule 34 should be followed to deal with an amendment.

33.3. When any amendment is put to the vote and declared carried by the Chair, it thereupon becomes the substantive motion and can be further amended.

33.4. The mover and seconder of the amendment which is put to the vote and declared carried by the Chair own the substantive motion.

33.5. Only one amendment can be before the Council meeting at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the Chair another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.

33.6. Where a proposed amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required.

Division 5 – Debate

34. Rules of Debate

34.1. A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-rule 34.3.

34.2. The mover of a motion may only speak against the motion where the purpose of doing so is to elicit debate.

34.3. The mover of a motion has a right of reply with respect to the debate on their motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.

34.4. Once a right of reply has been exercised, the Chair must put the motion to the vote without making comment or permitting any further comment on the motion.

34.5. The mover of an amendment has no right of reply.

34.6. A Councillor moving a motion that amends the officer recommendation or that is an alternate motion, must speak to their reasons for the above during debate on the matter.

34.7. A Councillor addressing the Council meeting to explain why they propose to abstain from voting on a motion shall not then speak in favour of or opposition to the motion.

34.8. The Chair shall invite Councillors to speak on a motion or amendment in the following order:

a) Mover (may be reserved to later in the debate, with speaking time then reduced to 3 minutes);

b) Seconder (may be reserved to later in the debate);

c) Other Councillors; then

d) Mover's right of reply (where applicable).

34.9. A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair, but cannot be used to debate the matter further.

34.10. Questions asked by a Councillor through the Chair to a Council officer in accordance with sub-rule 34.9 may not be used to bring the Council officer into the debate.

34.11. The Chair has the right to limit questions and direct that debate be commenced or resumed.

34.12. A Councillor must not in any debate:

34.12.1. Make a statement or comment that is derogatory, indecent, abusive, offensive, disorderly, or objectionable in language, substance or nature.

34.12.2. Ask any question that is derogatory, indecent, abusive, offensive, disorderly, or objectionable in substance or nature.

34.13. If a statement, comment or question is made contrary to sub-rule 34.12, the Chair may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.

34.14. Debate must always be relevant to the motion before the Chair, and, if not, the Chair must request the speaker to confine debate to the motion.

34.15. If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chair may direct the speaker to be seated and not speak further in respect of the motion then before the Chair.

34.16. A speaker to whom a direction has been given under sub-rule 34.15 must comply with that direction.

34.17. In cases where there is competition for the right to speak at a Council meeting then the Chair must decide the order in which Councillors will speak.

34.18. If a debate is adjourned by a procedural motion, then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.

34.19. A Councillor must not be interrupted except by the Chair or upon a point of order being taken.

34.20. A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:

34.20.1. Calling a point of order;

34.20.2. Asking a question;

34.20.3. Foreshadowing a new motion or further amendment; or

34.20.4. Making a request under sub-rule 32.8.

34.21. When exercising a right of reply, a Councillor must not introduce new material.

34.22. At any time during debate a Councillor may foreshadow a motion so as to inform Council of their intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

34.23. A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the Chair being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

34.24. A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.

34.25. The Chair is not obliged to accept foreshadowed motions.

34.26. If a resolution is made at a Council meeting, the substance of the resolution cannot be further discussed at that meeting.

34.27. If the Chair so determines:

34.27.1. Any person addressing the Chair must refer to the Chair as:

a) Mayor; or

b) Deputy Mayor; or

c) Chair; or

d) Acting Chair; or

e) Mayor (last name); or

f) Deputy Mayor (last name);

34.27.2. All Councillors, other than the Mayor, must be addressed as Councillor (last name);

34.27.3. All members of Council staff, must be addressed as Mr, Ms or Mx (last name) or by their official title;

34.27.4. The Chair may address the Council meeting upon any matter under discussion and will not be deemed to have left the Chair on such occasions;

34.27.5. A Councillor at any Council meeting must stand when speaking unless an exemption has been granted by the Chair.

34.28. Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the Chair.

35. Speaking Times

35.1. Unless granted an extension under sub-rule 35.2, a Councillor must not speak longer than the time set out below:

35.1.1.	Moving of a motion or amendment:	4 minutes
35.1.2.	Speaking to a motion or amendment:	3 minutes
35.1.3.	Making a closing statement (mover's right of reply):	2 minutes
35.1.4.	Presenting a delegate's report and/or Councillor statement:	3 minutes (total)
35.1.5.	Speaking to any other matter:	3 minutes

Sub-rule 35.1.1 reduces to 3 minutes where the mover reserves their right to speak

Sub-rule 35.1.2 continues to apply where the seconder reserves their right to speak.

35.2. A Councillor may request an extension when the allotted speaking time is exhausted. The Chair may rule to:

35.2.1 Grant an extension of 2 minutes;

35.2.2 Refuse the request (but not unreasonably); or

35.2.3 Put the request to the vote.

35.3. Any request for a subsequent extension of time once an initial extension has been exhausted must be put to the vote.

36. Community Members or Visitors Speaking at Meetings

36.1. Community members/visitors may not speak at a Council meeting, except for:

36.1.1. The applicant (or their representative) in relation to an application for a planning permit;

36.1.2. One objector in relation to an application for a planning permit; and

36.1.3. Special circumstances, in which leave to speak is granted by the Chair.

36.2. Any community member/visitor addressing the Council meeting cannot speak for more than 4 minutes each (unless granted an extension by the Chair).

36.3. Should multiple objectors wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.

36.4. Sub-rule 36.3 also applies to the applicant or their representative.

36.5. Subject to sub-rule 65.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 6 – Procedural Motions

37. Procedural Motions

37.1. Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the Chair.

37.2. A procedural motion is one that deals with the conduct or process of the meeting itself.

37.3. A procedural motion requires a seconder.

37.4. The mover of a procedural motion does not have a right of reply.

37.5. A procedural motion cannot be amended.

37.6. A procedural motion has precedence over substantive motions and amendments.

37.7. Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the Council.

37.8. Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited *	Effect if Carried	Effect if Lost	Debate Permitted
1. Adjournment of meeting to later time/date	That Council adjourn this meeting to [time/date]	Any Councillor	a) During election of Mayor b) When another Councillor is speaking	Motion and amendment is postponed to the stated time/date	Debate continues unaffected	Yes
2. Adjournment of meeting indefinitely	That Council adjourn this meeting until further notice	Any Councillor	a) During election of Mayor b) When another Councillor is speaking c) When effect of motion would cause Council to breach legislative requirement	Motion and any amendment postponed to be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Change in order of business	That [Item N°] be brought forward to be considered prior to [Item N°]	Any Councillor	a) During election of Mayor b) When another Councillor is speaking	Consideration of item moved forward to specified place on the agenda	Debate continues unaffected	Yes
4. Closure	That the motion now be put	Any Councillor	a) During nominations for Mayor b) When another Councillor is speaking	Motion/amendment voted on immediately without further debate, subject to any Councillor exercising their right to ask any question concerning or arising out of the motion	Debate continues unaffected	No
5. Deferral of item/debate to later hour and/or date	That Council defer consideration of this matter to time/date	Any Councillor	a) During election of Mayor b) When another Councillor is speaking	Motion, amendment or agenda item postponed to stated time/date	Debate continues unaffected	Yes
6. Deferral of item/debate indefinitely	That Council defer this matter until further notice	Any Councillor	a) During election of Mayor b) When another Councillor is speaking c) When effect of motion would cause Council to breach legislative requirement	Motion/amendment postponed to be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
7. Dissent	That Council dissent from the Chair's ruling regarding [subject matter of ruling]	Any Councillor except the Chair	Once discussion has moved to another agenda item	Chair's previous ruling is changed to conform to the content of the motion	Debate continues unaffected	Yes
8. Extension of speaking time	That [Councillor] be granted an extension of two minutes to speak to the motion	Any Councillor	When the Chair has ruled to disallow an initial request for extension (as opposed to ruling to put the request to the vote)	Speaking time is extended for two minutes	Debate continues unaffected	Yes
9. Extension of meeting time	That Council extend the meeting for [number of] minutes until [time]	Any Councillor	When another Councillor is speaking	Meeting time extended as per the content of the motion	Debate continues and meeting is adjourned upon expiration time	Yes
10. Suspension of Standing Orders	That Council suspend standing orders to allow discussion regarding [subject]	Any Councillor	a) When used purely to dispense with the processes and protocol of the government of Council b) When another Councillor is speaking	Meeting procedure formalities temporarily disposed of, with no motion able to be accepted by Chair or lawfully dealt with during ensuing discussion	Debate continues unaffected	Yes
11. Resumption of Standing Orders	That Council resume standing orders	Any Councillor	a) When standing orders are in place b) When another Councillor is speaking	Formalities of meeting procedure resume	N/A	

** All procedural motions are prohibited while another procedural motion is currently being dealt with*

Division 7– Rescission Motions

38. Notice of Rescission

38.1. A Councillor may propose a notice of rescission to rescind or alter a previous resolution, provided:

38.1.1. It has been signed and dated by at least four Councillors;

38.1.2. The resolution proposed to be rescinded or altered has not been acted on; and

38.1.3. The notice of rescission is delivered to the Chief Executive Officer no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -

a) The resolution to be rescinded or altered; and

b) The meeting and date when the resolution was carried.

38.2. A resolution will be deemed to have been acted on if:

38.2.1. Its contents have or substance has been communicated in writing to a person whose interests are materially affected by it; or

38.2.2. A statutory process has been commenced so as to vest enforceable rights in or obligations on Council or any other person.

38.3. The Chief Executive Officer or an appropriate member of Council staff must defer implementing a resolution which:

38.3.1. Has not been acted on; and

38.3.2. Is the subject of a notice of rescission which has been delivered to the Chief Executive Officer in accordance with sub-rule 38.1.3

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

39. If Lost

If a motion for rescission is lost or lapses, an identical or substantially similar motion may not be put before Council for at least three calendar months from the date it was last lost, unless Council resolves that the notice of motion be re-listed at a future meeting.

40. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

41. May Be Moved By Any Councillor

A motion for rescission listed on an agenda may be moved by any Councillor present but may not be amended.

42. When Not Required

42.1. Where Council intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects Council's changed policy position and does not rescind or amend the earlier decision.

42.2. Notwithstanding sub-rule 42.1, an appropriate course of action should be the submission of a notice of motion, in accordance with sub-rule 30 requesting an officer report regarding the proposed policy change.

Division 8 – Points of Order

43. Procedure For Point Of Order

43.1. A point of order cannot be taken for the sole purpose of:

43.1.1. Expressing a mere difference of opinion;

43.1.2. Contradicting a speaker; or

43.1.3. Disrupting the meeting.

43.2. A point of order is an objection that a motion, amendment, statement or question asked of a Council officer is:

43.2.1. Contrary to these rules or the provisions of the Act;

43.2.2. Derogatory;

43.2.3. Irrelevant;

43.2.4. Improper;

43.2.5. Obscene;

43.2.6. Abusive or objectionable language or behaviour;

43.2.7. Outside Council's powers; or

43.2.8. Contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect.

43.3. A Councillor may take a point of order by stating briefly the matter which is the subject of the point of order and the ground in sub-rule 43.2 upon which the point of order is being made.

43.4. When a point of order is called the Councillor speaking at the time must stop (unless asked by the Chair for an explanation), until the Chair rules upon it.

43.5. The Chair may not take a point of order.

43.6. The Chair may adjourn the Council meeting to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the Council meeting proceeds further.

43.7. The Chair must, when ruling upon a point of order, state the provision of these rules or other legislation, rule, custom or practice upon which they are basing the ruling. The Chair's determination is, subject to sub-rule 44, final.

44. Dissent From Chair's Ruling

44.1. The Model Councillor Code of Conduct states the following in part:

A Councillor must do everything reasonably necessary to ensure that they perform the role of a Councillor effectively and responsibly, including by:

(e) acknowledging and supporting the Mayor in the performance of the role of the Mayor, including by:

(i) respecting and complying with a ruling of the Mayor as the chair of Council meetings (unless dissenting from the ruling in accordance with the Council's Governance Rules)

44.2. When the Chair makes a ruling during a Council meeting a Councillor may move a motion to the effect that the meeting dissent from the Chair's ruling as follows:

That the Chair's ruling [setting out that ruling or part of that ruling] be dissented from.

44.3. When a motion of dissent is moved and is seconded the following procedures must be followed:

44.3.1. The Chair will vacate and the Deputy Mayor, or other Councillor, as decided by a vote of the Council where the Deputy Mayor is unavailable or the decision of the Deputy Mayor is subject to the motion of dissent, will assume the Chair;

44.3.2. The substitute Chair will ask the mover, then the seconder, to speak to their motion and the matter will be open to debate;

44.3.3. The matter will be put to the vote and the substitute Chair will announce the result;

44.3.4. The substitute Chair will vacate and the Mayor (or other Councillor originally chairing the meeting) will reassume the Chair;

44.3.5. The Chair is bound by the result of the motion of dissent - if it is passed then their previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then their previous ruling stands.

44.4. The defeat of the Chair's ruling is in no way a motion of censure or non-confidence in the Chair and must not be so regarded by the meeting.

Division 9 – Public Question Time

45. Question Time

45.1. There must be a public question time at every Ordinary Council Meeting to enable members of the public to submit questions to Council.

45.2. Sub-rule 45.1 does not apply during:

45.2.1. Any period when a meeting is closed to members of the public in accordance with section 66 of the Act; or

45.2.2. A general election period.

45.3. Questions must be submitted to the Council by 10.00am on the day of the Ordinary Council Meeting by:

45.3.1. Submitting an online question form on Council's website; or

45.3.2. Submitting a paper public question form at the Customer Service counter at Council's office at 1230 Nepean Highway, Cheltenham.

45.4. Questions must include the submitter's full name, address, and contact email (where submitted online) in order for a response to be provided.

45.5. At the discretion of the Chair, questions may be answered verbally during the "Public Question Time" segment by a member of Council staff present at the Ordinary Council Meeting or later in writing.

45.6. Questions submitted late must be either dealt with at the next Ordinary Council Meeting or at the discretion of the Chief Executive Officer may be answered in writing.

45.7. Individual members of the public are permitted to submit a maximum of two questions during any one Public Question Time. Where a question contains multiple parts, each

part will be considered as a separate question, and an answer will be provided to only the first two parts/questions.

45.8. All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the Chair considers it appropriate.

45.9. Like questions may be grouped together and a single answer provided.

45.10. A public question will not be accepted if the Chair or Chief Executive Officer has determined that it:

45.10.1. Relates to a matter beyond or outside Council's powers;

45.10.2. Is derogatory, indecent, abusive or objectionable;

45.10.3. Is repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one);

45.10.4. Is asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; or

45.10.5. Relates to a matter already considered and resolved upon by Council.

45.11. No debate on questions asked or answers given is permitted.

Division 10 – Petitions and Joint Letters

46. Petitions and Joint Letters

46.1. Subject to sub-rule 46.6 every petition or joint letter presented to Council must:

46.1.1. Be in writing (other than in pencil), typed or printed;

46.1.2. Contain a clear request for Council action;

46.1.3. Be signed by at least 12 people with full name and address; and

46.1.4. Relate to a matter within the duties, functions and powers of Council.

46.2. A person may not sign a petition on another person's behalf except where legally authorised to do so. Where one person has signed on behalf of a couple or group without such authorisation, this will be counted as one signature.

46.3. Signatures appearing on pages which do not bear the text of the request may not be considered by Council.

46.4. Petitions relating to:

46.4.1. A current planning application within the remit of Council; or

46.4.2. Matters currently undergoing public consultation

Will also be tabled at a Council meeting and will be referred to be received as an objection in accordance with the *Planning and Environment Act 1987,* or relevant Section 223 submission process as appropriate, and

46.5. Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the Council meeting.

46.6. Council may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.

46.7. A petition or joint letter addressed to Council or any member personally which requires a decision of or directions from Council must be referred to the Chief Executive Officer.

46.8. A Councillor may choose to speak to a motion to receive a petition with reference to sub-rule 46.7 and the subject matter of the request only.

46.9. Notwithstanding sub-rule 46.7, where a petition or joint letter presented to a Council meeting relates to an item of business on the agenda, the petition or joint letter may be considered by Council as part of its deliberations on the item

Division 11 – Voting

47. How a Motion is Determined

To determine a motion before a meeting, the Chair must first call for those in favour of the motion, then those opposed to the motion and those abstaining and must then declare the result to the meeting.

48. Recount

The Chair may direct that a vote be recounted to be satisfied of the result.

49. Casting Vote

In the event of a tied vote, the Chair must exercise a casting vote.

50. By Show Of Hands

Voting on any matter is by show of hands.

51. Record of Vote

Immediately after the Chair has put any motion, amendment or other question to the vote and has announced the result of that vote, the result of the vote will be recorded in the minutes to show the names of Councillors who voted for, voted against, or abstained from the vote, as applicable.

Division 12 – Minutes

52. Confirmation of Minutes

52.1. At every Council meeting the minutes of the preceding meeting(s) must be dealt with as follows:

52.1.1. A copy of the minutes must be made available (including by electronic means) to each Councillor no later than 48 hours before the meeting;

52.1.2. If no Councillor indicates opposition, the Chair must put to the vote that the minutes be declared to be confirmed;

52.1.3. If a Councillor indicates opposition to the minutes:

a) They must specify the item(s) to which they object;

b) The objected item(s) must be considered separately and in the order in which they appear in the minutes;

c) The Councillor objecting must move accordingly without speaking to the motion;

d) The motion must be seconded;

e) The Chair must ask: "Is the motion opposed?"

f) If no Councillor indicates opposition, then the Chair must declare the motion carried without discussion and then ask the second of the questions described in sub-rule 52.1.3(k);

g) If a Councillor indicates opposition, then the Chair must call on the mover to address the meeting;

h) After the mover has addressed the meeting, the seconder may address the meeting;

~~i)~~ After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the Chair must invite debate;

j) If, after the mover has addressed the meeting, the Chair invites debate and no Councillor speaks to the motion, the Chair must put the motion; and

k) The Chair must, after all objections have been dealt with, ultimately ask:
   i. "The question is that the minutes be confirmed" or
   ii. "The question is that the minutes, as amended, be confirmed",

   and must put the question to the vote accordingly;

52.1.4. A resolution of Council must confirm the minutes.

53. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

54. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the Council meeting or until the next meeting if considered appropriate.

55. Form and Availability of Minutes

55.1. The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:

55.1.1. The date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;

55.1.2. The names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;

55.1.3. The names of the members of Council staff present;

55.1.4. Any disclosure or announcement of a conflict of interest made by a Councillor or officer deemed to be in the meeting, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general or material conflict of interest;

55.1.5. Arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

55.1.6. Each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

55.1.7. The vote cast by each Councillor (including Councillors abstaining);

55.1.8. A summary of any questions asked in accordance with rule 45 and a summation of the answers given verbally at the meeting;

55.1.9. An indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;

55.1.10. The failure of a quorum;

55.1.11. Any adjournment of the meeting and the reasons for that adjournment; and

55.1.12. The time at which standing orders were suspended and resumed.

55.2. The Chief Executive Officer or delegate must ensure that the minutes of any Council meeting are:

a) published on Council's website; and

b) available for inspection at Council's office during normal business hours.

55.3. Nothing in sub-rule 55.2 requires Council or the Chief Executive Officer to make public any minutes relating to a Council meeting or part of a Council meeting closed to members of the public in accordance with section 66 of the Act.

Division 13 – Behaviour & Public Attendance

56. Public Attendance at Council Meetings

56.1. Where Council meetings are held in Council buildings, conditions of entry may apply to ensure community safety. The Chief Executive Officer may from time to time, erect signage stipulating conditions of entry to Council Buildings in accordance with the Community Local Law. Conditions may include sign in requirements and proof of identification.

56.2. The Chief Executive Officer must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the *Privacy and Data Protection Act 2014* or such other applicable pieces of legislation and related policies.

57. Public Behaviour at a Meeting

57.1. A member of the public present at a Council meeting must not disrupt the meeting.

57.2. Community members/visitors at Council meetings:

57.2.1. Must not interject or take part in the debate;

57.2.2. Must preserve silence in the gallery at all times during a Council meeting;

57.2.3. Must not operate photographic, audio or video recording equipment or any other recording device at any Council meeting; and

57.2.4. Must not bring into or attempt to bring into the Council meeting any offensive material placed on placards, banners, posters or other signage.

57.3. Any member of the public must extend the courtesy and respect to Council and the processes under which it operates and must take direction from the Chair whenever called on to do so.

58. Chair May Remove

The Chair may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-rule 57.3.

It is intended that this power be exercised by the Chair without the need for a Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or threatens the Chair's authority in chairing the meeting.

59. Chair may adjourn disorderly meeting

If the Chair is of the opinion that disorder (including a security matter) at the Council table or in the gallery makes it desirable to adjourn the Council meeting, the Chair may adjourn the meeting to a later time on the same day or to some later day as the Chair thinks proper. In that event, the provisions of sub-rules 22.2 and 22.3 apply.

60. Removal from Chamber

The Chair, or Council ~~in the case of a suspension~~, may ask the Chief Executive Officer, an authorised officer or member of the Victoria Police to remove from the Chamber any person who acts in breach of these rules and whom the Chair has ordered to be removed from the gallery under rule 58.

Division 14 – Additional Duties of Chair

61. The Chair's Duties and Discretions

In addition to the duties and discretions provided in this Chapter, the Chair:

61.1. Must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and

61.2. Must call to order any person who is disruptive or unruly during any meeting.

Division 15 – Suspension of Standing Orders

62. Suspension of Standing Orders

62.1. To expedite the business of a meeting, Council may suspend standing orders.

The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.

Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.

62.2. The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of Council. An appropriate motion would be:

"That Council suspend standing orders to enable discussion on……"

62.3. No motion can be accepted by the Chair or lawfully be dealt with during any suspension of standing orders.

62.4. Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That Council resume standing orders."

Division 16 – Miscellaneous

63. Recording of Meetings

In accordance with the Recording of Public Council Meetings Policy, the Chief Executive Officer (or other persons authorised by the Chief Executive Officer) may record on suitable video or audio recording equipment all the proceedings of a Council meeting.

Division 17 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the rules will be modified in accordance with this Division.

64. Council meetings conducted remotely

64.1. Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:

64.1.1. Hear the proceedings of the Council meeting;

64.1.2. See all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;

64.1.3. Be seen at all times by all Councillors, members of Council staff and members of the public also attending the Council meeting; and

64.1.4. Be heard when they speak.

64.2. If the conditions of sub-rule 64.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the Council meeting will proceed, and the relevant Councillor (or Councillors) will be considered absent from the Council meeting unless the Council meeting is adjourned in accordance with these rules.

64.3. Nothing in this rule prevents a Councillor from joining (or re-joining) a Council meeting conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 64.1, even if that Council meeting has already commenced or continued in their absence.

64.4. The Chief Executive Officer must ensure that a Council meeting conducted remotely is broadcast live continuously on Council's website.

64.5. Nothing in sub-rule 64.4 requires any portion of a Council meeting conducted remotely that is closed to the public under section 66 of the Act to be broadcast.

64.6. If the live broadcast of a Council meeting conducted remotely is interrupted for any reason, the Chief Executive Officer must immediately inform the Council meeting and the Council meeting is adjourned and, except for a resolution of Council made under sub-rule b), no further business can be conducted until:

a) The live broadcast can be reinstated; or

b) Such later date and time fixed by resolution of Council, in which case rule 22 applies.

65. Notification of attendance at Council meetings conducted remotely by electronic means

65.1. A Councillor who wishes to attend a Council meeting by electronic means of communication must notify the Mayor and/or Chief Executive Officer as soon as practicable prior to the meeting. The Mayor and/or Chief Executive Officer or delegate will notify all Councillors.

65.2. Should the Mayor and/or Chief Executive Officer receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 65.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

66. Other matters not provided for

Where any of these rules has not been expressly modified, and requires modification to operate at a Council meeting conducted remotely, the Chair with the cooperation of the meeting, may modify so much of these rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.

City of
KINGSTON

Chapter 3
Meeting Procedure for
Delegated Committees

Chapter 3 – Meeting Procedure for Delegated Committees

67. Meeting Procedure Generally

If Council establishes a Delegated Committee:

67.1. The provisions of Chapter 2 apply to meetings of the Delegated Committee; and

67.2. Any reference in Chapter 2 to:

67.2.1. A Council meeting is to be read as a reference to a Delegated Committee meeting;

67.2.2. A Councillor is to be read as a reference to a member of the Delegated Committee; and

67.2.3. The Mayor is to be read as a reference to the Chair[1]* of the Delegated Committee.

67.3. For the avoidance of doubt, sub-rule 19.2.1 of these rules applies to a Delegated Committee regarding the notice of meeting.

68. Meeting Procedure Can Be Varied

Notwithstanding rule 67, if Council establishes a Delegated Committee that is not composed solely of Councillors:

68.1. Council may; or

68.2. The Delegated Committee may, with the approval of Council

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the Delegated Committee, in which case the provision or those provisions will not apply until Council resolves, or the Delegated Committee with the approval of Council resolves, otherwise.

[1] The Mayor or Council may appoint a *Councillor* to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a *Councillor* appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.

City of
KINGSTON

Chapter 4

Meeting Procedure for

Community Asset Committees

Chapter 4 – Meeting Procedure for Community Asset Committees

69. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the Chief Executive Officer under section 47(1)(b) of the Act.

70. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a Community Asset Committee is in the discretion of the Community Asset Committee.



Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

71. Definition

In this Chapter:

71.1. "meeting conducted under the auspices of Council" means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in rule 84 (whether such a meeting is known as a 'Councillor Briefing' or by some other name); or

71.2. A member of a Delegated Committee includes a Councillor.

71.3. The provisions of this chapter also apply to officers deemed to be attendees at Council meetings, who are present in the Council Chamber and recorded as present in the minutes.

72. Foreshadowed Declarations of Conflict of Interest at a Council Meeting (including fixed or not fixed)

72.1. At the commencement of the agenda item to foreshadow declarations of conflicts of interest:

72.1.1. The Chair will move a motion:

"That Council reconfirms its commitment to good governance, including conflict of interest provisions particularly arising from the agenda."

72.1.2. Following the seconding of the motion, it will be put to the vote.

72.1.3. Upon conclusion of the vote, the Chair will ask Councillors whether they foreshadow a conflict of interest against any agenda item.

72.1.4. A Councillor who has a conflict of interest in a matter to be considered at the Council meeting must indicate the matter in which they have a conflict of interest, and whether the conflict of interest is general or material.

72.2. Should a Councillor arrive at the Council meeting at any time following the agenda item to foreshadow declarations of conflicts of interest, the Chair will:

72.2.1. Announce the agenda item under consideration;

72.2.2. Ask the Councillor to confirm the commitment at sub-rule 72.1.1; and

72.2.3. Ask the Councillor whether they have a conflict of interest to declare against any agenda item.

72.3. A Councillor who has reasonable knowledge that a matter in which they have a conflict of interest is to be considered at a Council meeting, and who will not be present at that meeting, must provide written notice to the Chief Executive Officer prior to the commencement of the meeting indicating:

72.3.1. The relevant matter;

72.3.2. Whether the conflict of interest is general or material;

72.3.3. The nature of the conflict of interest; and

72.3.4. If the nature of the conflict of interest involves the Councillor's relationship with or gift from another person, the:

a) Name of the other person;

b) Nature of the relationship with that person or the date of receipt, value

and type of gift received from the other person; and

c) Nature of the other person's interest in the matter.

73. Disclosure of a Conflict of Interest at a Council Meeting (including fixed or not fixed)

73.1. A Councillor at a meeting where a matter in which they have a conflict of interest is to be considered must, immediately before the matter is considered, disclose the conflict of interest and:

73.1.1. Explain the nature of the conflict of interest and indicate whether the conflict of interest is general or material; or

73.1.2. intends to be present must disclose that conflict of interest, by providing to the Chief Executive Officer before the Council meeting commences, a written notice:

73.1.2.1.1. advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

73.1.2.1.2. explaining the nature of the conflict of interest; and

73.1.2.1.3. detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that they have a conflict of interest and state whether the conflict of interest is general or material, and that written notice has been given to the Chief Executive Officer under this sub-Rule.

73.2. The Councillor must leave the Council meeting immediately after giving the explanation or making the announcement and not return to the meeting until after conclusion of all discussion on the matter.

74. Foreshadowed Declarations of Conflict of Interest at a Delegated Committee Meeting

74.1. At the commencement of the agenda item to foreshadow declarations of conflicts of interest:

74.1.1. The Chair will move a motion:

"That the (Name of Delegated Committee) reconfirms its commitment to good governance, including conflict of interest provisions particularly arising from tonight's agenda."

74.1.2. Following the seconding of the motion, it will be put to the vote.

74.1.3. Upon conclusion of the vote, the Chair will ask committee members whether they foreshadow a conflict of interest against any agenda item.

74.1.4. A committee member who has a conflict of interest in a matter to be considered at the meeting must indicate the matter in which they have a conflict of interest, and whether the conflict of interest is general or material.

74.2. Should a committee member arrive at the meeting at any time following the agenda item to foreshadow declarations of conflicts of interest, the Chair will:

74.2.1. Announce the agenda item under consideration;

74.2.2. Ask the committee member to confirm the commitment at sub-rule 74.1.1; and

74.2.3. Ask the committee member whether they have a conflict of interest to declare against any agenda item.

74.3. A committee member who will not be present at a meeting where a matter in which they have a conflict of interest is to be considered must, prior to the commencement of the meeting, provide written notice to the Chief Executive Officer indicating:

74.3.1. The relevant matter;

74.3.2. Whether the conflict of interest is general or material;

74.3.3. The nature of the conflict of interest; and

74.3.4. If the nature of the conflict of interest involves a committee member's relationship with or gift from another person, the:

a) Name of the other person;

b) Nature of the relationship with that person or the date of receipt, value and type of gift received from the other person; and

c) Nature of the other person's interest in the matter.

75. Disclosure of a Conflict of Interest at a Delegated Committee meeting

75.1. A committee member present at a meeting where a matter in which they have a conflict of interest is to be considered must, immediately before the matter is considered, disclose the conflict of interest and:

75.1.1. Explain the nature of the conflict of interest and indicate whether the conflict of interest is general or material; or

75.1.2. intends to be present must disclose that conflict of interest, by providing to the Chief Executive Officer before the Council meeting commences, a written notice:

75.1.2.1.1. advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

75.1.2.1.2. explaining the nature of the conflict of interest; and

75.1.2.1.3. detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that they have a conflict of interest and state whether the conflict of interest is general or material, and that written notice has been given to the Chief Executive Officer under this sub-Rule.

75.2. The committee member must leave the meeting immediately after giving the explanation or making the announcement and not return to the meeting until after conclusion of all discussion on the matter.

76. Foreshadowed Declarations of Conflict of Interest at a Community Asset Committee Meeting

76.1. At the commencement of the agenda item to foreshadow declarations of conflicts of interest:

76.1.1. The Chair will move a motion:

"That the (Name of Community Asset Committee) reconfirms its commitment to good governance, including conflict of interest provisions particularly arising from tonight's agenda."

76.1.2. Following the seconding of the motion, it will be put to the vote.

76.1.3. Upon conclusion of the vote, the Chair will ask committee members whether they foreshadow a conflict of interest against any agenda item.

76.1.4. A committee member who has a conflict of interest in a matter to be considered at the meeting must indicate the matter in which they have a conflict of interest, and whether the conflict of interest is general or material.

76.2. Should a committee member arrive at the meeting at any time following this agenda item, the committee member must make a declaration upon their arrival of a conflict of interest in any matter that has been or will be considered at that meeting, in accordance with sub-rule 76.1.1.

76.3. A committee member who will not be present at a meeting where a matter in which they have a conflict of interest is to be considered must, prior to the commencement of the meeting, provide written notice to the Chief Executive Officer indicating:

76.3.1. The relevant matter;

76.3.2. Whether the conflict of interest is general or material;

76.3.3. The nature of the conflict of interest; and

76.3.4. If the nature of the conflict of interest involves a committee member's relationship with or gift from another person, the:

a) Name of the other person;

b) Nature of the relationship with that person or the date of receipt, value and type of gift received from the other person; and

c) Nature of the other person's interest in the matter.

77. Disclosure of a Conflict of Interest at a Community Asset Committee meeting

77.1. A committee member present at a meeting where a matter in which they have a conflict of interest is to be considered must, immediately before the matter is considered, disclose the conflict of interest and:

77.1.1. Explain the nature of the conflict of interest and indicate whether the conflict of interest is general or material; or

77.1.2. intends to be present must disclose that conflict of interest, by providing to the Chief Executive Officer before the Council meeting commences, a written notice:

77.1.2.1.1. advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

77.1.2.1.2. explaining the nature of the conflict of interest; and

77.1.2.1.3. detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that they have a conflict of interest and state whether the conflict of interest is general or material and that written notice has been given to the Chief Executive Officer under this sub-Rule.

77.2. The committee member must leave the meeting immediately after giving the explanation or making the announcement and not return to the meeting until after conclusion of all discussion on the matter.

78. Disclosure at a Meeting Conducted Under the Auspices of Council

78.1. A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of Council at which the Councillor is present must:

78.1.1. Disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is general or material;

78.1.2. Absent themself from any discussion of the matter; and

78.1.3. As soon as practicable after the meeting concludes:

a) Provide to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting; or

b) Have the disclosure recorded in the minutes or notes of the meeting.

79. Disclosure by Members of Council Staff

79.1. An officer who, in their capacity as a member of Council staff, has identified a conflict of interest in a matter for which they are contributing to or preparing a report for consideration at a Council, Delegated Committee or Community Asset Committee meeting, must:

79.1.1. Immediately upon becoming aware of the conflict of interest, provide written notice to the Chief Executive Officer:

a) Disclosing the conflict of interest;

b) Explaining the nature of the conflict of interest; and

c) Indicating whether the conflict of interest is general or material

79.2. The Chief Executive Officer must ensure that the agenda item referred to in sub-rule 79.1 records the fact that a member of Council staff disclosed a conflict of interest in its subject matter.

79.3. If the member of Council staff referred to in sub-rule 79.1 is the Chief Executive Officer:

79.3.1. The written notice referred to in sub-rule 79.1 must be given to the Mayor; and

79.3.2. The obligation imposed by sub-rule 79.2 may be discharged by any other member of Council staff responsible for the preparation of the report.

80. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

80.1. A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.

80.2. If the member of Council staff referred to in sub-rule 80.1 is the Chief Executive Officer, the written notice must be given to the Mayor.

81. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

81.1. A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest, and indicating whether the conflict of interest is general or material.

81.2. If the member of Council staff referred to in sub-rule 81.1 is the Chief Executive Officer the written notice must be given to the Mayor.

82. Conflict of Interest Exemptions

82.1. The following exemptions are in accordance with section 129 of the Act and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.

82.2. A conflict of interest does not arise if any of the following applies:

82.2.1. The conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;

82.2.2. The interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors;

82.2.3. The relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;

82.2.4. The interest only arises because the relevant person is the representative of the Council on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;

82.2.5. The interest only arises because a family member of the relevant person is a member but not an officeholder of a not-for-profit organisation;

82.2.6. The interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter; or

82.2.7. The interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the Act.

83. Retention of Written Notices

The Chief Executive Officer must retain all written notices received under this Chapter for a period of three years.

City of
KINGSTON

Chapter 6

Miscellaneous

Chapter 6 – Miscellaneous

84. Informal Meetings of Councillors

84.1. If there is a meeting of Councillors that:

84.1.1. discusses the business of Council or briefing Councillors; and

84.1.2. Is attended by at least 6 Councillors; and

84.1.3. Is attended by at least one member of Council staff; and

84.1.4. Is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting; or

84.1.5. there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

84.2. The Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are tabled at the next convenient Council meeting

85. Confidential Information

85.1. If information relating to a meeting is confidential information within the meaning of the Act, the Chief Executive Officer will indicate the information as confidential and advise Councillors and/or members of Council staff via the relevant agenda.

85.2. Information that is confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.



Chapter 7

The Common Seal

Chapter 7 – The Common Seal

86. The Common Seal and Sealing Clause

86.1. The common seal may be used only on the authority of Council and a person must not use it without that authority.

86.2. The Chief Executive Officer must keep the common seal in safe custody.

86.3. The form of the common seal and sealing clause is to be as detailed in rule 87 below or to like effect.

86.4. Every document to which the common seal is affixed must be signed by 1 Councillor and the Chief Executive Officer, unless sub rule 86.5 applies.

86.5. Council may delegate to the Chief Executive Officer the authority to affix the common seal to any group or class of documents and in such cases the document only requires the signature of the Chief Executive Officer to attest the affixing of the common seal.

87. Form of Common Seal

Unless Council resolves otherwise, the form of the common seal will be as follows:

The Common Seal of the Kingston City Council was hereunto affixed in the presence of:

…….. **Councillor**

An image of the Common Seal appears here

…….. **Chief Executive Officer**



Chapter 8

Election Period Policy

Chapter 8 – Election Period Policy

VERSION NO.	Version 6
APPROVAL	Council TBC 2026
REVIEW	May 2028
RESPONSIBLE EXECUTIVE	General Manager Customer and Corporate Support
POLICY TYPE	Council
POLICY OWNER	Manager Governance, Risk & Integrity

REVISION RECORD	Version	Revision Description
23 September 2023	5	Scheduled revision prior to 2024 Local Government General Election
TBC 2026	6	Minor grammatical and formatting changes in conjunction with update of Governance Rules

1. Purpose

1.1 Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy to be included in its Governance Rules.

1.2 The period preceding elections is defined in the *Local Government Act 2020* (the Act) as the 'Election Period'. During the election period the business of Council continues, and ordinary matters of administration still need to be addressed.

1.3 The purpose of the Election Period Policy (policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner. This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions to ensure that voting at an election is not influenced by Council, Council staff, contractors or volunteers.

1.4 This policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period and also establishes election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action.

2. Scope

2.1 The policy applies to Councillors and Council staff during an election period prior to a general election or by-election. The election period commences at the time that nominations close on nomination day and ends at 6pm on election day.

2.2 The following matters are impacted by this policy prior to and during an election period:

a) Council decision-making;
b) Public Consultation;
c) Council-organised activities and events;
d) Council publications, media and online presence;
e) Use of Council resources; and
f) Access to information.

2.3 During a by-election, provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

3. Governance Principles and Council Plan Alignment

3.1 Governance Principles

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

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

This policy aligns with the requirements of Council to adopt an Election Period Policy under section 69 of the Act and has bas been reviewed against relevant sections of the Act pertaining to conduct and obligations of Council, Councillors and Council staff.

3.2 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed, and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity.

The Policy directly addresses the requirements of the Act to achieve the highest standard of Council decision-making and conduct during the election period.

4. Policy Details

4.1 Council Decisions

4.1.1 Limitations on Decision-Making

Some Council decision-making is impacted during a general election period. Specifically, Prohibited Decisions cannot be made during this period. The Chief Executive Officer will ensure as far as possible that significant matters of Council business are scheduled to enable Council resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

4.1.2 Prohibited Decisions

Section 69 of the Act prohibits any decision during the Election Period that:

a) Relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer;
b) Commits the Council to expenditure exceeding one per cent (1%) of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
c) Could be reasonably deferred until the next Council is in place; or

d) Council considers should not be made during an election period. Decisions made in contravention of clauses 4.1.2 a) and b) during the election period are invalid under section 69(4) of the Act.

4.1.3 Significant Decisions

Significant decisions are decisions which Council considers should not generally be made during an election period. These are decisions which significantly affect the municipality; or unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors are considered, including:

a) The urgency of the issue (i.e., whether it can wait until after the election);

b) The possibility of financial and/or legal repercussion if it is deferred;

c) Whether the decision is likely to be controversial; and

d) The best interests of Council.

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates decisions that are prohibited or considered significant during an election period:

Proposed Council Decision	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	Section 69(2)(a) of the Act
Committing Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year	Section s69(2)(b) of the Act
A decision which Council considers could be reasonably deferred until the next Council is in place	Section 69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council	Section 69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	Section 69(3) of the Act

Consult the Manager Governance, Risk & Integrity if uncertain whether a decision would be prohibited under this policy.

4.2 Public Consultation

4.2.1 "Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

4.2.2 Public consultation may be undertaken during the election period to facilitate the day-to-day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period, with the exception of public consultation required under the *Planning and Environment Act 1987*.

4.2.3 All public consultation that is likely to run into the election period must have prior approval from the Manager Governance, Risk & Integrity. Where approved, the results will not be reported to the Council until after the election period, unless the Chief Executive Officer decides otherwise.

4.3 Council Events

4.3.1 Permitted Events

Council-organised events and functions will only be permitted during the election period where these are essential to regular Council operations. Council will not support events that are hosted by Councillors in the election period or that may be perceived as electorally advantageous to incumbent Councillors. Support includes, but is not limited to, the provision of meeting rooms, banners, equipment or funding.

4.3.2 Other Events

Other events may be approved by Council resolution or where prior approval has been given by the Chief Executive Officer. Where an event has received CEO approval, it cannot by officiated by the Mayor or a Councillor.

4.3.3 Promotion of Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process at Clause 4.4.3. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

4.3.4 Campaigning at Council Events

Councillors attending events that are run, auspiced or sponsored by Council during an election period may not conduct campaign activities at these events.

4.4 Council Publications and Media

4.4.1 Limitations under the Act

Section 304 of the Act prohibits Councillors and Council staff from using Council resources in a manner intended, or likely, to influence the result of an election. Council resources must not be used (intentionally or recklessly) to:

a) Print, publish or distribute; or

b) Cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failure to comply is an offence and subject to a fine up to 60 penalty units.

4.4.2 Requirement for Certification

Printing, publishing or distributing any material (including electronic and web-based matter) during the election period requires certification from a panel consisting of the Manager Governance, Risk & Integrity and Manager Advocacy, Communications and Engagement. Certification may be required prior to the election period for material to be distributed during the election period.

4.4.3 Certification Process

The procedure for certifying publications is:

a) All publication requests (including job advertisements that are normally sent to People Support & Culture) must be directed to election@kingston.vic.gov.au , prior to the election period where practicable;

b) The Manager Governance, Risk & Integrity and Manager Advocacy, Communications and Engagement must check that no election material is present unless it is factual election process information;

c) Any material considered sensitive or high risk will be escalated to General Manager Customer and Corporate Support for final review.

d) Governance will maintain a record of certification and certified documents.

4.4.4 Permitted Publications

Publication activities should be avoided during the election period avoided except where essential for the conduct of Council operations. Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

Existing material available to the public in Council premises (including, but not limited to brochures, pamphlets photo boards) and on Council's online channels will be reviewed prior to the election period, with any items containing electoral matter removed for the duration.

4.4.5 Online Presence Including Social Media

Council social media sites and online channels will be managed in accordance with this policy and relevant internal communication guidelines pertaining to the election period.

Any publication published on council's website during the election period must be subject to the certification process in clause 4.4.3.

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 4.4.3 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as electoral matter.

4.4.6 Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The "Ward Columns" section will not appear in this edition(s).

4.4.7 Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

4.4.8 Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.

Council staff should not prepare Councillors' private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

4.4.9 Councillor Publications

Councillors may publish campaign material on their own behalf but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston, and may not use Council logos or official City of Kingston photos.

Councillors may use the title "Councillor" in their election material as they continue to hold that position during the election period. To avoid confusion, Councillors must ensure that any election publication using the title "Councillor" clearly indicates that it is their own material and does not represent Council.

4.4.10 Exceptions

These limitations do not apply to:

a) Advertisements including only factual details such as the holding of a meeting or the election process itself; or

b) Council agendas and minutes of meetings, as references contained therein to the election will only relate to the election process.

4.5 Annual Report

4.5.1 Requirement for Presentation of Annual Report

Under section 100 of the Act, the annual report must be presented at a Council meeting on a day no later than the day before election day. This will generally mean that the report will be presented during the election period due to the timeframes involved in its preparation.

4.5.2 Prohibited Content

The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.

4.5.3 Certification Requirements

The Annual Report is not considered an 'advertisement, handbill, pamphlet or notice' and does not require certification; however, a summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 4.4.3.

4.5.4 Lodgement with Minister and Public Availability

A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year. Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

4.6 Use of Council Resources

4.6.1 Access to Resources to Undertake Councillor Duties

Councillors are elected to represent their local community and this obligation continues during the Election Period unless granted a leave of absence. Councillors may use any Council resources provided to them to facilitate the performance of their normal duties.

However, it is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election. Council will ensure that due propriety is observed in the use of all Council resources.

4.6.2 Council Staff

Council staff should avoid assisting Councillors in a manner that could create the perception of being for electoral purposes. Where in doubt whether a request for the use of Council resources is permissible, seek advice from the Manager Governance, Risk & Integrity and Manager Advocacy, Communications and Engagement. No member of Council staff, including the Executive Assistant to the Mayor, may undertake tasks connected directly or indirectly with a Councillor's election campaign.

4.6.3 General Resources

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) may not be used in connection with an election campaign. It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

4.6.4 Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. Reimbursements will not be paid for campaigning or expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

4.6.5 Mobile Phones

Mobile phone costs associated with electioneering are of a private nature and will not be paid by Council. Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business.

4.6.6 Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

4.7 Ward Meetings

Ward meetings will not be held within six months before a general election.

4.8 Media and Media Services

4.8.1 Councillor use of Media Services during Election Period

Council's media services (through the Advocacy, Communications and Engagement team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate. Councillors may not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

4.8.2 Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves a Councillor or Councillors.

4.8.3 Media release/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

4.8.4 Publicity campaigns

Publicity campaigns, other than for the purpose of conducting the election, will be avoided where possible during an election period. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

4.8.5 Council Branding, Logos and Photographs

Council logos, letterheads, photographs or other corporate branding may not be used for, or linked to, a candidate's election campaign.

4.8.6 Speeches

Any publication or distribution of Councillors' speeches must be subject to the certification process as prescribed at clause 4.4.3. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

4.8.7 Statements by Council Employees

During the election period Council employees, including Council officers, contractors and volunteers, may not make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

4.9 Access to Council Information

4.9.1 All election candidates have equal rights to access public information relevant to their election campaigns. Any assistance and advice provided to candidates as part of the conduct of the election will be provided equally to all candidates.

4.9.2 Neither Councillors nor other candidates will receive information or advice from Council officers that may improperly advantage or be perceived to support election campaigns. This includes internal publications such as the Meeting Planner where this relates to meetings post-election date.

4.9.3 A Councillor may continue to access Council information only as it is necessary for them to perform their role as Councillor. Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or that might be perceived to be connected with an election campaign.

4.9.4 Requests for Council-related information should be directed to election@kingston.vic.gov.au or made in writing to the Chief Executive Officer. Election-related enquiries from any candidate will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or delegate.

4.10 Information Request Register

To ensure transparency in the provision of information and advice during the election period, Governance will maintain an Information Request Register. The register will record all requests relating to electoral matters and non-routine requests for information by a Councillor or other candidate received during the election period, and the response provided to those requests. The register will be publicly available on Council's website.

5. Internal and External Assessments

5.1 Risk Assessment

This policy has been assessed by the Governance department.

5.2 Delegation and Authorisation (Compliance Framework)

There are no delegated positions with responsibilities for this Policy.

5.3 Gender Impact Assessment

A Gender Impact Assessment is not required for this Policy.

5.4 Privacy Impact Assessment

A Privacy Impact Assessment is not required for this Policy.

5.5 Human Rights Charter

This policy has been reviewed against and complies with the *Charter of Human Rights and Responsibilities Act 2006.*

6. Roles and Responsibilities

Role	Responsibility
Councillors	• Councillors must be mindful of their responsibilities in relation to improper use of position as outlined in sections 123 and 124 of the Act.
Chief Executive Officer	• Ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period • Issue guidelines to staff on their responsibilities in respect to the implementation of this Policy.
General Manager Customer and Corporate Support	• Assess and provide feedback to Manager Governance, Risk & Integrity and Manager Advocacy, Communications & Engagement on any sensitive council material during the certification process.
Manager Governance, Risk and Integrity	• Review, assess and certify all council publications in conjunction with the Manager Advocacy, Communications and Engagement • Provide advice on other matters included in this policy
Manager Advocacy, Communications and Engagement	• Review, assess and certify all council publications in conjunction with the Manager Governance, Risk and Integrity.

7. Related documents

7.1 Legislation

- Local Government Act 2020
- Model Councillor Code of Conduct

7.2 Documents and resources

- Governance Rules
- Community Engagement Policy
- Public Transparency Policy
- Staff Code of Conduct Policy

8. Definitions

Term	Definition
Electoral material	Means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.
Electoral matter	Means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election. Without limiting the generality of the definition of *electoral matter*, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on— (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.

City of
KINGSTON

Governance Rules

20/168524[v3]

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Kingston City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 26 March 2024.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Disclosure of Conflicts Of Interest
Chapter 6	Miscellaneous
Chapter 7	The Common Seal
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer means the Chief Executive Officer of Kingston City Council and includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Kingston City Council.

Council meeting has the same meaning as in the *Act* and includes a *Council meeting* conducted remotely.

Council meeting conducted remotely means a *Council meeting* or a joint meeting of councils which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 58 of Chapter 2 of these Rules.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.



Chapter 1

Governance Framework

20/168524[v3]

Chapter 1 – Governance Framework

1. Context

These Rules should be read in the context of and in conjunction with:

(a) the overarching governance principles specified in section 9(2) of the *Act*; and

(b) the following documents adopted or approved by *Council*:

Good Governance Framework

Public Transparency Policy

2. Decision Making

(a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:

(i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and

(ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations

(b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).

(c) Without limiting anything in paragraph (b) of this sub-Rule:

(i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;

(ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;

(iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and

(iv) if a member of *Council* staff proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the member of *Council* staff must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

City of
KINGSTON

Chapter 2

Meeting Procedure for Council Meetings

20/168524[v3]

Chapter 2 – Meeting Procedure for Council meetings

Contents

Part A – Introduction 1

1. Title 1
2. Purpose of this Chapter 1
3. Definitions and Notes 1

Part B – Election of Mayor 2

4. Election of the *Mayor* 2
5. Method of Voting 2
6. Determining the election of the *Mayor* 2
7. Election of Deputy Mayor and Chairs of Delegated Committees 3
8. Appointment of Acting Mayor 4

Part C – Meetings Procedure 5

Division 1 – Notices of Meetings 5

9. Dates and Times of Meetings Fixed by *Council* 5
10. *Council* May Alter Meeting Dates 5
11. Meetings Not Fixed by *Council* 5
12. Notice Of Meeting 5

Division 2 – Quorums 6

13. Inability To Obtain A Quorum 6
14. Inability To Maintain A Quorum 6
15. Adjourned Meetings 6
16. Time limits for Meetings 6
17. Cancellation or Postponement of a Meeting 7

Division 3 – Business of *Meetings* 7

18. *Agenda* and the Order Of Business 7
19. Change To Order Of Business 7
20. Delegate Reports 7
21. En Bloc Resolutions 8
22. Urgent Business 8

Division 4 – Motions and Debate 8

23. Councillors May Propose Notices Of Motion 8
24. Notice Of Motion 8
25. Requirements for Motions and Amendments 10
26. Procedures with Respect to Motions 11
27. Procedures with Respect to Amendments 12
28. Rules of Debate 12
29. Speaking Times 14
30. Community Members/Visitors Speaking at *Meetings* 15

Division 5 – Procedural Motions 15

31. Procedural Motions 15

Division 6 – Rescission Motions 18

32. Notice of Rescission 18
33. If Lost 19
34. If Not Moved 19
35. May Be Moved By Any Councillor 19
36. When Not Required 19

Division 7 – Points of Order 19

37. Procedure For Point Of Order 19

20/168524[v3]

38. Dissent From Chair's Ruling 20
Division 8 – Public Question Time 21
39. Question Time 21
Division 9 – Petitions and Joint Letters 22
40. Petitions and Joint Letters 22
Division 10 – Voting 22
41. How a Motion is Determined 22
42. Recount 22
43. Casting Vote 22
44. By Show Of Hands 22
45. Procedure For A Division 23
46. Record of Vote 23
Division 11 – Minutes 23
47. Confirmation of Minutes 23
48. No Debate on Confirmation Of Minutes 24
49. Deferral Of Confirmation Of Minutes 24
50. Form and Availability of Minutes 25
Division 12 – Behaviour 26
51. Public Behaviour at a Meeting 26
52. *Chair* May Remove 26
53. *Chair* may adjourn disorderly meeting 26
54. Removal from Chamber 27
Division 13 – Additional Duties of *Chair* 27
55. The *Chair's* Duties and Discretions 27
Division 14 – Suspension of Standing Orders 27
56. Suspension of Standing Orders 27
Division 15 – Miscellaneous 27
57. Recording of *Meetings* 27
Division 16 – Meetings Conducted Remotely 28
58. Council meetings conducted remotely 28
59. Request to attend Council meetings conducted remotely by electronic means 29
60. Other matters not provided for 29

Part A – Introduction

1. Title

This Chapter will be known as the "Governance Rules".

2. Purpose of this Chapter

The purpose of this Chapter is to:

2.1 provide for the election of the Mayor and any Deputy Mayor;

2.2 provide for the appointment of any Acting Mayor; and

2.3 provide for the procedures governing the conduct of *Council meetings*.

3. Definitions and Notes

3.1 In this Chapter:

"*absolute majority*" means the number of Councillors which is greater than half the total number of the Councillors of *Council*;

"*abstain*" means where a Councillor present at the meeting does not vote (is taken to have voted against the question);

"*agenda*" means the notice of a meeting setting out the business to be transacted at the meeting;

"*Chair*" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

"*defamatory*" means causing serious harm to a person's or Council's reputation across a broader section of the community.

"*minute book*" means the collective record of proceedings of *Council*;

"*municipal district*" means the municipal district of *Council*;

"*notice of motion*" means a notice setting out the text of a motion, which it is proposed to move at the next relevant *Ordinary Council Meeting*

"*notice of rescission*" means a *notice of motion* to rescind a resolution made by *Council*; and

"Ordinary Council Meeting" means a *Council Meeting* fixed under Rule 9.

"Special Council Meeting" means a *Council Meeting* not fixed by Council under Rule 11

"*written*" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The election of the Mayor will occur at a *Council Meeting* in accordance with the Act, which is known as the *Annual Statutory Meeting*.

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Nominations do not require seconding.

6.3 The *Chief Executive Officer* shall ask each nominee, other than when self-nominated, if they accept the nomination.

6.4 Once nominations for the office of *Mayor* have been received and accepted, the following provisions will govern the election of the *Mayor:*

6.5 If there is only one nomination:

6.5.1 the candidate nominated must be declared to be duly elected;

6.6 If there are two candidates (or two remaining candidates after the completion of sub-Rule 6.7)

6.6.1 the Councillors present at the meeting vote for one of the candidates;

6.6.2 in the event of a candidate receiving an *absolute majority* of the votes, that candidate is declared to have been elected;

6.6.3 If neither candidate receives an *absolute majority* of the votes:

(a) *Council* may resolve to conduct the meeting at a later date and time; or

(b) A further vote must be taken until one of the candidates receive an absolute majority of votes, at which point that candidate will be declared to be duly elected.

(c) If, after two or more further votes are taken and neither candidate receives an absolute majority of votes, the provisions of this sub-Rule 6.6.3 must again be followed.

6.7 If there are three or more candidates (or three or more remaining candidates):

6.7.1 the Councillors present at the meeting vote for one of the candidates;

6.7.2 In the event of the candidate receiving an absolute majority of votes, that candidate is declared to be duly elected;

6.7.3 in the event that no candidate receives an *absolute majority* of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

6.7.4 if one of the remaining candidates receives an *absolute majority* of the votes, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the votes. That candidate must then be declared to have been duly elected;

6.7.5 If two or more candidates have an equal lowest number of votes, the process to determine a defeated candidate will be determined by lot.

6.7.6 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

(a) each candidate with an equal lowest number of votes will draw one lot;

(b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and

(c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. The word "Defeated" shall be *written* on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" *written* on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates until a candidate receives an absolute majority of votes, in which case that candidate will be declared to have been duly elected).

Note: Section 26 of the *Act* requires that before the election of the *Mayor*, a *Council* must determine by resolution whether the *Mayor* is to be elected for a 1 year or 2 year term.

7. Election of Deputy Mayor and *Chairs* of Delegated Committees

Any election for:

7.1 any office of Deputy Mayor; or

7.2 *Chair* of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.3 *Chief Executive Officer* is a reference to the *Mayor*; and

7.4 *Mayor* is a reference to the Deputy Mayor or the *Chair* of the *Delegated Committee* (as the case may be).

8. Appointment of Acting Mayor

If *Council* has not established an office of Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

8.1 resolving that a specified Councillor be so appointed; or

8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter,

at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings

9. Dates and Times of Meetings Fixed by *Council*

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings* which are known as *Ordinary Council Meetings*.

10. *Council* May Alter Meeting Dates

Council may change the date, time and place of any *Ordinary Council Meeting* which has been fixed by it and must provide reasonable notice of the change to the public.

11. Meetings Not Fixed by *Council*

11.1 The *Mayor* or at least 3 Councillors may by a *written* notice call a *Council meeting* which is known as a *Special Council Meeting*.

11.2 The *Chief Executive Officer* may by a *written* notice call a *Special Council Meeting* as soon as practicable following the result of a *Council* election or by-election being declared.

11.3 The notice must specify the date and time of the *Special Council Meeting* and the business to be transacted (which may include a motion to be presented to the meeting).

11.4 The notice must be given to the *Chief Executive Officer* (or delegate) at least 72 hours prior to the date and time of the *Special Council Meeting*, unless there are urgent or extraordinary circumstances requiring less notice to be provided. The urgent or extraordinary circumstances must be included in the minutes of the meeting.

11.5 The *Chief Executive Officer* must convene the *Special Council Meeting* as specified in the notice.

11.6 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the *written* notice can be transacted at the *Special Council Meeting*.

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.2.1 for *Ordinary Council Meetings* by preparing a schedule of meetings annually, twice yearly or from time to time, and arranging publication of such schedule on *Council's* website, social media platforms and, where possible, in a newspaper generally circulating in the *municipal district*

either at various times throughout the year, or prior to each such *Council meeting*; and

12.2.2 for *Special Council Meetings* by giving notice on its website and:

(a) in each of its Customer Service Centres; and/or

(b) on *Council's* social media platforms.

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1:

13.1 the meeting will be deemed to have lapsed;

13.2 the *Mayor,* or in the absence of the *Mayor,* the Acting *Chair* or *Chief Executive Officer*, must convene another *Council meeting* up to a week later than the time stated in the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and

13.3 the *Chief Executive Officer* must give all Councillors *written* notice of the meeting convened by the *Mayor* or (in the absence of the *Mayor*) the Acting *Chair* or *Chief Executive Officer*.

14. Inability To Maintain A Quorum

14.1 If during any *Council meeting*, a quorum cannot be maintained, including as a result of non-compliance by one or more Councillors with sub-rule 59.1, then Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.

14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

15. Adjourned Meetings

15.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any Councillor or member of Council staff adjourn a meeting in session to another place.

15.2 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

15.3 If it is impracticable for the notice given under sub-Rule 15.2 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.

16.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

17. Cancellation or Postponement of a Meeting

17.1 The *Chief Executive Officer,* in consultation with the *Mayor* where such consultation is practicable, may in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.

17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of *Meetings*

18. *Agenda* and the Order Of Business

To facilitate and maintain open, efficient and effective processes of government, business at *Council meetings* must include:

18.1 apologies; and

18.2 disclosures of conflicts of interest; and

18.3 designation of items of business as confidential in compliance with *these Rules*.

Subject to the above, business at *Ordinary Council Meetings* must also include:

18.4 confirmation of *minutes*; and

18.5 public question time; and

18.6 petitions; and

18.7 notices of motion; and

18.8 delegates reports, Councillor statements & Presentation of Awards; and

18.9 urgent business.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered by resolution of *Council*.

20. Delegate Reports, Councillor Statements & Presentation of Awards

20.1 The *Mayor* and Councillors who are delegates or representatives of *Council* on other bodies may report to the *Council meeting* on issues of importance to *Council*, notwithstanding that the report is not listed on the *agenda*.

20.2 A *Councillor* may make one statement on a particular matter of importance to the municipality or to a ward, such as acknowledgment of community groups and community members, advocacy on behalf of ward constituents and statements and positions relevant to their representation and leadership of the municipality.

20.3 No motion (except to receive any such report or statement) can be accepted by the *Chair* unless there is a matter raised in it which is resolved in the manner prescribed by Rule 22 to be urgent business.

20.4 At the discretion of the *Chair*, awards may be presented to individuals and community groups at *Council meetings*.

20.5 Debate is not required under this Rule.

21. En Bloc Resolutions

21.1 Subject to sub-Rule 21.2, matters to be considered en bloc can only be considered by resolution of *Council.*

21.2 Items that relate to planning matters (that involve a planning application or a planning scheme amendment) or that involve statutory third-party rights must not be considered en bloc.

22. Urgent Business

22.1 If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council*, provided that it:

22.1.1 relates to or arises out of a matter which has arisen since distribution of the *agenda;* and

22.1.2 cannot safely or conveniently be deferred until the next *Council meeting*.

22.2 a Councillor proposing business to be admitted as urgent business must make the proposed motion available in order for 22.1.1 & 22.1.2 to be considered.

22.3 Once admitted as an item of urgent business, a motion which does not comply to sub-Rule 25.4 must be rejected by the *Chair*.

Division 4 – Motions and Debate

23. Councillors May Propose Notices Of Motion

Councillors may ensure that an issue is listed on an *agenda* by lodging a *notice of motion*.

24. Notice Of Motion

24.1 A *notice of motion* must be in *writing* signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* (or delegate) by noon 14 clear days before the date of an *Ordinary Council Meeting*, unless sub-rule 24.3 applies.

24.2 A notice of motion submitted in accordance with Rule 24.1 may be amended prior to the preparation of the agenda of the *Ordinary Council Meeting* in a manner that leaves the intention and effect of the *notice of motion* materially undisturbed.

24.3 A *notice of motion* may be sent to the Chief Executive Officer (or delegate) by noon 7 clear days before the date of an *Ordinary Council Meeting* that:

24.3.1 relates to or arises out of a matter which has arisen since the distribution of the draft *agenda* of the *Ordinary Council Meeting* that is presented at a Councillor briefing session; and

24.3.2 the Mayor determines cannot safely or conveniently be deferred until the next Council meeting due to:

(a) safety concerns; or

(b) time sensitivity; or

(c) an impact on the benefit and wellbeing on the municipal community.

24.4 A *notice of motion* included in the *agenda* must be accompanied by *written* officer comments addressing the *notice of motion*.

24.5 A Councillor should invite feedback from all Councillors on a *notice of motion* prior to lodgement.

24.6 The *notice of motion* may include a *written* rationale for the proposed motion to be submitted. The full text of any *notice of motion* and rationale must be included in the *agenda*.

24.7 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the *notice of motion* register in the order in which they were received.

24.8 Any motion which is determined by the *Chair* at an *Ordinary Council Meeting* to be vague or unclear in intention must not be accepted by the *Chair*.

24.9 The Chief Executive Officer may reject any *notice of motion* which:

24.9.1 is outside of the legislative powers of Council; or

24.9.2 if passed would result in Council otherwise acting invalidly; or

24.9.3 *defamatory*; or

24.9.4 is vague or unclear in intention; or

24.9.5 objectionable in language or nature;

but must:

24.9.6 notify in writing the Councillor who lodged the *notice of motion* the rejection and reasons for the rejection; and

24.9.7 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so.

24.10 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the *notice of motion* register.

24.11 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.

24.12 A *notice of motion* may be moved which differs in wording to the *notice of motion* published in the agenda, provided it leaves the intention and effect of the notice of motion materially undisturbed.

24.13 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

24.14 If a *notice of motion*, whether amended or not, is lost, a similar motion cannot again be put before the current *Council* for a period of three calendar months from the date it was lost.

24.15 A *notice of motion* must call for an officer report if the *notice of motion*:

24.15.1 substantially affects the level of *Council* services; or

24.15.2 commits the *Council* to expenditure in excess of $25,000 and that has not been included in the adopted budget (this includes operational and capital costs); or

24.15.3 establishes or amends a *Council* policy; or

24.15.4 commits *Council* to any contractual arrangement; or

24.15.5 concerns any litigation in respect of which Council is a party.

24.16 Where the subject matter of a *notice of motion* is confidential in nature, the *Chief Executive Officer* may designate a *notice of motion* as confidential in accordance with relevant grounds as contained in the *Act*, in which case, the *notice of motion* will be considered in the part of the relevant *Council meeting* that is closed to members of the public.

25. Requirements for Motions and Amendments

25.1 A motion may be moved by a Councillor as a formal proposal that the *Council meeting* should resolve on in certain terms.

25.2 A motion having been moved and seconded may be amended by leaving out, inserting or adding words in a manner that leave the intention and effect of the motion materially undisturbed.

25.3 A motion which purports to be an amendment but which if passed would directly contradict or negate the motion or materially deprive the motion of effect cannot be accepted as an amendment.

25.4 A motion or amendment which is proposed by a Councillor at a *Council meeting* must be:

25.4.1 clearly expressed and unambiguous; and

25.4.2 not defamatory or objectionable in nature; and

25.4.3 relevant to an item on the *agenda* (unless it relates to an item which has been agreed by the *meeting* as urgent business).

25.5 Any motion or amendment which differs in wording from a recommendation or *notice of motion* which is on the *agenda* must, if required by the *Chair*, be *written* out by the proposer, given to the *Chair* and be presented on the screens used for display of the meeting proceedings. If required by a Councillor, a copy must be given to all Councillors present before any further debate takes place on the matter or before the vote on it is taken. The *Chair* may adjourn the *Council meeting* to allow time for these requirements to be met.

25.6 Any motion or amendment which does not conform to sub-Rule 25.3 or 25.4 may be rejected by the *Chair*.

25.7 An amendment must call for an officer report if the amendment commits *the Council* to expenditure in excess of $25,000 that has not been included in the adopted budget.

26. Procedures with Respect to Motions

26.1 A Councillor proposing to move a motion must first indicate a wish to address the *Chair*.

26.2 Once recognised by the *Chair*, the mover must state the motion without speaking to it.

26.3 The *Chair* must call for a seconder (other than the mover).

26.4 Any motion which is not seconded lapses.

26.5 Where the mover intends to move a recommendation as it appears in the *agenda*, they may do so in the following manner, "I move the recommendation on page (state page number) of the *agenda*."

26.6 Where the mover intends to move a motion other than a recommendation as it appears in the *agenda*, they must state the motion in full.

26.7 Once a motion is seconded, the *Chair* may:

26.7.1 invite Councillors to speak in accordance with clause sub-Rule 28.6; or

26.7.2 ask whether the motion is opposed and if no opposition is indicated, the *Chair* may then put the motion to the vote without debate; or

26.7.3 at any time during the debate ask whether the motion is opposed or is further opposed and if no such opposition is indicated, may put it to the vote without further debate.

26.8 Where a motion is in two or more parts, upon request from a Councillor, the *Chair* may at his or her discretion put each part to the vote separately.

26.9 If the *Chair* determines to put a motion to the vote separately in accordance with sub-rule 26.8, the mover and seconder must be provided the opportunity to withdraw, to which the process prescribed in sub-rule 26.11 applies.

26.10 Subject to Rule 28, a motion must be put to the vote when the *Chair* believes that the issues have been reasonably canvassed in the debate.

26.11 The moving or seconding of a motion can be withdrawn. The *Chair* may:

26.11.1 seek a substitute mover or seconder; or

26.11.2 if there is no willingness to be the substitute mover or seconder, declare the motion as lapsed.

27. Procedures with Respect to Amendments

27.1 Any Councillor, including the mover and seconder of a motion, may move or second any amendment to the motion after the completion of the Councillor currently speaking on the matter.

27.2 The procedures contained in Rule 28 should be followed to deal with an amendment.

27.3 When any amendment is put to the vote and declared carried by the *Chair*, it thereupon becomes the substantive motion and can be further amended.

27.4 The mover and seconder of the amendment which is put to the vote and declared carried by the *Chair* own the substantive motion.

27.5 Only one amendment can be before the *Council meeting* at a time and until it is put to the vote no further amendment can be proposed, but with the leave of the *Chair* another amendment or motion can be foreshadowed by any Councillor stating in brief terms the nature of it.

27.6 Where a proposed amendment from another Councillor is accepted by the mover and seconder, it will form part of the substantive motion and no debate or voting on the amendment is required.

28. Rules of Debate

28.1 A Councillor may only speak once on the motion and once on any amendment of a motion subject to sub-Rule 28.2.

28.2 The mover of a motion has a right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right of reply is lost if an amendment to the motion is carried.

28.3 Once a right of reply has been exercised, the *Chair* must put the motion to the vote without making comment or permitting any further comment on the motion.

28.4 The mover of an amendment has no right of reply.

28.5 A Councillor may address the *Council meeting* to explain why the Councillor proposes to *abstain* from the voting on a motion, but shall not then speak in favour or opposition to the motion.

28.6 The *Chair* shall invite Councillors to speak on a motion or amendment in the following order:

28.6.1 mover (may be reserved to later in the debate);

28.6.2 seconder (may be reserved to later in the debate);

28.6.3 other Councillors; then

28.6.4 mover's right of reply (where applicable).

28.7 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the *Chair*, but cannot be used to debate the matter further.

28.8 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

28.9 A Councillor must not in any debate make any *defamatory*, indecent, abusive, offensive or disorderly statement or comment or a statement or comment which is objectionable in language, substance or nature.

28.10 If a statement or comment is made contrary to sub-Rule 28.9, the *Chair* may call upon the Councillor to withdraw it and apologise and if that is required the Councillor concerned must immediately and unreservedly do so.

28.11 Debate must always be relevant to the motion before the *Chair*, and, if not, the *Chair* must request the speaker to confine debate to the motion.

28.12 If after being requested to confine debate to the motion before the *Chair*, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the *Chair*.

28.13 A speaker to whom a direction has been given under sub-Rule 28.12 must comply with that direction.

28.14 In cases where there is competition for the right to speak at a *Council meeting* then the *Chair* must decide the order in which Councillors will speak.

28.15 If a debate is adjourned by motion then the Councillor who moved the adjournment has the right to speak first when the debate is resumed.

28.16 A Councillor must not be interrupted except by the *Chair* or upon a point of order being taken.

28.17 A Councillor is not deemed to be speaking on the motion or amendment before the meeting when:

28.17.1 calling a point of order; or

28.17.2 asking a question; or

28.17.3 foreshadowing a new motion or further amendment; or

28.17.4 making a request under sub-Rule 26.8

28.18 When exercising a right of reply, a Councillor must not introduce new material.

28.19 At any time during debate a Councillor may foreshadow a motion so as to inform *Council* of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.

28.20 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the *Chair* being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

28.21 A foreshadowed motion is not recorded in the minutes until the foreshadowed motion is formally moved.

28.22 The *Chair* is not obliged to accept foreshadowed motions.

28.23 If a resolution is made at a *Council meeting*, the substance of the resolution cannot be further discussed at that meeting.

28.24 If the *Chair* so determines:

28.24.1 any person addressing the *Chair* must refer to the *Chair* as:

(a) Mayor; or

(b) Madam Mayor; or

(c) Mr Mayor; or

(d) Deputy Mayor; or

(e) Madam Deputy Mayor; or

(f) Mr Deputy Mayor; or

(g) *Chair*; or

(h) Madam *Chair*; or

(i) Mr *Chair*; or

(j) Acting *Chair*; or

(k) Mayor (last name); or

(l) Your Worship

as the case may be;

28.24.2 all Councillors, other than the *Mayor*, must be addressed as

Cr .....(name).

28.24.3 all members of Council staff, must be addressed as Mr, Ms or Mx

.....(name) as appropriate or by their official title.

28.24.4 The *Chair* may address the *Council meeting* upon any matter under discussion and will not be deemed to have left the *Chair* on such occasions.

28.24.5 Except in cases of sickness or physical disability, a Councillor at any *Council meeting* must stand when speaking.

28.25 Props, visual aids, photographs & audio or video recordings must not be allowed during debate, unless an exception is granted by the *Chair*.

29. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by resolution:

29.1 mover of a motion or amendment: 4 minutes

29.2 Councillor speaking to a motion or amendment: 3 minutes

29.3 closing statement (right of reply): 2 minutes

29.4 presenter of delegate's report and/or Councillor statement (combined): 3 minutes.

The *Chair* may determine to grant (but not unreasonably refuse) a request from a Councillor for an extension of time for 2 minutes to speak, however any further extension of time must be put to the vote.

30. Community Members/Visitors Speaking at *Meetings*

30.1 No community member/visitor to a *Council meeting* may speak to the meeting, except for:

30.1.1 the applicant (or their representative) in relation to an application for a planning permit;

30.1.2 one objector in relation to an application for a planning permit; and

30.1.3 special circumstances, in which leave to speak is granted by the *Chair*.

30.2 Any community member/visitor addressing the *Council meeting* cannot speak for more than 4 minutes each (unless granted more time by the *Chair*).

30.3 Should there be multiple objectors who wish to address an application for a planning permit, the time allocated to speak may be split. If multiple objectors cannot reach consensus to split the time, the first objector to apply to speak shall be granted speaking rights.

30.4 Sub-rule 30.3 also applies to the applicant or their representative.

30.5 Subject to sub-rule 60.2, community members/visitors may speak to the meeting in person or by electronic means of communication and must confirm their mode of attendance to the Governance department prior to the Council meeting.

Division 5 – Procedural Motions

31. Procedural Motions

31.1 Unless otherwise prohibited, a procedural motion may be moved after the completion of the Councillor currently speaking on the matter and must be dealt with immediately by the *Chair*.

31.2 A procedural motion is one that deals with the conduct or process of the meeting itself.

31.3 A procedural motion requires a seconder.

31.4 The mover of a procedural motion does not have a right of reply.

31.5 A procedural motion cannot be amended.

31.6 A procedural motion has precedence on substantive motions and amendments.

31.7 Except for a procedural motion to defer an item, a procedural motion, once moved and voted upon has no bearing on any substantive motion currently before the *Council*.

31.8 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Deferral of item/debate to later hour and/or date	That this matter be deferred to *am/pm and/or *date	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion, amendment or item as presented in the agenda is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Deferral of item/debate indefinitely	That this matter be deferred until further notice	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. Adjournment of meeting to later hour and/or date	That this meeting be adjourned to *am/pm and/or *date	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
4. Adjournment of meeting indefinitely	That this meeting be adjourned until further notice	Any Councillor	(a) During the election of a *Chair*; (b) When another Councillor is speaking; or (c) When the motion would have the effect of causing *Council* to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
5. The closure	That the motion be now put	Any Councillor	During nominations for *Chair*	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Division 6 – Rescission Motions

32. Notice of Rescission

32.1 A Councillor may propose a *notice of rescission* to rescind or alter a previous resolution, provided:

32.1.1 it has been signed and dated by at least four Councillors;

32.1.2 the resolution proposed to be rescinded or altered has not been acted on; and

32.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* no later than 5.00pm on the second day after the resolution proposed to be rescinded or altered was carried, setting out -

(a) the resolution to be rescinded or altered; and

(b) the meeting and date when the resolution was carried.

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

32.2 A resolution will be deemed to have been acted on if:

32.2.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or

32.2.2 a statutory process has been commenced

so as to vest enforceable rights in or obligations on *Council* or any other person.

32.3 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:

32.3.1 has not been acted on; and

32.3.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 32.1.3,

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor l*odges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).*

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not

be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 32.3 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff *actioning the resolution rather than deferring implementation of it.*

33. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three calendar months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

34. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

35. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

36. When Not Required

36.1 Where *Council* intends to review, amend or update one or more of its policies, a notice to rescind or alter a previous resolution is not required. The new decision, despite being inconsistent with the earlier decision, reflects *Council's* changed policy position and does not rescind or amend the earlier decision.

36.2 Notwithstanding sub-Rule 36.1, an appropriate course of action should be the submission of a *notice of motion*, in accordance with sub-Rule 25.1 of this Chapter requesting an officer report regarding the proposed policy change.

Division 7 – Points of Order

37. Procedure For Point Of Order

37.1 A point of order cannot be taken for the sole purpose of:

37.1.1 expressing a mere difference of opinion; or

37.1.2 contradicting a speaker; or

37.1.3 disrupting the meeting.

37.2 A point of order is an objection that the motion, amendment or statement made is:

37.2.1 contrary to *these Rules* or the provisions of the *Act*; or

37.2.2 defamatory; or

37.2.3 irrelevant; or

37.2.4 improper; or

37.2.5 obscene; or

37.2.6 abusive or objectionable language or behaviour; or

37.2.7 outside *Council's* powers; or

37.2.8 contrary to the relevant Standards of Conduct requiring the treatment of all Councillors and members of the public with dignity, fairness, objectivity, courtesy and respect.

37.3 A Councillor may take a *point of order* by stating briefly the matter which is the subject of the *point of order* and the ground in sub-Rule 37.2 upon which the point of order is being made.

37.4 When a point of order is called the Councillor speaking at the time must stop (unless asked by the *Chair* for an explanation), until the *Chair* rules upon it.

37.5 The *Chair* may not take a point of order.

37.6 The *Chair* may adjourn the *Council meeting* to consider a point of order which has been taken and shall rule upon it as soon as possible and before the business of the *Council meeting* proceeds further.

37.7 The *Chair* must, when ruling upon a point of order, state the provision of *these Rules* or other legislation, rule, custom or practice upon which they are basing the ruling. The *Chair's* determination is, subject to sub-Rule 38.2, final.

38. Dissent From *Chair's* Ruling

38.1 When the *Chair* makes a ruling during a *Council meeting* a Councillor may move a motion to the effect that the meeting dissent from the *Chair*'s ruling as follows:

"That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from".

38.2 When a motion of dissent is moved and is seconded the following procedures must be followed:

38.2.1 the *Chair* asks the mover, then the seconder, to speak to their motion and the matter is then further debated as required. The matter is put to the vote and the *Chair* announces the result; and

38.2.3 the *Chair* is bound by the result of the motion of dissent - if it is passed then his or her previous ruling is changed so that it conforms to the motion of dissent, if it is defeated then his or her previous ruling stands.

38.3 The defeat of the *Chair*'s ruling is in no way a motion of censure or non- confidence in the *Chair* and must not be so regarded by the meeting.

Division 8 – Public Question Time

39. Question Time

39.1 There must be a public question time at every *Ordinary Council Meeting* to enable members of the public to submit questions to *Council*.

39.2 Sub-Rule 39.1 does not apply during any period when a meeting is closed to members of the public in accordance with section 66(2) of the *Act*.

39.3 Visitors present at an *Ordinary Council Meeting* may submit questions to be answered during the meeting.

39.4 Questions must be submitted to the *Council* by 3.00pm on the day of the *Ordinary Council Meeting* by:

39.4.1 submitting an online question form on the *Council*'s website or via email following the instructions on *Council's* website; or

39.4.2 placing a hard copy question form in the allocated Question Box.

39.5 Questions submitted must include the person's full name as well as their address or email in order for a response to be provided.

39.6 At the discretion of the *Chair*, questions may be answered verbally during the "Public Question Time" segment by a Councillor or a member of Council staff present at the *Ordinary Council Meeting* or later in writing. Questions submitted late must be either dealt with at the next *Ordinary Council Meeting* or at the discretion of the *Chief Executive Officer* may be answered in writing.

39.7 Individual members of the public are permitted to ask a maximum of two questions during any one Public Question Time.

39.8 All questions and answers must be as brief as possible. Any preamble to a question will not be read out unless the *Chair* considers it appropriate.

39.9 Like questions may be grouped together and a single answer provided.

39.10 A question must not be read and an answer must only be given to the *Council meeting* if the *Chair* or *Chief Executive Officer* has determined that the relevant question:

39.10.1 does not relate to a matter beyond or outside Council's powers;

39.10.2 is not defamatory, indecent, abusive or objectionable;

39.10.3 is not repetitive of a question, matter, issue or principle already answered (whether at that meeting or an earlier one);

39.10.4 is not asked to be derogatory of or to embarrass a Councillor, a member of Council staff or a member of the community; or

39.10.5 does not relate to a matter already considered and resolved upon by Council.

39.11 No debate on questions asked or answers given is permitted.

Division 9 – Petitions and Joint Letters

40. Petitions and Joint Letters

40.1 Subject to sub-Rule 40.3 every petition or joint letter presented to *Council* shall be *written* (other than in pencil), typed or printed, containing the request of the petitioners or signatories, and be signed by at least 12 people.

40.2 Petitions must be lodged by 5.00pm seven (7) clear calendar days before the date of the *Council meeting*.

40.3 *Council* may by resolution accept an electronic petition received via an online website if it is satisfied that the petition is authentic and from a legitimate website.

40.4 A petition or joint letter addressed to *Council* or any member personally which requires a decision of or directions from *Council* must be referred to the *Chief Executive Officer*.

40.5 Notwithstanding sub-Rule 40.4, where a petition or joint letter presented to a *Council meeting* relates to an item of business on the *agenda*, the petition or joint letter may be considered by *Council* as part of its deliberations on the item.

Division 10 – Voting

41. How a Motion is Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion, then those opposed to the motion and those *abstaining* and must then declare the result to the meeting.

42. Recount

The *Chair* may direct that a vote be recounted to be satisfied of the result.

43. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

44. By Show Of Hands

Voting on any matter is by show of hands.

45. Procedure For A Division

45.1 At any *Council meeting*, a division may be called by a Councillor immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

45.2 A division cannot be called once consideration of the next item on the *agenda* has commenced.

45.3 The calling of a division has set aside the result of the voting announced by the *Chair*.

45.4 The result of a division supersedes the result of the original vote and a Councillor may change their previous vote when a division is called.

45.5 When a division has been called, the *Chair* must:

45.5.1 ask Councillors voting in the affirmative to stand and announce the names of those Councillors, then

45.5.2 ask for those voting in the negative to stand and announce the names of those Councillors; then

45.5.3 ask for those *abstaining* from voting to stand and announce the names of those Councillors.

45.6 The names of Councillors voting in the affirmative and in the negative and Councillors *abstaining* from voting must be recorded in the minutes of the *Council meeting*.

45.7 The *Chair* must announce the result of the vote immediately before the division is taken.

46. Record of Vote

46.1 Notwithstanding Rule 45, at any *Council meeting* a Councillor may ask that their name be recorded in the minutes of how they voted, immediately after the *Chair* has put any motion, amendment or other question to the vote and has announced the result of that vote.

Division 11 – Minutes

47. Confirmation of Minutes

47.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:

47.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;

47.1.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;

47.1.3 if a Councillor indicates opposition to the minutes:

(a) he or she must specify the item(s) to which he or she objects;

(b) the objected item(s) must be considered separately and in the order in which they appear in the minutes;

(c) the Councillor objecting must move accordingly without speaking to the motion;

(d) the motion must be seconded;

(e) the *Chair* must ask:

"Is the motion opposed?"

(f) if no Councillor indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 47.1.3(k);

(g) if a Councillor indicates opposition, then the *Chair* must call on the mover to address the meeting;

(h) after the mover has addressed the meeting, the seconder may address the meeting;

(i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;

(j) if, after the mover has addressed the meeting, the *Chair* invites debate and no Councillor speaks to the motion, the *Chair* must put the motion; and

(k) the *Chair* must, after all objections have been dealt with, ultimately ask:

"The question is that the minutes be confirmed" or

"The question is that the minutes, as amended, be confirmed",

and he or she must put the question to the vote accordingly;

47.1.4 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;

47.1.5 the minutes must be entered in the *minute book* and each item in the *minute book* must be entered consecutively; and

48. No Debate on Confirmation Of Minutes

No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

49. Deferral Of Confirmation Of Minutes

Council may defer the confirmation of minutes until later in the *Council meeting* or until the next meeting if considered appropriate.

50. Form and Availability of Minutes

50.1 The *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the minutes of such meeting) must keep minutes of each *Council meeting*, and those minutes must record:

50.1.1 the date, place, time and nature of the meeting, the time of its commencement and conclusion and the time of any adjournment and resumption of the meeting;

50.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;

50.1.3 the names of the members of Council staff present;

50.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5 and whether, under Chapter 5, the conflict of interest was indicated to be a general conflict of interest or a material conflict of interest;

50.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

50.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

50.1.7 the vote cast by each Councillor upon a division (including Councillors *abstaining*);

50.1.8 the vote cast by any Councillor who has requested that their vote be recorded in the minutes as voting in the negative;

50.1.9 a summary of any questions asked in accordance with Rule 39 (public question time) and a summation of the answer given verbally at the meeting;

50.1.10 an indication of any formal submission made verbally pursuant to a statutory right by a community member/visitor;

50.1.11 the failure of a quorum;

50.1.12 any adjournment of the meeting and the reasons for that adjournment; and

50.1.13 the time at which standing orders were suspended and resumed.

50.2 The *Chief Executive Officer* or Manager Governance must ensure that the minutes of any *Council meeting* are:

50.2.1 published on *Council's* website; and

50.2.2 available for inspection at *Council's* office during normal business hours.

50.3 Nothing in sub-Rule 50.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour & Public Attendance

51. Public Attendance at Council Meetings

51.1 Where Council meetings are held in *Council* buildings, conditions of entry may apply to ensure community safety. The *Chief Executive Officer* may from time to time, erect signage stipulating conditions of entry to *Council* Buildings in accordance with the Community Local Law. Conditions may include sign in requirements and proof of identification.

51.2 The *Chief Executive Officer* must ensure that any information gathered which is required under the conditions of entry will be managed in accordance with the Privacy and Data Protection Act 2014 or such other applicable pieces of legislation and related policies.

52. Public Behaviour at a Meeting

52.1 A member of the public present at a *Council meeting* must not disrupt the meeting.

52.2 Community members/visitors at *Council meetings*:

52.2.1 must not interject or take part in the debate; and

52.2.2 must preserve silence in the gallery at all times during a *Council meeting*; and

52.2.3 must not operate photographic, audio or video recording equipment or any other recording device at any *Council meeting.*

52.2.4 must not bring into or attempt to bring into the *Council* meeting any offensive material placed on placards, banners, posters or other signage.

52.3 Any member of the public must extend the courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.

53. *Chair* May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 52.3.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens the Chair's authority in chairing the meeting.

54. *Chair* may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder (including a security matter) at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, the *Chair* may adjourn the meeting to a later time on the same day or to some later day as the *Chair* thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

55. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer,* an authorised officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 53.

Division 13 – Additional Duties of *Chair*

56. The *Chair's* Duties and Discretions

In addition to the duties and discretions provided in this Chapter, the *Chair*:

56.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and

56.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders

57. Suspension of Standing Orders

57.1 To expedite the business of a meeting, *Council* may suspend standing orders.

> *The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.*
>
> *Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.*

57.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing orders be suspended to enable discussion on……"

57.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.

57.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

Division 15 – Miscellaneous

58. Recording of *Meetings*

58.1 In accordance with the Recording of Public *Council Meetings* Policy, the *Chief Executive Officer* (or other persons authorised by the *Chief Executive Officer*) may record on suitable video or audio recording equipment all the proceedings of a *Council meeting.*

Division 16 – Meetings Conducted Remotely

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the Rules will be modified in accordance with this Division.

59. Council meetings conducted remotely

59.1 Where a Councillor attends a Council meeting conducted remotely by electronic means of communication, the Councillor must be able to:

59.1.1 hear the proceedings of the Council meeting;

59.1.2 see all Councillors and members of Council staff also attending the Council meeting, at least while the Councillor or member of Council staff is speaking;

59.1.3 be seen by all time by all Councillors, members of Council staff and members of the public also attending the Council meeting; and

59.1.4 be heard when they speak.

59.2 If the conditions of sub-rule 59.1 cannot be met by one or more Councillors attending a Council meeting conducted remotely by electronic means of communication, whether because of technical difficulties or otherwise, but a quorum is still present, the:

59.2.1 Council meeting will proceed; and

59.2.2 Councillor (or Councillors) will be treated as being absent from the Council meeting,

unless the Council meeting is adjourned in accordance with these Rules.

59.3 Nothing in this rule 59 prevents a Councillor from joining (or re-joining) a *Council meeting* conducted remotely by electronic means of communication at the time that they achieve compliance with sub-rule 59.1, even if that *Council meeting* has already commenced or continued in their absence.

59.4 The *Chief Executive Officer* must ensure that a *Council meeting* conducted remotely is broadcast live continuously on Council's website.

59.5 Nothing in sub-rule 58.4 requires any portion of a *Council meeting* conducted remotely that is closed to the public under section 66(1) of the Act to be broadcast live on Council's website.

59.6 If the live broadcast of a *Council meeting* conducted remotely is interrupted for any reason, the *Chief Executive Officer* must immediately inform the *Council meeting* and the *Council meeting* is adjourned and, except for a resolution of Council made under sub-rule 59.6.2, no further business can be conducted until:

59.6.1 the live broadcast can be reinstated; or

59.6.2 such later date and time fixed by resolution of *Council*, in which case rule 15 applies.

60. Notification of attendance at Council meetings conducted remotely by electronic means

60.1 A Councillor who wishes to attend a *Council meeting* by electronic means of communication must notify the Mayor and/or *Chief Executive Officer* as soon as practicable prior to the meeting. The Mayor and/or *Chief Executive Officer* will notify all Councillors.

60.2 Should the Mayor and/or *Chief Executive Officer* receive notice from all Councillors of their wish to attend by electronic means of communication in accordance with sub-rule 60.1, public notice will be provided that the meeting will be held entirely by electronic means of communication and the methods of viewing and participation.

61. Other matters not provided for

Where any of these Rules has not been expressly modified, and requires modification, to operate at a Council meeting conducted remotely, the *Chair* with the cooperation of the meeting, may modify so much of these Rules as is necessary to permit the Council meeting conducted remotely to proceed and to facilitate the more efficient and effective transaction of the business.

City of
KINGSTON

Chapter 3

Meeting Procedure for Delegated Committees

Chapter 3 – Meeting Procedure for Delegated Committees

1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

1.1 all of the provisions of Chapter 2 apply to *meetings* of the *Delegated Committee*; and

1.2 any reference in Chapter 2 to:

1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;

1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and

1.2.3 the Mayor is to be read as a reference to the *Chair*[*] of the *Delegated Committee*.

1.3 For the avoidance of doubt, sub-rule 12.2.1 of Chapter 2 of these Rules applies to a *Delegated Committee* in regards to the notice of meeting.

2. Meeting Procedure Can Be Varied

Notwithstanding Rule 1, if *Council* establishes a *Delegated Committee* that is not composed solely of Councillors:

2.1 *Council* may; or

2.2 the *Delegated Committee* may, with the approval of *Council*

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *Delegated Committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *Delegated Committee* with the approval of *Council* resolves, otherwise.

[*] The Mayor or Council may appoint a *Councillor* to be the chair of a *Delegated Committee* in accordance with s.19 (1) (a) or s.63 (2) (a) of the *Local Government Act 2020*. If this is enacted, a *Councillor* appointed by the Mayor or Council as *Chair* is to be read as a reference to the *Chair* of the *Delegated Committee*.

City of
KINGSTON

Chapter 4

Meeting Procedure for Community Asset Committees

Chapter 4 – Meeting Procedure for Community Asset Committees

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the *Chief Executive Officer* under section 47(1)(b) of the *Act*.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a *Community Asset Committee* is in the discretion of the *Community Asset Committee*.

City of
KINGSTON

Chapter 5

Disclosure of Conflicts of Interest

Chapter 5 – Disclosure of Conflicts of Interest

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the *Local Government Act 1989* being repealed.†

2. Definition

In this Chapter:

2.1 "meeting conducted under the auspices of *Council*" means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a 'Councillor Briefing' or by some other name); and

2.2 a member of a *Delegated Committee* includes a Councillor.

3. Disclosure of a Conflict of Interest at a *Council meeting*

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which the Councillor:

3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:

3.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

3.2.2 explaining the nature of the conflict of interest; and

3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

† At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

4.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Delegated Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

4.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the Delegated Committee meeting commences a written notice:

4.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

4.2.2 explaining the nature of the conflict of interest; and

4.2.3 detailing, if the nature of the conflict of interest involves a member of a *Delegated Committee's* relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

4.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The member of a *Delegated Committee* must, in either event, leave the *Delegated Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a *Community Asset Committee* meeting at which the Councillor:

5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest; or

5.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

5.2.1 advising of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

5.2.2 explaining the nature of the conflict of interest; and

5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Committee Asset Committee* meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which the Councillor is present must:

6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest;

6.2 absent himself or herself from any discussion of the matter; and

6.3 as soon as practicable after the meeting concludes provide to the *Chief Executive Officer* a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting, or have the disclosure recorded in the minutes or notes of the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for *Meetings*

7.1 A member of Council staff who, in their capacity as a member of Council staff, has a conflict of interest in a matter in respect of which the member of staff is preparing or contributing to the preparation of a Report for the consideration of a:

7.1.1 *Council meeting*;

7.1.2 *Delegated Committee* meeting;

7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest, explaining the nature of the conflict of interest and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

7.2 The *Chief Executive Officer* must ensure that the Report referred to in sub-Rule 7.1 records the fact that a member of Council staff disclosed a conflict of interest in the subject-matter of the Report.

7.3 If the member of Council staff referred to in sub-Rule 7.1 is the *Chief Executive Officer*:

7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the *Mayor*; and

7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other member of Council staff responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

8.1 A member of Council staff who has a conflict of interest in a matter requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest.

8.2 If the member of Council staff referred to in sub-Rule 8.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

9.1 A member of Council staff who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the conflict of interest, immediately provide a written notice to the *Chief Executive Officer* explaining the nature of the conflict of interest, and indicating whether the conflict of interest is a general conflict of interest or a material conflict of interest.

9.2 If the member of Council staff referred to in sub-Rule 9.1 is the *Chief Executive Officer* the written notice must be given to the *Mayor*.

10. Conflict of Interest Exemptions

10.1 The following exemptions are in accordance with section 129 of the Act, and apply to all disclosures of conflict of interest and all relevant persons outlined in this Chapter.

10.2 A conflict of interest does not arise if any of the following applies:

10.2.1 the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;

10.2.2 the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the *municipal district* and does not exceed the interest held by the other residents, ratepayers or electors;

10.2.3 the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;

10.2.4 the interest only arises because the relevant person is the representative of the *Council* on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;

10.2.5 the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;

10.2.6 the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;

10.2.7 the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations made under the *Act*.

11. Retention of Written Notices

The *Chief Executive Officer* must retain all written notices received under this Chapter for a period of three years.

City of
KINGSTON

Chapter 6

Miscellaneous

Chapter 6 – Miscellaneous

1. Informal *Meetings* of Councillors

1.1 If there is a meeting of Councillors that:

1.1.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors; and

1.1.2 is attended by at least 6 Councillors; and

1.1.3 is attended by at least one member of Council staff; and

1.1.4 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

or

If there is a meeting of a Councillor or Councillors that is subject to the Planning Interactions Policy;

the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:

(a) tabled at the next convenient *Council meeting*; and

(b) recorded in the minutes of that *Council meeting*.

2. Confidential Information

2.1 If, after the repeal of section 77(2)(c) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, the *Chief Executive Officer* may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.

2.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

City of
KINGSTON

Chapter 7

The Common Seal

Chapter 7 – The Common Seal

1. The Common Seal and Sealing Clause

1.1 The common seal may be used only on the authority of *Council* and a person must not use it without that authority.

1.2 The *Chief Executive Officer* must keep the common seal in safe custody.

1.3 The form of the common seal and sealing clause is to be as detailed in Rule 2 below or to like effect.

1.4 Every document to which the common seal is affixed must be signed by 1 Councillor and the *Chief Executive Officer*, unless sub Rule 1.5 applies.

1.5 *Council* may delegate to the *Chief Executive Officer* the authority to affix the *common seal* to any group or class of documents and in such cases the document only requires the signature of the *Chief Executive Officer* to attest the affixing of the *common seal*.

2. Form of Common Seal

Unless *Council* resolves otherwise, the form of the common seal will be as follows:

The **Common Seal** of the Kingston City Council was hereunto affixed in the presence of:

..... **Councillor**

An image of the Common Seal appears here

..... **Chief Executive Officer**

City of
KINGSTON

Chapter 8

Election Period Policy

Election Period Policy

VERSION NO.	Version 5
APPROVAL	Council
TRIM REFERENCE	
REVIEW	
RESPONSIBLE EXECUTIVE	General Manager Customer and Corporate Support
POLICY TYPE	Council
POLICY OWNER	Manager Governance, Risk & Integrity

REVISION RECORD	Version	Revision Description
23 September 2023		

1. Purpose

The period preceding elections is defined in the Local Government Act 2020 (the Act) as the 'Election Period'. Section 69 of the Act requires Council to develop, adopt and keep an Election Period Policy and to be included in Council's Governance Rules. The purpose of the Election Period Policy (the Policy) is to ensure that the business of local government in the City of Kingston continues throughout an election period in a responsible and transparent manner**.** This policy prescribes actions and procedures the organisation will implement in observance of statutory requirements and established election period conventions in the interests of a fair election generally, during the election period. This Policy builds on the minimum statutory standards to enhance the accountability of the Council, Councillors and Council staff during the election period.

2. Scope

The Policy applies to Councillors and Council staff during an election period prior to a General Election and by-election. The election period commences at the time that nominations close on nomination day and ends at 6pm on election day.

3. Governance Principles and Council Plan alignment

3.1 Governance Principles

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

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

This policy aligns with the requirements of Council to adopt an Election Period Policy under section 69 of the Local Government Act 2020. This policy has been reviewed against relevant sections of the Act pertaining to Council, Councillors and Council staff's conduct and obligations.

3.2 Council Plan Alignment

Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed, and efficient.

Strategy: Hold ourselves to the highest standard of governance and integrity.

The Policy directly addresses the requirements of the Local Government Act 2020 to achieve the highest standard of Council decision-making and conduct during the election period.

4. Policy Details

During the election period the business of Council continues, and ordinary matters of administration still need to be addressed. The policy establishes a series of election period practices which aim to ensure that actions of the current Council do not bind an incoming Council and limit its freedom of action, as well as ensuring that voting at an election is not influenced by Council, Council staff, contractors or volunteers.

This policy covers:

- Prohibited decisions that are made by the Council during the election period;
- Scheduling consideration and announcement of Prohibited decisions;
- Significant decisions;
- Use of the Council's resources including material published by Council
- Access to information
- Council's online presence including social media
- Media
- Attendance and participation at Council organised activities and events
- Public Consultation during the election period.
- Proceedings of Councillor Conduct Panels

4.1 Policy Decisions during the Election Period

Some decision making is impacted during the election period for a general election. Specifically, Prohibited Decisions cannot be made during this period.

The Chief Executive Officer will ensure, as far as possible, that matters of Council business requiring what would otherwise be prohibited decisions are scheduled for Council to enable resolution prior to the commencement of the election period or deferred where appropriate for determination by the incoming Council.

4.2 Prohibited Decisions

Prohibited decisions are specified in section 69(2) of the Act, and decisions made in contravention of this section during the election period are invalid.

Further information about whether a decision falls within the list below is available by speaking with the Manager Governance, Risk & Integrity.

Prohibited decisions include decisions under section 69(2)(d) of the Act - decisions which Council considers should not be made during the election period.

This policy nominates significant decisions as decisions which Council considers should not generally be made. These are decisions which:

- significantly affect the municipality; or

- unreasonably bind the incoming Council.

In the case of a decision that significantly affects the municipality or unreasonably binds the incoming Council, a number of factors will need to be considered including:

- The urgency of the issue (that is, can it wait until after the election);
- The possibility of financial and/or legal repercussion if it is deferred;
- Whether the decision is likely to be controversial; and
- The best interests of Council.

Examples include decisions concerning community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan.

The following table illustrates what will constitute Prohibited Decisions.

Proposed Council Decision	Is it allowed?	Source
Employment or remuneration of a Chief Executive Officer under section 45, other than a decision to appoint an acting Chief Executive Officer	No *	This is prohibited by s69(2)(a) of the Act
Committing the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year (estimated at $1.67M for 2023/24)	No *	This is prohibited by s69(2)(b) of the Act
A decision which Council considers could be reasonably deferred until the next Council is in place	No.	This is prohibited by s69(2)(c) of the Act
Significant decisions, being decisions that significantly affect the municipality or unreasonably bind the incoming Council (such as decisions community grants and direct funding to community organisations, major planning and development decisions and changes to the strategic objectives or strategies in the Council Plan)	Generally, No.	This is prohibited by s69(2)(d) of the Act
A decision that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election.	No	This is prohibited by s69(3) of the Act

- In accordance with s69 of the Act, any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is a matter under this proposed policy decision is entitled to compensation from the Council for that loss or damage.

4.3 Public Consultation during the election period

"Public consultation" means a process that involves an invitation or invitations to individuals, groups or organisations, or the community generally, to comment on an issue or proposed action or proposed policy and includes discussion of that matter with the public.

- Public consultation may be undertaken during the election period to facilitate the day-to-day business of Council, however, consultation on any contentious or politically sensitive matter will not commence, or continue to occur, during the election period
- The above does not apply to public consultation required pursuant to the Planning and Environment Act 1987

All public consultation that is likely to run into the election period must have prior approval from the Manager Governance, Risk & Integrity. Where approved, the results will not be reported to the Council until after the election period, unless the CEO decides otherwise.

4.4 Council Events

Council will not support events hosted by Councillors in the election period or be perceived as electorally advantageous to incumbent Councillors. Support includes but is not limited to the provision of meeting rooms, banners, equipment or funding. Council organised events and functions held during the election period will only be those essential to the everyday operation of the Council. This may be varied by a Council resolution or where prior approval has been given by the Chief Executive Officer. Where events do occur, Councillors should be advised that they are representing the Council and should not use the opportunity for electioneering.

4.5 Council Publications during the election period

Section 304 of the Act imposes limitations on Council publications. This is to ensure that Council does not publish electoral material with public funds that may influence, or be seen to influence, voting in an election.

4.5.1 Prohibition on publishing materials during the election period

It is prohibited for a Councillor or a member of Council staff to use Council resources:

- To print, publish or distribute; or
- To cause, permit or authorise to be printed, published or distributed on behalf of, or purporting to be on behalf of Council;

any electoral material, unless the electoral material only contains information about the election process or is otherwise with, or under, any Act or regulation.

Failing to comply with this clause carries an offence of up to 60 penalty units under section 304 of the Act.

Best practice is for Council to avoid all publication activity during the election period except where essential for the conduct of Council operations. Where printing, publishing or distributing any material during the election period, certification from a panel consisting of

Manager Governance, Risk & Integrity and Manager Advocacy, Communications and Engagement is required for all publications. Publication should be read broadly to include electronic information and web-based productions.

Certification may be required prior to the election period if the material is to be distributed during the election period.

The procedure for certifying publications is:

Process:

All publications (including job advertisements that are normally sent to People Support & Culture) are sent to a nominated communications channel organised by the Governance department prior to the election period

- Manager Governance, Risk & Integrity and Manager Advocacy, Communications and Engagement are responsible to check that no election material is present unless it is factual election process information.
- Governance is responsible for maintaining the record of certification and certified documents.

Any material considered sensitive or high risk will be escalated to General Manager Customer and Corporate Support for final review.

Councillors are however, able to publish campaign material on their own behalf, but cannot purport for that material to be originating from, or authorised by, Council or the City of Kingston (e.g. By use of Council logos or official City of Kingston Councillor photos). The controls do not cover newspaper advertisements which simply announce the holding of a meeting or the election process itself.

4.5.2 Kingston City Council online presence including social media

Council has a number of social media sites including several Twitter feeds and Facebook pages (Kingston City Council site is the main corporate site; there are also separate pages for Kingston Arts, Libraries, Leisure Centres, Kingston Business and Youth which are managed by the relevant Council departments). These sites will be managed in accordance with this policy and relevant internal communication guidelines pertaining to the election period.

Any publication published on council's website during the election period must be subject to the certification process in clause 4.5.1. Council agendas and minutes of meetings do not require certification if published in the usual way on the website. Any references to the election will only relate to the election process.

4.5.3 Council Publications

Any Council publication which is potentially affected by this policy will be subject to the certification process in clause 4.5.1 to ensure that any circulated, displayed or otherwise publicly available material during the election period does not contain material that may be construed as "electoral matter".

Council will review its brochures and pamphlets in Customer Service Centres and remove any which might contain electoral matter prior to the election period.

Any references to Councillors in Council publications printed, published or distributed during the election period must not include promotional text.

4.5.3.1 Kingston Your City (KYC)

Edition(s) of KYC published during the election period will contain only general information pertaining to the election process. It will not contain any photograph of a candidate or

Councillor, or any statement by a candidate or Councillor. Articles will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate. The “Ward Columns” section will not appear in this edition(s).

4.5.3.2 Email

Emails that are part of the normal conduct of Council business should not require certification. However, emails with multiple addressees, used for broad communication with the community, should at all times be arranged via the Communications Team. These will be sent via MailChimp (or similar) and should be subject to the certification process.

4.5.3.3 Correspondence

Mass mail outs or identical letters sent to a large number of people by or on behalf of Council must be subject to the certification process.
Council staff should not prepare Councillors’ private mail or electoral correspondence and such material must not be printed on Council stationery or using Council equipment.

4.5.3.4 Title of Councillor

Councillors may use the title “Councillor” in their election material, as they continue to hold that position during the election period. To avoid confusion, Councillors should be advised to ensure that any election publication using the title “Councillor” clearly indicates that it is their own material and does not represent Council.

4.5.3.5 Events

Material printed or disseminated during the election period to publicise a function or event must be subject to the certification process. Function or events for the purpose of electioneering must not be resourced or publicised by Council.

4.5.3.6 Photo boards

Public photo boards containing photographs of current Councillors on display at Council premises will be removed during the election period.

4.5.3.7 Annual Report

Council is statutorily required to produce an Annual Report which may occur during the election period. This publication is not considered an ‘advertisement, handbill, pamphlet or notice’ and does not require certification.
The annual report must not include material that is electioneering or that publicises the attributes or achievements of individual Councillors.
A summary version of the annual report is regarded as a pamphlet and must be subject to the certification process in clause 4.5.1.
In an election year, the Mayor must present the annual report at a Council meeting on a day not later than the day before election day, in accordance with section 100 of the Act.
A text version is lodged with the Minister of Local Government as soon as practicable after the end of the financial year.
Printed copies of the text version of the Annual Report will only be distributed upon request until the expiration of the election period.

4.5.4 Council Resources

It is prohibited under the Act for a Councillor or member of Council staff to use resources in a way that is intended to, or likely to influence the result of an election.

Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Council staff should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the Manager Governance, Risk & Integrity and Manager Advocacy, Communications and Engagement.

Council resources (including offices, staff, hospitality services, equipment, computer, tablet PC, all media material including photos and official Council social media accounts, stationery and mayoral vehicle) should be used exclusively for normal Council business during the election period by Councillors and Council staff and shall not be used in connection with an election campaign.
It should be noted that the prohibition on the use of Council resources for electoral purposes is not restricted to the election period.

4.5.5 Support to the Mayor, Deputy Mayor and Councillors

No member of Council staff, including the Executive Assistant to the Mayor, will be asked to undertake tasks connected directly or indirectly with a Councillor's election campaign.

4.5.6 Expenses Incurred by Councillors

Reimbursement of Councillor expenses incurred during the election period should only apply to costs incurred in the performance of normal Council duties, in accordance with the Council Expenses Policy. It is not for campaigning and for expenses that could be perceived as supporting or being in connection with a candidate's election campaign.

4.5.7 Mobile Phones

Mobile phone costs associated with electioneering will not be paid by Council.
Councillors will be required to provide a signed declaration prior to Council paying mobile phone bills that relate to mobile phone calls made during the election period. All calls in relation to election campaigning are of a private nature, not incurred in undertaking normal Council business, and will not be reimbursed.
Councillors with their own private mobile phones may continue to seek reimbursement of telephone expenses incurred in undertaking Council business related calls. Councillors will be required to declare that those expenses were incurred in undertaking normal Council business.

4.5.8 Travel and Accommodation

During the election period Councillors shall not participate in any interstate or overseas travel in their capacity as a Councillor. In circumstances where it is imperative that the Mayor (or nominee) represent Council on a delegation or forum, Council may by resolution approve such attendance. If consideration by Council is impractical the Chief Executive Officer may determine the issue.

4.6 Ward Matters

Ward meetings will not be held within six month before and election.

4.7 Media and media services

Council's media services (through the Advocacy, Communications and Engagement team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

4.8 Media and media services

Council's media services (Advocacy, Communications and Engagement team) are intended to promote Council activity or initiatives and must not be used in any way that might favour a candidate.

4.8.1 Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves a Councillor or Councillors.

4.8.2 Media release/spokespersons

Media releases will not refer to a Councillor or Councillors. Where it is necessary to identify a spokesperson in relation to an issue, the Chief Executive Officer will determine the appropriate person.

4.8.3 Publicity campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided where possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

4.8.4 Council Branding and Logos

No Council logos, letterheads, or other corporate branding will be used for, or linked to, a candidate's election campaign.

4.8.5 Councillors

Councillors will not use their position as elected representatives or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

4.8.6 Speeches

Any publication or distribution of Councillors' speeches by the Council must be subject to the certification process as prescribed at clause 4.5.1. Council staff and resources should not be used to prepare or publish speeches that contain electoral matter.

4.8.7 Council officers

During the election period no Council employee may make any public statement that relates to an election issue, unless approved in advance by the Chief Executive Officer.

4.8.8 Information

Councillors shall continue to receive information necessary to fulfil their existing role as a Councillor during the election period.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns and there shall be complete transparency in the provision of all information and advice during the election period. Information and briefing material prepared by staff/ contractor conducting elections on behalf of Council during the election period will only relate to factual matters or to existing Council services. Such information will not relate to policy development, new projects or matters that are the subject of public or election debate or might be perceived to relate to a candidate's election campaign.
No other information other that what would normally be made available to any member of the general public upon request is to be provided to a Councillor.
No information other than what would normally be made available to any member of the general public upon request is to be provided to a candidate who is not a Councillor.

4.8.9 Information Request Register

All election process related enquires from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or where the matter is outside the responsibilities of the Client Liaison Officer, to the Manager Governance, Risk & Integrity.
An Information Request Register will be maintained by the Governance department during the Election Period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the response given to those requests.

4.8.10 Equal Accessibility to Information for Candidates

To ensure all candidates have equal access to information held by Council during the election, where a request for information is granted by the Governance Department as recorded in the Information Request Register (see 9.9.1) it will be made publicly available on Council's website for all candidates and the public to access.

4.8.11 By-elections

The content of this policy shall be observed during any by-election, except that:

- Clauses 9.2 and 9.3 (which restrict Council decision making) shall not apply;
- Provisions of relevance to the municipality as a whole shall be limited in application to the ward of the subject by-election.

For the avoidance of doubt, it is prohibited during a by-election for any Council decision-making, Councillor or member of Council staff to use Council resources in a way that -

- is intended to; or
- is likely to -
  affect voting or the result of an election.

5. Key Stakeholders (if applicable)

Chief Executive Officer
General Manager Customer and Corporate Support
Manager Governance, Risk & Integrity
Manager Advocacy, Communications and Community Relations

6. Internal and External Assessments

6.1 Risk Assessment

This policy has been assessed by the Governance department.

6.2 Delegation and Authorisation (Compliance Framework)

There are no delegated positions with responsibilities for this Policy.

6.3 Gender Impact Assessment

A Gender Impact Assessment is not required for this Policy.

6.4 Privacy Impact Assessment

A Privacy Impact Assessment is not required for this Policy.

6.5 Human Rights Charter

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

7. Roles and Responsibilities

Role	Responsibility
Councillors	Councillors should be mindful of their responsibilities in relation to improper use of position as outlined in the Act. Sections 123 and 124 of the Act* prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 123 attracts serious penalties including possible imprisonment. Section 123 in relation to the election period ensures a fair election is held where council resources are not used for campaigning by sitting Councillors to increase advantage over other candidates or to influence voters.
Chief Executive Officer	The Chief Executive Officer will ensure, as far as possible, that all Councillors and Officers are informed of the application of this policy at least 30 days prior to the commencement of the election period. The Chief Executive Officer will issue guidelines to staff on their responsibilities in respect to the implementation of this Policy. For more responsibilities, please refer to the policy.
General Manager Customer and Corporate Support	Will assess and provide feedback to Manager Governance, Risk & Integrity and Manager Advocacy, Communications & Engagement on any sensitive council material during the certification process.
Manager Governance, Risk and Integrity	In conjunction with Manager Advocacy, Communications & Engagement, will review, assess and certify all council publications. For more responsibilities, please refer to the policy.
Manager Advocacy, Communications and Engagement	In conjunction with Manager Governance Risk & Integrity, will review, assess and certify all council publications. For more responsibilities, please refer to the policy.

8. Related documents

8.1 Legislation

- Local Government Act 2020

8.2 Documents and resources

- Governance Rules
- Community Engagement Policy
- Public Transparency Policy
- Councillor Code of Conduct
- Staff Code of Conduct Policy

9. Definitions

Term	Definition
Electoral material	means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting
Electoral matter	means matter which is intended or likely to affect voting in an election, but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election. Without limiting the generality of the definition of *electoral matter*, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on— (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.

Ordinary Council Meeting

28 September 2026

Agenda Item No: 10.5

AUDIT AND RISK COMMITTEE REPORT TO COUNCIL

Contact Officer: Carly Mandich, Team Leader Organisational Governance

Purpose of Report

The purpose of this report is to report to Council regarding the activities of the Audit and Risk Committee as required by section 54(5) of the Local Government Act 2020 (LGA).

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council note the bi-annual report from the Audit and Risk Committee.

1. Executive Summary

The Audit and Risk Committee (the Committee) is established under sections 53 and 54 of the Local Government Act 2020 (LGA) to provide Council with independent oversight, advice, and assurance on governance, risk, and compliance. In line with its Charter and the statutory requirement under section 54(5), the Chair reports to Council twice annually. This report summarises the key matters considered during the reporting period.

The Committee continued to oversee Council's governance, risk management, financial management, audit, and compliance frameworks. It monitored outstanding actions, reviewed emerging and strategic risks, considered financial and capital works performance, and received updates on key governance and sector matters, including the Municipal Monitors and associated Governance and Cultural Improvement initiatives. The Committee noted no significant legislative breaches during the period and considered matters relating to financial sustainability, asset management, cyber security, workplace health and safety, climate-related risks, and the transition of Frankston AccessCare services.

The Committee endorsed a range of significant governance and assurance activities, including the Annual Work Plan, the 2026–2029 Strategic Internal Audit Plan, internal audit scopes and findings, and updates to the Asset Accounting Policy. Following recommendations from the Municipal Monitors, a comprehensive review of the Committee's Charter was undertaken, with the revised Charter endorsed by the Committee and adopted by Council in July 2026.

The Committee also sought enhanced reporting on cyber security, child safety, psychosocial health and safety, audit action implementation, AccessCare transition outcomes, and emerging enterprise risks. Overall, the Committee noted positive progress across governance, risk, audit, and operational matters and remains satisfied that Council continues to strengthen its control environment and governance practices.

2. Role of the Audit and Risk Committee

The Audit and Risk Committee is an independent advisory committee of Council. Its purpose is to support and advise Council in fulfilling its responsibilities related to external financial and performance reporting, maintenance of strong and effective governance and control frameworks, management of key risks and Council's compliance with legislation and regulation. The Committee also has a prime responsibility in overseeing and monitoring Council's various audit processes.

Committee membership consists of five members determined by Council. In accordance with the Local Government Act, the Committee must have a majority of independent members, and an independent member must serve as Chair. All members hold full voting rights. Geoff Harry's current term as Chair runs until 30 June 2027, after an extension was recommended by the CEO at the April 2026 Council meeting. Philip Lee's term extends to 30 June 2027, and Kyle Maher's term extends to 25 August 2028.

Councillors not appointed to the Committee can attend meetings to observe proceedings.

3. Meeting Attendance

Details of membership and meeting attendance for the reporting period are summarised in the table below:

Name	Role	18 June 2026	10 Sept 2026
Mr Geoff Harry	Chair & Independent Member	Attended in Person	Attended in person
Mr Philip Lee	Independent Member	Attended in person	Attended in person
Ms Kylie Maher	Independent Member	Attended in person	Attended in person
Cr Georgina Oxley	Mayor	Attended in person	Attended online
Cr Jane Agirtan	Councillor	Attended in person	Apology

4. Committee Charter and Annual Work Plan

The Committee's Charter is established by Council and was last reviewed by the Committee on 18 June 2026. The review identified several amendments to ensure it remained current and aligned with legislative requirements, governance best practice, and the Committee's operational responsibilities. The recommended changes were subsequently endorsed by Council on 27 July 2026.

The Committee's activities are closely aligned with its Annual Work Plan which reflect its key responsibilities as set out in the Charter. The Annual Workplan was recently reviewed and tabled at the September 2026 Committee meeting for endorsement. The Work Plan remains current until September 2027.

5. Senior Management Team

The Committee has been strongly supported by Council's senior management team. The Committee appreciates the presentation by the subject matter experts as it enables the Committee to gain a better appreciation of current issues in local government and of Kingston specific matters.

A highlight of the Committee meetings continues to be the attendance in turn of each of Council's General Managers who brief the Committee on the strategic risks and high-profile activities of their respective division within Council. The Committee received detailed financial and organisational updates from former Chief Financial Officer Bernard Rohan until his departure from Council in August 2026, and subsequently from Chief Executive Officer Peter Bean, who is currently serving as Chief Financial Officer.

6. Governance, Compliance and Risk Management

A key benefit of the Committee's work is its independence. To this end, all Committee members are required to disclose any matters that could result in a real or perceived conflict of interest in regard to any matter on the agendas of meetings at the start of every meeting. Also implemented is a personal interest declaration process that will form part of the onboarding of independent members and be confirmed at each meeting.

During the reporting period, the Committee provided oversight of several key governance and finance related documents. Of particular note was its endorsement of the annual financial report and the annual performance statement for FY25/26, both of which are subject to external audit (Refer to paragraph 8 below for further comment of the outcomes of the external audit). Also of note was the required development of the Governance and Cultural Improvement Action Plan. The action plan was required in accordance with the Municipal Monitors Terms of Reference.

7. Internal Audit

A key responsibility of the Committee is to oversee and monitor Council's internal audit program. A key responsibility of the Committee is to set and monitor Council's internal audit program. The internal audit program provides independent assurance to Council and the community that public resources are managed responsibly and that governance frameworks are operating effectively. The internal audit function is outsourced, and the current service provider is RSM.

The Committee reviewed the three-year Strategic Internal Audit Plan, which was developed by RSM in consultation with Management and informed by feedback from the Committee. The Plan was considered appropriate for Council's risk profile, strategic objectives and governance requirements, and was approved by the Committee in June 2026.

The table below shows the reviews completed by the internal auditor during the reporting period:

Reviews	Meeting Tabled
Fleet Management	June 2026
AccessCare	June 2026
Child Safety	June 2026
Parking Enforcement	June 2026
Cyber Security and Penetration Testing Program	June 2026
OHS including Psychosocial Risks	September 2026
Fraud and Corruption, including Public Interest Disclosure	September 2026

The Committee maintains oversight of Management's progress in implementing audit recommendations, with particular attention given to high-priority actions to support their timely completion. No additional assurance activities via internal audit engagement were conducted during this reporting period.

8. External Audit

Council's external auditors are VAGO, who appointed agent HLB Mann Judd to undertake the 2025/2026 audit. This was a challenging year for Council's Finance Team and the auditors due to the extensive revaluation and fair value assessments work required for some major non-current asset classes.

Council's Annual Financial Report and Annual Performance Statement received confirming audit reports and the Final Management Letter issued by VAGO contained no significant matters.

9. Assessment of the Committee's Performance

The Committee undertook its annual performance assessment, with the results considered at the June 2026 Committee meeting. The assessment confirmed that the Committee is operating effectively, supported by strong governance arrangements, clearly defined roles, and robust oversight of financial reporting, risk management, compliance, and external audit activities. Key strengths identified included governance and charter arrangements, reporting and compliance oversight, meeting effectiveness, and external audit engagement. Opportunities for improvement were identified in strengthening constructive challenge and debate, enhancing the consistent application of member skills and critical evaluation, and increasing visibility and engagement in internal audit oversight.

10. Conclusion

The Committee would like to thank the Council for its continued commitment and support of the work of the Committee and acknowledges the ongoing work of Council's senior officers in supporting the work of the Committee and their engagement in ensuring that the Committee remains effective.

Author/s:	Carly Mandich, Team Leader Organisational Governance
Reviewed and Approved By:	Kelly Shacklock, Manager Governance, Risk and Integrity
	Tracey Cheeseman, Acting General Manager Customer and Corporate Support

Ordinary Council Meeting

28 September 2026

Agenda Item No: 10.6

GOVERNANCE AND COMPLIANCE REPORT

Contact Officer: **Sharon Lozsan, Team Leader Council Governance**
Ellie Lockard, Council Governance Officer
Josephine Rayen, Governance Support Officer

Purpose of Report

The purpose of this report is to provide various governance and compliance related matters to Council for noting, endorsement and adoption, including:

- Minutes from the 18 June 2026 Audit and Risk Committee (Appendix 1)
- Informal Meetings of Councillors records (Appendices 2, 3 & 4)
- Councillor expenses and reimbursements (Appendix 5)
- Chief Executive Officer and General Manager expenses (Appendix 6)
- 2027 dates for Ordinary Council Meetings, and the Annual Statutory Meeting held to elect the Mayor and Deputy Mayor

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Receive and note:
   a) Minutes of the Audit and Risk Committee meeting held on 18 June 2026;
   b) Informal Meetings of Councillors records for September 2026;
   c) Councillor expenses and reimbursements for April to June 2026;
   d) Chief Executive Officer and General Manager expenses for April to June 2026; and
2. Adopt the following meeting dates for 2027 to be held at 7pm at the City of Kingston offices, 1230 Nepean Highway, Cheltenham:

Ordinary Council Meetings
Monday 22 February
Monday 22 March
Monday 26 April
Monday 24 May
Monday 21 June
Monday 26 July

Monday 23 August
Monday 27 September
Monday 25 October
Monday 22 November
Monday 13 December
Annual Statutory Meeting
Wednesday 10 November

1. Executive Summary

1.1 Audit and Risk Committee Minutes

The Audit and Risk Committee Charter require the minutes of the Audit and Risk Committee meetings be presented to Council.

1.2 Informal Meetings of Councillors Records

This report contains records for meetings defined as an Informal Meeting of Councillors under Rule 1 of Chapter 6 of the Governance Rules.

The Governance Rules require Informal Meetings of Councillors records to be reported to the next possible meeting of Council. This seeks to promote openness and transparency of Council decision making.

1.3 Councillor Expenses and Reimbursements

In accordance with Council's resolution at its meeting on 25 August 2025, quarterly Councillor expenses and reimbursements are presented to Council to note. This report details expenses and reimbursements for Quarter 4 of the 2025/2026 financial year.

1.4 CEO and General Manager Expenses

In accordance with Council's resolution at its meeting on 23 March 2020, expenses claimed by the CEO and General Managers are presented to Council to note. This report details expenses for Quarter 4 of the 2025/2026 financial year.

1.5 2027 Council Meeting Dates

To assist in forward planning, dates for Ordinary Council Meetings and the Annual Statutory Meeting are set in advance for the forthcoming calendar year.

2. Background

2.1 Minutes of the Audit and Risk Committee – June 2026

The minutes of the Audit and Risk Committee meeting held on 18 June 2026 are attached at Appendix 1.

2.2 Informal Meetings of Councillors

As prescribed by Rule 1 of Chapter 6 of the Governance Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting

The Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:
a) tabled at the next convenient Council meeting; and
b) recorded in the minutes of that Council meeting.

Informal Meetings of Councillors records for September 2026 are attached at Appendices 2-4.

2.3 Councillor Expenses

On 25 August 2025 Council resolved the following (refer to Item 12.5 of the Minutes):

That Council:

1. *Cap eligible Councillor expenses for non–peak body Councillor training, together with associated travel and accommodation, at 10% of the councillor allowance per annum to prevent disproportionate spending on non-essential activities, with unused funding for each Councillor to be rolled over for use in future years and expiring at the end of a Council term;*
2. *Receive a quarterly report of all councillor expenses and approved reimbursements to be recorded in the minutes of council meetings, ensuring a permanent and public record;*
3. *Table a summary of any excessive claims or rejected reimbursement requests before the Audit and Risk Committee each quarter, to identify patterns of potential misuse early and reduce the likelihood of reputational or financial risk to the organisation and for this summary to date back to the start of this Council term; and*
4. *That officers refer to the Local Government Inspectorate reports into Councillor expenses and reimbursements.*

This report refers to part 2 of the resolution. A summary of Councillor expenses and reimbursements for Quarter 4 of the 2025/2026 financial year is attached at Appendix 5.

2.4 CEO and General Manager Expenses

The following was resolved by Council on 23 March 2020 (refer to Item 12.2 of the Minutes):

1. *That Council determine to make public the CEO contract (with the exception of the key performance objectives) and CEO / General Manager expenses in the same way as Councillor expenses.*
2. *Further that this occurs subject to the compliance with the Privacy and Data Protection Act 2014 (VIC), and the Australian Privacy Principles.*
3. *Further that a report come to council no less than every quarter to note such expenses.*

This report responds to part 3 of the resolution. A summary of CEO and General Manager expenses for Quarter 4 of the 2025/2026 financial year is attached at Appendix 6.

2.5 2027 Council meeting dates

Pursuant to section 60 of the *Local Government Act 2020* (Act), Council is required to adopt and apply Governance Rules which prescribe the conduct of Council Meetings.

Rule 9 of Chapter 2 of the Governance Rules stipulates that Council must from time to time fix the date, time and place of Ordinary Council Meetings.

Under section 26(4) of the Act, the election of the Mayor must be held as close to the end of the previous term as is reasonably practicable, with section 27(2) specifying the same requirement for the election of the Deputy Mayor.

3. Compliance Checklist

3.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective

Strategy: Ensure good governance through integrity, accountability, and continuous improvement

The tabling of Councillor, CEO and General Manager expenses ensures accountability and transparency regarding spending on Councillor and Executive activities.

The resolution of Ordinary Council Meeting and Annual Statutory Meeting dates ensures compliance with the Act and the City of Kingston Governance Rules, and contributes to transparency of Council decision making processes.

3.2 Governance Principles Alignment

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

The tabling of Informal Meetings of Councillors Records is in accordance with Rule 1 of Chapter 6 of the Governance Rules.

The setting of the dates, times and places of 2027 Ordinary Council Meetings is in accordance with Rule 9 of Chapter 2 of the Governance Rules, which derive their authority from section 60 of the Act.

The recommended date for the 2027 Annual Statutory Meeting complies with sections 26(4) and 27(2) of the Act.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

The tabling of records of informal meetings of Councillors provides public transparency regarding the actions of Council.

The setting of Ordinary Council Meeting dates for the forthcoming calendar year provides transparency to the community regarding when and where Council decisions will be made and enables public attendance and participation at Council Meetings.

3.3 Financial Considerations

There are no budget or staff resource considerations associated with the recommendations of this report.

3.4 Risk considerations

Should Council not schedule and publish its 2027 meeting dates, there is a risk of legislative breach and damage to Council's reputation.

Appendices

Appendix 1 - Audit and Risk Committee Minutes - 18 June 2026 (Ref 26/189853)

Appendix 2 - Informal Meeting of Councillors Record - Councillor Briefing - 7 September 2026 (Ref 26/257575)

Appendix 3 - Informal Meetings of Councillors Record - Draft Agenda Briefing - 14 September 2026 (Ref 26/264939)

Appendix 4 - Informal Meeting of Councillors Record - Strategic Briefing - 21 September 2026 (Ref 26/271417)

Appendix 5 - Councillor Expenses and Reimbursements - April to June 2026 (Ref 26/251510)

Appendix 6 - CEO and General Manager Expenses - April to June 2026 (Ref 26/225163)

Author/s:	Sharon Lozsan, Team Leader Council Governance
	Ellie Lockard, Council Governance Officer
	Josephine Rayen, Governance Support Officer
Reviewed and Approved By:	Carly Mandich, Team Leader Organisational Governance
	Kelly Shacklock, Manager Governance, Risk and Integrity
	Tracey Cheeseman, Acting General Manager Customer and Corporate Support

10.6

GOVERNANCE AND COMPLIANCE REPORT

1 Audit and Risk Committee Minutes - 18 June 2026 545
2 Informal Meeting of Councillors Record - Councillor Briefing - 7 September 2026 557
3 Informal Meetings of Councillors Record - Draft Agenda Briefing - 14 September 2026 559
4 Informal Meeting of Councillors Record - Strategic Briefing - 21 September 2026 563
5 Councillor Expenses and Reimbursements - April to June 2026 565
6 CEO and General Manager Expenses - April to June 2026..... 567

minutes

Audit & Risk Committee

18 June 2026 at 8:30 AM
Oakleigh Room / Teams

Members:

Mr Geoff Harry	Chair
Mr Philip Lee	Member
Ms Kylie Maher	Member
Cr Georgina Oxley	Mayor
Cr Jane Agirtan	Councillor

In Attendance:

Peter Bean	Chief Executive Officer
Bernard Rohan	Chief Financial Officer
Dan Hogan	General Manager Customer & Corporate Support
Kelly Shacklock	Manager Governance, Risk & Integrity
Carly Mandich	Team Leader Organisational Governance
Emma Flodstrom	Risk Management Coordinator

External Parties:

Mark Peters	HLB
Tania Yeung	HLB
Jean-Marc Imbert	RSM
Linda Lim	RSM
Darren Booth	RSM
John Tanner	Municipal Monitor
John Watson	Municipal Monitor

Presenters:		**Item(s)**
Jonathan Guttmann	General Manager Planning & Place	3.2, 6.2
Kate Waters	General Manager Community Strengthening	3.4, 6.2
Daniel Te Hennepe	Manager People & Culture	3.3, 6.2
Jordan Perdevski	Manager Information & Digital Technology	3.5, 6.2
Shane Marr	Manager Finance	4.1 5.1, 5.2
Naomi Clark	Manager Procurement	6.2
Camille Hoyle	Manager AccessCare	3.4, 6.2
Marleen Mathias	Manager Compliance & Amenity	6.2
Jumar Pando	Head of Cyber Security	3.5
Alissa Hodgson	Team Leader Health & Safety	3.3, 6.2

Acknowledgement of Country

The City of Kingston proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respect to their Elders, past and present, as well as any Aboriginal or Torres Strait Islander community members with us today.

In Camera	
Members met with CEO	
Members met with Monitors	
1.	**Meeting Governance**
1.1	**Welcome and attendance**
	Sharon Banks was an apology for the meeting. John Tanner, Mark Peters, Tania Yeung, Linda Lim and Darren Booth attended via Teams.

1.2	**Private Interests and Conflicts of Interest**
	No private interests or conflict of interests declared.

1.3	**Confirmation of Previous Minutes - Audit & Risk Committee Meeting 19 March 2026**
	The minutes of the 19 March 2026 Audit & Risk Committee were confirmed.

1.4	**Audit & Risk Committee - Action List**
	The Audit & Risk Committee noted that a revised matters arising from previous meetings schedule was provided to members after initial distribution of the pack for this meeting. The Committee noted the revised schedule and that the number of open matters will be significantly reduced at the conclusion of this meeting.

1.5.	**Audit & Risk Committee Annual Work Plan**
	Discussion • The Chair noted that the Committee's Annual Workplan (AWP) as provided in the meeting pack requires further refinement and recommended that it undergo a further review with the aim of submitting an enhanced version to the next Committee meeting. When submitted, the AWP is to include additional columns to allow inclusion of meetings up to December 2027. **Action** • A revised Annual Work Plan to be circulated to members prior to the next meeting to allow members to provide early feedback.

2.	**Chief Executive Officer**
2.1.	**Declaration by CEO of any significant breaches of legislation**
	The CEO reported that there have been no breaches since the last meeting.

2.2	CEO Advice on Emerging Sector and Council Matters
	Highlights Council matters: • Councillor Law (Melaleuca Ward) resigned on 30 March 2026, with all statutory notifications and administrative close-out actions completed in a timely manner. • Preparations are progressing for the Melaleuca Ward by-election scheduled for 1 August 2026, with nominations opening on 15 June and closing on 23 June; the result of the election is expected to be announced on 13 August. • Council continues to support the Municipal Monitors, with the Governance & Cultural Improvement Action Plan adopted in May 2026 and implementation underway. Progress reporting will occur on a six-monthly basis to Council, the Minister and the Audit & Risk Committee for the duration of the current Council term. • The Monitors' term is due to conclude on 30 June 2026, with a final report to be provided to the Minister approximately 14 days thereafter. A natural justice process for adversely named individuals is expected to commence prior to the report being submitted to the Minister. • Sector developments include the appointment of Municipal Monitors at Wyndham City Council and a significant Supreme Court ruling in relation to the City of Whittlesea invalidating a ministerial councillor suspension due to procedural fairness issues, highlighting implications for governance practices across the sector. **Discussion** • Officers will continue to monitor developments, including any response from the State Government or Local Government Victoria, and will provide further advice as required. The Audit & Risk Committee noted the update provided by the Chief Executive Officer.

3	Risk Management and Internal Controls
3.11	Risk Management Update
	Highlights • An emerging risk triage framework has been implemented to support the early identification and escalation of geopolitical emerging risks, strengthening proactive risk management. • The Risk Management Coordinator recently conducted consultations with the Executive Leadership Team (ELT) regarding each strategic risk. Risk profiles remain consistent with the September 2025 review. All operational risks are scheduled for review in October 2026. • Increased incidents involving complex and unreasonable behaviour by members of the public against Council staff have been identified, elevating staff safety risks during community interactions. A working group has been established to implement an enterprise-wide response • Risk Appetite Statement (RAS), operational risks and strategic risks will be reviewed and reported to the Committee at the December 2026 and March 2027 meetings, in line with the AWP.

	Discussion • Three emerging risks were identified relating to contract variations, fuel prices and project management of Council's capital works program. All were reported through the Emerging Risk Framework. • The RAS will be reviewed with Councillors later in 2026. The RAS template that has been developed by the aged care sector will be considered in the next RAS review. • Benchmarking and processes relating to complex behaviour in the healthcare sector will be considered in reviewing and uplifting the complex and unreasonable behaviour policy/processes. • The Chair recommended that operational risk reporting highlight the top five risks with the greatest impact on Council, supported by a dashboard snapshot and, where appropriate, include the frequency of control testing (e.g. penetration and vulnerability testing). **Action** • Draft RAS to be circulated out of session to the Committee before consultation with the Councillors. The Audit & Risk Committee noted the risk management update.

12	**Risk Profile Presentation - General Manager Planning and Place**
	Highlights • The climate risk register has identified one extreme risk relating to capital projects not adequately considering climate impacts. While the project management framework provides robust processes to support mitigation, potential consequences without additional controls include urban heat, flooding and increased insurance risks. • A key risk has been identified where decisions made by external agencies without Council's input have resulted in adverse impacts to the community. This includes instances such as flooding concerns associated with the Rossdale Golf Course development. **Discussion** • Council has a unique landscape with climate elements to consider such as landfill, coastline and proximity to the CBD which impact planning decision making. • It is expected that housing targets can be met while preserving open space. Council is working collaboratively with the State Government to ensure open spaces are protected and not overdeveloped into industrial or residential areas, particularly in consideration of climate-related risks to developed environments. The Audit & Risk Committee noted the presentation from Jonathan Guttmann, General Manager Planning & Place.

13	**Workplace Health & Safety Report**
	Highlights • The People & Culture team have implemented a Workforce Plan and People & Culture Action Plan.

	• A heavy vehicle policy has been introduced based off a previous audit action. Remaining actions from this audit will be presented to ELT in July 2026. • 'People at Work' survey was conducted and has provided an indication and starting point on psychological health risk mitigation at Council. The result indicated small areas for improvement but overall strong results. 558 staff completed the survey. Department results will be shared with teams, and psychosocial hazard registers will be developed with departments to address areas of concern. **Discussion** • There was an issue raised earlier in the meeting relating to complex and unreasonable behaviour. OHS is assisting in addressing this risk through the development of an Occupational Violence Policy. • OHS dashboard to be considered to streamline presentation of key OHS risks, trends and actions. • Any significant OHS risks that emerge outside the agreed bi-annual OHS risk reporting schedule may need to be reported to the Committee between the currently agreed reporting schedule. **Action** • High rated risks identified from the psychosocial hazards register to be included in OHS reporting to the ARC. The Audit & Risk Committee noted the workplace health and safety update.

14	**AccessCare - Clinical Governance Report (November 2025 - March 2026)**
	Highlights • The responsible persons check is a gap that has been identified and is being monitored. • The Committee noted a comment relating to a system limitation for aged care customer statements for Council-provided services. • The issue has since been resolved, and detailed statements have now been generated. • Significant recruitment has been undertaken in preparation for the Frankston AccessCare services coming online. Staff are currently being onboarded and will be ready to commence service delivery for Frankston clients from 1 July 2026. **Discussion** • The Committee suggested that the Aged Care Risk Appetite Statement and Key Risk Indicators listed by the Aged Care commission be considered in the context of risk assessment of Council's aged care services. • Frankston client data was migrated to the Kingston system on 16 June 2026, with the Intake Team completing quality assurance to ensure alignment with existing data standards. • Frankston staff will be inducted as Kingston employees, with onboarding on 26 June 2026 and employment commencing under Kingston from 1 July 2026. • A Transitions Manager has been appointed to oversee the Frankston to Kingston AccessCare transition and will provide regular updates to ELT. • An external consultant has been engaged to review processes associated with the Frankston AccessCare transition, with a focus on improving efficiency and increasing revenue through service uptake.

	Action • Manager of AccessCare to provide an update to the Committee in September 2026 regarding the outcome of the transition of Frankston AccessCare into Kingston services. • Whistleblower protocols be added into the Clinical Governance Framework. • A report will be provided to the Committee in December 2026 outlining the findings of the external consultant, including identified improvement opportunities. The Audit & Risk Committee noted the report and the current officer assessment that AccessCare is operating within an acceptable risk environment.

15	**Information & Digital Technology Update**
	Highlights • The cyber implementation plan is being developed as part of a broader Cyber Security strategy and supporting roadmap, so that delivery is directed by an endorsed strategy. • The Disaster Recovery Plan for Council's core cloud environment has been reviewed with the service provider, with managed disaster recovery as a service continuing to be maintained. Disaster recovery arrangements were also examined as part of recent internal audit activity. Annual testing of these plans is scheduled for Q4 2026. • Internal audit activity is currently focused on third-party and contract risk management. Council has completed supporting consultancy engagements and is finalising a third-party risk management policy, framework, and operating procedures to establish a consistent and repeatable approach to identifying, assessing, and managing third-party risk. **Discussion** • The patches implemented align with the insurance requirements of testing and implementing stable patches. • The Information and Data Technology (I&DT) team should consider determining which third parties and systems are a key dependency and the proposed actions that would be required to be taken should one of the key systems have a significant outage. • The I&DT team should consider risk appetite around the introduction of AI. • I&DT are working with consultants to negotiate a staggered roll out and extended support for new programs being implemented, to assist with change management. • Consider the use of a cyber risk dashboard to present risks and audit action tracking. **Action** • Provide the Committee with the letter of guarantee from KPMG for the security and integrity of their services. • Provide the VPDSS Attestation results. • Provide the Committee a report on the outcome of the Cyber Strategy Development and Essential 8 maturity uplift work with KPMG at the September meeting.

	• Amend Annual Work Plan to reflect that the Cyber team will provide bi-annual reports to the Committee on the status of and progress made with the Cyber Security Action Plan. The Audit & Risk Committee noted the update on ICT planning and the resultant actions proposed, and the presentation by the Head of Cyber Security on VPDSS and Essential 8 Maturity Level provided separately to the main meeting pack.

4.	**Finance and Performance Reporting**
4.1	**Quarterly Finance Report March 2026**
	Highlights • Annual budget adopted by Council on 26 May 2026 to allow for more time for procurement. • Project Management Office is managing challenges within the capital works program. A consultant has been engaged to support improvements and enhance confidence in the 2026/2027 program. **Discussion** • The PMO team is developing processes for continuous improvement in culture, structure and processes to assist in improving capital expenditure. The Audit & Risk Committee noted the March 2026 Quarterly Finance Report.

4.2	**Significant Changes in AFR/APS Treatments, Non-Current Asset Valuation Plan & Outcomes, Status of Open External Audit Recommendations**
	Highlights • All outstanding unadjusted audit differences from the 2024/25 financial year (as reported in the VAGO Closing Report) are expected to be resolved by June 2026. • The revaluation of the drainage assets class will be completed in time to reflect the outcomes in the 2025/26 annual financial report. Revaluation of the remaining asset classes (recreation, leisure and community facilities, parks, open space and streetscapes) will be finalised during 2026/27. **Discussion** • Drainage works are substantially completed, and the processes and documentation have been improved. Workings have been provided to the auditors for review and feedback. • The provision for the parking infringements scheme liability will be addressed pending Council endorsement at the June 2026 Council Meeting. That the Audit & Risk Committee noted: • The changes to the model Annual Financial Report and Annual Performance Statement templates.

	• The outcomes of non-current asset classes revaluation and condition assessment activity. The Committee noted that the outcomes of the revaluation of the drainage assets class will be reflected in the 2025/26 annual financial report and that the recreation, leisure and community facilities, and parks, open space and streetscape assets revaluations will be completed during 2026/27, consistent with previous advice.

5.	**External Audit (VAGO)**
5.1	**Interim Management Letter 2025/26**
	Highlights • The Letter outlines current sector-wide matters, including capital expenditure budgeting processes that have been identified as an area of focus for all councils. • The draft annual financial report provided will be reviewed prior to year end, with a focus on the treatment and disclosures related to revaluation of drainage assets. **Discussion** • There has been strong progress by the I&DT team in addressing management actions, especially in relation to patch management and developing key policies. • The 30 June 2026 closure date that has been set for some actions is achievable as the outstanding documentation has been completed and the legal team is reviewing the internal operational policies which will then be sent to HLB for review. • Interim audit 2025/26 has been completed with no new Kingston-specific audit issues identified. That the Audit & Risk Committee noted the Interim Management Letter.

6.	**Internal Audit**
6.1	**Strategic Internal Audit Plan and Delivery Status**
	Highlights • The Risk Management team worked closely with ELT to ensure that the planned audits align with Council expectations and the current risk register. • The Procurement to Payment internal audit has been deferred and replaced with the Fraud & Corruption audit, including Public Interest Disclosure, to align with the timing of an external audit in Q1 2027. **Discussion** • The Fraud & Corruption internal audit scope should consider including aged care whistleblower guidelines which are different to Public Interest Disclosures. • Consider engaging internal auditors to review high and medium risk actions prior to closure to ensure they have been effectively and adequately addressed. **Action** • The internal audit reports to include a column listing any other sources of independent assurance or management-initiated reviews.

	The Audit & Risk Committee approved the Strategic Internal Audit Plan for the three-year period ending 30 June 2029. The Committee endorsed the internal audits scheduled for the year ending 30 June 2027 only and noted the successful delivery of the 2025/26 Internal Audit Plan.

6.2	**Internal Audit Reports for Review**
	1. Fleet Management • The report outlined that maintenance had not been completed on one vehicle within the recommended time frame and dashcams not installed on some vehicles. • Since the time of audit, the custodians of vehicles have been approached ahead of time to ensure services of their vehicles are undertaken in a timely manner, and a reporting structure has been put in place to increase oversight. **2. AccessCare** • The report identified one low risk relating to uplifting the risk assessment to be consolidated for the support at home program. **Action** • The Committee requests a report to be provided outlining the feedback received from AccessCare clients on the new services provided from Council, brokers/agencies. **3. Child Safety** • Training and uplift are required organisation wide as three high, one medium and one low risk finding was identified through the audit. • The Committee expressed concern regarding the extended timeframes for completion of agreed management actions arising from the audit. In response, the Chief Executive Officer advised that many of the actions are already well progressed; however, this progress is not adequately reflected in the current report commentary. • The Committee seeks assurance that all staff and third-party agencies who have direct contact with children possess current Working with Children Checks, with appropriate monitoring processes in place to ensure ongoing compliance. • ELT currently receive quarterly reports on child safety and wellbeing performance. **Action** • Attestation provided to the Committee annually on child safety compliance and will be included in the updated AWP. • A report is to be provided at the September 2026 meeting outlining progress of management actions and timeframes, including milestone breakdowns and scheduled deliverables. 4. **Parking Enforcement** • Feedback regarding how the audit was undertaken was positive. **5. Cyber Security and Penetration Testing Program** • The internal audit allowed for the formalisation of penetration testing procedures, policies and processes.

	The Audit & Risk Committee noted the Internal Audit Reports and agreed that there needed to be specific reference in the resolution about the actions arising from the Child Safety review.

6.3	**Internal Audit Actions Update**
	Discussion • There has been an improvement on target close dates. **Actions** • Additional detail be provided to identify which items have had extensions to their timelines, including the reasons for those extensions. • Include an additional table highlighting high and medium risk actions, clearly identifying those that are overdue. The Audit & Risk Committee noted information contained in this report.

7.	**Compliance Management**
7.1	**Compliance Update**
	Discussion • One breach was reclassified as a near miss after investigation confirmed no data loss. That the Audit & Risk Committee noted the compliance updates.

7.2	**Councillor Reimbursements and CEO and General Manager Expenses**
	That the Audit & Risk Committee noted the Councillor Reimbursements and CEO and General Manager Expenses.

7.3	**Fraud and Corruption - Risk Management Update**
	Discussion • Internal Audit will commence July 2026. That the Audit & Risk Committee noted the update on the effectiveness of the Fraud & Corruption Control Framework.

8	**Integrity Agency Investigations & Reports**
8.1	**Integrity Agency Updates**
	Discussion • The Chair commended Council's assessment of the various integrity agency reports. That the Audit & Risk Committee noted the integrity update report.

9.	Governance
9.1.	**Governance Report**
	The Audit & Risk Committee noted the Governance Report.

9.2.	Governance and Policy Committee Minutes
	• The Audit & Risk Committee note the Governance and Policy Committee minutes from the 14 April 2026.

Cr Agirtan left the meeting.

9.3	Review of Audit & Risk Committee Charter
	• The Committee endorsed the updated Audit & Risk Committee Charter for submission to Council for consideration and approval.

29.4	Audit & Risk Committee - Annual Performance Survey
	• The Audit & Risk Committee note the strong positive outcomes of the performance self-assessment survey, noting also the suggestions for improvement. • The Audit & Risk Committee endorsed the report for submission to Council.

9.5.	Governance and Cultural Improvement Action Plan
	Discussion • The Mayor was supportive of the plan. The Audit & Risk Committee noted the Governance and Cultural Improvement Plan.

10. Meeting Reflections

10.1 In Camera Discussion - Committee Members

- Presentation times to be tightened

The meeting closed at 12:26pm.

DRAFT

Informal Meeting of Councillors Record

Submitted on	8 September 2026, 3:27PM
Receipt number	172
Related form version	20

In accordance with Chapter 6 of the Governance Rules, this form should be completed if there is a meeting of Councillors that is:

- planned for the purpose of discussing the business of Council or briefing Councillors; and
- attended by at least six Councillors and at least one Council staff member; and
- not a Council meeting or Delegated Committee Meeting; or
- subject to the Planning Interactions Policy

Name of Council officer completing this form	Gemma Jacob
Title of meeting	Councillor Briefing
Meeting date	07/09/2026
Meeting time	6:00pm
Meeting location	Online In person

Attendance

Councillors in attendance	Cr Georgina Oxley (Mayor) Cr Sarah O'Donnell (Deputy Mayor) (attended online) Cr Kirralee Ashworth-Collett Cr Georgia Erevnidis Cr Chris Hill Cr Chris Howe (left at 9.40pm) Cr Nikki Kaur
Council officer(s) in attendance	Peter Bean, Chief Executive Officer Jonathan Guttmann, General Manager Planning and Place Kate Waters, General Manager Community Strengthening Samantha Krull, General Manager Infrastructure and Open Space Tracey Cheeseman, A/ General Manager Customer and Corporate Support Kelly Shacklock, Manager Governance Risk and Integrity Ellie Lockard, Council Governance Officer Gemma Jacob, Council Governance Officer Laura McLean, Communications and Engagement Lead Chris Heath, Manager Customer Experience and Corporate Performance

	Bridget Draper, Manager Active Kingston Kim Marshall, Manager Aquatic and Leisure Emily Boucher, A/ Manager PMO and Major Projects Naomi Clarke, Manager Procurement and Contracts Shane Marr, Manager Finance
External attendees	Dale Hubner, Metropolis Research Mick Lin, Hawthorn Football Club Claire McKendry, Hawthorn Football Club
Apologies	Cr Jane Agirtan, Cr Hadi Saab, Cr Tony Athanasopoulos
Summary of matters discussed	Executive Updates Kingston Community Satisfaction Survey 2025-26 - Results Indoor Stadium Development at Hawthorn - Kennedy Community Centre Sportsground and Facilities Fees and Charges Policy Update on Development of Tennis, Pickleball and Padel Plan Le Page Park Masterplan Implementation Update KP-2025/534 - 27 & 29-33 Ryans Road, Clayton South Cultural and Recreation Land Agreements: 2026/27 Update Response to Resolution - Strengthening Governance Rules 2027 Meeting and Briefing Dates Governance Matters
Did a Councillor or Council officer disclose a conflict of interest?	Yes

Conflicts of interest

If more than one conflict was declared, provide the details for one conflict and then click 'add' to provide details for another.

Conflict 1

Name of Councillor/officer that declared the conflict of interest
Cr Kirralee Ashworth-Collett declared a conflict of interest in item 7

Type of conflict of interest
General (G)

Did the Councillor/officer leave the meeting prior to discussion?
Yes

Informal Meeting of Councillors Record

Submitted on	15 September 2026, 2:37PM
Receipt number	173
Related form version	20

In accordance with Chapter 6 of the Governance Rules, this form should be completed if there is a meeting of Councillors that is:

- planned for the purpose of discussing the business of Council or briefing Councillors; and
- attended by at least six Councillors and at least one Council staff member; and
- not a Council meeting or Delegated Committee Meeting; or
- subject to the Planning Interactions Policy

Name of Council officer completing this form	Gemma Jacob
Title of meeting	Draft Agenda Briefing
Meeting date	14/09/2026
Meeting time	6:00pm
Meeting location	Online In person

Attendance

Councillors in attendance	Cr Georgina Oxley (Mayor), Cr Tony Athanasopoulos (attended online until 6.15pm then joined in person), Cr Georgia Erevnidis, Cr Chris Hill (attended online), Cr Chris Howe, Cr Nikki Kaur
Council officer(s) in attendance	Peter Bean, Chief Executive Officer; Tracey Cheeseman, Acting General Manager Customer and Corporate Support; Kate Waters, General Manager Community Strengthening; Samantha Krull, General Manager Infrastructure and Open Space; Jaclyn Murdoch, Manager City Development; Kelly Shacklock, Manager Governance Risk and Integrity; Susan Quach, Manager Inclusive Communities; James Lenihan, Manager Infrastructure; Shane Marr, Manager Finance; Nikolaj Dennis, Manager Property Services; Emily Boucher, Acting Manager PMO & Major Projects; Amber Swales, Acting Team Leader Strategic Planning; Anna Carli, Acting Head of Strategic Communications and Engagement; Ellie Lockard, Council Governance Officer; Gemma Jacob, Council Governance Officer

External attendees	Nil
Apologies	Cr Hadi Saab, Cr Jane Agirtan, Cr Sarah O'Donnell and Cr Kirralee Ashworth-Collett.
Summary of matters discussed	Acknowledgement of Country Apologies Declaration by Councillors, Officers and Contractors of any Conflict of Interest Notes of Briefing 7 September 2026 Executive Updates Draft Agenda – Ordinary Council Meeting 28 September 2026 7. Planning and Place Reports 7.1 By Exception: Town Planning Application Decisions - August 2026 7.2 By Exception: KP-2025/534 - 27 & 29-33 Ryans Road, Clayton South 7.3 KP-2025/438 - 13-19 Healey Street, Moorabbin 7.4 Proposed Planning Scheme Amendment C233king - Update to the Schedule to Clause 53.0 8. Community Strengthening Reports 8.1 Response to Resolution - Mordialloc Community Centre 8.2 Response to Resolution - Notice of Motion 2/2025 - Communication Board Trial for Community Spaces 9. Infrastructure and Open Space Reports 9.1 Award of Contract CON-26/074 Tootal Road, Dingley Village Road Reconstruction Dingley Arterial to McClure Road 9.2 Draft Public Lighting Policy 9.3 2025/26 Capital Works Outcomes 10. Customer and Corporate Support Reports 10.1 By Exception: Performance Report – Council Plan Year One – Quarter Four (April to June 2026) 10.2. Draft Councillor Social Media Guidelines 10.3 Response to Resolution - Strengthening Governance Rules 10.4 Governance and Compliance Report 11. Chief Finance Office Reports 11.1 Full-year Finance Report June 2026 and Financial Statements for the Year Ended 30 June 2026 11.2 Property Strategy - 14 Friendship Square, Cheltenham 11.3 Property Strategy - 39 Follett Road, Cheltenham 12. Notices of Motion 13. Urgent Business 14. Confidential Items 14.1 Property Matters Invitations 14.2 CEO Employment Matters Councillor/CEO Only Discussion Councillor Only Discussion
Did a Councillor or Council officer disclose a conflict of interest?	Yes

Conflicts of interest

If more than one conflict was declared, provide the details for one conflict and then click 'add' to provide details for another.

Conflict 1	**Name of Councillor/officer that declared the conflict of interest** Jaclyn Murdoch declared a conflict of interest for item 7.2 **Type of conflict of interest** General (G) **Did the Councillor/officer leave the meeting prior to discussion?** Yes
Conflict 2	**Name of Councillor/officer that declared the conflict of interest** Cr Howe declared a conflict of interest in the Notices of Motion item. **Type of conflict of interest** General (G) **Did the Councillor/officer leave the meeting prior to discussion?** Yes
Conflict 3	**Name of Councillor/officer that declared the conflict of interest** Peter Bean declared a conflict of interest in item 14.2. **Type of conflict of interest** General (G) **Did the Councillor/officer leave the meeting prior to discussion?** Yes

Informal Meeting of Councillors Record

Submitted on	22 September 2026, 11:28AM
Receipt number	174
Related form version	20

In accordance with Chapter 6 of the Governance Rules, this form should be completed if there is a meeting of Councillors that is:

- planned for the purpose of discussing the business of Council or briefing Councillors; and
- attended by at least six Councillors and at least one Council staff member; and
- not a Council meeting or Delegated Committee Meeting; or
- subject to the Planning Interactions Policy

Name of Council officer completing this form	Gemma Jacob
Title of meeting	Councillor Strategic Briefing
Meeting date	21/09/2026
Meeting time	6:00pm
Meeting location	Online In person

Attendance

Councillors in attendance	Cr Georgina Oxley (Mayor); Cr Sarah O'Donnell (Deputy Mayor); Cr Jane Agirtan (left at 8.55pm); Cr Tony Athanasopoulos (attended online until 6.17pm, then attended in person); Cr Georgia Erevnidis; Cr Chris Hill; Cr Chris Howe (attended online, left at 8.44pm); Cr Nikki Kaur; Cr Hadi Saab
Council officer(s) in attendance	Jonathan Guttmann, General Manager Planning and Place; Kate Waters, General Manager Community Strengthening; Samantha Krull, General Manager Infrastructure and Open Space; Tracey Cheeseman, A/ General Manager Customer and Corporate Support; Kelly Shacklock, Manager Governance Risk and Integrity; Ellie Lockard, Council Governance Officer; Emma Cadd, Manager Family Youth and Children's Services; Tanya Marques, Team Leader Youth Services; Susan Quach, Manager Inclusive Communities Nikolaj Dennis, Manager Property Services; Emily Boucher, A/ Manager PMO and Major Projects; Melanie Starr, Strategic and Interface Projects Lead; Luke Dexter, A/ Manager Open Space; Leigh Bailey, Team Leader Horticulture; Bridget Draper. Manager Active Kingston; Kim Marshall, Manager Aquatic

	and Leisure Ian Jenkins, Head of Business Services; Dillon Grech, Team Leader Corporate Performance; Andrew Hockley, Advocacy Lead
External attendees	Geoff Harry, Audit and Risk Committee Chair
Apologies	Cr Kirralee Ashworth-Collett; Peter Bean
Summary of matters discussed	Acknowledgement of Country Apologies Declaration by Councillors, Officers and Contractors of any Conflict of Interest Notes of Briefing 14 September 2026 5. Executive Updates 6. Committee Report to Council 7. Councillor Workshop to inform Draft Kingston Youth Strategy 2027-2036 8. Council Support of State Emergency Services in Kingston 9. LXRP Mordialloc Maintenance Funding 10. LXRP Mordialloc Land and Asset Agreement (LAA) 11. Capital Works Update 12. Progress Update - Glyphosate 13. Former Westall Tennis Club (The Grange Reserve) - Future Options 14. Cheltenham Youth Club Funding Request 15. Indoor Stadium Development at Hawthorn - Kennedy Community Centre 16. Performance Statement for the Year Ended 30 June 2026 and Governance and Management Checklist 2025-26 Notices of Motion - Guidance Notes In Focus: Upcoming Meeting Procedure Invitations Councillor/CEO Only Discussion Councillor Only Discussion
Did a Councillor or Council officer disclose a conflict of interest?	No

Councillor Allowances and Expenses* 1 April 2026 to 30 June 2026

2025 – 2026 FY Quarter 4	Councillor Allowance [1]	Communication [2]	Local Travel	Travel Interstate	Training, Conferences and Education	Other Expenditure	Total
Cr Jane Agirtan	$10,498	$249	$0	$501	$1,886	$65	$13,198
Cr Kirralee Ashworth-Collett	$10,498	$318	$0	$0	$55	$0	$10,871
Cr Tony Athansopoulos	$10,498	$249	$0	$0	$0	$65	$10,812
Cr Georgia Erevnidis	$10,498	$249	$0	$501	$1,886	$65	$13,198
Cr Chris Hill	$10,498	$189	$0	$0	$0	$0	$10,687
Cr Chris Howe[3]	$10,498	$318	$0	$0	$0	$58	$10,874
Cr Tess Law	-$113	$0	$0	$0	$375	-$182	$80
Cr Sarah O'Donnell[4]	$18,805	$309	$0	$501	$2,009	$0	$21,623
Cr Georgina Oxley[5]	$37,610	$189	$0	$0	$561	$0	$38,360
Cr Hadi Saab	$10,498	$249	$0	$655	$1,825	$0	$13,227
Cr Caroline White	$10,498	$369	$0	$0	$0	$0	$10,867

[1] The Victorian Independent Remuneration Tribunal set the allowance payable to Mayors, Deputy Mayors and Councillors which was adjusted on 18 December 2025.

[2] Communication expenses include standard data and mobile plan costs

[3] Cr Chris Howe was Deputy Mayor until 11 November 2025

[4] Cr Sarah O'Donnell was elected Deputy Mayor on 12 November 2025

[5} Cr Georgina Oxley was elected Mayor on 13 November 2024 and re-elected on 12 November 2025

**This table includes all reportable Councillor expenses, comprising both expenses paid directly by Council and expenses reimbursed to Councillors*

Councillor Reimbursements* 1 April 2026 to 30 June 2026

Councillor	Expense Item	Amount Reimbursed
Agirtan	Police Check	$64.90
Athansopoulos	Police Check	$64.90
Howe	Fit 2 Work Check	$58.19

** The above amounts are included in the table of total overall Councillor expenses and do not represent additional payments to Councillors. Reporting is for public transparency in accordance with the 25 August 2025 Council resolution.*

CEO and General Manager Expenses 1 April 2026 to 30 June 2026

2025 – 2026 FY Quarter 4	Communication [1]	Travel Intrastate	Travel Interstate	Travel Overseas	Training, Conferences and Education	Other Expenditure	Total
Peter Bean Chief Executive Officer	$258		$574		$3,154		$3,986
Jonathan Guttmann General Manager Planning & Place	$258						$258
Dan Hogan General Manager Customer & Corporate Support	$120						$120
Samantha Krull General Manager Infrastructure & Open Space	$249						$249
Bernard Rohan Chief Financial Officer	$120						$120
Kate Waters General Manager Community Strengthening	$120						$120

[1] Communication expenses include standard data and mobile plan costs

11. Chief Finance Office Reports

Ordinary Council Meeting

28 September 2026

Agenda Item No: 11.1

FULL-YEAR FINANCE REPORT JUNE 2026 AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2026

Contact Officer: **Shane Marr, Manager Finance**
Emily Boucher, A/ Manager PMO and Major Projects
Magda Hordejuk, Team Leader Budgeting and Reporting
Kamal Khangura, Team Leader Financial Accounting

Purpose of Report

The purpose of this report is to present to Council the Financial Statements for the year ended 30 June 2026 to approve "in principle" as part of the Annual Report, to authorise their submission to the Victorian Auditor-General (VAGO), and to authorise their certification by Cr Georgina Oxley (Mayor), Cr Jane Agirtan (Councillor), and Peter Bean (Chief Executive Officer).

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council

1. Note the full year 2025/26 financial report;
2. Note the recommendation from Council's Audit and Risk Committee following its meeting on 10 September 2026;
3. Approve the Financial Statements for the year ended 30 June 2026 in principle as part of the Annual Report, subject to any changes recommended or agreed to by the auditor;
4. Approve adjustment to the 2026/27 Adopted Capital Works Budget to increase the program from $74.7 million to $77.4 million; and reflecting the final outcome of the 2025/26 Capital Works Program in the 2025/26 Financial Statements, including approved carry overs from 2025/26, and
5. Authorise Cr Georgina Oxley (Mayor), Cr Jane Agirtan (Councillor), and Peter Bean (Chief Executive Officer) to certify the Annual Financial Statements for the year ended 30 June 2026, in their final form after any changes recommended or agreed by the auditor have been made, in accordance with the *Local Government (Planning and Reporting) Regulations 2020.*

1. Executive Summary

The Financial Statements for the year ended 30 June 2026 have been:

- endorsed in principle by Council's Audit and Risk Committee, subject to any subsequent significant changes that may arise from completion of audit procedures prior to the reports going to Council for formal adoption;

- reviewed by the external auditors, HLB Mann Judd, and Victorian Auditor-General's Office (VAGO), and are pending the Auditor-General's audit report.

The City of Kingston's net operating result for 2025/26 was a surplus of $42.0 million which was $30.1 million favourable to the budgeted surplus of $11.8 million, primarily due to the receipt of $34.0 million in non-monetary infrastructure assets from the Level Crossing Removal Project, favourable operating grant timing and funding outcomes, asset revaluation gains and property sales, partially offset by lower statutory fee, user fee, capital grant and developer contribution revenue, together with higher materials and services, and depreciation.

2. Background

Pursuant to Section 99 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*, Council's 2025/26 Annual Financial Statements have been prepared for Council's in principle approval and the authorisation of two Councillors and the Chief Executive Officer to certify the Statements, having been reviewed and cleared by the Audit and Risk Committee and the Auditor-General.

A copy of the Financial Statements for the year ended 30 June 2026 is attached.

3. Discussion

3.1 Financial Summary

The City of Kingston's net operating result for 2025/26 was a surplus of $42.0 million which was $30.1 million favourable to the budgeted surplus of $11.8 million.

This net favourable outcome against budget mainly reflects a combination of favourable and unfavourable variances, inclusive of:

Table 1: Analysis of Our Results – Performance against Budget – explanations:

Item	2026 $'000	Variance to budget $'000	Explanation
Statutory fees and fines	9,380	(439)	Statutory fees revenue was $0.4 million unfavourable to budget, primarily due to lower-than-anticipated revenue from City Development statutory fees and permits.
User fees	21,094	(550)	User fees were $0.6 million unfavourable to budget, primarily due to the timing of Governance non-voter fee income received in 2024/25, lower property rental income, and reduced events revenue.
Grants – Operating	67,265	6,963	Operating grants was $7.0 million favourable to budget, including a net favourable Financial Assistance Grant variance of $1.9 million due to timing differences, with the early receipt of $4.8 million (80%) of the 2026/27 grant in 2025/26 partially offset by a $2.9 million unfavourable variance resulting from part of the 2025/26 grant (50%) having been received in 2024/25. Further favourable variance was due to Packaged Care income from Access Care, offset by corresponding movements in employee costs and materials and services.
Grants – Capital	17,527	(2,054)	The actual capital grant received was lower than budget mainly due to the timing of planned capital works in line with the profile of specific capital projects.
Contributions – monetary	9,931	(1,278)	Contributions – Monetary was $1.3 million unfavourable to budget due to lower Developer contributions received consistent with the volume of planning applications and affected by economic and external factors to council.
Contributions – non-monetary	34,082	34,082	Contributions – non-monetary were $34.0 million favourable to budget due to Infrastructure Assets received from Level Crossing Removal.

Item	2026 $'000	Variance to budget $'000	Explanation
Net Gain on Disposal of Assets	635	535	Net Gain on Disposal of Assets was $0.5 million favourable to budget, due to sale of properties.
Other income	6,935	2,298	Favourable revaluation of assets from fair value from condition audit primarily in drainage ($2.1 million). Other income also includes insurance reimbursement and Magistrate Court cost reimbursements.
Employee costs	127,990	2,499	Employee costs were $2.5 million favourable primarily in Access Care and Family & Children's Centre, offset by corresponding movements in grants and materials and services, and also due to general efficiencies across council.
Materials and Services	119,199	(2,307)	Materials and services were $2.3 million unfavourable to budget primarily in Access Care, offset by corresponding movements in grants and materials and services. The variance also reflects higher-than-budgeted legal expenses and expert advisory fees.
Depreciation	46,815	(2,173)	Depreciation was $2.2 million unfavourable to budget, primarily due with significant increase in depreciation mainly due to increase in capitalised assets in 2025/26 compared to 2024/25, primarily in transport & drainage assets revaluation increment last year.
Borrowing costs	1,420	789	Borrowing costs were $0.8 million favourable to budget due to the timing of the drawdown of the loan to fund the Mordi Aquatic Centre loan and lower than expected interest rates.
Finance costs – Leases	621	(121)	Finance costs leases were $0.1 million unfavourable to budget, due to additional lease expenses, consistent with lease accounting requirements.
Other expenses	8,618	(7,904)	c
Net loss on disposal of Assets	72	(72)	Net Loss on disposal of Assets was $0.1 million unfavourable to budget from written down value of the properties.

3.2 Draft Financial Statements and Audit Status

The 2025/26 Financial Statements are prepared in accordance with Australian Accounting Standards, the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020* and the Local Government Model Financial Report (LGMFR) published by Local Government Victoria as required by the Regulations.

The financial statements are a general purpose financial report comprising a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and accompanying notes.

The following information is available:

- **Surplus** for the year of $42.0 million, which is more than the prior year result of $25.5 million by $16.4 million, primarily due to increased non-monetary contributions income.
- **Capital works program** expenditure as per Statement of Capital works is $93.6 million. Total capital related projects spent was $94.9 million. The variance of $1.3 million was included in operating expenses in 2025/26, as this expenditure did not meet Kingston's capitalisation thresholds. This write-off was lower than was provisioned in the budget and forecast ($1.5 million), and also lower than historic levels, indicating improved processes for asset delivery.
- **Utilisation of cash** (total financial assets change from $112.6 million to $114.6 million in 2025/26) in line with the capital works program delivery, additional income received and $32 million loan drawn.

The final year end external audit was undertaken by HLB Mann Judd on behalf of the Victorian Auditor-General's Office, with the Auditor-General's audit report now pending.

On 10 September 2026, the Audit and Risk Committee resolved to:

1) Note that the Annual Financial Report and Annual Performance Statement for the year ended 30 June 2026 may be subject to change pending finalisation of any outstanding audit procedures.
2) Note that external audit has indicated that subject to satisfactory completion of all remaining audit procedures, a confirming audit opinion will be provided on both the Annual Financial Report and the Annual Performance Statement.
3) Note that there are no material matters raised in the external audit draft final management letter.
4) Provide "in principle" endorsement of the Annual Financial Report and Annual Performance Statement for the year ended 30 June 2026 subject to any subsequent significant changes that may arise from completion of audit procedures prior to going to Council for formal adoption.
5) Will review for endorsement any subsequent significant changes to the Annual Financial Report and the Annual Performance Report for the year ended 30 June 2026 requested by the auditors after this Committee meeting and before they are submitted to Council for approval.
6) Note that the Principal Accounting Officer may make minor amendments to the Annual Financial Report and the Annual Performance Statement for the year ended 30 June 2026 to meet VAGO requirements without those changes requiring Committee approval.
7) Recommend that Council, at its meeting on Monday 28 September 2026, adopt the Annual Financial Report and the Annual Performance Statement "in principle" and forward to VAGO.

Comprehensive Income Statement

Further year-on-year comparison details are provided below.

Table 2: Analysis of Our Results – Performance against 2024/25 – explanations:

Item	2026 $'000	Variance year on year $'000	**Explanation**
Rates and charges	181,823	7,866	Rates and charges revenue of $181.8 million were $7.9 million higher than in 2024/25 primarily driven by the rate cap increase and higher waste service charges.
Statutory fees and fines	9,380	768	Statutory Fees and Fines of $9.4 million increased by $0.8 million in 2025/26, principally associated with higher-than-expected income from parking infringement notices (PINs) and City Development statutory fees
User fees	21,094	(4,290)	User Fees of $21.1 million were $4.3 million lower than the previous year. The main source of the decrease is a reduction in aged and health service fees and rental income.
Grants – operating	67,265	3,046	Operating Grants of $67.3 million increased by $3 million compared to previous year primarily due to favourable Packaged Care income from Access Care, offset by corresponding movements in employee costs and materials and services
Grants – capital	17,527	1,806	Capital Grants of $17.5 million increased by $1.8 million compared to last year and is in line with the profile of specific capital projects
Contributions – monetary	9,931	3,892	Monetary contributions of $9.9 million were higher by $3.9 million than the previous year primarily due to increase in capital contribution in line with the profile of specific capital projects

Item	2026 $'000	Variance year on year $'000	**Explanation**
Contributions – non-monetary	34,082	33,867	Non-monetary contributions of $34.1 million were higher by $33.7 million than the previous year due to Infrastructure Assets received from Level Crossing Removal
Other income	6,935	(15,693)	Other Income of $6.9 million was a decrease of $15.7 million from prior year, primarily due to asset revaluation income recognised in 2024/25.
Employee costs	127,990	3,374	Employee costs of $128.0 million were $3.4 million higher than in prior year. The increase relates to growth, enterprise agreement increases, Workcover increases and the superannuation guarantee charge.
Materials and services	119,199	788	Materials and Services expenditure of $119.2 million was $0.8 million higher than prior year and the main areas of increase related to waste charges.
Other expenses	8,618	7,864	Higher than prior year due to a $9.0 million adjustment to the value of Land Under Roads assets following a detailed asset review
Depreciation	46,815	2,890	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 2025/26 $46.8 million was taken up as a non-cash expense in the Income Statement compared with $43.9 million last year which reflects the status of Council's Asset Register and Asset Accounting Policies.
Borrowing Cost	1,420	1,391	Borrowing cost of $1.4 million was an increase of $1.4 million from prior year, due to further drawdown of the loan in 2025/26 to fund the Mordi Aquatic Centre loan

Balance Sheet

Current Assets

The Current Assets in the Balance Sheet have increased by $16.7 million during the 2025/26 financial year as financial assets were utilised in line with budget towards the delivery of the capital works program, and a loan of $32.0 million has been taken for the construction of the Mordi Aquatic Centre and in line with a Council resolution for the funding of this project.

Table 3: Balance sheet – current assets – explanations:

Item	2026 $'000	Variance year on year $'000	Explanation
Cash and cash equivalents	47,867	(16,097)	Total financial assets (comprising cash and cash equivalents, and other financial assets held as investments) of $114.6 million has been held for working capital, carried-forward capital works, dedicated approved council reserves. Active cash management is a required area of focus as officers navigate the current high inflation environment
Other financial assets	66,725	18,049	
Trade and other receivables	38,224	11,793	The balance of $38.2 million at 30 June 2026 is primarily rates ($28.6 million). Council has reinstated the application of penalty interest from 2025/26 and engaged in debt recovery, and this is expected to improve the receivables balance over time. Within Council's overall receivable balance for 2025/26, is the net impact of $7.2 million of provisions for doubtful debts.
Non-current assets classified as held for sale	-	(1,738)	Sale of assets classified for sale
Other assets	8,731	4,717	Increase in accrued income
Total current assets	**162,223**	**16,673**	

Non-Current Assets

Council managed $3.5 billion of Property, Infrastructure, Plant and Equipment at 30 June 2026. Independent valuers conducted a valuation of these assets during 2025/26 to ensure compliance with the fair value measurement of AASB 13. This has contributed to an increment of $148.2 million in the carrying value of the assets in the financial year, of which $102.9 million represents property and infrastructure assets as summarised in the following table.

Table 4: Balance sheet – non-current assets – valuation:

Assets Class	Written Down Value 30th JUNE 2026	NET Valuation Movements FY 2025/26	Fair Value 30th June 2026
Drainage Assets	**$331.26**	**$52.40**	**$383.66**
Buildings	$438.20	$16.40	$454.60
Land	$994.80	$18.80	$1,013.60
Land under Roads	$443.60	$10.10	$453.70
Property Assets	**$1,876.60**	**$45.30**	**$1,921.90**
Roads, Kerbs & Channels, incl Carparks	$733.60	$50.00	$783.60
Footpaths and Cycleways	$140.90	-$1.60	$139.30
Bridges & Elevated Structures	$56.50	$2.10	$58.60
Transport Assets	**$931.00**	**$50.50**	**$981.50**
Total	**$3,138.86**	**$148.20**	**$3,287.06**

Infrastructure assets are valued at Current Replacement Cost (CRC) in line with our Asset Accounting Policy, which represents the fair value in accordance with AASB 13. This approach ensures that the valuation of each asset category accurately reflects the current replacement cost, adjusted for depreciation to account for the asset's age, condition, and remaining useful life.

By applying this methodology, management confirms compliance with AASB 13, ensuring that the reported values of infrastructure assets are a fair representation of their market value. Officers accept that full independent valuations are an important component of financial reporting and safeguarding of Council finances and transparency.

Asset Full Revaluations: FY 2025/26

As a part of full revaluation process Drainage assets were fully revalued in FY 2025/26. Below methodology was used for revaluations, which is in line to the Council's Asset Accounting Policy.

With CCTV pipe condition assessment method being cost prohibitive, a pole camera condition audit and serviceability assessment was completed by Infrastructure team. Condition assessment sampling of 9.84 per cent of pits and 7.36 per cent of pipes has been completed. This is above the 5 per cent target in the Asset Accounting Policy.

The drainage asset revaluation has been completed by the Infrastructure Department in compliance with Accounting Standards (AASB 13). This revaluation has resulted in Council recording a net fair value adjustment of $52.4 million (from a base of $326 million, representing a 15 per cent increase) in 2025/26. Gifted and found assets of $2.0 million have also been identified as part of the revaluation.

Asset Indexation Valuations: FY 2025/26

The following table describes the approach adopted on the Indexation valuation work conducted in financial year 2025/26 cycle by each asset group.

Table 5: Summary of Indexation Valuation Approach

Asset Group	Valuation Approach
Land, Land Under Roads, Buildings	Indexation valuation being undertaken using the valuations reports provided by valuer, Opteon Property Group P/L, using CRC fair value valuation technique. No building condition audit were conducted in FY 2025/26.
Bridges, culverts Elevated Structures	Indexation valuation using CRC fair value valuation technique (CRC adjusted for physical deterioration, functional obsolescence, and economic obsolescence). No building condition audit were conducted in FY 2025/26.
Roads, Kerb & Channel, Carparks	Indexation valuation using CRC fair value valuation technique (CRC adjusted for physical deterioration, functional obsolescence, and economic obsolescence). External valuers Modelve P/L provided Contract Rates using Rawlingson Guide as the basis of these replacement rates as part of the valuation process.
Footpaths & Cycleways	Indexation valuation using CRC fair value valuation technique (CRC adjusted for physical deterioration, functional obsolescence, and economic obsolescence). External valuers Modelve P/L provided Contract Rates using Rawlinson Guide as the basis of these replacement rates as part of the valuation process.

Recreation, Leisure & Community Assets & Parks, Open Space & Streetscapes Assets.

Due to the scale and complexity, condition audits for all subcategories were not completed in 2025/26, resulting the full revaluation and fair value adjustment of these assets categories to be completed in the remainder of 2026 for inclusion in the 2026/27 financial reporting cycle.

Finance expects that as part of this exercise in 2026/27, we will likely discover found assets that will need to be brought to account in the 2026/27 annual report.

Finance and relevant department managers will progress with the revaluations of these asset classes in financial year 2025/26.

Found assets totalling $2.11 million identified predominantly during the revaluation process in 2025 /26 are summarised by asset class below. These found assets have been recognised at fair value in accordance with AASB standards, as they provide future economic benefits and were reliably measurable and have been treated as prior year adjustments in the financial statements.

Table 6: Summary Found Assets

Asset Class	Description	Amount $'000	Comments
Pathways	Change in the Geo Area 1,714.9 meters	$154	As a part of reconciliations with Asset Management System there was change in the Geo Area.
Kerb & channel	391.3 metres Geo-Area change	$57	As a part of reconciliations with Asset Management System there was change in the Geo Area.
Pipes (Drainage)	750 mm Diameter 158.3 meters	$1,581	Assets discovered during the full revaluation of drainage assets.
Pits (Drainage)	183 pits,	$321	Assets discovered during the full revaluation of drainage assets.
	Total Found Assets	**$2,113**	

Current Liabilities

Current Liabilities of $88.7 million have increased by $19.5 million, primarily due to higher trade and other payables arising from the timing of supplier payments and year-end accruals, as well as current borrowings increased by $2.0 million following $32.0 million loan drawdowns for the Mordi Aquatic Centre project. In summary:

Table 7: Balance sheet – current liabilities – explanations:

Item	2026 $'000	Variance year on year $'000	Explanation
Trade and other payables	37,821	13,707	Increase in Trade and other payables due to the timing of supplier payments and increased year-end accruals for operating and capital expenses
Trust funds and deposits	12,866	2,822	Trust funds and deposits of $12.9 million have increased by $2.9 million in line with the typical fluctuations expected for these items
Contract and other liabilities	10,900	791	Increase in unearned income
Provisions	22,772	(44)	Employee annual and long service leave provision – no change
Interest-bearing loans and borrowings	2,805	2,034	Increase in interest-bearing loans and borrowings by $2.0 million, associated with the $17.0 million loan drawn in 2024/25 and further $32.0 million drawn in 2025/26 for the Mordi Aquatic project
Lease liabilities	1,579	177	Council's lease liabilities as per AASB 16
Total current liabilities	**88,743**	**19,487**	

Non-Current Liabilities

Non-Current Liabilities of $57.1 million have increased by $28.5 million, primarily in loans and borrowings following $32.0 million loan drawdowns for the Mordi Aquatic Centre project**.**

Table 8: Balance sheet – non-current liabilities – explanations:

Item	2026 $'000	Variance year on year $'000	Explanation
Provisions	2,435	386	Employee long service leave provision – minor change
Interest-bearing loans and borrowings	44,945	28,716	Increase in interest-bearing loans and borrowings by $28.7 million, associated with the $17.0 million loan drawn in 2024/25 and further $32.0 million drawn in 2025/26 for the Mordi Aquatic project
Lease liabilities	9,682	(630)	Council's lease liabilities as per AASB 16
Total non-current liabilities	**57,062**	28,472	

Cash Flow Statement

Council's cash holdings (comprising cash and cash equivalents, and other financial assets held as investments) at 30 June 2026 were $114.6 million, which is an increase of $2.0 million from the opening balance at 1 July 2025 of $112.6 million, driven by net cash generated from operating activities, a $32.0 million loan drawdown, and reflecting expenditure on capital works. In summary:

Table 9: Cash Flow – explanations:

Item	Explanation
Net cash provided by **Operating Activities**	Inflow of $65.2 million, driven by revenue inflows and offset by payments to employees and suppliers
Net cash used in **investing activities**	Outflow of $91.8 million primarily reflecting expenditure on capital works.
Net cash provided by **financing activities**	Inflow of $28.6 million, mainly due to the $32.0 million loan drawn in February 2026 to fund the Mordialloc Aquatic Centre project

Capital Works Program

In 2025/26, Council adopted a Capital Works Program of **$103.5 million**. Following approved budget adjustments, the adjusted capital program budget totalled **$91.4 million**, including $42.3 million for the Mordi Aquatic Centre.

Capital expenditure reported in the Statement of Capital Works totalled $93.6 million.

A further $1.3 million of expenditure was expensed rather than capitalised, as it did not meet the capitalisation criteria under the Kingston Asset Accounting Policy.

Accordingly, total expenditure during 2025/26 was **$94.9 million**, which exceeded the adjusted budget by $3.5 million. This primarily reflects the early delivery of projects, higher utilisation of reserves and additional grant-funded works.

Of the total spend the Mordi Aquatic Centre project incurred expenditure of $47.3 million.

Table 10: 2025/26 Adjusted Capital Budget and Actual Capital spend

Full Year - $'million	Adopted Budget 2025/26	Adjusted Budget 2025/26	Actual spend 2025/26
TOTAL projects – capital and non-capital	**103.6**	**91.4**	**94.9**
Non-capital projects			1.3
Capital projects (as per Statement of Capital Works)	103.6	91.4	93.6

The 2025/26 year-end capital expenditure outcome reflects the following movements between the adjusted budget and actual expenditure:

- Carry overs of projects from 2025/26 to 2026/27 of $3.5 million including $0.6 million for the Mordi Aquatic Centre project.
- Projects delivered ahead of schedule, resulting in expenditure being brought forward from 2026/27 to 2025/26 of $7.2 million, including $5.7 million for the Mordi Aquatic Centre project.
- A net overspend of $0.5 million, primarily due to additional utilisation of reserves.

As a result of the 2025/26 capital works outcome, including project carry overs the 2026/27 Capital Works Program is proposed to increase from $74.7 million to $77.4 million and to be referred to as the 2026/27 Adjusted Budget. This movement primarily reflects:

- The carry-over of $3.5 million for a variety of projects and $0.6 million for the Mordi Aquatic Centre project from 2025/26 into 2026/27 (total $4.1 million)
- A reduction of $1.5 million for projects that were delivered ahead of schedule in 2025/26 and therefore no longer require budget in 2026/27

The below Table 11 summarises the resulting movements between the 2025/26 and 2026/27 Capital Works Program budgets.

Table 11: 2025/26 and 2026/27 Capital budget movement:

($'million)	Capital Works Budget 2025/26	Capital Works Budget 2026/27
Budget	**Adopted Budget: 103.6** **Adjusted Budget 91.4**	**Adopted Budget: 74.7**
Excluding Mordi Aquatic **projects:**		
Early delivery - excluding Mordi Aquatic (2026/27 to 2025/26)	1.5	-1.5
Carry over – excluding Mordi Aquatic (2025/26 to 2026/27)	-3.5	3.5
Net overspend excluding Mordi Aquatic (overspends less underspends)	0.5	
Mordi Aquatic:		
Early delivery – Mordi Aquatic (2026/27 to 2025/26)	5.7	already in Budget
Carry over – Mordi Aquatic (2025/26 to 2026/27)	-0.6	0.6
Actuals/ Adjusted Budget	**Actuals 94.9**	**Adjusted Budget 77.4**
Less not meeting capitalisation criteria **Capital projects (Statement of Capital Works)**	**93.6**	

4. Consultation

4.1 Internal Consultation:

This analysis has been undertaken by the Finance Department in close engagement with all departments of the organisation.

4.2 Independent Audit & Risk Committee Review

The Annual Financial Statements for 2025/26 have been:

- considered by Council's Audit and Risk Committee and recommended that Council adopt in principle as part of the 2025/26 Annual Report and forward to the Victorian Auditor-General endorsed by
- reviewed by the external auditors, the Victorian Auditor-General's Office, and their partners, HLB Mann Judd and are pending the Auditor-General's audit report.

4.3 Community Consultation:

N/A

5. Compliance Checklist

5.1 Council Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective.

Strategy: Ensure good governance through integrity, accountability, and continuous improvement.

5.2 Governance Principles Alignment

Principle (g) - the ongoing financial viability of the Council is to be ensured.

5.3 Risk considerations

The financial sustainability of council will be challenged by inflation and budget pressures, and this requires active management from council and officers.

Appendices

Appendix 1 - DRAFT City Of Kingston Annual Financial Report for the year ended 30 June 2026 at 21 September 2026 (Ref 26/239565)

Author/s:	Shane Marr, Manager Finance
	Emily Boucher, A/ Manager PMO and Major Projects
	Magda Hordejuk, Team Leader Budgeting and Reporting
	Kamal Khangura, Team Leader Financial Accounting
Reviewed and Approved By:	Shane Marr, Manager Finance
	Peter Bean, Chief Executive Officer

11.1

FULL-YEAR FINANCE REPORT JUNE 2026 AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2026

1 DRAFT City Of Kingston Annual Financial Report for the year ended 30 June 2026 at 21 September 2026 585

City of KINGSTON

Annual Financial Report

For the Year Ended 30 June 2026

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Table of Contents

Financial Report 4
Certification of the Financial Statements 4
Victorian Auditor-General's Report 5
Financial Statements 7
Comprehensive Income Statement 7
Balance Sheet 8
Statement of Changes in Equity 9
Statement of Cash Flows 10
Statement of Capital Works 11
Notes to the Financial Statements 12
Note 1 Overview 12
Note 2 Analysis of Our Results 14
2.1 Performance against budget 14
2.2 Analysis of council results by program 19
Note 3 Funding for the delivery of our services 21
3.1 Rates and charges 21
3.2 Statutory fees and fines 21
3.3 User fees 22
3.4 Funding from other levels of government 22
3.5 Contributions 24
3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment 24
3.7 Other Income 24
Note 4 The cost of delivering services 25
4.1 Employee costs 25
4.2 Materials and services 25
4.3 Depreciation 26
4.4 Amortisation – Intangible assets 26
4.5 Depreciation – Right of use assets 26
4.6 Allowance for impairment losses 26
4.7 Borrowing costs 27
4.8 Finance Costs - Leases 27
4.9 Other expenses 27
Note 5 Investing in and financing our operations 28
5.1 Financial assets 28
5.2 Non-financial assets 30
5.3 Payables, trust funds and deposits and contract and other liabilities 31
5.4 Interest-bearing liabilities 32
5.5 Provisions 34
5.6 Financing arrangements 36
5.7 Commitments 37
5.8 Leases 38
Note 6 Assets we manage 40
6.1 Non-current assets classified as held for sale 40
6.2 Property, infrastructure, plant and equipment 41
6.3 Investment property 48
Note 7 People and relationships 49
7.1 Council and key management remuneration 49
7.2 Related party disclosure 51
Note 8 Managing uncertainties 52
8.1 Contingent assets and liabilities 52
8.2 Australian Accounting Standards issued but not yet effective 52
8.3 Financial instruments 54
8.4 Fair value measurement 56
8.5 Events Occurring After Balance Date 57
Note 9 Other matters 58
9.1 Reserves 58
9.2 Reconciliation of cash flows from operating activities to surplus 60
9.3 Superannuation 61
Note 10 Change in accounting policy 63

Financial Report

Certification of the Financial Statements

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 2020*, the *Local Government (Planning and Reporting) Regulations 2020*, the Australian Accounting Standards and other mandatory professional reporting requirements.

……

Peter Bean
Principal Accounting Officer

Dated: XX October 2026

Location: Cheltenham, Victoria

In our opinion, the accompanying financial statements present fairly the financial transactions of the Kingston City Council for the year ended 30 June 2026 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2020* to certify the financial statements in their final form.

Cr Georgina Oxley ……
Mayor

Dated: XX October 2026

Location: Cheltenham, Victoria

Cr Jane Agirtan ……
Councillor

Dated: XX October 2026

Location: Cheltenham, Victoria

Peter Bean ……
Chief Executive Officer

Dated: XX October 2026

Location: Cheltenham, Victoria

Victorian Auditor-General's Report

2 pages reserved for VAGO report – to be inserted when available.

Comprehensive Income Statement

For the Year Ended 30 June 2026

	Note	2026 $'000	2025 $'000
Income / Revenue			
Rates and charges	3.1	181,823	173,956
Statutory fees and fines	3.2	9,380	8,612
User fees	3.3	21,094	25,383
Grants – operating	3.4(a)	67,265	64,220
Grants – capital	3.4(b)	17,527	15,720
Contributions – monetary	3.5	9,931	6,039
Contributions – non-monetary	3.5	34,082	215
Net gain on disposal of property, infrastructure, plant and equipment	3.6	635	197
Other income	3.7	6,935	22,628
Total income / revenue		**348,671**	**316,970**
Expenses			
Employee costs	4.1	127,990	124,616
Materials and services	4.2	119,199	118,412
Depreciation	4.3	46,815	43,925
Amortisation – intangible assets	4.4	184	175
Depreciation – right of use assets	4.5	1,729	1,550
Allowance for impairment losses	4.6	63	100
Borrowing Cost	4.7	1,420	29
Finance costs – leases	4.8	621	595
Other expenses	4.9	8,618	754
Net loss on disposal of property, infrastructure, plant and equipment	3.6	72	1,297
Total expenses		**306,711**	**291,453**
Surplus for the year		**41,960**	**25,517**
Other comprehensive income			
Items that will not be reclassified to surplus or deficit in future periods:			
Net asset revaluation gain/(loss)	9.1(a)	146,053	287,369
Total other comprehensive income		**146,053**	**287,369**
Total comprehensive result		**188,014**	**312,886**

The above comprehensive income statement should be read in conjunction with the accompanying notes.

Balance Sheet

As at 30 June 2026

	Note	2026 $`000	2025 $`000
Assets			
Current assets			
Cash and cash equivalents	5.1(a)	47,867	63,963
Trade and other receivables	5.1(c)	38,224	26,432
Other financial assets	5.1(b)	66,725	48,677
Prepayments	5.2(a)	676	727
Non-current assets classified as held for sale	6.1	-	1,738
Other assets	5.2(a)	8,731	4,014
Total current assets		**162,223**	**145,551**
Non-current assets			
Property, infrastructure, plant and equipment	6.2	3,501,162	3,279,515
Right-of-use assets	5.8	10,141	10,747
Investment property	6.3	5,163	5,163
Intangible assets	5.2(b)	1,027	651
Other assets	5.2(a)	250	250
Total non-current assets		**3,517,743**	**3,296,326**
Total assets		**3,679,966**	**3,441,877**
Liabilities			
Current liabilities			
Trade and other payables	5.3(a)	37,821	24,113
Trust funds and deposits	5.3(b)	12,866	10,044
Contract and other liabilities	5.3(c)	10,900	10,109
Interest-bearing liabilities	5.4	2,805	772
Provisions	5.5	22,772	22,815
Lease liabilities	5.8	1,579	1,402
Total current liabilities		**88,743**	**69,255**
Non-current liabilities			
Interest-bearing liabilities	5.4	44,945	16,228
Provisions	5.5	2,434	2,049
Lease liabilities	5.8	9,682	10,313
Total non-current liabilities		**57,061**	**28,590**
Total liabilities		**145,805**	**97,845**
Net assets		**3,534,162**	**3,344,032**
Equity			
Accumulated surplus		1,585,938	1,538,521
Asset revaluation reserve	9.1(a)	1,892,251	1,746,197
Other reserves	9.1(b)	55,973	59,314
Total equity		**3,534,162**	**3,344,032**

The above balance sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the Year Ended 30 June 2026

2026	Note	Total	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves
		$`000	$`000	$`000	$`000
Balance as at 1 July 2025		3,344,032	1,538,521	1,746,197	59,314
Surplus for the year		41,960	41,960	-	-
Net asset revaluation gain/(loss)	9.1	148,169	2,116	146,053	-
Transfers to other reserves	9.1	-	(13,594)	-	13,594
Transfers from other reserves	9.1	-	16,935	-	(16,935)
Balance as at 30 June 2026		**3,534,162**	**1,585,938**	**1,892,250**	**55,973**

2025	Note	Total	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves
		$`000	$`000	$`000	$`000
Balance as at 1 July 2024		3,031,146	1,519,844	1,458,828	52,474
Surplus for the year		25,517	25,517	-	-
Net asset revaluation gain/(loss)	9.1	287,369	-	287,369	-
Transfers to other reserves	9.1	-	(14,707)	-	14,707
Transfers from other reserves	9.1	-	7,867	-	(7,867)
Balance as at 30 June 2025		**3,344,032**	**1,538,521**	**1,746,197**	**59,314**

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 2026

	Note	2026 Inflows/ (Outflows) $`000	2025 Inflows/ (Outflows) $`000
Cash flows from operating activities			
Rates and charges		174,927	167,087
Statutory fees and fines		9,479	8,711
User fees		13,623	30,238
Grants – operating		67,291	62,896
Grants – capital		17,952	20,616
Contributions – monetary		9,960	6,047
Interest received		3,830	3,997
Trust funds and deposits taken		3,115	3,427
Other receipts		(3,521)	3,707
Net GST (paid) / refund		999	(1,365)
Employee costs		(125,886)	(123,217)
Materials and services		(104,563)	(120,570)
Trust funds and deposits repaid		(2,000)	(3,730)
Net cash provided by operating activities	9.2	**65,206**	**57,844**
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	6.2	(93,618)	(68,644)
Payments for intangibles	5.2(b)	(560)	(14)
Proceeds from sale of property, infrastructure, plant and equipment	3.6	2,373	210
Payments for investments		(75,658)	(55,630)
Proceeds from sale of investments		57,610	97,758
Net cash used in investing activities		**(109,853)**	**(26,320)**
Cash flows from financing activities			
Proceeds from borrowings		32,000	17,000
Repayment of borrowings		(1,250)	-
Interest paid- lease liability		(621)	(595)
Repayment - lease liabilities		(1,578)	(1,382)
Net cash from/(used by) financing activities		**28,551**	**15,023**
Net (decrease) / increase in cash and cash equivalents		(16,096)	46,547
Cash and cash equivalents at the beginning of the financial year		63,963	17,416
Cash and cash equivalents at the end of the financial year	5.1(a)	**47,867**	**63,963**
Financing arrangements	5.6	54,150	22,150

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 2026

	2026 $`000	2025 $`000
Property		
Land	361	147
Total land	**361**	**147**
Buildings	54,757	42,742
Total buildings	**54,757**	**42,742**
Total Property (incl. Land and Building)	**55,118**	**42,889**
Plant and equipment		
Plant, machinery and equipment	144	337
Fixtures, fittings and furniture	197	208
Computers and telecommunications	325	462
Library books	1,191	1,170
Total plant and equipment	**1,857**	**2,177**
Infrastructure		
Roads	8,966	5,579
Footpaths and cycleways	4,690	2,704
Drainage	5,829	4,703
Recreational, leisure and community facilities	9,836	6,520
Parks, open space and streetscapes	5,965	2,602
Off street car parks	239	242
Other Infrastructure	1,118	1,228
Total infrastructure	**36,643**	**23,578**
Total capital works expenditure	**93,618**	**68,644**
Represented by:		
New asset expenditure	55,757	12,723
Asset renewal expenditure	23,419	26,846
Asset expansion expenditure	167	17,944
Asset upgrade expenditure	14,275	11,131
Total capital works expenditure	**93,618**	**68,644**

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 2026

Note 1 Overview

Introduction

Kingston City Council was established by an Order of the Governor in Council on 15th 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 2020,* and the *Local Government (Planning and Reporting) Regulations 2020.* The Council is a not-for-profit entity and therefore applies the additional AUS paragraphs applicable to a not-for-profit entity under the Australian Accounting Standards.

Accounting policy information

1.1 Basis of accounting

Accounting policies are selected and applied in a manner that ensures the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported. Specific accounting policies applied are disclosed in sections where the related balance or financial statement matter is disclosed.

The accrual basis of accounting has been used in the preparation of these financial statements, except for the cash flow information, 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.

The financial statements are based on the historical cost convention unless a different measurement basis is specifically disclosed in the notes to the financial statements.

The financial statements have been prepared on a going concern basis. The financial statements are in Australian dollars. The amounts presented in the financial statements have been rounded to the nearest thousand dollars unless otherwise specified. Minor discrepancies in tables between totals and the sum of components are due to rounding.

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 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:

Notes to the Financial Report

For the Year Ended 30 June 2026

Notes to the Financial Statements (cont'd)

Note 1 Overview (cont'd)

1.1 Basis of accounting (cont'd)

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.2)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3.4)
- the determination, in accordance with *AASB 16 Leases* of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- Other areas requiring judgement

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.

Some Financial Notes may not add to 100 percent due to rounding differences.

Goods and Services Tax (GST)
Income and expenses are recognised net of the amount of associated GST. Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 2 Analysis of Our Results

2.1 Performance against budget

The performance against budget notes compares Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2020* requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent 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.

These notes are prepared to meet the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

2.1.1 Income / Revenue and Expenditure

	Adopted Budget 2026 $`000	Actual 2026 $'000	Variance $`000	Variance %	Favourable (F) / Unfavourable (U)	Ref
Income / Revenue						
Rates and charges	181,554	181,823	269	0.1%	F	
Statutory fees and fines	9,819	9,380	(439)	(4.5%)	U	1
User fees	21,644	21,094	(550)	(2.5%)	U	2
Grants – Operating	60,302	67,265	6,963	11.5%	F	3
Grants – Capital	19,581	17,527	(2,054)	(10.5%)	U	4
Contributions – monetary	11,209	9,931	(1,278)	(11.4%)	U	5
Contributions – non-monetary	-	34,082	34,082	100.0%	F	6
Net gain on disposal of property, infrastructure, plant and equipment	100	635	535	535.1%	F	7
Other income	4,637	6,935	2,298	49.6%	F	8
Total Income / Revenue	**308,846**	**348,671**	**39,825**	**12.9%**	**F**	
Expenses						
Employee costs	130,489	127,990	2,499	1.9%	F	9
Materials and services	116,892	119,199	(2,307)	(2.0%)	U	10
Depreciation	44,642	46,815	(2,173)	(4.9%)	U	11
Amortisation – Intangible assets	235	184	51	22.0%	F	
Depreciation – Right of use assets	1,300	1,729	(429)	(33.0%)	U	12
Allowance for impairment losses	50	63	(13)	(25.9%)	U	13
Borrowing costs	2,209	1,420	789	35.7%	F	14
Finance costs – Leases	500	621	(121)	(24.2%)	U	15
Other expenses	714	8,618	(7,904)	(1107.0%)	U	16
Net loss on disposal of property, infrastructure, plant and equipment	-	72	(72)	(100.0%)	U	17
Total Expenses	**297,031**	**306,711**	**(9,680)**	**(3.3%)**	**U**	
Surplus for the year	**11,815**	**41,960**	**30,145**	**255.1%**	**F**	

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 2 Analysis of Our Results (cont'd)

2.1 Performance against budget (cont'd)

2.1.1 Income and Expenditure (cont'd)

Explanation of material variances

Ref	Item	Explanation
1	Statutory fees and fines	Statutory fees revenue was $0.4 million unfavourable to budget, primarily due to lower-than-anticipated revenue from City Development statutory fees and permits.
2	User fees	User fees was $0.6 million unfavourable to budget, primarily due to the timing of Governance non-voter fee income received in 2024/25, lower property rental income, and reduced events revenue.
3	Grants – Operating	Operating grants was $7.0 million favourable to budget, including a net favourable Financial Assistance Grant variance of $1.9 million due to timing differences, with the early receipt of $4.8 million (80%) of the 2026/27 grant in 2025/26 partially offset by a $2.9 million unfavourable variance resulting from part of the 2025/26 grant (50%) having been received in 2024/25. Further favourable variance was due to Packaged Care income from Access Care, offset by corresponding movements in employee costs and materials and services.
4	Grants – Capital	The actual capital grant received for FY2025/26 was lower than budget was mainly due to the deferral and timing of planned capital works, primarily the Namatjira Masterplan Implementation Project and the Edithvale Family and Children's Centre Expansion/Room Conversion Project. As grant funding was received in line with project milestones and eligible expenditure, this timing issue has resulted in the deferral of grant receipts to future financial periods.
5	Contributions – monetary	Contributions – monetary was $1.3 million unfavourable to budget due to lower Developer contributions received consistent with the volume of planning applications and affected by economic and external factors to council.
6	Contributions – non-monetary	Contributions – non-monetary were $34.1 million favourable to budget due to Infrastructure Assets gifted by VIDA Rail (formerly known as the LXRP).
7	Net Gain on Disposal of Assets	Net Gain on Disposal of Assets was $535k favourable to budget, due to sale of properties located at Lochiel Avenue, Edithvale and Balcombe Road, Mentone.
8	Other income	Favourable result primarily due to the recognition of previously unrecorded ("found") drainage assets identified through condition audits and inspections, $2.1 million.
9	Employee costs	Employee costs were $2.5 million favourable, primarily due to lower direct service delivery costs within Access Care and Family & Children's Services. This was partially offset by higher use of third-party service providers, reflected in Materials and Services expenditure, and associated grant revenue.
10	Materials and Services	Materials and services were $2.3 million unfavourable to budget primarily in Access Care, offset by corresponding movements in grants and materials and services. The variance also reflects higher-than-budgeted legal expenses, expert advisory fees, and costs associated with the Municipal Monitors
11	Depreciation	Depreciation was $2.2 million unfavourable to budget, primarily due with significant increase in depreciation mainly due to increase in capitalised assets in 2025/26 compared to 2024/25, primarily in transport & drainage assets revaluation increment last year.
12	Depreciation – Right of use assets	The increase in vehicle leases up take by the organisation with higher Incremental Borrowing Rate (IBR) rates. This has resulted in an unfavourable variance vs budget by $0.4m
13	Allowance for impairment losses (bad debts)	Bad and doubtful debts allowance was $13k unfavourable to budget due to additional bad debt write offs following a review of outstanding debts and the likelihood of recovery.
14	Borrowing costs	Borrowing costs were $0.8 million favourable to budget due to the timing of the drawdown of the loan to fund the Mordi Aquatic Centre loan and lower than expected interest rates.

Notes to the Financial Report

For the Year Ended 30 June 2026

15	Finance costs – Leases	Finance costs leases was $0.1 million unfavourable to budget, due to additional lease expenses, consistent with lease accounting requirements.
16	Other expenses	Other expenses exceeded budget by $8.0 million as of adjustment processed for double booked Land Under Roads Asset and reversal of parking infringement provisions.
17	Net loss on disposal of property, infrastructure, plant and equipment	Net Gain on Disposal of Assets was $0.5 million favourable to budget, due to sale of properties located at Lochiel Avenue, Edithvale and Balcombe Road, Mentone. This was offset by unfavourable $0.1 million Net Loss on disposal of Assets from written down value of demolished buildings.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 2 Analysis of Our Results (cont'd)

2.1 Performance against budget (cont'd)

2.1.2 Capital Works

	Adopted Budget 2026 $`000	Actual 2026 $'000	Variance $`000	Variance %	Favourable (F)/ Unfavourable (U)	Ref
Property						
Land	170	361	191	112.4%	F	1
Total land	**170**	**361**	191	**112.4%**	**F**	
Buildings	59,969	54,757	(5,212)	(8.7%)	U	2
Total buildings	**59,969**	**54,757**	**(5,212)**	**(8.7%)**	**U**	
Total property	**60,139**	**55,118**	**(5,021)**	**(8.4%)**	**U**	
Plant and equipment						
Plant and machinery	550	143	(407)	(74.1%)	U	3
Fixtures, fittings and furniture	-	197	197	100.0%	F	4
Computers and telecommunications	346	325	(21)	(6.0%)	U	
Library books	1,213	1,191	(22)	(1.8%)	U	
Cultural assets	300	-	(300)	(100.0%)	U	5
Total Plant and equipment	**2,409**	**1,856**	**(553)**	**(23%)**	**U**	
Infrastructure						
Roads	7,008	8,966	1,958	27.9%	F	6
Footpaths and cycleways	2,455	4,690	2,235	91.0%	F	7
Drainage	7,400	5,829	(1,571)	(21.2%)	U	8
Recreational, leisure and community facilities	14,400	9,837	(4,563)	(31.7%)	U	9
Parks, open space and streetscapes	9,545	5,965	(3,580)	(37.5%)	U	10
Off-Street car parks	210	239	29	13.8%	F	11
Other infrastructure (Elevated Structures)	-	1,118	1,118	100.0%	F	12
Total Infrastructure	**41,018**	**36,644**	**(4,374)**	**(11.0%)**	**U**	
Total Capital Works expenditure	**103,566**	**93,618**	**(9,948)**	**(10.0%)**	**U**	
Represented by:						
New asset expenditure	13,457	55,757	42,300	314.3%	F	
Asset renewal expenditure	32,617	23,419	(9,198)	(28.0%)	U	
Asset expansion expenditure	29,404	167	(29,237)	(99.4%)	U	
Asset upgrade expenditure	28,088	14,275	(13,813)	(49.2%)	U	
Total Capital Works Expenditure	**103,566**	**93,618**	**(9,948)**	**(10.0%)**	**U**	

An additional $1.3 million was spent on capital related projects (total capital related projects spend was $94.9 million), which majority was expensed in 2025-26 as it did not meet capitalisation criteria.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 2 Analysis of Our Results (cont'd)

2.1 Performance against budget (cont'd)

2.1.2 Capital Works (cont'd)

Explanation of material variances

Ref	Item	Explanation
1	Land	$0.3 million was spent on acquisition of VicRoads land on Balcombe Road following extended engagement period
2	Buildings	The underspend is primarily due to project timing adjustments for the Walter Galt Pavilion and Mordialloc Aquatic Centre projects, which remain on track for delivery within budget. In addition, an underspend has resulted from the Edithvale Family and Children's Centre Expansion project not proceeding.
3	Plant and Machinery	The underspend in Plant & Machinery is due to Library Amenity Improvements expenditure being reported under Fixtures & Fittings, where the project was delivered. In addition, no expenditure has occurred against the Motor Vehicles budget.
4	Fixtures, Fittings and Furniture	The $197k expenditure mainly relates to the Library Amenity Improvements project. Although reported under this asset class, the project budget was allocated to Plant & Machinery and Equipment. As such, the variance is offset by the corresponding underspend in the Plant & Machinery and Equipment asset class.
5	Cultural assets	Cultural assets expenditure was impacted by timing differences, with planned works deferred to subsequent financial years. No expenditure was incurred during FY 2025/26, with related works expected to progress in future years.
6	Roads	The overspend is primarily due to the early delivery of various works under the Road Renewal – Resurfacing Program.
7	Footpaths and cycleways	The overspend is primarily due to expenditure for the Edithvale Shopping Strip Revitalisation being classified under Footpaths, while the associated budget was fully allocated to Parks, Open Space and Streetscapes.
8	Drainage	The underspend is primarily due to timing in the completion of the drainage project at Mulkarra Drive/Embankment Grove. The project will continue into the FY 2026/27.
9	Recreational, Leisure and Community Facilities	The $4.6 million underspend reflects project savings and the timing of works, with some projects continuing into the next financial year. The Recreational, Leisure and Community Facilities capital program had a budget of $14.4 million, with $9.6 million expended during the financial year. Expenditure related to key projects including the Namatjira Masterplan, Le Page Masterplan, Kingston Multi-Purpose Basketball Court, Kingston Heath Soccer Pitch No. 5, and the Hawthorn Kennedy Centre.
10	Parks, Open space and Streetscapes	Actual expenditure of $5.9 million against a budget of $9.5 million related to projects including the Edithvale Shopping Strip Revitalisation, Heights Park Chelsea Heights, Spring Road Masterplan Implementation, and reserve improvements. The $3.6 million underspend primarily reflects deferred Foreshore Infrastructure Renewal and Dixon Street Carpark Accessible Pedestrian projects, as well as the reclassification of Edithvale Shopping Strip Revitalisation expenditure to the Footpaths asset class.
11	Off-Street Carparks	The underspend is primarily attributable to lower-than-budgeted expenditure required to complete the Carrum Activity Hub – carpark upgrade.
12	Other Infrastructure	The overspend is attributable to signal intersection and walkway works at Thames Promenade.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 2 Analysis of Our Results (cont'd)

2.2 Analysis of council results by program

Council delivers its functions and activities through the following programs. The below divisional structure was in place for the whole of the 2025/26 financial year.

Planning and Place Division

Planning and Place Division comprised 4 departments. The *City Strategy* Department was responsible for developing, managing and guiding Council's strategic land use planning and policy functions across a broad range of social, economic and environmental issues. The *City Development* Department was responsible for providing an integrated development service to meet the needs of residents, ratepayers, the development industry, and internal clients including the decisions in relation to subdivisions. *City Economy and Innovation* was responsible for supporting and assisting Kingston's 10,000+ strong business community including manufacturers, retailers, business and personal service providers and home-based businesses. The *Compliance and Amenity* Department worked with the community to provide a safer and more liveable municipality through compliance and awareness. Responsibilities included the education and enforcement of local laws, parking, animal management for over 22,000 registered animals, providing 75 schools with crossing supervisors and reducing pollution and fire risks.

Infrastructure and Open Space Division

The Infrastructure and Open Space Division comprised 6 departments. The *Open Space* Department managed, maintained and developed Council's public places, including the 13 kilometres of Kingston's foreshore, parks, reserves and gardens, sports grounds, shopping centres and streetscapes. The *Infrastructure* Department was responsible for the lifecycle management of our built facilities and civil infrastructure. This included the asset management, condition assessment and planning for the upgrading and renewal of road, footpath, drainage, bridges and other infrastructure, as well as traffic and transport planning which has a strong focus on the strategic response to major transport infrastructure projects including grade separations, activity centre planning and active transport provision. The *Active Kingston* Department encouraged community participation in sport facilities and activities to increase physical and mental health and
Wellbeing. The *Aquatics & Leisure* Department manages and operates Council's leisure centre and aquatic facilities of the council. The *City Works* Department managed the City of Kingston's waste services and the maintenance of buildings, facilities and civil infrastructure assets. The *PMO and Major Projects* Department is responsible for planning and delivery of the annual capital works program for the upgrading and renewal of roads, footpaths, drainage, bridges and other civil infrastructure.

Community Strengthening Division

Community Strengthening Division comprised 5 areas of responsibility. The *Arts, Events and Libraries* Department was focused on the delivery of industry leading contemporary programs, activities, and events. Through innovation and continuous improvement, the department strived to provide high quality learning, recreational, social and cultural outcomes for our community. The *Access Care* Department's purpose was to encourage and support a connected community with enhanced health, wellbeing and independence of individuals, groups and communities. *Family, Youth and Children's Services* Department was responsible for the planning and delivery of community-based support services within the municipality including Long Day Care, Maternal Child Health and immunisation programs. *Inclusive Communities* Department led an evidence-based approach to achieving health and social policy outcomes, delivers strengths-based approaches to community development, diversity and inclusion, built community capacity through partnerships, grants, programs and training, and activates Council's community hubs and other relevant community infrastructure.

Customer and Corporate Support Division

Customer and Corporate Support Division comprised 5 departments. The role of *Information and Digital Technology* Department was to provide information systems and services that ensure the quality, security and accessibility of data and information to Council. *People and Culture* Department was responsible for all employment related issues, including policy development and provision of advice and support on workplace relations issues, training and professional development, performance management, risk management, occupational health and safety and injury management and rehabilitation for the organisation. The role of the *Governance, Risk and Integrity* Department was to support the function of democratic local government through the Council and Councillors by promoting and assisting effective decision making and the implementation of those decisions.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 2 Analysis of Our Results (cont'd)

Note 2.2 Analysis of council results by program (cont'd)

Customer and Corporate Support Division (cont'd)

The *Advocacy, Communications and Engagement* Department provided the Kingston community with timely, relevant and accurate information and services through creative communication, multiple contact and service channels and engagement opportunities. The *Customer Experience and Corporate Performance* Department sought to deliver and facilitate continuous improvement initiatives that embed a Customer First approach through the functions of Corporate Planning, Customer Care, Customer Records, Customer Advocacy and Service Design.

Chief Finance Officer Division

Chief Finance Officer Division comprised 3 departments. The *Finance* Department managed Council's finances to ensure compliance with statutory financial and reporting obligations and Council's long-term financial sustainability. Responsibilities include preparation of the Annual Budget and Long-Term Financial Plan and administration of accounts receivable, accounts payable and payroll. Additionally, the department oversaw Council's property and rating database and the annual revaluation of properties, to ensure rate revenue is raised accurately and on time. The *Property Services* Department managed Council's acquisition and disposal of property, foreshore boatsheds, lease portfolio, legacy contaminated lands and closed landfill sites, road and drainage reserve discontinuances and valuations (for public open space, financial reporting, insurance and acquisition and disposal of property). The purpose of the *Procurement and Contracts* Department was to drive excellence in procurement and contracting processes. The department provided information and specialist advice to the organisation on procurement and contracts, overseeing tendering and contract compliance and probity, reporting organisational activity and driving best value procurement outcomes.

Central Executive Services

The Central Executive Services division included Council's Executive Services and Central Departments. Council's Central Department included expenditure of depreciation, non-capital expenditure from the capital works program plus all income for Council's rates, asset contributions and developer contributions.

2.2.2 Summary of income / revenues, expenses, assets and capital expenses by program

2026	Income / Revenue $'000	Expenses $'000	Surplus/ (Deficit) $'000	Grants included in income / revenue $'000	Total assets $'000
Planning and Place	10,588	21,254	(10,666)	657	117
Infrastructure and Open Space	13,026	96,523	(83,497)	4,221	3,504,056
Community Strengthening	65,140	88,349	(23,209)	54,715	-
Customer & Corporate Support	4	26,339	(26,335)	0	1,027
Chief Financial Office	2,477	9,749	(7,272)	0	174,766
Central Executive Services	257,435	64,496	192,940	25,199	-
	348,671	**306,711**	**41,960**	**84,792**	**3,679,966**

2025	Income / Revenue $'000	Expenses $'000	Surplus/ (Deficit) $'000	Grants included in income / revenue $'000	Total assets $'000
Planning and Place	10,473	20,393	(9,920)	714	87
Infrastructure and Open Space	9,828	91,308	(81,480)	1,667	3,284,366
Community Strengthening	64,551	88,926	(24,375)	51,192	-
Customer & Corporate Support	213	27,945	(27,732)	-	651
Chief Financial Office	3,343	8,498	(5,155)	-	156,773
Central Executive Services	228,562	54,383	174,179	26,367	-
	316,970	**291,453**	**25,517**	**79,940**	**3,441,877**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 3 Funding for the delivery of our services

3.1 Rates and charges

Council uses the 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 2025/26 was $81.49 billion (2024/25, $81.17 billion). The 2025/26 declared general rate in the dollar was $0.0018201 (2024/25, $0.0017598).

	2026 $`000	2025 $`000
General rates	148,326	142,844
Municipal charge	7,857	7,806
Waste Services charge	23,015	21,063
Special rates and charges	59	59
Supplementary rates and rate adjustments	1,077	914
Interest on rates and charges	1,489	1,270
Total rates and charges	**181,823**	**173,956**

The date of the general revaluation of land for rating purposes within the municipal district was 1 January 2025 and the valuation was first applied in the rating year commencing 1 July 2025.

Annual rates and charges are recognised as income when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed, and a supplementary rate notice issued.

3.2 Statutory fees and fines

	2026 $`000	2025 $`000
Infringements and costs	1,500	1,564
Parking infringements	2,854	2,479
Permits	700	416
Town planning fees	3,497	3,299
Family day care and school age care	359	406
Land information certificates	240	224
Other	230	224
Total Statutory fees and fines	**9,380**	**8,612**

Statutory fees and fines (including parking fees and fines) are recognised as income when the service has been provided, the payment is received, or when the penalty has been applied, whichever occurs first.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 3 Funding for the delivery of our services (cont'd)

3.3 User fees

	2026 $`000	2025 $`000
Aged and health services	2,145	5,496
Building services	1,432	1,258
Childcare/ children's programs	6,027	5,720
Leisure centre and recreation	7,876	7,771
Registration and other permits	1,442	1,471
Waste management services	479	644
Rental Income	1,896	2,700
Other	(203)	323
Total User Fees	**21,094**	**25,383**
User fees by timing of revenue recognition		
User fees recognised over time	8,086	11,019
User fees recognised at a point in time	13,008	14,364
Total user fees	**21,094**	**25,383**

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

3.4 Funding from other levels of government

	2026 $`000	2025 $`000
Grants were received in respect of the following:		
Summary of grants		
Commonwealth funded grants	55,758	57,750
State funded grants	29,034	22,190
Total grants received	**84,792**	**79,940**
a) Operating grants		
Recurrent - Commonwealth Government		
Financial Assistance Grants	7,701	8,466
Access Care	27,650	23,544
Home and community care	10,966	13,821
Family and children	9,364	10,484
Library and Education	79	-
Other	28	372
Recurrent – State Government		
Access Care	2,194	1,006
Family and children	3,393	3,882
Libraries and education	534	636
Beach and foreshore cleaning	694	531
Home and Community Care	535	-
School crossing supervisor program	581	611
Level crossing Removal and revitalization income	3,066	429
Other	480	438
Total recurrent grants	**67,265**	**64,220**
Non-Recurrent – State Government		
Total non-recurrent grants	-	**-**
Total operating grants	**67,265**	**64,220**

Notes to the Financial Report

For the Year Ended 30 June 2026

	2026 $'000	2025 $'000
b) Capital grants		
Recurrent – Commonwealth Government		
Roads to Recovery	995	1,063
Total recurrent grants	**995**	**1,063**
Non-recurrent – Commonwealth Government		
Local Road & Community Infrastructure	-	818
Non-recurrent – State Government		
Sporting facilities	3,687	598
Children's facilities	-	1,920
Civil infrastructure	1,729	2,214
Community facilities	10,034	8,025
Libraries and education	1,082	1,082
Total non-recurrent grants	**16,532**	**14,657**
Total capital grants	**17,527**	**15,720**
Total Grants	**84,792**	**79,940**

(c) Recognition of grant income

Before recognising funding from government grants as revenue, the Council assesses whether there is a contract that is enforceable and has sufficiently specific performance obligations in accordance with AASB 15 *Revenue from Contracts with Customers*. When both these conditions are satisfied, the Council:

- identifies each performance obligation relating to revenue under the contract/agreement
- determines the transaction price
- recognises a contract liability for its obligations under the agreement
- recognises revenue as it satisfies its performance obligations, at the point in time or over time when services are rendered.

Where the contract is not enforceable and/or does not have sufficiently specific performance obligations, the Council applies AASB 1058 *Income for Not-for-Profit Entities*.

Grant revenue with sufficiently specific performance obligations is recognised over time as the performance obligations specified in the underlying agreement are met. Where performance obligations are not sufficiently specific, grants are recognised on the earlier of receipt or when an unconditional right to receipt has been established. Grants relating to capital projects are generally recognised progressively as the capital project is completed.

The following table provides a summary of unspent grants.

d) Unspent grants received on condition that they be spent in a specific manner

Operating	2026 $`000	2025 $`000
Balance at start of year	3,522	4,986
Received during the financial year and remained unspent at balance date	3,494	3,522
Received in prior years and spent during the financial year	(3,522)	(4,986)
Balance at year end	**3,494**	**3,522**
Capital		
Balance at start of year	5,862	975
Received during the financial year and remained unspent at balance date	6,279	5,862
Received in prior years and spent during the financial year	(5,862)	(975)
Balance at year end	**6,279**	**5,862**

Unspent grants are determined and disclosed on a cash basis.

Notes to the Financial Report

For the Year Ended 30 June 2026

3.5 Contributions

	2026 $`000	2025 $`000
Monetary	9,931	6,039
Non-monetary	34,082	215
Total contributions	**44,013**	**6,254**

Council has recognised significant non-cash contributions as income of $34.1 million in 2025/26 relating to gifted assets transferred to Council under the Memorandum of Understanding executed with the Victorian Infrastructure Delivery Authority (VIDA) for the Carrum Level Crossing Removal Project. This has had a significant positive impact on Council's Income Statement and reported net result (surplus).

3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment

	2026 $`000	2025 $`000
Proceeds from sale	2,373	210
Adjustment in proceeds opening balance	-	-
Written down value of assets disposed	(1,777)	(13)
Written down value of assets demolished	(33)	(1,297)
Total net gain/(loss) on disposal of property, infrastructure, plant and equipment	**563**	**(1,100)**

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

3.7 Other Income

	2026 $`000	2025 $`000
Interest Income		
Interest on cash and investments	3,830	3,997
	3,830	**3,997**
Other Income		
Found assets	2,112	14,488
Fair value adjustment for investment property	-	460
Other	993	3,683
	3,105	**18,631**
Total Other Income	**6,935**	**22,628**

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. The drainage asset revaluation has been completed by the Infrastructure Department in compliance with Accounting Standards (AASB 13), found assets of $2.1 million have also been identified as part of the revaluation.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 4 The cost of delivering services

4.1 Employee costs

	2026 $`000	2025 $`000
(a) Employee costs		
Wages and salaries	97,758	96,143
Casual staff	9,344	9,584
Fringe benefits tax and Workcover	3,565	2,892
Superannuation	12,523	11,944
Annual Leave and Long Service Leave	4,800	4,053
Total employee costs	**127,990**	**124,616**
(b) Superannuation		
Council made cash contributions to the following funds:		
Defined Benefit fund		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	143	178
	143	**178**
Accumulation funds		
Employer contributions to Local Authorities Superannuation Fund (Vision Super)	4,985	4,981
Employer contributions - other funds	7,395	6,785
Total accumulated funds	**12,380**	**11,766**
Total contributions	**12,523**	**11,944**
Employer contributions payable at reporting date	**1,116**	**1,062**

Contributions made exclude amounts accrued at balance date.

Refer to Note 9.3 for further information relating to Council's superannuation obligations.

4.2 Materials and services

	2026 $`000	2025 $`000
Road infrastructure maintenance	9,291	9,341
Building maintenance	7,638	7,334
Waste and cleansing	26,699	25,573
Aged services	21,054	22,993
Parks, gardens and reserves	18,190	17,793
Leisure and culture	8,011	7,224
Accommodation expense	541	464
Information systems and telecommunications	9,117	9,594
Family services	4,230	4,008
Community engagement	2,638	2,707
Parking, monitoring and enforcement	1,731	1,622
Procurement and fleet management	3,497	3,360
Council business	566	1,215
People and culture	813	1,095
Finance and legal	3,123	2,458
Planning and building	1,053	638
Other	1,008	993
Total materials and services	**119,199**	**118,412**

Expenses are recognised as they are incurred and reported in the financial year to which they relate.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 4 The cost of delivering services (cont'd)

4.3 Depreciation

	2026 $`000	2025 $`000
Property	15,090	13,752
Infrastructure	28,821	27,008
Plant and equipment	2,904	3,165
Total depreciation	**46,815**	**43,925**

Refer to Note 6.2 for a more detailed breakdown of depreciation charges and accounting policy.

4.4 Amortisation – Intangible assets

	2026 $`000	2025 $`000
Software	184	175
Total Amortisation – Intangible assets	**184**	**175**

Refer to Note 5.2(b) for a more detailed breakdown of intangible amortisation charges and accounting policy.

4.5 Depreciation – Right of use assets

	2026 $`000	2025 $`000
Property	96	84
Vehicles	1,100	933
Waste	450	450
Equipment	83	83
Total Depreciation – Right of use assets	**1,729**	**1,550**

Refer to Note 5.8 for a more detailed breakdown of depreciation charges – Right of use

4.6 Allowance for impairment losses

	2026 $`000	2025 $`000
Other debtors	63	100
Total allowance for impairment losses	**63**	**100**
Movement in allowance for impairment losses in respect of debtors		
Balance at the beginning of the year	283	344
New allowances recognised during the year	11	98
Amounts already provided for and written off as uncollectable	(151)	(159)
Balance at end of year (Refer to Note 5.1c)	**143**	**283**

An allowance for impairment losses in respect of debtors is recognised based on an expected credit loss model. This model considers both historic and forward-looking information in determining the level of impairment.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 4 The cost of delivering services (cont'd)

4.7 Borrowing costs

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. As at, 30 June 2026 Council had a net borrowing of $47.8 million to fund the Mordi Aquatic Centre Project.

	2026 $`000	2025 $`000
Interest – Borrowings	1,420	29
Total borrowing costs	**1,420**	**29**

4.8 Finance Costs - Leases

	2026 $`000	2025 $`000
Interest – Lease Liabilities	621	595
Total Leases borrowing costs	**621**	**595**

4.9 Other expenses

	2026 $`000	2025 $`000
Auditors' remuneration (VAGO) – audit of the financial statements, performance statement and grant acquittals	79	162
Auditors' remuneration – internal audit	190	110
Councillors Allowances	535	482
Reversal of Parking Infringement Provision*	(1,218)	-
Land Under Road Written-off**	9,032	-
Total other expenses	**8,618**	**754**

Parking Infringement Provision*

During 2025/26, Council reviewed the Parking Infringement Reimbursement Scheme, which had remained largely inactive since January 2023. Following legal and financial assessment, Council determined that no present legal obligation existed in relation to the remaining unclaimed amounts. Accordingly, the remaining provision of approximately $1.219 million was derecognised in 2025/26, with the reversal accounted for within Other Expenses in the Comprehensive Income Statement.

Land Under Road Written-off**

During 2025/26, Council identified Land Under Roads that had been recorded in both the Land and Land Under Roads asset class since 2008/09.
This asset duplication was corrected in FY 2025/26, with the adjustment recognised in Other Expenses as an asset write-off, reducing the carrying value of Land Under Roads accordingly.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations

5.1 Financial assets

(a) Cash and cash equivalents

	2026 $`000	2025 $`000
Cash on hand	10	10
Cash at bank	47,857	63,953
Total cash and cash equivalents	**47,867**	**63,963**

(b) Other financial assets

Current		
Term Deposits	66,725	48,677
Total current other financial assets	**66,725**	**48,677**
Total cash and cash equivalents and other financial assets	**114,592**	**112,640**

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months 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.

Other financial assets include term deposits and those with original maturity dates of three to 12 months are classified as current, whilst term deposits with maturity dates greater than 12 months are classified as non-current.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.1 Financial assets (cont'd)

(c) Trade and other receivables

	2026 $`000	2025 $`000
Current		
Statutory receivables		
Rate debtors	28,606	21,711
Net GST receivable	2,444	1,796
Infringement debtors	8,575	8,191
Allowances for expected credit loss - infringements	(8,457)	(8,104)
	31,168	**23,594**
Non statutory receivables		
Other debtors	7,199	3,121
Allowances for expected credit loss – other debtors (Refer Note 4.6)	(143)	(283)
	7,056	**2,838**
Total trade and other receivables	**38,224**	**26,432**

Short term receivables are carried at invoice amount. An allowance for expected credit losses is recognised based on past experience and other objective evidence of expected losses. Long term receivables are carried at amortised cost using the effective interest rate method.

(d) Ageing of receivables

The ageing of Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

	2026 $`000	**2025 $`000**
Current (not yet due)	2,091	2,238
Past due by up to 30 days	2,389	422
Past due between 31 and 180 days	1,288	89
Past due between 181 and 365 days	1,030	71
Past due by more than 1 year	258	18
Total trade and other receivables	**7,056**	**2,838**

(e) Ageing of individually impaired receivables

At balance date, other debtors representing financial assets with a nominal value of $143k (2025: $283k) were impaired. The amount of the allowance raised against these debtors was $143k (2025: $283k). 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:

	2026 $`000	**2025 $`000**
Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 180 days	-	-
Past due between 181 and 365 days	-	-
Past due by more than 1 year	143	283
Total trade and other receivables	**143**	**283**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.2 Non-financial assets

(a) Other assets

	2026 $`000	2025 $`000
Current		
Prepayments	676	727
Other	8,731	4,014
Total other assets – current	**9,407**	**4,741**
Non-Current		
Refundable deposits paid	250	250
Total other assets – non-current	**250**	**250**
Total Other assets	**9,657**	**4,991**

(b) Intangible assets

	2026 $`000	2025 $`000
Software	1,027	651
Total intangible assets	**1,027**	**651**

	Software $'000	Software WIP $'000	Total $'000
Gross carrying amount			
Balance at 1 July 2025	7,264	-	7,264
Additions from internal developments	525	35	560
Balance at 30 June 2026	**7,789**	**35**	**7,824**
Accumulated amortisation and impairment			
Balance at 1 July 2025	6,613	-	6,613
Amortisation expense	184	-	184
Balance at 30 June 2026	**6,797**	**-**	**6,797**
Net book value at 30 June 2025	651	-	651
Net book value at 30 June 2026	**992**	**35**	**1,027**

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 2026

Note 5 Investing in and financing our operations (cont'd)

5.3 Payables, trust funds and deposits and contract and other liabilities

a) Trade and other payables

Amounts include trade creditors, employee leave entitlements accruals, and other accrued liabilities. Other accruals comprise accrued expenses of $15.0 million, accrued superannuation of $1.2 million, environmental upgrade charges of $1.6 million collected from participating ratepayers and payable to the Environmental Upgrade Agreement (EUA) financier and goods receipted but not yet invoiced of $4.0 million.

	2026 $`000	2025 $`000
Current		
Non-statutory payables		
Trade payables	10,244	4,874
Employee salary & wages accruals	5,193	4,742
Other accruals	22,384	14,497
Total current trade and other payables	**37,821**	**24,113**

(b) Trust funds and deposits

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.

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.

Emergency Services and Volunteers Fund - Council is the collection agent for the Emergency Services and Volunteers Fund 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.

	2026 $`000	2025 $`000
Current		
Refundable deposits	(135)	(129)
Emergency Services and Volunteers Fund	7,133	4,379
Retention amounts	5,868	5,794
Total current trust funds and deposits	**12,866**	**10,044**

(c) Contract and other liabilities

	2026 $`000	2025 $`000
Current		
Grants received in advance - operating	3,494	3,522
Grants received in advance - capital	6,279	5,862
User fees received in advance	1,127	725
Total contract and other liabilities	**10,900**	**10,109**

Contract liabilities reflect consideration received in advance from customers in respect of aquatic annual membership. Contract liabilities are derecognised and recorded as revenue when promised goods and services are transferred to the customer.

Grant consideration is recognised as income following specific guidance under AASB 1058 as the asset is constructed. Grant consideration was received from several State government funding bodies to support the construction of range of capital projects.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.3 Payables, trust funds and deposits and contract and other liabilities (cont'd)

(c) Contract and other liabilities (cont'd)

Below table illustrates the details of the breakdown of the Capital grants received in advance.

Grant / Project	Amount ($ million)
Namatjira Masterplan - Sports fields Infrastructure	2,642
LePage Park Accessibility Paths	1,577
Waves Electrification Upgrade	750
Inner Harbour Boardwalk and DDA access to Public Jetty	200
Governor Rd - Jack Grut Reserve - Crossing Improvements	197
Roy Dore Cricket Net Renewal	180
Walter Galt Female Friendly Pavilion	175
Playground Forward Design	175
Amaroo Drive - Raised Priority Crossing	73
Black Spot Program - Gladesville Boulevard McLeod Road PATTE	72
Kingston Heath Multi-Purpose Basketball Court	68
Edithvale bowls Resurfacing	50
Seaford Wetland Shared User Path	49
Westall Shopping Centre Multicultural Prescient	29
LS- Local Shopping Centre Amenity Renewal - Notional	29
ARGUS STREET, Cheltenham – Stormwater harvesting for Le Page	13
TOTAL	**6,279**

Emergency Services and Volunteers Fund - Council is the collection agent for the Emergency Services and Volunteers Fund on behalf of the State Government. Council remits these amounts received on Quarterly basis. Amounts disclosed here will be remitted to the State Government in line with that process.

Income is recognised to the extent of costs incurred-to-date because the costs of construction most closely reflect the stage of completion of these assets. As such, Council has deferred recognition of a portion of the grant consideration received as a liability for outstanding obligations.

5.4 Interest-bearing liabilities

Council entered into a loan agreement in 2024/25 with Treasury Corporation of Victoria to fund the spending on a new aquatic facility named Mordi Aquatic Centre.

Council had borrowed $17.0m in FY 2024/25 and further borrowed $32.0m in FY 2025/26. Total borrowing of $49.0m.

Detailed breakdown of Council is illustrated in the table below:

Loan Details	FY 2024/25	FY 2025/26
Lender	Treasury Corporation of Victoria (TCV)	Treasury Corporation of Victoria (TCV)
Purpose	Initial Borrowings for Mordi Aquatic Centre	Additional Borrowings for Mordi Aquatic Centre
Borrowing Date	June 18th, 2025	March 02nd, 2026
Borrowing Amount	$17.0 million	$32.0 million
Interest Rate	Fixed at 5.175% per annum	Fixed at 5.365% per annum
Term	15 years	12 Years
Security	Secured against Council's general rates	Secured against Council's general rates
Maturity Date	JUNE 18th, 2040	MARCH 02nd, 2038

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.4 Interest-bearing liabilities (cont'd)

	2026	2025
	$`000	$`000
Current		
Treasury Corporation of Victoria borrowings - secured	2,805	772
Total current interest-bearing liabilities	**2,805**	**772**
Non-current		
Treasury Corporation of Victoria borrowings - secured	44,945	16,228
Total non-current interest-bearing liabilities	**44,945**	**16,228**
Total Interest-bearing Liabilities	**47,750**	**17,000**
(a) The maturity profile for Council's loans is:		
Not later than one year	2,832	772
Later than one year and not later than five years	16,593	4,513
Later than five years	28,325	11,715
	47,750	**17,000**

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 based on contractual repayment terms at every balance date.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.5 Provisions

	Employee Leave $'000	Landfill restoration $'000	Parking Refunds $'000	Personal Leave Bank $'000	Total $'000
2026					
Balance at the beginning of the financial year	23,016	507	1,218	123	24,864
Additional provisions	10,107				10,107
Amounts used	(8,262)	(91)	(1,218)	(123)	(9,694)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	(70)	-	-	-	(70)
Balance at the end of the financial year	**24,791**	**416**	**-**	**-**	**25,207**
Provision – current	22,356	416	-	-	22,772
Provision – non-current	2,435				2,435
Balance at the end of the financial year	**24,791**	**416**	**-**	**-**	**25,207**

	Employee Leave $'000	Landfill restoration $'000	Parking Refunds $'000	Personal Leave Bank $'000	Total $'000
2025					
Balance at the beginning of the financial year	21,787	598	1,218	120	23,723
Additional provisions	9,481	-	-	3	9,484
Amounts used	(8,185)	(91)	-	-	(8,276)
Change in the discounted amount arising because of the time and the effect of any change in the discount rate	(67)	-	-	-	(67)
Balance at the end of the financial year	**23,016**	**507**	**1,218**	**123**	**24,864**
Provision – current	20,967	507	1,218	123	22,815
Provision – non-current	2,049	-	-	-	2,049
Balance at the end of the financial year	**23,016**	**507**	**1,218**	**123**	**24,864**

	2026 $`000	2025 $`000
(a) Employee leave provisions		
Current provisions expected to be wholly settled within 12 months		
Annual leave	8,383	7,909
Long service leave	922	922
	9,305	**8,831**
Current provisions expected to be wholly settled after 12 months		
Annual leave	900	1,076
Long service leave	12,151	11,060
	13,051	**12,136**
Total current employee leave provisions	**22,356**	**20,967**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.5 Provisions (cont'd)

	2026 $`000	2025 $`000
Other provisions		
Current provisions expected to be wholly settled within 12 months		
Landfill restoration	416	507
Personal leave bank	-	123
Parking Refunds	-	1,218
Total current other provisions	**416**	**1,848**
Total current provisions	**22,772**	**22,815**
Non-current employee provisions		
Long Service Leave	2,435	2,049
Total non-current provisions	**2,435**	**2,049**
Aggregate carrying amount of employee provisions:		
Current	22,356	20,967
Non-current	2,435	2,049
Total aggregate carrying amount of employee provisions	**24,791**	**23,016**

The calculation of employee costs and benefits incudes all relevant on-costs and are calculated as follows at reporting date:

Annual leave
A liability for annual leave is recognised in the provision for employee benefits as a current liability because Council does not have an unconditional right to defer settlement of the liability. Liabilities for annual leave are measured at:
- nominal value if the Council expects to wholly settle the liability within 12 months
- present value if the Council does not expect to wholly settle within 12 months.

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. Unconditional LSL is disclosed as a current liability as Council does not have an unconditional right to defer settlement. Unconditional LSL is measured at nominal value if expected to be settled within 12 months or at present value if not expected to be settled within 12 months. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability and measured at present value.

Key Assumptions:	2026	2025
- Discount rate	4.74%	4.20%
- Index rate	4.15%	4.25%

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.5 Provisions (cont'd)

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.
Key Assumptions:
The provision for landfill restoration has been calculated based on the undiscounted amount of the expected cost of works to be undertaken.
The expected cost of works has been estimated based on the 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.

Parking Refunds
Council has raised a provision to correct the consequences of an administrative process error that has occurred between 2006 and 2016 in processing of parking infringement reviews under the *Infringements Act 2006*. This provision will fund a reimbursement scheme for individuals who sought an internal review of a parking infringement issued under the Infringements Act 2006 and were unsuccessful in having it overturned generally between 1 July 2006 and 26 December 2016. Given the passage of time since the Scheme was established in 2019, and the low likelihood of any significant number of additional claimants coming forward, Council has reassessed the ongoing need to maintain this provision. Accordingly, the provision has been derecognised effective from the 2025/26 financial year.
Should any valid claims arise in future, Council will reimburse eligible claimants and recognise the payments as an expense in the financial year in which they are incurred.
Council is disclosing this as a Contingent Liability in 2025/26 Financial Statements.

Personal Leave Bank
Council has raised a new provision in 2020 to assist employees who have unforeseen extreme personal circumstances including serious personal health issues and serious health issues for dependents where they are the primary carer. Employees in these circumstances (at the discretion of the CEO) can apply to access leave when their personal circumstances have resulted in them having no leave available.
This provision has now been dis-established, and no provisions will be carried in Financial Statements from FY 2025/26 onwards. The scheme is still deemed to continue ongoing basis.

5.6 Financing arrangements

	2026 $`000	2025 $`000
Bank overdraft	5,000	5,000
Credit card facilities	150	150
Treasury Corporation of Victoria facilities	49,000	17,000
Total facilities	**54,150**	**22,150**
Total Used facilities – Credit Cards	49	61
Treasury Corporation of Victoria facilities	47,750	17,000
Total Used facilities	**47,799**	**17,061**
Total Unused facilities	**6,351**	**5,089**

The Council has an arrangement for offset of overdraft against bank balances including on-call accounts. As at balance date the overdraft facility was unused. Bank Overdraft and Credit Card facilities are held with the Commonwealth Bank with security mortgage over rates revenue.

The Council has entered into a Long-Term Loan Liability with Treasury Corporation of Victoria in 2024/25 to fund the new aquatic centre facility named as Mordi Aquatic Centre. Refer to note 5.4.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.7 Commitments

(a) Commitments for expenditure

Council has entered 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
2026					
Operating					
- Infrastructure works	29,232	11,459	259	129	**41,079**
- Parks, gardens, reserves	32,047	29,485	91	-	**61,623**
- Waste and cleansing	24,869	16,592	8,559	-	**50,020**
- Community sustainability	1,776	60	-	-	**1,836**
- Corporate services	14,416	5,159	403	-	**19,978**
	102,340	**62,755**	**9,312**	**129**	**174,536**
Capital					
- Buildings (i)	8,070	-	-	-	8,070
- Transport (i)	17,342				17,342
	25,412				**25,412**
Total	**127,752**	**62,755**	**9,312**	**129**	**199,948**

(i) Major capital expenditure commitments as at 30 June 2026 include Infrastructure and Open Space Projects

	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
2025					
Operating					
- Infrastructure works	10,916	9,588	2,270	188	22,962
- Parks, gardens, reserves	35,558	44,975	9,161	-	89,694
- Waste and cleansing	23,814	27,517	10,605	2,853	64,789
- Community sustainability	246	-	-	-	246
- Corporate services	41,728	13,273	623	-	55,624
	112,262	**95,353**	**22,659**	**3,041**	**233,315**
Capital					
- Buildings	74,309	-	-	-	74,309
- Transport	4,016	-	-	-	4,016
	78,325	**-**	**-**	**-**	**78,325**
Total	**190,587**	**95,353**	**22,659**	**3,041**	**311,640**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.7 Commitments (cont'd)

(b) 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 undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	2026 $`000	2025 $`000
Not later than one year	1,762	1,446
Later than one year and not later than five years	4,556	5,015
Later than five years	5,836	10,439
	12,154	**16,900**

5.8 Leases

At inception of a contract, Council assesses whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset.
- Council has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- Council has the right to direct the use of the asset.

This policy is applied to contracts entered, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain re-measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.8 Leases (cont'd)

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Under *AASB 16 Leases*, Council as a not-for-profit entity has elected not to measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

Right -of-Use Assets	**Property**	**Vehicles**	**Waste**	**Equipment**	**Total**
	$`000	**$`000**	**$`000**	**$`000**	**$`000**
2026					
Balance as at 1 July 2025	797	3,684	5,959	307	10,747
Additions	1	1,125			1,126
Terminations		(2)			(2)
Depreciation charge	(96)	(1,101)	(450)	(85)	(1,729)
Balance as at 30 June 2026	**702**	**3,706**	**5,509**	**222**	**10,141**
2025					
Balance as at 1 July 2024	597	1,600	6,409	390	8,996
Additions	284	3,038	-	-	3,322
Terminations	-	(21)	-	-	(21)
Depreciation charge	(84)	(933)	(450)	(83)	(1,550)
Balance as at 30 June 2025	**797**	**3,684**	**5,959**	**307**	**10,747**

	2026	**2025**
Lease Liabilities	**$`000**	**$`000**
Maturity analysis – contractual undiscounted cash flows		
Less than one year	2,133	1,973
One to five years	6,170	6,241
More than five years	5,937	6,847
Total undiscounted lease liabilities as at 30 June 2026	**14,240**	**15,061**
Lease liabilities included in the Balance Sheet at 30 June 2026		
Current	1,579	1,402
Non-current	9,682	10,313
Total lease liabilities	**11,261**	**11,715**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 5 Investing in and financing our operations (cont'd)

5.8 Leases (cont'd)

Short-term and low value leases

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

At, 30 June 2026 Council had no short- term and low value leases.

Peppercorn Leases

The Council has entered into several lease agreements for properties, known as "peppercorn leases," where the lease payments are nominal or minimal, often symbolic in nature. These leases are primarily with non-profit organisations, and community groups to support activities aligned with the Council's community and social objectives.

At, 30 June 2026 council had the following peppercorn leases where council is the lessor.

Organisation/Lessee	Property Address	Commence Date	Expiry Date	Term of Lease	Further Terms	Commencing Rent per Annum (excl GST)	Council's dependency on peppercorn leases in its operation	Restrictions on the use of the underlying asset
Better Health Network (Formerly Central Bayside Community Health Services)	31 Venice St Mentone	01-Oct-94	01-Oct-44	50 Yrs	Nil	$10.00	Recognising the Community Benefit Adult Day Care Centre	The permitted use restricted to an adult day care centre.
Abbeyfield Society Dingley Village Inc	267 Spring Rd Dingley Village	16-Dec-94	15-Dec-44	50 Yrs	Nil	$1.00	Recognising the Community Benefit Supportive housing for elderly pensioners	The permitted use restricted to supportive housing for elderly pensioners residents.
Australasian Golf Club Inc (Chelsea Public Golf Course)	Edithvale Public Golf Course 112 Fraser Avenue Edithvale	01-Mar-21	21-Sep-25 (In the process of renewal)	4 Yrs 6 mths	Nil	$1.00	Recognising the Community Benefit Council ongoing support to operate as a public golf course	The permitted use restricted to a public golf course.

Note 6 Assets we manage

6.1 Non-current assets classified as held for sale

	2026 $`000	2025 $`000
Opening Balance as at 01st July 2025	1,738	-
Transfers from PIPE (Note 6.2)	-	1,769
Revaluation	(49)	(31)
Disposals	(1,689)	-
Total non-current assets classified as held for sale	**-**	**1,738**

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	Carrying amount 30 June 2025 $`000	Additions $`000	Contributions (Net) $`000	Found Assets $`000	Revaluation (Net) $'000	Depreciation $'000	Disposal $'000	Write-off $'000	Transfers $'000	Carrying amount 30 June 2026 $`000
Property	1,897,627	2,746	(144)	-	45,215	(10,975)	(120)	(9,032)	(3,330)	1,921,987
Plant & Equipment	8,800	1,857	-	-	-	(2,899)	-	-	(46)	7,712
Infrastructure	1,331,708	17,780	34,226	2,113	103,003	(32,941)	-	-	14,183	1,470,072
Works in progress	41,380	71,235	-	-	-	-	-	(417)	(10,807)	101,391
	3,279,515	**93,618**	**34,082**	**2,113**	**148,218**	**(46,815)**	**(120)**	**(9,449)**	**-**	**3,501,162**

Summary of works in progress

	Opening WIP $`000	Additions $`000	Write-off $`000	Transfers $`000	Closing WIP $`000
Property	33,309	52,372	(283)	(5,215)	80,183
Transport	3,207	4,341	(97)	(2,438)	5,013
Drainage	653	4,873	(19)	(73)	5,434
Parks, Open Space & Streetscapes	2,301	4,314	(18)	(1,481)	5,116
Recreation, Leisure, & Community Facilities	1,910	5,335	-	(1,600)	5,645
	41,380	**71,235**	**(417)**	**(10,807)**	**101,391**

Appendix 1
11.1 Full-year Finance Report June 2026 and Financial Statements for the Year Ended 30 June 2026 - DRAFT City Of Kingston Annual Financial Report for the year ended 30 June 2026 at 21 September 2026

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

a) Property	Land Under Roads	Land - specialised	Land - non specialised	Total Land	Heritage buildings	Buildings - specialised	Building improvements	Leasehold improvements	Total Buildings	Work In Progress	Total Property
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
At fair value 1 July 2025	453,131	692,093	302,089	1,447,313	48,385	747,281	-	2,023	797,690	33,309	2,278,312
Accumulated depreciation at 1 July 2025	-	-	-	-	(31,843)	(313,666)	-	(1,866)	(347,376)	-	(347,376)
	453,131	**692,093**	**302,089**	**1,447,313**	**16,542**	**433,615**	**-**	**157**	**450,314**	**33,309**	**1,930,936**
Movements in fair value											
Additions	-	361	-	361	-	2,385	-	-	2,385	52,372	55,118
Contributions	(468)	324	-	(144)	-	-	-	-	-	-	(144)
Revaluation	10,082	12,726	6,042	28,850	1,920	25,418	-	-	27,338	-	56,188
Disposals	-	(34)	(53)	(87)	-	(468)	-	-	(468)	-	(555)
Write-off	(9,032)	-	-	(9,032)	-	-	-	-	-	(283)	(9,315)
Transfers	-	-	-	-	618	(8,574)	-	-	(7,956)	(5,215)	(13,171)
Transfers to Assets Held For Sale	-	-	-	-	-	-	-	-	-	-	-
	582	**13,377**	**5,989**	**19,948**	**2,538**	**18,761**	**-**	**-**	**21,299**	**46,874**	**88,121**
Movements in accumulated depreciation											
Depreciation and amortisation	-	-	-	-	(508)	(10,450)	-	(17)	(10,975)	-	(10,975)
Revaluation movement	-	-	-	-	(1,294)	(9,679)	-	-	(10,973)	-	(10,973)
Accumulated depreciation of disposals	-	-	-	-	-	435	-	-	435	-	435
Transfers	-	-	-	-	(371)	4,997	-	-	4,626	-	4,626
	-	**-**	**-**	**-**	**(2,173)**	**(14,697)**	**-**	**(17)**	**(16,887)**	**-**	**(16,887)**
At fair value 30 June 2026	453,713	705,470	308,078	1,467,261	50,923	766,042	-	2,023	818,988	80,183	2,366,432
Accumulated depreciation at 30 June 2026	-	-	-	-	(34,016)	(328,363)	-	(1,883)	(364,262)	-	(364,262)
Carrying amount	**453,713**	**705,470**	**308,078**	**1467,261**	**16,907**	**437,679**	**-**	**140**	**454,726**	**80,183**	**2,002,170**

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

(b) Plant and Equipment (At historical cost)	Heritage plant and equipment $'000	Plant machinery $'000	Fixtures fittings and furniture $'000	Computers and telecomms $'000	Library books $'000	Total plant and equipment $'000
At cost 1 July 2025	2,323	3,248	22,359	11,205	25,728	64,863
Accumulated depreciation at 1 July 2025	(784)	(2,401)	(20,600)	(9,880)	(22,398)	(56,063)
	1,539	**847**	**1,759**	**1,325**	**3,330**	**8,800**
Movements in carrying value						
Additions	-	144	197	325	1,191	1,857
Transfers	(421)	5	-	-	-	(416)
	(421)	**149**	**197**	**325**	**1,191**	**1,441**
Movements in accumulated depreciation						
Depreciation and amortisation	(18)	(270)	(658)	(934)	(1,019)	(2,899)
Transfers	370	-	-	-	-	370
	352	**(270)**	**(658)**	**(934)**	**(1,019)**	**(2,529)**
At cost 30 June 2026	1,902	3,397	22,556	11,530	26,919	66,304
Accumulated depreciation at 30 June 2026	(433)	(2,671)	(21,258)	(10,814)	(23,417)	(58,592)
Carrying amount	**1,470**	**726**	**1,298**	**716**	**3,503**	**7,712**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

(c) Infrastructure	Roads (ii)	Bridges	Footpaths and cycleways	Other Infrastructure	Drainage	Recreational, leisure and community facilities	Parks open space and streetscapes	Work In Progress	Total Infrastructure
	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000	$'000
At fair value 1 July 2025	1,115,406	53,047	226,641	14,460	575,639	61,272	49,779	8,071	2,104,315
Accumulated depreciation at 1 July 2025	(371,556)	(13,338)	(91,963)	(13,468)	(249,532)	(12,616)	(12,063)	-	(764,536)
	743,850	**39,709**	**134,678**	**992**	**326,107**	**48,656**	**37,716**	**8,071**	**1,339,779**
Movements in fair value									
Additions	6,542	-	3,334	795	956	4,502	1,651	18,864	36,644
Contributions	742	17,574	5,277	3,291	7,666	-	-	-	34,550
Found Assets	89	-	209	-	2,908	-	-	-	3,206
Revaluation	44,020	2,690	(3,189)	-	90,281	-	-	-	133,802
Write-off	-	-		-	-	-	-	(134)	(134)
Transfers	917	181	1,239	-	355	14,768	1,718	(5,592)	13,586
	52,310	**20,445**	**6,870**	**4,086**	**102,166**	**19,270**	**3,369**	**13,138**	**221,654**
Movements in accumulated depreciation									
Depreciation and amortisation	(18,475)	(562)	(3,816)	(198)	(5,772)	(2,421)	(1,697)	-	(32,941)
Revaluation Movements	6,026	(543)	1,551	-	(37,833)	-	-	-	(30,799)
Transfers		(90)		-	-	(4,905)	-	-	(4,995)
Accumulated depreciation of Contributions	(5)	(307)	(10)	-	(2)	-	-	-	(324)
Accumulated depreciation of Found Assets	(32)	-	(55)	-	(1,006)	-	-	-	(1,093)
	(12,486)	**(1,502)**	**(2,330)**	**(198)**	**(44,613)**	**(7,326)**	**(1,697)**	**-**	**(70,152)**
At fair value 30 June 2026	1,167,716	73,492	233,511	18,546	677,805	80,542	53,148	21,209	2,325,970
Accumulated depreciation at 30 June 2026	(384,042)	(14,840)	(94,293)	(13,666)	(294,145)	(19,942)	(13,760)	-	(834,688)
Carrying amount	**783,674**	**58,652**	**139,218**	**4,880**	**383,661**	**60,599**	**39,388**	**21,209**	**1,491,281**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Acquisition

Initial measurement
Council initially measures its property, infrastructure, plant and equipment assets at cost. The cost of an acquired asset is the fair value of the consideration that Council has provided 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. Refer to Note 8.4 for more information on how Council measures fair value.

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.

Asset recognition thresholds and depreciation periods:

	Depreciation Period Years	Purchase/ Construction $`000	Asset Improvement $`000
Property			
Land	N/A	-	N/A
Land under roads	N/A	10	N/A
Land improvements	10-50	N/A	20
Buildings	20-150	-	20
Buildings improvements	20-50	-	20
Leasehold improvements	10	-	20
Plant and equipment			
Plant, machinery and equipment	3-10	5	N/A
Library Books	5	-	N/A
Other plant and equipment			
Heritage plant and equipment	10-20	5	N/A
Fixtures, fittings and furniture	3-10	2	N/A
Computers and telecommunications	3-5	2	N/A
Infrastructure			
Roads	25-100	-	50
Bridges	100	-	50
Footpaths and cycleways	60	-	50
Drainage	100	-	25
Other Infrastructure			
Recreational, leisure and community facilities	20-150	-	20
Parks, open space and streetscapes	10-50	N/A	20
Off streetcar parks	25-100	-	50
Other	25-100	-	50

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Land under roads
Council recognises land under roads it controls at fair value.

Depreciation and amortisation
Buildings, parks, open space and streetscapes, recreation, leisure and community facilities, plant and equipment, infrastructure and other assets having limited useful lives are systematically depreciated over their useful lives to 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.

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. At balance date, leasehold improvements are amortised over a 10-year period.

Valuation of land and buildings

Valuation of land and buildings were undertaken by the independent Certified Practising Valuer Stephen Davey, AAPI CPV API No: 63379, from Opteon Property Group ABN 78 144 732 589 as at 30 June 2026.

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. Full valuation on Land and Buildings was conducted in FY 2025/26

Council undertakes a full valuation of each asset class at least once within every three-year valuation cycle, with interim indexation assessments performed in the intervening years to ensure asset carrying values remain materially consistent with fair value.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests 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 on the fair value of these assets.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2026 are as follows:

	Level 1 $`000	Level 2 $`000	Level 3 $`000	Date of Valuation	Type of Valuation
Land under roads	-	-	453,713	June-26	Full Revaluation
Land – specialised	-	-	705,470	June-26	Full Revaluation
Land – non-specialised	20,898	287,180	-	June-26	Full Revaluation
Heritage buildings	-	-	16,907	June-26	Full Revaluation
Buildings – specialised	-	-	437,679	June-26	Full Revaluation
Leasehold improvements	-	-	140	June-26	Full Revaluation
Total	**20,898**	**287,180**	**1,613,909**		

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 6 Assets we manage (cont'd)

6.2 Property, infrastructure, plant and equipment (cont'd)

Valuation of infrastructure

Valuation of infrastructure assets except for bridges has been determined in accordance with a valuation undertaken by expert contractors Modelve Pty Ltd, and qualified engineers at Council as at 30 June 2026.

Bridges and other infrastructure assets, including elevated structures, were revalued through indexation during FY2025/26. A 3.8% Consumer Price Index (CPI) adjustment was applied to reflect movements in asset values during the financial year.

Full asset revaluations for roads, footpaths and cycleways were completed as part of Council's FY2025/26 asset revaluation process. These sub-asset classes were indexed using current contract rates sourced from Modelve Pty Ltd, an independent specialist contractor, to reflect movements in replacement costs as at 30 June 2026.

A full valuation of Council's drainage assets was undertaken during the 2025/26 financial year. As part of the adopted valuation methodology, a comprehensive condition assessment of the drainage network was undertaken by Council's internal resources. The assessment included a detailed sample survey covering approximately 10% of the pipe network and 8% of the pit network to evaluate the current condition profile and establish updated condition ratings for drainage assets across Council's municipality.

The valuation methodology incorporated current market-based construction costs, with contract rates independently determined by Council's external valuers, Modelve Pty Ltd. The assessment utilised industry-recognised published cost information, including Rawlinsons Australian Construction Handbook, together with the valuers' professional judgement and consideration of relevant municipal design standards, including universal design requirements.

The valuation approach was undertaken in accordance with the requirements of applicable Australian Accounting Standards and Council's Asset Accounting Policy to ensure drainage assets were recorded at fair value as at 30 June 2026.

A full revaluation of recreational leisure and community facilities, and parks open space and streetscapes assets will be conducted in 2026/27.

The valuation is at fair value based on current replacement cost less accumulated depreciation as at the date of valuation.

Details of Council's infrastructure and information about the fair value hierarchy as at 30 June 2026 are as follows:

	Level 1 $`000	Level 2 $`000	Level 3 $`000	Date of Valuation	Type of Valuation
Roads	-	-	783,674	June-26	Indexation
Bridges	-	-	58,652	June-26	Indexation
Footpaths and cycleways	-	-	139,218	June-26	Indexation
Drainage	-	-	383,661	June-26	Full Valuation
Recreational, leisure & community facilities	-	-	60,599	June-25	Indexation
Parks, Openspace & streetscapes	-	-	39,388	June-25	Indexation
Total	**-**	**-**	**1,465,192**		

Description of significant unobservable inputs into level 3 valuations

Specialised land and land under roads are 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. Current land values range from $7.00 to $10,606.00 per square metre.

Specialised buildings are valued using a current 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 ranging from $764.50 to $12,526.79. 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

Notes to the Financial Report

For the Year Ended 30 June 2026

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 current 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 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 infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2026 $`000	2025 $`000
Reconciliation of specialised land		
Land under roads	453,713	453,131
Parks and reserves	705,470	692,093
Total specialised land	**1,159,189**	**1,145,224**

6.3 Investment property

	2026 $`000	2025 $`000
Balance at beginning of financial year	5,163	4,704
Revaluation of existing investment property	-	459
Balance at the end of financial year	**5,163**	**5,163**

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 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 consists of a building at Peter Scullin Reserve, Mordialloc that is leased by a third party to operate a commercial restaurant.

Valuation of investment property

Valuation of investment property has been determined in accordance with an independent Certified Practising Valuer Stephen Davey, AAPI CPV API No:63379, from Opteon Solutions who has recent experience in the location and category of the property being valued. The valuation is at depreciated replacement cost. The latest valuation of investment property is as at 30 June 2025.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 7 People and relationships

7.1 Council and key management remuneration

(a) Related Parties

Kingston Council is a stand-alone entity.

(b) Key Management Personnel

Key management personnel (KMP) are those people with the authority and responsibility for planning, directing and controlling the activities of Kingston City Council. The Councillors, Chief Executive Officer, General Managers and Chief Finance Officer are deemed KMP.

Details of key management personnel at any time during the year are:

Councillors	Councillor Georgina Oxley	(Mayor 01st July 2025 – 30th June 2026)
	Councillor Chris Howe	(Deputy Mayor 01st July 2025 – 12th November 2026) (Councillor 13th November 2025 – 30th June 2026)
	Councillor Chris Hill	(Councillor 01st July 2025 – 30th June 2026)
	Councillor Hadi Saab	(Councillor 01st July 2025 – 30th June 2026)
	Councillor Tony Athanasopoulos	(Councillor 01st July 2025 – 30th June 2026)
	Councillor Caroline White	(Councillor 01st July 2025 – 30th June 2026)
	Councillor Tess Law*	(Councillor 01st July 2025 – 30th March 2026)
	Councillor Georgia Erevnidis	(Councillor 01st July 2025 – 30th June 2026)
	Councillor Sarah O'Donnell	(Councillor 01st July 2025 – 12th November 2026) (Deputy Mayor 13th November 2025 – 30th June 2026)
	Councillor Kirralee A Collett	(Councillor 01st July 2025 – 30th June 2026)
	Councillor Jane Agirtan	(Councillor 01st July 2025 – 30th June 2026)

** Cr Law resigned from Council effective 30 March 2026.*

CEO	Mr Peter Bean	Chief Executive Officer (1st July 2025 – 30th June 2026)
General Managers	Mr Jonathan Guttmann	General Manager Planning & Place (1st July 2025 – 30th June 2026)
	Ms Samantha Krull	General Manager Infrastructure & Open Space (1st July 2025 – 30th June 2026)
	Mr Daniel Hogan	General Manager Customer & Corporate Support (1st July 2025 – 30th June 2026)
	Ms Sally Jones	General Manager Community Strengthening (1st July 2025 – 11th July 2025) ***Resigned effective 11th July 2025***
	Ms Kate Waters	General Manager Community Strengthening (12th July 2025 – 30th June 2026) ***Appointed effective 11th July 2025***
	Mr Bernard Rohan	Chief Finance Officer (1st July 2025 – 30th June 2026)

	2025/26 No.	2024/25 No.
Total Number of Councillors	11	18
Chief Executive Officer and other Key Management Personnel	7	7
Total Key Management Personnel	**18**	**25**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 7 People and relationships (cont'd)

7.1 Council and key management remuneration (cont'd)

(c) Remuneration of Key Management Personnel

Remuneration comprises employee benefits including all forms of consideration paid, payable or provided by Council, or on behalf of the Council, in exchange for services rendered. Remuneration of Key Management Personnel and Other senior staff is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Other long-term employee benefits include long service leave, other long service benefits or deferred compensation.

Post-employment benefits include pensions, and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Termination benefits include termination of employment payments, such as severance packages.

Total remuneration of key management personnel was as follows:

	2026 $'000	2025 $'000
Short-term employee benefits	2,450	2,380
Other long-term employee benefits	6	-
Post Employment benefits	217	201
Total	**2,673**	**2,581**

Total remuneration includes total salary package and superannuation but excludes accrued leave.

The numbers of Key Management Personnel whose total remuneration from Council and any related entities, fall within the following bands:

Income Range	2026 No.	2025 No.
$ 1,000 - $ 9,999	1	-
$ 10,000 - $ 19,999	-	6
$ 20,000 - $ 29,999	-	7
$ 30,000 - $ 39,999	1	2
$ 40,000 - $ 49,999	7	1
$ 50,000 - $ 59,999	1	1
$ 60,000 - $ 69,999	1	1
$ 100,000 - $ 109,999	-	1
$ 160,000 - $ 169,999	1	-
$ 270,000 - $ 279,999	-	1
$ 290,000 - $ 299,999	-	1
$ 300,000 - $ 309,000	1	-
$ 310,000 - $ 319,999	1	-
$ 320,000 - $ 329,000	1	3
$ 330,000 - $ 339,000	2	
$ 420,000 - $ 429,000	-	1
$ 440,000 - $ 449,999	1	-
	18	**25**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 7 People and relationships (cont'd)

7.1 Council and key management remuneration (cont'd)

(d) Remuneration of other senior staff

Other senior staff are officers of Council, other than Key Management Personnel, whose total remuneration exceeds $170,000 and who report directly to a member of the KMP.

Total remuneration of other senior staff was as follows:

	2026 $'000	2025 $'000
Short-term employee benefits	4,085	3,752
Other long-term employee benefits	30	142
Post Employment benefits	488	451
Total	**4,603**	**4,345**

The number of other senior staff are shown below in the relevant income bands.

Income Range	2026 No.	2025 No.
$170,000 - $179,999	2	3
$180,000 - $189,999	2	-
$190,000 - $199,999	2	3
$200,000 - $209,999	7	5
$210,000 - $219,999	3	8
$220,000 - $229,999	3	-
$ 230,000 - $ 239,999	1	1
$ 240,000 - $ 249,999	2	1
	22	**21**

	$'000	**$'000**
Total remuneration for the reporting year for other senior staff included above amounted to:	**4,603**	**4,345**

7.2 Related party disclosure

(a) Transactions with related parties

During the period Council entered into no transactions with related parties (2025: Nil).

(b) Outstanding balances with related parties

No balances are outstanding at the end of the reporting period in relation to transactions with related parties (2025: Nil).

(c) Loans to/from related parties

No loans were made to/from related parties of Council during the financial year (2025: Nil).

(d) Commitments to/from related parties

No commitments were made to/from related parties of Council during the financial year (2025: Nil).

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 8 Managing uncertainties

8.1 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

(a) Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Council.

Council has No Contingent Assets to disclose for FY 2025/26

(b) Contingent liabilities

Contingent liabilities are:
- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of Council; or
- present obligations that arise from past events but are not recognised because:
  - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligation; or
  - the amount of the obligation cannot be measured with sufficient reliability.

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 below and in Note 9.3. As a result of the volatility in financial markets, the likelihood of making such contributions in future periods exists.

Parking Infringement Scheme
The Parking Infringement Reimbursement Scheme, established in March 2019, has been largely inactive since January 2023 and will remain open until 31 August 2026 to provide a final opportunity for eligible motorists to submit reimbursement claims. The provision supporting the Scheme will be discontinued from FY 2025/26 onwards, as the Scheme is effectively disestablished. Any future eligible claims will be recognised as an expense in the period incurred and disclosed as a contingent liability.

Future superannuation contributions
In addition to the disclosed contributions, Council has not paid any unfunded liability payments to Vision Super. There were no contributions outstanding, and no loans issued from or to the above schemes as at 30 June 2026. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2026 are $0.1 million (2025: $0.2 million). At this point in time, it is not known if additional contributions will be required, their timing or potential amount. 8 Council staff (2025: 9) 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 $1.0 million (2025: $1.0 million).

Contingent liabilities arising from public liability
As a local authority with ownership of numerous parks, reserves, roads and other land holdings including former landfill sites, Council is regularly met with claims and demands allegedly arising from incidents which occur on land belonging to Council. There are a number of outstanding claims against Council in this regard. Council is currently a member of the MAV's Liability Mutual Insurance Scheme which provides $600 million of public liability insurance and the maximum liability of the Council in any single claim is the extent of its excess.

Note 8 Managing uncertainties (cont'd)

8.1 Contingent assets and liabilities (cont'd)

Contingent liability arising from professional indemnity
As a local authority with statutory regulatory responsibilities, including the responsibility of issuing permits and approvals, Council is met with claims and demands for damages allegedly arising from the actions of Council or its officers. Council is currently a member of the MAV's Liability Mutual Insurance Scheme which provides $600 million of professional indemnity insurance and the maximum liability of Council in any single claim is the extent of its excess. There are no instances or claims, that Council is aware of, which would fall outside the terms of Council's policy.

Other Contingent Liabilities
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.

Insurance claims
Council has no major insurance claims that could have a material impact on future operations. Maximum liability per claim is $20,000 excess. Public Liability coverage of $600 million is maintained. Various under excess claims are also under consideration, for which an annual budgetary provision is approved.

Legal matters
Council is presently involved in several confidential legal matters which are being conducted through Council's solicitors. This includes a legal compliance matter where Council is involved in a planning dispute within the municipality for which the Victorian Administrative and Appeals Tribunal is considering the potential award of costs to the other party. 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.

Building cladding
Council has no potential contingent liabilities in relation to rectification works or other matters associated with building cladding that may have the potential to adversely impact on Council. However, rate relief has been provided to ratepayers adversely impacted by cladding issues.

Liability Mutual Insurance
Council was a participant of the MAV Liability Mutual Insurance (LMI) Scheme up until 2014. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether the participant remains a participant in future insurance years.

MAV Workcare
Council was a participant of the MAV WorkCare Scheme. The MAV WorkCare Scheme provided workers compensation insurance. MAV WorkCare commenced business on 1 November 2017 and the last day the Scheme operated as a self-insurer was 30 June 2021. In accordance with the Workplace Injury Rehabilitation and Compensation Act 2013, there is a six-year liability period following the cessation of the Scheme (to 30 June 2027). During the liability period, adjustment payments may be required (or received). The determination of any adjustment payment is dependent upon revised actuarial assessments of the Scheme's tail claims liabilities as undertaken by Work Safe Victoria. Any adjustments, which are expected to occur at the 3-year and 6-year periods during the liability period will affect participating members. The assessment from WorkSafe Victoria at the 3-year period was a deficiency of $5.776 million payable to WorkSafe Victoria. This was due to evidence of higher-than-expected payments and higher claim lodgements during the first three years of the runoff period.

8.2 Australian Accounting Standards issued but not yet effective
Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2026 reporting period. Council assesses the impact of these new standards.
The Australian Accounting Standards Board (AASB) has issued AASB 18 Presentation and Disclosure in Financial Statements. When applicable AASB 18 supersedes AASB 101 Presentation of Financial Statements. AASB 18 aims to improve how entities communicate in their financial statements, with a focus on information about financial performance in the statement of profit or loss. It is expected to result in presentation and disclosure changes, primarily to Council's Comprehensive Income Statement. AASB 18 is expected to first apply to Council for the 2028-29 financial year.

Note 8 Managing uncertainties (cont'd)

8.3 Financial instruments

(a) Objectives and policies

Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank and/or TCV borrowings. Details of the material accounting policy information 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 Council's financial instruments will fluctuate because of changes in market prices. Council's exposure 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 exposes council 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 2020*. 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 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 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 the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as receivables from sporting clubs and associations. 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 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. Council has no guarantees to other parties. Details of our contingent liabilities are disclosed in note 8.1 (b).
The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any allowances for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

Note 8 Managing uncertainties (cont'd)

8.3 Financial instruments (cont'd)

(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.

Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and any amounts related to financial guarantees disclosed in Note 8.3 (c) 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 5.4.

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 Council believes there will be minimal movement over the next 12 months from the already low base cash rate of 4.35% (Base rates are sourced from Reserve Bank of Australia).

Thus, there will be minimal impact on the valuation of Council's financial assets and liabilities, and no material impact on the results of Council's operations.

Note 8 Managing uncertainties (cont'd)

8.4 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. For assets where Council adopts a current replacement cost approach to determine fair value, Council considers the inclusion of site preparation costs, disruption costs and costs to restore another entity's assets in the underlying valuation.

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 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. (For plant and equipment carrying amount is considered to approximate fair value given short useful lives). 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. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 2 to 3 years. The valuation is performed either by experienced council officers or independent experts. The following table sets out the frequency of revaluations by asset class.

Asset class	Revaluation frequency
Land	2 - 3 years
Land under roads	2 - 3 years
Buildings	2 - 3 years
Heritage and culture	2 - 3 years
Roads	2 - 3 years
Drainage	2 - 3 years
Other infrastructure	2 - 3 years

Where the assets are revalued, the revaluation increases are credited directly to the asset revaluation reserve except to the extent that an increase reverses a prior year decrease for that class of asset that had been

Note 8 Managing uncertainties (cont'd)

Note 8.4 Fair value measurement (cont'd)

recognised as an expense in which case the increase is recognised as revenue up to the amount of the expense. Revaluation decreases are recognised as an expense except where prior increases are included in the asset revaluation reserve for that class of asset in which case the decrease is taken to the reserve to the extent of the remaining increases. Within the same class of assets, revaluation increases and decreases within the year are offset.

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 of disposal 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. The impairment policy above does not apply to Council's property, infrastructure, specialised buildings and other non-current physical assets subsequently measured at fair value. These are primarily non-cash generating assets of not-for-profit entities, which are typically specialised in nature and held for continuing use of their service capacity. Their recoverable amount is expected to be materially the same as fair value determined under AASB 13 Fair Value Measurement, with the consequence that AASB 136 Impairment of Assets does not apply to such assets that are regularly revalued.

8.5 Events Occurring After Balance Date

No matters have occurred after balance date which require disclosure in the financial report.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 9 Other matters

9.1 Reserves

	Balance at beginning of reporting period $`000	Increase (decrease) $`000	Balance at end of reporting period $`000
(a) Asset revaluation reserve			
2026			
Property (i):			
- Land (incl held for sale)	363,163	16,856	380,019
- Land under roads	45,217	10,083	55,300
- Buildings (incl held for sale)	194,231	16,113	210,344
	602,611	**43,052**	**645,663**
Infrastructure (ii):			
- Transport	841,971	50,554	892,525
- Drainage	296,238	52,448	348,685
	1,138,209	**103,002**	**1,241,210**
Other:			
- Heritage and culture	1,411	-	1,411
- Other	3,966	-	3,966
	5,377	**-**	**5,377**
Total Asset revaluation reserve	**1,746,197**	**146,053**	**1,892,250**
2025			
Property (i):			
- Land (incl held for sale)	378,410	(15,247)	363,163
- Land under roads	45,217	-	45,217
- Buildings (incl held for sale)	167,591	26,640	194,231
	591,218	**11,393**	**602,611**
Infrastructure (ii):			
- Transport	568,293	273,678	841,971
- Drainage	293,981	2,257	296,238
	862,274		
		275,935	**1,138,209**
Other:			
- Heritage and culture	1,370	41	1,411
- Other	3,966	-	3,966
	5,336	**41**	**5,377**
Total Asset revaluation reserve	**1,458,828**	**287,369**	**1,746,197**

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.

(ii) Valuation of Infrastructure assets was performed by independent valuers and qualified engineers at Council.

Further details regarding the independent valuers involved in the valuation of property and infrastructure assets, refer to Note 6.2.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 9 Other matters (cont'd)

9.1 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) Other reserves				
2026				
Asset replacement reserve	259	-	-	259
Asset development reserve	24,546	5,823	(8,701)	21,668
Aged care	8,699	-	-	8,699
Foreshore	3,549	1,572	(530)	4,591
Green wedge	6,848	1,201	(707)	7,342
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	4,985	1,712	(771)	5,926
Other	9,428	3,286	(6,226)	6,488
Total Other reserves	**59,314**	**13,594**	**(16,935)**	**55,973**
2025				
Asset replacement reserve	259	-	-	259
Asset development reserve	25,986	4,965	(6,405)	24,546
Aged care	8,699	-	-	8,699
Foreshore	2,562	1,527	(540)	3,549
Green wedge	6,077	1,166	(395)	6,848
Defined benefit call	1,000	-	-	1,000
Stormwater Quality reserve	4,248	737	-	4,985
Other	3,643	6,312	(527)	9,428
Total Other reserves	**52,474**	**14,707**	**(7,867)**	**59,314**

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 $5.0 million were received in 2025/26 (2024/25: $4.1m). Council has elected to utilise these contributions for open space purchase and development.

Aged care reserves include funds for home care clients that have not fully spent their Linkages packages.

The Foreshore and Green Wedge reserves were reserves created in 2011 via a 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. This $1m defined benefit scheme is subject to be reduced in 26/27 as funding source for the pool.

The Stormwater Quality reserve was first established in 2017/18 to help fund various stormwater improvement projects throughout Council.

Other reserves include the following:

- Appropriations provided by the community to be used for specific purposes, including reserves created in 2012 for Sundowner Neighbourhood House and Chelsea Senior Citizens Centre due to Council taking over the operation of these facilities plus reserves for special rates.
- Capex Fund Reserves implemented as per Council Resolution since financial year 2023/24.
- Art Fund Reserves implemented as per Council Resolution since financial year 2023/24 with a transfer from accumulated surplus. The purpose of this reserve is to provide funding for integrated public art.

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 9 Other matters (cont'd)

9.2 Reconciliation of cash flows from operating activities to surplus

	2026 $`000	2025 $`000
Surplus for the year	41,960	25,517
Non-cash adjustments		
Depreciation of property, infrastructure, plant and equipment	46,815	43,925
Amortisation of intangible assets	184	175
Amortisation of right of use assets	1,729	1,550
Capital Work in progress written off	416	220
(Gain)/Loss on sale of property, infrastructure, plant & equipment	(563)	1,100
Found assets / other (note 3.7)	(2,112)	(14,488)
Fair value adjustment for investment property	-	(460)
Finance costs – leases	621	595
Contributions non-monetary	(34,082)	(215)
Adjustments to non-cash other expenses (note 4.9)	7,814	-
Changes in assets and liabilities:		
Increase in trade and other receivables	(11,792)	(5,365)
(Increase)/Decrease in other assets	(4,717)	2,354
(Decrease)/Increase in prepayments	50	(167)
Increase in trade and other payables	13,707	72
(Decrease) in other provisions	(91)	(91)
Increase in employee provisions	1,652	1,232
Increase in contract and other liabilities	791	3,436
Increase/(decrease) in trust funds and deposits	2,823	(1,546)
Net cash provided by operating activities	**65,206**	**57,844**

Notes to the Financial Report

For the Year Ended 30 June 2026

Note 9 Other matters (cont'd)

9.3 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 category, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2026, this was 12% as required under Superannuation Guarantee (SG) legislation (2025: 11.5%).

Defined Benefit

The Council does not use defined benefit accounting ofr 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 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 the Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of *AASB 119 Employee Benefits*.

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 Actuary.

As at 30 June 2025, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category.

The vested benefit index (VBI) of the Defined Benefit category as at 30 June 2025 (of which Council is a contributing employer) was 110.5%. The financial assumptions used to calculate the VBI were:

Net investment returns	5.7% pa
Salary information	3.5% pa
Price inflation (CPI)	2.6% pa

As at 30 June 2026, a triennial actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category. It is expected to be completed by 31 October 2026.

Vision Super has advised that the VBI at 30 June 2026 was 116.9%. Council was notified of the 30 June 2026 VBI during August 2026 (2025: August 2025). The financial assumptions used to calculate this VBI were:

Net investment returns	6.2% pa
Salary information	3.5% pa
Price inflation (CPI)	3.0% pa to 30 June 2029 and 2.6%pa thereafter.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2025 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

(A) Regular contributions

On the basis of the results of the 2024 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 2026, this rate was 12.0% of members' salaries (11.5% in 2024/25). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2023 triennial valuation.

Notes to the Financial Report

For the Year Ended 30 June 2026

Other matters (cont'd)

9.3 Superannuation (cont'd)

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.

(B) 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 98% from 26 July 2024 (previously 97%).

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.

The 2025 triennial actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2025 and 30 June 2024 while a full investigation was conducted as at 30 June 2023.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2025 (Interim) $m	2024 (Interim) $m	2023 (Triennial) $m
- A VBI Surplus	200.1	108.4	85.7
- A total service liability surplus	229.4	141.4	123.6
- A discounted accrued benefits surplus	242.8	156.7	141.9

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 2025.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2025.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2025.

Notes to the Financial Report

For the Year Ended 30 June 2026

Other matters (cont'd)

9.3 Superannuation (cont'd)

The 2026 triennial actuarial investigation

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2026 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2026.

The last interim actuarial investigation conducted prior to 30 June 2026 was at 30 June 2025. The VBI of the Defined Benefit category at that date was 110.5%. The financial assumptions used to calculate the 30 June 2025 VBI were:

Net investment returns	5.7% pa
Salary information	3.5% pa
Price inflation (CPI)	2.6% pa

Council was notified of the 30 June 2025 VBI during August 2025.

Because the VBI was above 100%, the Defined Benefit category was in a satisfactory financial position at 30 June 2025 and it is expected that the actuarial investigation will recommend that no change will be necessary to the Defined Benefit category's funding arrangements from prior years.

The 2023 triennial investigation

The last triennial actuarial investigation conducted prior to 30 June 2023 was at 30 June 2020. This actuarial investigation was completed by 31 December 2020. The financial assumptions for the purposes of that investigation was:

	2023 Triennial investigation	2020 Triennial investigation
Net investment return	5.7% pa	5.6% pa
Salary inflation	3.50% pa	2.5% pa for two years and 2.75% pa thereafter
Price inflation	2.8% pa	2.0% pa

Superannuation contributions

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2026 are detailed below:

Scheme	Type of Scheme	Rate	2026 $'000	2025 $'000
Vision super	Defined benefits	12% (2025:11.5%)	143	178
Vision super	Accumulation	12% (2025:11.5%)	4,985	4,981

Council has not paid any unfunded liability payments to Vision Super during the 2025/26 year (2024/25: Nil).

There were $1.1 million contributions outstanding as at 30 June 2026 (2025: $1.0 million).

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2027 is $0.13 million.

Note 10 Change in accounting policy

There have been no changes to accounting policies in the 2025-26 year.

Ordinary Council Meeting

28 September 2026

Agenda Item No: 11.2

PROPERTY STRATEGY - 14 FRIENDSHIP SQUARE, CHELTENHAM

Contact Officer: Michelle Crook, Property Coordinator

Purpose of Report

The purpose of this report is to seek Council approval to retain the land at 14 Friendship Square, Cheltenham in public ownership, terminate the existing holding-over occupancy arrangement with Theatrical Incorporated, and, subject to future budget allocation, demolish the former Guide Hall building and investigate future strategic use opportunities for the site.

In making this recommendation, officers have considered the outcomes of the public consultation process, the strategic value of retaining the Friendship Square precinct as a consolidated landholding, the operational requirements of the neighbouring Scout Group, and the potential future need for community infrastructure within the Cheltenham planning area.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That council:

1. Note that part of the land known as 14 Friendship Square, Cheltenham has been assessed as surplus to Council's current operational requirements.
2. Note that the Section 223 process has concluded, with submissions having been considered by a Section 223 Committee comprising the Mayor, Deputy Mayor, former Chief Finance Officer Bernard Rohan and the Manager Property Services.
3. Note the feedback received through the public consultation process and recommendation to retain the land in Council ownership, having regard to:
    - the strategic value of retaining the Friendship Square precinct as a consolidated Council landholding;
    - the operational requirements of the neighbouring Scout Group, which relies on areas outside its leased premises to manoeuvre vehicles and trailers to access the Scout shed;
    - the reduced development potential and diminished strategic value that would result from subdividing and selling only part of the site;
    - the potential future need for additional community infrastructure within the Cheltenham planning area, including early years infrastructure, arts and cultural facilities and community meeting space;
    - forecast growth in demand for kindergarten services identified through the Kindergarten Infrastructure and Services Plan; and

- the opportunity to retain flexibility for future Council service delivery, community infrastructure and precinct planning outcomes associated with the Cheltenham activity centre and broader strategic planning initiatives.

4. Approval to terminate the current holding-over occupancy arrangement with Theatrical Incorporated, providing six months' notice to vacate to allow a reasonable transition period.

5. Approval to demolish the existing former Guide Hall building, subject to funding being identified through a future budget process, and investigate future use opportunities for the site having regard to Council's strategic objectives, community infrastructure needs and long-term service planning requirements.

1. Executive Summary

This report outlines the outcomes of the public consultation process undertaken in relation to the future of 14 Friendship Square, Cheltenham.

The site contains a former Guide Hall building that is currently occupied by Theatrical Incorporated under an expired Licence Agreement. The building is not suitable for contemporary community use without significant investment and is currently utilised primarily for storage purposes.

At its meeting of 26 May 2026, Council resolved to commence a public consultation process regarding the proposed subdivision and sale of part of the site. The consultation process included public notice, on-site signage, publication on Council's website, and direct engagement with surrounding property owners, stakeholders and the current occupier.

A total of fifteen written submissions were received during the consultation period, and a Section 223 Committee was subsequently convened to consider the submissions and hear directly from submitters wishing to address the Committee.

The submissions raised a range of concerns regarding the proposed sale, the loss of parking, impacts on the neighbouring Scout Group, and the potential need to retain the property to support future community infrastructure opportunities associated with growth and development within the Cheltenham precinct.

Having considered the submissions received, officers recommend that Council retain the land in public ownership at this time. While the former Guide Hall building has been identified as surplus to Council's operational needs and is not considered fit for purpose, the consultation process highlighted community interest in retaining the land for potential future strategic purposes.

Officers therefore recommend that Council retain ownership of the land, terminate the current holding-over occupancy arrangement with Theatrical Incorporated, and, subject to future budget allocation, demolish the existing building to reduce ongoing maintenance liabilities and improve the presentation and usability of the site.

Further consideration of the long-term future of the land can occur as Council's strategic planning for the Cheltenham precinct, Community Infrastructure Framework and Suburban Rail Loop project continue to evolve.

2. Background

Kingston Council owns the property located at 14 Friendship Square, Cheltenham and the adjoining property 71 Argus Street, Cheltenham. The two sites form a single title and contain three buildings: a Scout Hall, a preschool, and a former Guide Hall which is currently tenanted and used for storage and a workshop.

The subject site, being the former Guide Hall located to the north of the Friendship Square property, is currently occupied by Theatrical Incorporated under a Licence Agreement. The Licence expired on 31 December 2024, and the licensee is presently in a holding-over arrangement.

Council's Project Management Office has advised that the building is outdated and not fit for purpose for anything other than storage. Its current condition limits its suitability for contemporary community use without significant investment. The property has further been subject to graffiti, detracting from the visual amenity of the area and potentially impacting perceptions of safety within the broader Friendship Square precinct.

The total annual expenditure for this property is $2,447.57 (excluding GST), comprising mowing costs of $1,054 and general maintenance costs of $1,393.57.

- Land Size Total: 3,856 sqm.
- Land size of subject property (former Guide Hall - blue highlighted area below): 1,054 sqm.
- Planning Zone: NRZ – Neighbourhood Residential Zone
- Current Market Valuation (for area highlighted in blue below): $1,300,000



At its Ordinary Meeting on of 26 May 2026, Council resolved the following:

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr Athanasopoulos**

That Council:

1. Authorise the Chief Executive Officer or delegate to give public notice under section 223 of the *Local Government Act 1989*, section 114, of the *Local Government Act 2020* and Council's Community Engagement Policy of its intention to sell 14 Friendship Square, Cheltenham; and
2. Consider any submissions received in response to the public notice through a committee comprising Mayor Georgina Oxley, Deputy Mayor Sarah O'Donnell, Karkarook Ward Councillor Hadi Saab, the Chief Finance Officer, the Manager Property Services and the Team Leader Property Services, with the committee to provide a report to Council;
3. Receive a report upon completion of the consultation process.

FOR: Crs White, O'Donnell, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Oxley and Agirtan (8)

AGAINST: Nil (0)

CARRIED

The Public Notice was conducted in accordance with Council's Community Engagement Policy.

As part of the community engagement process, Council:

- installed signage at the site;
- published information on Council's website; and
- undertook targeted engagement with key stakeholders, including the current tenant and adjoining property owners, inviting feedback on the proposed subdivision and sale.

The feedback received during the consultation process was considered by the Committee and has informed the recommendations contained in this report.

The Committee met on 24 July 2026 to consider the 15 submissions received during the Public Notice period. Representatives of the neighbouring Scout Group attended the meeting and were provided with an opportunity to present their views directly to the Committee.

3. Discussion

The property located at 14 Friendship Square, Cheltenham has been identified as surplus to Council's current operational requirements. However, feedback received through the public consultation process indicates strong community interest in retaining the land in Council ownership for potential future strategic or community purposes.

While the existing former Guide Hall building is considered surplus to Council's requirements and unsuitable for contemporary community use without significant investment, officers consider that retention of the underlying land provides greater flexibility to respond to future community infrastructure needs and strategic opportunities within the Cheltenham precinct.

It is therefore recommended that Council retain the land, terminate the existing occupancy arrangement and, subject to future funding, demolish the building.

Scout Shed Access

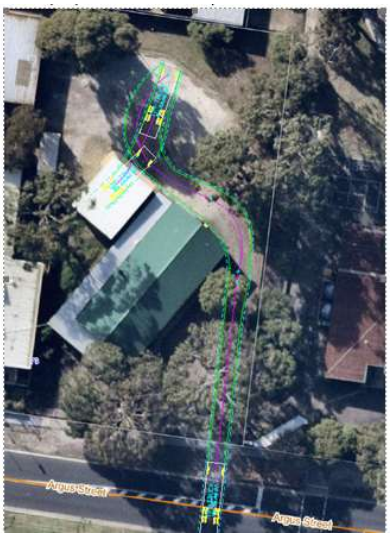
An assessment of vehicle access has identified that the proposed sale would impact the Scouts' ability to manoeuvre a vehicle and trailer combination to access the shed, as illustrated in the diagram below. However, pedestrian access would not be impacted.

In response to concerns raised by the Scouts through the public consultation process, officers investigated a revised subdivision layout that would retain additional land to facilitate ongoing

vehicle and trailer access to the shed. While this approach would address the Scouts' operational requirements, it would significantly reduce the area available for sale and result in a subdivision outcome that is less practical from a property and planning perspective.

The revised configuration would create a smaller and more constrained development parcel, reducing its attractiveness to the market and potentially impacting both market interest and sale value. The altered layout would also result in an irregular subdivision pattern that would effectively carve up Council's remaining landholding, creating a less logical property boundary arrangement and potentially constraining future use, redevelopment or strategic planning opportunities associated with the retained land.

Officers consider that accommodating vehicle access in this manner would materially diminish the benefits of any future sale while retaining many of the ongoing management and operational challenges associated with the site. These factors have been taken into consideration in assessing the overall merits of retaining the land in Council ownership compared to proceeding with a subdivision and sale.



Former Guide Hall Licensee (occupant)

Theatrical Incorporated has occupied the former Guide Hall under a Licence Agreement since January 2023. The approved use under the Licence includes theatre production activities, costume making, set and prop preparation, together with associated storage requirements.

The Licence also requires the licensee to demonstrate community benefit through the delivery of theatre-related activities and workshops accessible to the Kingston community. However, when requested by Council, the licensee was unable to provide evidence demonstrating that these activities had been delivered or that the required key performance indicators under the Licence had been achieved. Officer inspections and discussions with the licensee indicate that the building is predominantly being used for storage purposes.

Theatrical Incorporated is a private theatre company operating as a commercial entity and does not currently undertake theatre productions or public performances within the City of Kingston. The Licence expired on 31 December 2024 and the tenant is currently occupying the property under a holding-over arrangement. While the holding-over provisions provide Council with the ability to terminate the occupancy with one month's written notice, officers propose providing Theatrical Incorporated with six months' notice to vacate should Council resolve to discontinue the arrangement. This would provide the occupier with a reasonable transition period to identify and relocate to alternative premises.

3.1 Options

Option 1: (Recommended) Retain the Land and Demolish the building

Retain the land in Council ownership and terminate the current holding-over occupancy arrangement with Theatrical Incorporated. Subject to funding being identified through a future budget process, the former Guide Hall building would be demolished, with the site secured and maintained pending consideration of its longer-term strategic use.

This option responds to the concerns raised through the public consultation process while addressing the maintenance, risk and management issues associated with the existing building. It also preserves the strategic value of the broader Friendship Square landholding and Council's flexibility to respond to future community infrastructure and service needs.

Benefits of this option include:

- Retaining the land in public ownership for future strategic or community purposes.
- Responding to community feedback received through the Section 223 process.
- Preserving flexibility for future Council service delivery, community infrastructure and precinct planning initiatives.
- Maintaining the Friendship Square site as a consolidated Council landholding rather than creating a smaller and irregular residual parcel.
- Preserving the opportunity to expand the existing early years facility in response to forecast kindergarten demand.
- Maintaining the existing operational access required by the neighbouring Scout Group.
- Removing an ageing and functionally limited building that currently provides minimal community benefit.
- Reducing future maintenance, risk and management liabilities associated with the building.

An assessment of the site has confirmed that the neighbouring Scout Group currently relies on areas outside its leased premises to manoeuvre vehicles and trailers into and out of the Scout shed. Subdividing and selling part of the site would affect these existing access arrangements unless additional land were retained to provide sufficient manoeuvring space.

Officers investigated an alternative subdivision layout that would preserve the Scouts' vehicle and trailer access. However, this would reduce the area available for sale from approximately 1,054 square metres to approximately 589 square metres and reduce the estimated sale value from approximately $1.3 million to approximately $726,000. It would also create a smaller and more constrained development parcel and leave Council with an irregularly configured residual landholding.

The Friendship Square precinct has greater strategic value when retained as a consolidated landholding than it would if a smaller parcel were subdivided and sold. The broader site contains the preschool, Scout Hall and former Guide Hall and provides Council with flexibility to consider coordinated future community infrastructure, service expansion and precinct planning opportunities. Subdivision and sale would permanently reduce this flexibility and may constrain the future use or redevelopment of the retained Council land.

There may also be a longer-term strategic need for additional early years infrastructure within the area. The Kindergarten Infrastructure and Services Plan forecasts an unmet demand of approximately 299 kindergarten places within the Highett East-Cheltenham are

by 2036, with an unmet demand of approximately 1,048 places forecast across Kingston. Retention of the Friendship Square land preserves the opportunity to expand the existing early years facility in the future, subject to further service planning, feasibility assessment, funding and Council approval.

A building condition assessment undertaken in 2023 identified the former Guide Hall as requiring significant capital investment, including roof renewal works and fire services upgrades. While the building remains structurally sound, it is currently used primarily for storage and provides limited broader community benefit. Given the building's limited functionality, ongoing maintenance requirements and the absence of a demonstrated long-term need, officers do not consider further investment in the facility to represent value for money.

On balance, the longer-term strategic value of retaining the consolidated landholding outweighs the immediate financial benefit associated with subdividing and selling part of the site. Subject to funding being identified through a future budget process, demolition of the former Guide Hall is therefore considered the most prudent approach. This would remove an ageing asset with ongoing maintenance liabilities, reduce operational risks, improve the presentation and usability of the site, and preserve Council’s flexibility to consider its future strategic or community use.

Option 2: (Not Recommended) Subdivide and Sell Part of the Land

Subdivide the land in accordance with the revised subdivision layout and sell the surplus component through a public process.



Officers originally developed this option to address concerns raised by the Scouts by retaining sufficient land to facilitate vehicle and trailer access to the Scout shed. This would reduce the area proposed for sale from approximately 1,054 square metres to approximately 589 square metres and is estimated to reduce the potential sale value from approximately $1.3 million to approximately $726,000.

While this option would retain access arrangements for the Scouts, it would also result in a significantly smaller and more constrained development parcel. The reduced lot size and irregular configuration are likely to be less attractive to the market, potentially impacting purchaser interest, development opportunities and overall sale outcomes.

In addition, facilitating vehicle access in this manner would require Council to retain an irregularly shaped portion of land, creating a less logical subdivision outcome and effectively carving up Council's remaining landholding. This may constrain the future use, redevelopment and strategic planning opportunities associated with the retained land and reduce the flexibility of the broader Friendship Square precinct over time.

While this option would generate a capital receipt estimated at approximately $726,000 and respond to the Scouts' concerns, it would permanently reduce Council's landholdings in

Cheltenham and limit Council's ability to respond to future strategic opportunities identified through future planning processes.

Community feedback received through the consultation process demonstrated broader concerns regarding the disposal of public land in this location and highlighted the potential strategic value of retaining the site for future community purposes. Having regard to this feedback, together with the reduced sale value, diminished development potential and irregular subdivision outcome, officers do not recommend proceeding with the sale.

A current market valuation would be required to confirm the market value of any subdivided parcel prior to sale. Any sale proceeds would be allocated in accordance with Council's adopted policies and financial management framework.

Option 3: (Not Recommended) Retain the Building and Continue the Occupancy Agreement.

Retain the land and continue the current occupancy arrangement with Theatrical Incorporated.

The existing building is outdated, functionally obsolete and not considered suitable for contemporary community purposes without significant capital investment. The building is currently utilised primarily for storage and has been subject to vandalism and graffiti.

This option would require Council to continue managing an ageing asset that provides limited community benefit and does not address the concerns associated with the condition and ongoing maintenance of the building.

Accordingly, officers do not recommend this option.

3.2 Property Strategy 2024

This report forms part of the ongoing implementation of Council’s Property Strategy and demonstrate the application of a consistent, evidence-based approach to identifying and progressing surplus land.

Property Services will continue to align its work program with the CIF to identify assets that may be under-utilised, no longer aligned with service delivery needs, or not required to support planned community infrastructure.

Assets identified through this process will be subject to further assessment using the Property Assessment Tool (PAT). The PAT considers assets based on their strategic value, financial performance, development opportunity and risk, and overall community benefit.

Based on the PAT assessment, 14 Friendship Square has been identified as surplus to Council's current operational requirements. However, following consideration of community feedback received through the public consultation process, officers recommend retaining the land in Council ownership at this time to preserve future strategic flexibility while addressing the issues associated with the existing building through eventual demolition.

3.3 Building Condition and Future Management of the Site

A visual inspection and review of Council's asset condition data indicate that the former Guide Hall, currently occupied by the Mentone Scout Group, is in fair overall condition. The building remains serviceable and capable of supporting its current use; however, a number of building elements are showing signs of ageing and deterioration that will require ongoing maintenance and renewal over time.

The assessment identified a mix of building components in varying condition. While some structural elements remain functional, several components, including sections of the building fabric, roof and associated services, are exhibiting deterioration consistent with an ageing

asset. In particular, the roof requires renewal works and a number of fire services defects have been identified that would need to be addressed to ensure ongoing compliance and suitability for continued occupation.

Continued programmed maintenance and targeted capital renewal works will be necessary to prevent further deterioration and maintain the building at an acceptable standard of service. The assessment suggests the asset retains a reasonable remaining useful life, subject to these renewal requirements being addressed in a timely manner.

From a property perspective, the building does not present an immediate constraint to continued occupation. However, any long-term retention strategy should recognise the capital investment required to address ageing building components, including roof renewal and fire services upgrades, and the ongoing maintenance obligations associated with retaining the asset.

3.4 Internal Consultation Outcomes

It is noted that the site in question is within the Cheltenham planning area and in proximity to the Suburban Rail Loop (SRL) project, and potential delivery of a community hub.

The SRL advisory committee is due to report in November 2026, following an outcome of SRL advisory committee recommendations to the Minister.

While the draft Community Infrastructure Framework identifies future gaps in creative spaces by 2046, these were not prioritised due to limited space in the proposed hub, and the final scope remains uncertain.

Officers acknowledge the potential implications arising from the SRL project. Notwithstanding this uncertainty, there is currently no identified service requirement, funded project, or endorsed strategy that would utilise the former Guide Hall site, even under potential future SRL scenarios. The CIF identifies potential long-term gaps in creative spaces; however, these gaps have not been prioritised for delivery within this precinct, and no defined scope, funding, or delivery pathway exists for this site.

Given the absence of a demonstrated future need, the ongoing holding costs, and the opportunity to reinvest proceeds into higher-priority property acquisitions, officers consider that deferring a decision would not provide a clear strategic benefit to Council or the community.

Council’s Open Space team have confirmed that they have no requirements for this land, and it is not identified as an area of open space shortage under the Open Space Strategy.

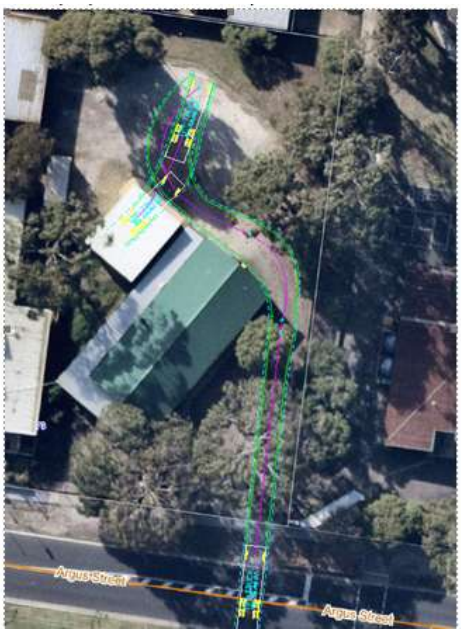
Council’s Active Kingston team have confirmed that the Play Your Way Strategy indicates no major changes or deficiency for playgrounds in this area, noting that Friendship Square Playground is located just 50 meters from this property.

3.5 Public Consultation Outcomes

Given the strategic uncertainty associated with the Suburban Rail Loop project, future community infrastructure planning and the feedback received through the public consultation process, officers consider there is merit in retaining the land in Council ownership at this time. While there is no current funded project or identified service requirement for the site, retention preserves Council's ability to respond to future opportunities should they arise.

3.5.1 Scout Access to Shed

An assessment of vehicle access has identified that the proposed sale would impact the Scouts' ability to manoeuvre a vehicle and trailer combination to access the shed, as illustrated in the diagram below. However, pedestrian access would not be impacted.



3.6 Property Strategy Next Steps

This report forms part of the ongoing implementation of Council's Property Strategy and demonstrate the application of a consistent, evidence-based approach to identifying and progressing surplus land.

Property Services will continue to align its work program with the CIF to identify assets that may be under-utilised, no longer aligned with service delivery needs, or not required to support planned community infrastructure.

Assets identified through this process will be subject to further assessment using the PAT to determine their strategic value, financial performance, development opportunity and risk, and overall community benefit.

The portfolio review undertaken to date indicates that the majority of Council's property assets are currently occupied, well utilised, and supporting active service delivery. As a result, opportunities for divestment across the broader portfolio are limited and, in many cases, would require strategic service relocations or consolidation to be considered viable.

As the next phase of work, Property Services will undertake a more detailed review of Council's active community centres and facilities to better understand utilisation patterns, co-location opportunities, and long-term alignment with service strategies. This review will focus on identifying any further opportunities for optimisation that may, over time, present options for rationalisation or divestment without compromising service delivery or community outcomes.

Property Services will return to Council with a separate, more detailed briefing outlining the outcomes of this review and any potential future opportunities identified through the application of the CIF and PAT framework.

4. Consultation

4.1 Internal Consultation:

Arts, Events & Libraries

Open Space

Traffic

Project Management Office

Active Kingston

Inclusive Communities

4.2 Community Consultation:

Group	Method
Key Stakeholders Properties in surrounding area.	Direct mail out to neighbouring residents and key stakeholders. A sign advising of the public notice was displayed on site throughout the notification period.
General community	A Notice of intention for the sale of the property four weeks prior to the property going on the market.
Advisory Committees	The committee considered the feedback and has documented in this report how it has influenced the decision.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective
Strategy: Prioritise the current and future needs of the community through effective and sustainable long-term management and planning

5.2 Governance Principles Alignment

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

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

The proposal is to direct the gross proceeds from the sale to the Land Acquisition Reserve to fund future acquisitions.

The Land Acquisition Reserve is expected to provide sufficient funding for future planned acquisitions.

Budget

Demolition costs: $65,000

Property valuation: $726,000 for 589 sqm of land or $1,300,000 for 1054 sqm of land.

Subdivision Costs: $8000+gst

Staff Resources

This project can be delivered with existing resources.

5.4 Risk considerations

The neighbouring Scout Group has a significant interest in the site and has actively participated in the consultation process. Ongoing engagement with the Scouts will be important in managing future changes to the site.

Appendices

Appendix 1 - Submissions - 14 Friendship Square, Cheltenham - confidential

Author/s:	Michelle Crook, Property Coordinator
Reviewed and Approved By:	Nikolaj Dennis, Manager Property Services
	Peter Bean, Chief Executive Officer

Ordinary Council Meeting

28 September 2026

Agenda Item No: 11.3

PROPERTY STRATEGY - 39 FOLLETT ROAD, CHELTENHAM

Contact Officer: Michelle Crook, Property Coordinator

Purpose of Report

The purpose of this report is to seek Council approval to subdivide the land at 39-41 Follett Road, Cheltenham into two separate titles, being Lot 39 and Lot 41 Follett Road, Cheltenham, and to proceed with the sale of the land located at 39 Follett Road, Cheltenham.

Disclosure of Officer / Contractor Conflict of Interest

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

RECOMMENDATION

That Council:

1. Note that 39 Follett Road, Cheltenham has been assessed as surplus to Council's current and future requirements following assessment under Council's Property Assessment Tool (PAT) and in accordance with the objectives and principles of the Property Strategy 2024.
2. Note that the proposed subdivision and sale of 39 Follett Road, Cheltenham supports the strategic directions of the Council and Wellbeing Plan and Property Strategy 2024, which seek to ensure Council's property portfolio is managed efficiently, that underperforming assets are reviewed, and that capital realised from surplus property is reinvested to support future community infrastructure and strategic land acquisition opportunities
3. Note that the Section 223 process has concluded with 51 submissions having been considered by a Section 223 Committee comprising of Mayor Georgina Oxley, Deputy Mayor Sarah O'Donnell, Wattle Ward Councillor Georgia Erevnidis, the Manager Property Services and the Head of Strategic Property Services;
4. Resolve to subdivide the land at 39-41 Follett Road, Cheltenham into two separate titles and sell the land known as 39 Follett Road, Cheltenham, subject to all necessary statutory and planning approvals being obtained.
5. Authorise the Chief Executive Officer, or delegate, to undertake actions necessary to give effect to the subdivision and sale, including:
    (a) Obtaining all required statutory, planning, servicing and title approvals;
    (b) Subdividing the land;
    (c) Terminate the existing (expired) lease with the tenant, Life Activities Club Cheltenham Inc. and issue a new lease for the Cheltenham East Community Hall at 41 Follett Road, Cheltenham, excluding the land located at 39 Follett Road, Cheltenham.
    (d) Selling the subdivided land in accordance with the State Government's Best Practice Guidelines for the Sale, Exchange and Transfer of Land; and
    (e) Executing all documents and instruments necessary to complete the transaction.

(f) Direct that the net proceeds from the sale be transferred to Council's Land Acquisition Reserve to support future strategic property acquisitions in accordance with Council's Property Strategy and Property Sale and Acquisition Policy.

1. Executive Summary

This report seeks approval to progress the subdivision and sale of part of the land at 39-41 Follett Road, Cheltenham.

The land comprises a community centre (Lot 41) and two sheds (Lot 39). Lot 39 is predominantly used by members of the Life Activities Club Cheltenham Inc who are the tenants of the Cheltenham East Community Hall for informal parking on grass for approximately six vehicles. This parking area is enclosed by a substantial perimeter fence and secured with a locked gate, resulting in restricted access and providing minimal broader community benefit. The two sheds situated on Lot 39 are not occupied by the current tenant and are currently being sublet by the Club.

At its meeting of 26 May 2026, Council resolved to commence a public consultation process regarding the proposed subdivision and sale of part of the site. The consultation process included public notice, on-site signage, publication on Council's website, and direct engagement with surrounding property owners, stakeholders and the current occupier.

A total of 51 written submissions were received during the consultation period. A Section 223 Committee was subsequently convened to consider the submissions and hear directly from submitters wishing to address the Committee.

Analysis of the 51 submissions indicates that the majority (approximately two-thirds) were received from members and users of the Cheltenham East Community Hall, including a formal submission from Life Activities Club Cheltenham Inc. Approximately one-quarter of submissions were received from nearby residents, with the balance received from other community members. Accessibility, parking availability, traffic impacts and the broader community value of the site were common themes raised across all submitter groups.

Following consideration of the submission received, Council's Traffic team has reassessed the proposal and determined current parking conditions indicate that surrounding streets have sufficient capacity to accommodate parking demand, and while the removal of the off-street parking spaces may increase on-street parking demand, the impact is expected to be minimal. There are no significant accessibility or traffic safety concerns associated with reliance on existing on-street parking, and any future issues, including parking occupancy or sightline concerns near the road bend, can be assessed and managed through Council's standard parking and traffic review processes.

In addition, Council's City Economy and Innovation team has assessed the proposal and determined that it is unlikely to materially impact parking availability, business operations, or the ongoing viability of the Follet Road shopping centre.

Subject to completion of the statutory requirements, the Chief Executive Officer would be authorised, under delegation, to execute the Contract of Sale and any associated documentation required to complete the transaction.

The recommendation to subdivide and sell 39 Follett Road is consistent with Council's Property Strategy 2024 and Council and Wellbeing Plan, which promote the active management of Council's property portfolio and the divestment of surplus or underperforming assets where they no longer support service delivery or broader community outcomes. The proposal will enable Council to reinvest the sale proceeds into future strategic property

acquisitions and community infrastructure opportunities through the Land Acquisition Reserve.

Council has received significant community feedback in relation to the proposed subdivision and sale of 39 Follett Road, Cheltenham, including 51 submissions and a petition containing approximately 345 signatures. The majority of submitters and petition signatories expressed a preference for Council to retain the land, primarily due to concerns regarding parking availability and accessibility for users of the Cheltenham East Community Hall.

Officers acknowledge these concerns and the value that many community members place on the existing parking arrangements. However, following detailed assessment, the evidence indicates that the land provides a limited community benefit in its current form. The site is not required to support current or future service delivery, is not identified for future community infrastructure purposes, does not function as public open space, and is primarily utilised as informal parking for a limited number of hall users. Access to the land is restricted by fencing and a locked gate, meaning it is not available for broader community use.

While community sentiment is an important consideration, it must be balanced against Council's broader strategic obligations to manage its property portfolio efficiently and in accordance with the Property Strategy 2024. Retaining underutilised assets solely because they are available may reduce Council's capacity to reinvest resources into higher priority community infrastructure, service delivery and future strategic land acquisition opportunities.

Officers therefore consider that, on balance, the strategic, financial and community outcomes associated with the subdivision and sale of 39 Follett Road outweigh the limited current benefit derived from the site's informal use as a parking area. Proceeding with the proposal would demonstrate the application of a consistent, evidence-based approach to the management of Council-owned land and support the ongoing implementation of Council's adopted Property Strategy. Proceeds from the sale would be reinvested through the Land Acquisition Reserve to support future property acquisitions and community infrastructure opportunities that deliver broader community benefit.

2. Background

Kingston Council owns the property at 39 Follett Road, Cheltenham, which has historically been used as parking to support the adjacent Cheltenham East Community Centre. The Cheltenham East Community Hall and the adjoining parking area are currently leased to the Life Activities Club Cheltenham Inc. The lease expired on 30 April 2025 and is continuing under a hold-over arrangement, with rent set at $104 per annum.

The land comprises a community centre (Lot 41) and two sheds (Lot 39). Lot 39 is predominantly used by Club members for informal parking on grass for approximately six vehicles. This parking area is enclosed by a substantial perimeter fence and secured with a locked gate, resulting in restricted access and providing minimal broader community benefit.

Officers have also identified that the two sheds on Lot 39 are not in use by the current tenant but are sublet by the Club to an unidentified third party for storage purposes without Council’s consent.

- Land Size Total: 39-41 Follett Road, Cheltenham: 1,362 sqm
- Land Size Subject Site: 39 Follett Road, Cheltenham (blue highlighted area below): 612sqm
- Planning Zone: NRZ7 – Neighbourhood Residential Zone
- Current Market Valuation: $1,050,000



At its Ordinary Meeting on of 26 May 2026, Council resolved the following:

12.6 Property Strategy - 39 Follett Road, Cheltenham

COUNCIL RESOLUTION

Moved: Cr Erevnidis **Seconded: Cr Athanasopoulos**

That Council:

1. Authorise the Chief Executive Officer or delegate to give public notice under section 223 of the *Local Government Act 1989*, section 114, of the *Local Government Act 2020* and Council's Community Engagement Policy of its intention to separate the land into two titles, Lot 39 & Lot 41, and sell 39 Follett Road, Cheltenham; and
2. Consider any submissions received in response to the public notice through a committee comprising Mayor Georgina Oxley, Deputy Mayor Sarah O'Donnell, Wattle Ward Councillor Georgia Erevnidis, the Chief Finance Officer, the Manager Property Services and the Team Leader Property Services, with the committee to provide a report to Council;
3. Receive a report upon completion of the consultation process.

Cr Hill returned to the meeting at 7.39pm

FOR: Crs White, O'Donnell, Hill, Athanasopoulos, Ashworth-Collett, Erevnidis, Howe, Oxley and Agirtan (9)l

AGAINST: Nil (0)

CARRIED

The Public Notice was conducted in accordance with Council's Community Engagement Policy.

As part of the community engagement process, Council:

- installed signage at the site;
- published information on Council's website; and
- undertook targeted engagement with key stakeholders, including the current tenant and adjoining property owners, inviting feedback on the proposed subdivision and sale.

The feedback received through the consultation process was considered by the Section 223 Committee and has informed the recommendations contained in this report.

Council received 51 submissions. Approximately 70% were from members and users of the Cheltenham East Community Hall, including a submission from Life Activities Club Cheltenham Inc., with a further 20% received from nearby residents and 10% from other community members and Kingston residents. Key themes raised included accessibility, parking availability, traffic impacts and the community value of the site. The majority of

concerns related to the loss of parking associated with the ongoing use of the Cheltenham East Community Hall and the potential impact on older members and people with mobility challenges.

The Section 223 Committee considered the submissions on 3 August 2026. Representatives of Life Activities Club Cheltenham Inc. addressed the Committee and presented their views. Other interested members of the public attended the meeting but did not make presentations.

A petition opposing the proposed sale of 39 Follett Road was subsequently lodged containing approximately 345 signatures with a large proportion from Cheltenham and surrounding suburbs.

3. Discussion

The property located at 39 Follett Road; Cheltenham has been identified as surplus to Council's requirements. The site is a block of land located adjacent to the Cheltenham East Community Centre.

It is recommended that the property is separated into two titles (Lot 39 and Lot 41) and Lot 39 Follett Road, Cheltenham sold through a public process in line with Council's Property Strategy (2024).

Community Consultation

Public Consultation was undertaken from 8 June 2026 to 7 July 2026.

Council received a total of 51 submissions. Analysis of these submissions indicates that approximately 70% were received from members and users of the Cheltenham East Community Hall, including a formal submission from Life Activities Club Cheltenham Inc. Approximately 20% of submissions were received from nearby residents, while the remaining 10% were received from other community members and Kingston residents.

Accessibility, parking availability, traffic impacts and the broader community value of the site were common themes raised across all submitter groups. The majority of concerns related to the perceived loss of parking associated with the ongoing use of the Cheltenham East Community Hall and the potential impact on older members and people with mobility challenges.

Councils Governance team also received a petition on 14 August 2026. The petition contains approximately 345 names/signatures. An indicative review of the addresses provided suggests that approximately 91% of signatories reside within the City of Kingston, including around 38% from Cheltenham. Other commonly represented suburbs include Mentone, Parkdale, Mordialloc, Clarinda, Bentleigh/Bentleigh East, Dingley Village, Edithvale and Aspendale. Approximately 7% of signatories appear to reside outside Kingston. Governance has also advised that four signatories were excluded because they did not provide a signature

3.1 Options

Option 1 (Recommended): Separate the land into two titles (Lot 39 & Lot 41) and sell 39 Follett Road, Cheltenham through a public process and for the proceeds to be held in the Land Acquisition reserve.

A current market valuation (currently estimate $1,050,000) will be undertaken as part of the public sale process.

The sale proceeds will be redirected to fund other property acquisitions identified in line with the property strategy and service needs.

Option 2: Retain the land and continue to lease the property to the current tenant under a new agreement which clarifies the use of the two sheds.

There is limited community benefit from this land, as it is primarily used by club members for parking. Access is restricted by a substantial fence and a locked gate, limiting broader public use.

Option 3: Retain the land, demolish the two sheds and continue to lease the property to the current tenant under a new agreement.

There is limited community benefit from this land, as it is primarily used by club members for parking. Access is restricted by a substantial fence and a locked gate, limiting broader public use.

3.2 Property Strategy 2024

Council adopted the Property Strategy in August 2024. One of the policy positions on disposals is to actively sell underperforming properties or those that could deliver greater value to the community. Revenue from these sales will be reinvested to support future land acquisitions to support service needs.

As part of the Second Wave of the Property Strategy implementation, the PAT has been applied to 39 Follett Road, Cheltenham to determine the site's alignment with Council's current and future property and service delivery requirements.

The PAT provides a structured and consistent methodology for assessing Council land against three key criteria:

1. Financial Performance
2. Development Opportunity and Risk
3. Overall Community Benefit

Financial performance: the site is underperforming. While holding costs are low, the land delivers minimal service or community benefit, with its use limited to informal, restricted parking for a small number of users. This level of service does not justify the retention of a high-value asset and represents a poor return on Council's land holdings when considered against alternative community investment opportunities.

Development opportunity and risk: the site is not identified in the Community Infrastructure Framework as required for future infrastructure, is outside the Suburban Rail Loop planning area, and presents no strategic advantage for Council-led development. Retention would require ongoing management without a clear service or strategic outcome, whereas subdivision and sale is considered low risk and achievable.

Community benefit: the site provides limited public access and does not contribute to broader open space, recreation or community infrastructure outcomes. Importantly, officers consider that divestment of Lot 39 does not compromise the ongoing operation of the Cheltenham East Community Hall, which will be retained separately on Lot 41.

Based on the PAT assessment, 39 Follett Road has been determined to be surplus to Council's ongoing requirements. The land does not support current or future service delivery, delivers limited community benefit in its existing form, and presents an opportunity to unlock capital for reinvestment into higher-priority community outcomes in accordance with the Property Strategy.

3.3 Allocation of Sale Proceeds

In accordance with Council's Property Strategy and the proposed Property Sale and Acquisition Policy, proceeds from the sale of this property will be allocated to Council's Land Acquisition Reserve.

The Reserve is established to hold funds generated through the divestment of surplus or underperforming assets and to support future strategic property acquisitions that align with Council's service delivery needs and long-term planning objectives. Allocating sale proceeds to the Reserve ensures that capital released from low-value holdings is retained for reinvestment into assets that deliver stronger community, operational and strategic outcomes.

Funds held in the Land Acquisition Reserve provide Council with the capacity to act efficiently when acquisition opportunities arise, including securing land for future community infrastructure, service expansion, or other strategic purposes identified through Council's adopted strategies and plans.

3.4 State Government's 2009 Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land.

The General Principles underpinning the Guidelines include:

- Sales should be conducted through a public process (i.e. public auction, public tender or by registration of expressions of interest) unless circumstances exist that justify an alternative method of sale, for example the sale or exchange of land by private treaty. A council should explain to its community the circumstances which led to its decision to use an alternative method of sale in the interests of probity, public accountability, and transparency.
- Sales, exchanges, and transfers of land should be in the best interests of the community and provide the best result, both financial and non-financial, for the council and the community.

3.5 Internal Consultation Outcomes

Council's Community Infrastructure Planner has confirmed that the property is outside the declared Suburban Rail Loop (SRL) planning boundary. As such, it is not subject to SRL precinct planning controls or associated infrastructure commitments.

Council's Project Management Office has advised that the two sheds on the property are in poor condition and are to be removed as they are not repairable. The cost of this removal is $25,000.

Council's Traffic team has advised that the impact on the current off street parking provisions should it be determined to sell this property would be minimal, as parking demand can be accommodated within the surrounding area. Nearby streets have unrestricted parking and low occupancy levels.

Council's Open Space team has advised that the Open Space Strategy details that there are no significant changes required in this area, noting that Follett Reserve is located across the road. The team also noted that the SRL Cheltenham precinct planning area does not extend to this property and therefore there is no major population changes expected in this area.

3.6 Public Consultation Outcomes

Council's Traffic Officers have reviewed the community feedback and undertaken an assessment of the potential impacts associated with the proposal. Their assessment found that the proposed sale of Lot 39 Follett Rd, Cheltenham is unlikely to result in significant

environmental or traffic-related impacts. Concluding the proposal would have a negligible impact on parking availability, traffic operations and pedestrian safety.

3.6.1 Parking

Traffic Officers advised that Ivy Street, Egerton Avenue and Follett Road currently operate without parking restrictions, allowing residents and visitors to park legally for unrestricted periods. A review of aerial imagery from the past two years indicates that these streets generally have available parking capacity and are not experiencing significant parking pressure. While the removal of the existing off-street parking spaces may result in some displaced parking demand within the surrounding street network, it is not expected to have a significant adverse impact on local parking conditions.

Council has investigated opportunities to improve accessibility at the site through the provision of an accessible parking space. Based on the size of the community hall and the existing parking supply, it may be feasible for Council to install one accessible parking space in close proximity to the building to improve access for users with mobility impairments.

The preferred location for any accessible parking space would be as close as practicable to the facility entrance in order to minimise travel distances and improve accessibility. However, the existing gravel car park presents a significant constraint.

Current Australian Standards require accessible parking spaces to comply with specific grade, surface and accessibility requirements. Gravel surfaces are generally not considered compliant for accessible parking, meaning that any accessible parking space would require the construction of a suitable hardstand surface, such as a concrete pad, together with associated line marking, signage and access provisions.

Preliminary advice indicates that while the installation of a single accessible parking space may be achievable, it would require additional capital works and associated costs. Officers could investigate the feasibility, design requirements and cost implications of delivering an accessible parking space as part of any future site improvement works.

Advice from Council's Traffic and Engineering team indicates that the construction of additional accessible parking bays to offset those lost from the proposed sale of lot 39 is feasible; however, it would require the removal of landscaped areas and associated civil works including excavation, pavement construction, signage, line marking and traffic management.

Preliminary cost estimates prepared by the Traffic Team indicate that:

- Construction of one additional accessible parking bay would cost approximately $18,700 (including contingencies).

These costs are indicative only and exclude any broader site upgrades, design revisions, permit requirements or unforeseen site constraints.

Given the estimated capital cost, the relatively modest increase in parking capacity, officers do not recommend undertaking these works at this time. Should Council retain the site for ongoing community use, the delivery of additional accessible parking could be considered as part of future capital works planning and budgeting.

Accordingly, while the provision of an accessible parking space may be possible, it is not currently available and would require further assessment, funding and construction works to ensure compliance with accessibility standards.

3.6.2 Accessibility

From an accessibility perspective, off-street parking is generally preferred as it provides greater separation from passing traffic. However, the existing on-street parking arrangements within the surrounding streets are typical of residential areas and do not present any specific traffic safety or accessibility concerns. While the removal of the off-street parking spaces may

require some visitors to nearby properties or the hall to park further from their destination, this is a common circumstance across the municipality and is not considered an unusual or significant impact.

3.6.3 Safety

From a road safety perspective, the curved section of the road is currently unrestricted and there is no evidence to suggest that parking at this location has created sightline or safety concerns. Historical observations indicate that vehicles are not regularly parked in close proximity to the bend, and it is therefore considered unlikely that the proposed sale would result in parking behaviour that adversely affects visibility or road safety. Should concerns arise in the future, Council's Traffic Engineers can undertake a sightline assessment to determine whether parking restrictions or other traffic management measures are warranted.

3.6.4 Impact on shopping precinct

Council's City Economy and Innovation Officers reviewed the community feedback and advised that 39 Follett Road is located more than 160 metres from the Follett Road shopping centre, placing it outside the centre's primary pedestrian and parking catchment. As such, the site is not considered to make a meaningful contribution to customer access or the economic functioning of the centre. Consistent with advice from Traffic Officers, any parking displaced because of the proposed subdivision and sale is unlikely to materially impact parking availability, business operations, or the ongoing viability of the shopping centre. The centre is expected to continue serving the needs of a modest but growing residential population, and there are currently no Council streetscape improvement works planned for the area.

3.7 Property Strategy Next Step

This report forms part of the ongoing implementation of Council's Property Strategy and demonstrate the application of a consistent, evidence-based approach to identifying and progressing surplus land.

Property Services will continue to align its work program with the CIF to identify assets that may be under-utilised, no longer aligned with service delivery needs, or not required to support planned community infrastructure.

Assets identified through this process will be subject to further assessment using the Property Assessment Tool (PAT). The PAT considers assets based on their strategic value, financial performance, development opportunity and risk, and overall community benefit.

The portfolio review undertaken to date indicates that the majority of Council's property assets are currently occupied, well utilised, and supporting active service delivery. As a result, opportunities for divestment across the broader portfolio are limited and, in many cases, would require strategic service relocations or consolidation to be considered viable.

As the next phase of work, Property Services will undertake a more detailed review of Council's active community centres and facilities to better understand utilisation patterns, co-location opportunities, and long-term alignment with service strategies. This review will focus on identifying any further opportunities for optimisation that may, over time, present options for rationalisation or divestment without compromising service delivery or community outcomes.

Property Services will return to Council with a separate, more detailed briefing outlining the outcomes of this review and any potential future opportunities identified through the application of the CIF and PAT framework.

4. Consultation

4.1 Internal Consultation:

Inclusive Communities

Open Space

Traffic

Active Kingston

Project Management Office

City Development and Innovation

4.2 Community Consultation:

Group	Method
Key Stakeholders Properties in surrounding area.	Direct mail out to neighbouring residents. A sign advising of the public notice was displayed on site throughout the notification period.
General community	A Notice of intention for the sale of the property, four weeks prior to the property going on the market.
Advisory Committees	The committee considered the feedback and has documented in this report how it has influenced the decision.

5. Compliance Checklist

5.1 Council and Wellbeing Plan Alignment

Strategic Direction: Responsibly Governed - We are a transparent and efficient organisation that is accountable, responsive and cost-effective
Strategy: Prioritise the current and future needs of the community through effective and sustainable long-term management and planning

5.2 Governance Principles Alignment

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

Principle (g) - the ongoing financial viability of the Council is to be ensured.

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

5.3 Financial Considerations

The Land Acquisition Reserve does not have a dedicated funding source. For the Reserve to be viable, it will need to receive the funding from property sales. There is currently a deficit in the Reserve due to Council's resolution to reimburse Council's accumulated funds from the Governor Rd acquisition.

The Land Acquisition Reserve is expected to provide sufficient funding for future planned acquisitions.

Budget

Demolition and removal cost: $25,000

Property valuation: $1,050,000

Subdivision Costs: $4100+GST

Mowing costs: $480 ex GST pa

Staff Resources

This project can be delivered with existing resources.

5.4 Risk considerations

The land is currently used for parking by hall users and, on occasion, local residents. As a result, the disposal of the land may reduce available parking and pose some inconvenience for hall patrons and nearby residents who currently rely on these spaces.

Appendices

Appendix 1 - Submissions - 39 Follett Road Cheltenham - confidential

Author/s:	Michelle Crook, Property Coordinator
Reviewed and Approved By:	Nikolaj Dennis, Manager Property Services
	Peter Bean, Chief Executive Officer

12. Notices of Motion

Ordinary Council Meeting

28 September 2026

Agenda Item No: 12.1

NOTICE OF MOTION NO. 19/2026 - CR ATHANASOPOULOS - FUTURE DELIVERY OF BEACH MAINTENANCE WITHIN PATTERSON LAKES

That Council receives a report no later than 30 November 2026 regarding the future delivery of beach maintenance within the Patterson Lakes waterway system, including:

1. Options to establish beach maintenance within the Patterson Lakes waterways as an ongoing municipal service of the City of Kingston, including the operational and contractual arrangements necessary to maintain the current or an improved level of service into the future.
2. Advice on the long-term arrangements required to ensure the City of Kingston retains responsibility for the delivery, oversight and quality of beach maintenance services, recognising the waterways as an important municipal asset.
3. Advice on incorporating the ongoing cost of beach maintenance into Council's recurrent operating budget as a municipal service, together with any opportunities to improve operational efficiency or obtain external funding, excluding the introduction of a special charge or similar levy on affected property owners.
4. An assessment of the current maintenance arrangements, 1 of 2 including service frequency, performance measures, contract management and opportunities to improve service delivery.
5. Options to achieve the best financial and service outcomes through contractual arrangements with Melbourne Water or another suitably qualified and equipped provider, while ensuring that the City of Kingston retains responsibility, oversight and accountability for the service.
6. Advice regarding the continued use of existing maintenance access easements along the Tidal Waterways where practical, safe and lawful to support efficient maintenance operations.
7. Opportunities to improve public access to the Patterson Lakes beaches and waterways, where practical and environmentally appropriate, recognising these areas as community assets for the enjoyment of all residents.
8. A summary of community consultation undertaken to date together with recommendations for ongoing engagement with residents regarding future maintenance and access improvements.

Rationale

The Patterson Lakes waterways are a unique environmental, recreational and community asset within the City of Kingston. For many years, Council has undertaken beach maintenance to preserve public amenity, support environmental outcomes and assist with the effective management of the waterways. This Notice of Motion seeks to provide certainty for residents by investigating options to establish beach maintenance as an ongoing municipal service of the City of Kingston, supported by sustainable funding and clear service standards. It also seeks to ensure that future decisions are informed by appropriate community consultation and transparent reporting. The intention of this motion is to maintain Council's ongoing responsibility for this important community service and to identify the most effective long-term arrangements to ensure its continuation for future generations.

Cr Tony Athanasopoulos

Guidance Note

Notice of Motion No. 19/2026 – Cr Athanasopoulos

Future Delivery of Beach Maintenance within Patterson Lakes

Officer Advice

A Councillor Briefing is scheduled for **5 October 2026** to discuss the current arrangements, independent advice received on future governance and funding models, and potential pathways for the future service.

The Briefing will substantially address the matters raised in the Notice of Motion (NoM). A report can be presented to Council in November 2026 responding to the points raised in the NoM.

Background and Key Points

Beach maintenance as a Council service

Council retaining responsibility for artificial beach maintenance is theoretically a possible service model. Under a Council-led model, suitably qualified contractors could be procured to undertake the works. However, as this land forms part of the flood management for the area and the beaches are not owned by Council, Melbourne Water currently requires any contractor to be approved by them. This model would also require broader changes to the current arrangements, particularly for the Tidal Waterways. These include access to specialist equipment, appropriately skilled personnel, procurement arrangements, operational access and transition planning.

Current contractor arrangements

Council currently funds the artificial beach maintenance service, while Melbourne Water procures and manages its physical delivery through a third-party provider. The service provider is selected from Melbourne Water's contractor panel. Melbourne Water also facilitates specialist access within the Tidal Waterways, including through its own boat and barge. This creates a separation between Council's responsibility and accountability for the service and Melbourne Water's direct contractual relationship with the service provider.

An alternative provider could not necessarily be substituted into the existing arrangement without resolving a number of considerations, including approval requirements of Melbourne Water, access arrangements, specialist water-based access and specialist equipment, such as barge and boat.

Given the interdependence with MW, further operational and legal advice would be required before determining whether a Council-appointed contractor could independently undertake the full existing service.

Ongoing funding from General Rates

Council can determine to continue funding artificial beach maintenance through its recurrent operating budget. Since the previous Special Charge expired in 2022, Council resolved to not implement a further charge, and the service has been fully funded from General Rates Revenue. Independent advice identifies the absence of a dedicated funding mechanism as one of the challenges with the current model.

Information on the current service costs and the financial implications of Council funding will be discussed with Councillors (planned for the 5 October 2026 Briefing).

Maintenance access easements
Existing maintenance easements may continue to support service delivery where they are legally available, safe and physically suitable. Independent advice identifies significant land-based access constraints within parts of the Tidal Waterways, including difficult terrain, structures, private jetties and mooring arrangements. Further work would need to include mapping the relevant easements and assessing their legal status, practical usability and suitability for the equipment required to undertake maintenance.

Public access
The independent review distinguishes between the broader public benefit of the waterways and public access to the artificial beaches themselves. Access to many artificial beach areas is currently constrained, with the direct recreational and amenity benefits consequently concentrated around adjoining properties.

Any access changes would require agreement with Melbourne Water as landowner and consideration of safety, accessibility, environmental impacts, residential interfaces and potential infrastructure costs.

Community feedback and future engagement
The foreshadowed motion refers to recent correspondence from 64 resident households seeking continuation of the current arrangements. This represents relevant new community feedback and can be considered alongside previous engagement once the correspondence is available to officers. Future engagement requirements will depend on the direction ultimately pursued.

Councillor Briefing 5 October 2026
The Councillor Briefing provides an opportunity for discussion and consideration of the matters raised through the foreshadowed motion before further work is commissioned.

Author/s:	Luke Dexter, A/ Manager Open Space
Reviewed and Approved By:	Samantha Krull, General Manager Infrastructure and Open Space
	Peter Bean, Chief Executive Officer

14. Confidential Items